

Additional instructions of the National Agency for beneficiaries on referring to *force majeure* in mobilities within Erasmus+: Youth in Action and European Solidarity Corps projects impacted by the business problems of Adria Airways.

In order to assist beneficiaries in responding in a timely and appropriate manner to the possibility of an intensification of the business difficulties facing Adria Airways, which are already affecting the implementation of mobilities in approved projects within the Erasmus+: Youth in Action and European Solidarity Corps programmes, the National Agency has prepared more detailed instructions for beneficiaries for applying *force majeure* provisions.

The General Conditions of the Grant Agreement, signed by each beneficiary and the National Agency, stipulate in the article on *force majeure* that:

1. A party faced with *force majeure* must send a formal notification to the other party without delay, stating the nature of the situation or of the event, its likely duration and foreseeable effects.
2. The parties must take the necessary measures to limit any damage due to *force majeure*. They must do their best to resume the implementation of the action as soon as possible.

In line with these provisions, we urge beneficiaries to inform the National Agency immediately through regular communication channels about any problems in implementing mobilities in approved projects resulting from the difficulties of Adria Airways. Only this way can the NA assess their concrete case and situation based on the information they present, and take appropriate decisions, as outlined below.

Beneficiaries who act as project coordinators should also inform their partners of the situation, and ensure that the partners also follow these instructions.

Beneficiaries who **have not yet purchased plane tickets for Adria Airways flights** are asked to:

- find alternative flights that are not affected by the difficulties of Adria Airways;
- consider, if needed due to more appropriate flight connections, postponing the dates of mobility activities (if possible).

In any case, you must notify the NA of the planned changes and receive confirmation that the NA has approved them.

Beneficiaries who **have already purchased plane tickets for Adria Airways flights** and whose project activities are already affected (participants are expected or are already unable to attend activities) may refer to *force majeure* in line with the abovementioned provisions of the Agreement. In applying *force majeure*, beneficiaries must take into consideration the following:

- they must systematically first request a refund (and compensation) from the airline/agency where the tickets were purchased;
- they should look for alternative flights or other ways of travel (eventually also postponing the dates of activities, if possible);
- if these alternative flights bring additional costs which cannot be covered with the reimbursement from the originally used airline, the extra costs may be requested from the NA under “exceptional costs”;
- the NA can approve these costs if the beneficiaries:
 - (1) bring proof of their demand of reimbursement from the airline,
 - (2) justify why the activities could not be postponed or why a postponement of the activities would not bring a solution, and
 - (3) show that

- (a) this demand of reimbursement has not been considered, or
- (b) that the old ticket is not entirely reimbursed and/or the new ticket implies extra costs not covered in the application form.

In their communication with the NA regarding *force majeure*, beneficiaries must submit proof of their eligibility to these extra costs (e.g. their reimbursement claim, the reply from the airline, any documents showing the result of this claim submitted with the airline).

The NA will check the financial possibilities of granting these extra costs to beneficiaries in justified cases to allow approved projects to be implemented without interruption. Therefore, it is crucial that **beneficiaries who will request additional exceptional costs inform the NA of this as soon as possible and by 3 October 2019 at the latest.**

Based on the information received, the NA will analyse the impact of this measure at macro level before replying to beneficiaries, and assess whether it has sufficient budget reserves to cover these extra costs (going beyond the amounts indicated in the award decision) for all the projects that are in the same situation.



Erasmus+

eurodesk



EVROPSKA
SOLIDARNOSTNA
ENOTA



REPUBLIKA SLOVENIJA
MINISTRSTVO ZA IZOBRAŽEVANJE,
ZNANOST IN ŠPORT

URAD REPUBLIKE SLOVENIJE ZA MLADINO