

CALL FOR PROPOSALS

2021/CFP/TRU/02

CONCERNING ACTIONS OF COMMON INTEREST TO SUPPORT THE IMPLEMENTATION OF THE  
EXTENDED BASIC TRAINING PROGRAMME FOR THE EUROPEAN STANDING CORPS CATEGORY 1

## Frequently asked questions - FAQs

Frequently asked questions

Last update: 03.11.2021

**Disclaimer:**

In the interest of equal treatment of applicants, Frontex cannot issue a prior opinion on the eligibility of an applicant, an action or specific activities.

**Question 1**

Please explain the notion of the “legal person being training institution (public law/body) entitled to deliver and organise law enforcement training”. With this regard please note that under [one of EU MS’s national] law all governmental entities tasked with law enforcement training have no legal personality. In another words: can a private company registered as a legal person under [one of EU MS’s national] law participate in the call?

In case the eligibility criteria do not allow participation of a private company in the call, we kindly request to indicate the legal basis for limitation of the competition, in particular to the rule stipulated in the Article 46 Par.1 of the Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security, and amending Directives 2004/17/EC and 2004/18/EC. It reads: “Member States may introduce either official lists of approved contractors, suppliers or service providers or certification by certification bodies established under public or private law.”

RE:

1. With procedure 2021/CFP/TRU/02 - which includes this particular call for proposals - Frontex wishes to award grant(s) for the actions of common interest to support the implementation of the Extended Basic Training Programme for European Border and Coast Guard Standing Corps Category 1<sup>[1]</sup>. This is a grant procedure governed by the General Financial Regulation<sup>[2]</sup>. This is not a public procurement procedure in the commonly known sense; therefore it is not governed by public procurement rules applicable to Frontex.
2. In accordance with Article 55(3) of the European Border and Coast Guard Regulation<sup>[3]</sup>, the European Border and Coast Guard Standing Corps Category 1 shall undergo training. The training shall be conducted in the framework of dedicated training programmes designed by the Agency, and, on the basis of agreements with selected Member States, implemented in their specialised institutions for training and education, including the Agency's partnership academies in the Member States. In compliance with the General Financial Regulation and with due regard for the above objectives of the action, pursuant to point 6.1 of the Call, in order to be eligible for the grant, the applicant must be a training institution (public law body/entity) established in a Member State (except Ireland) or a Schengen Associated Country, entitled to deliver and organise law enforcement training.  
Consequently, training institutions which do not fulfil these criteria are not eligible for the grant.

<sup>[1]</sup> Article I.1 (Subject matter of the agreement) of the Model Grant Agreement (annex 09 to the Call).

<sup>[2]</sup> Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p.1).

<sup>[3]</sup> Regulation (EU) 2019/1896 of 13 November 2019 on the European Border and Coast Guard (OJ L 295, 14.11.2019, p.1).