

EMSA Marine Pollution Expert Exchange Programme - Empollex

Programme Rules, Procedures and Guidelines

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A. Introduction

Under the umbrella of EMSA's Consultative Technical Group for Marine Pollution Preparedness and Response (CTG MPPR), established in 2007, EMSA coordinates a dedicated programme facilitating the exchange of marine pollution experts: EMSA's Marine Pollution Expert Exchange Programme or Empollex began in June 2008 and is ongoing subject to Member States needs and available budget. Information regarding the Empollex programme can be found on the EMSA website: <http://www.emsa.europa.eu>.

B. Aims and objectives of the Empollex programme

International cooperation is essential during major maritime pollution incidents, as the response operations demand a high level of skills, equipment and coordination. International cooperation is improved when the experts and organisations involved have knowledge of each other's working practices.

The main objective of the Empollex programme is to improve national preparedness and capabilities for response to marine pollution by:

- Promoting the exchange of best practice and expertise between national administrations.
- Enhancing contacts, networking and cooperation between participating States.

Under Empollex, national experts working for a public (governmental) administration from participating States are given the opportunity to travel to other participating States, in order to gain or share professional experience. During this period of time the experts can learn different response techniques and study the approaches taken within other emergency services or other relevant organisations with special expertise in marine pollution preparedness and response. Participation to other activities already funded by the EU institutions (e.g. training sessions, exercises, workshops) fall outside the scope of the Empollex programme.

C. Conditions of eligibility of participation

C.1 Participating States

The countries that can participate in the Empollex programme (participating States) are the EU coastal Member States, EFTA/EEA coastal States (Norway and Iceland) and coastal EU Candidate Countries.

C.2 Experts

National experts/professionals that wish to apply for an exchange must:

- Be working in this field for a governmental institution or public administration. Experts can come from various organisations, including government departments, emergency services, technical or scientific institutes, etc.
- Have some knowledge/experience in the field of marine pollution preparedness and response (accidental or deliberate marine pollution). The multiplying effect at a national level of the experience and lessons learnt from an exchange is an important added value. Experts participating in an Empollex exchange should be able to instruct and spread information and experience gained from an exchange to their colleagues.
- Have a clear objective to learn more about a particular topic (or topics) in this area, within the scope of the programme.
- Have a working knowledge of English and/or the language of the Hosting Centre of Expertise.

An expert can participate in the Empollex programme only once. In exceptional cases it may be possible for the same expert to apply a second time for an Empollex exchange, if the second exchange is duly justified by the expert's objectives and it is approved in advance by the National Correspondent and EMSA.

C.3 Areas of Expertise and Types of Exchange

- There are five major areas of expertise within the field of at-sea preparedness and response which are suggested areas of focus for an Empollex exchange. More detailed descriptions of the areas of expertise are included in **Annex 1**. The expert's objectives for the exchange should fall within any of these 5 areas
 - a. Coordination and incident management;
 - b. Technical expertise, aerial surveillance and response operations
 - c. Contingency and emergency planning
 - d. Legal and financial aspects
 - e. Scientific and environmental expertise
- Different types of exchange can be envisaged for the expert, including for example a 'single host' or 'multiple hosts', or a 'group' exchange, as detailed in **Annex 2**.
- It is possible to visit more than one country on one exchange when it is technically justified
- Participating in European spill response exercises organised by a National Authority or Regional Agreement is possible, provided that it is not the main objective of an exchange and forms only part of an exchange.

C.4 Duration

The duration of an exchange can be from a couple of days up to a maximum of one week, with the time period being dependant on the host institution(s).

D. National Centres of Expertise and National Correspondents

D.1 National Centres of Expertise (Empollex Hosting Centres)

- National Centres of Expertise or Hosting Centres are identified as Centres (public administrations, governmental organisations) that could potentially welcome foreign experts under the Empollex programme, which also gives them the right to send their own experts abroad. An indicative list of these Centres is given in **Annex 7**.
- It is possible that private, non-governmental, or independent organisations, semi-financed by government administrations, with specialist expertise in marine pollution are identified by certain countries as a Centre of Expertise to visit. These organisations however cannot be the main focus of the exchange and would be added as a small part of the visit to the governmental administration(s). Furthermore, these organisations cannot call upon Empollex to send their experts abroad but will have an interest in receiving national marine pollution experts to inform them about their expertise, activities and know-how.

D.2 Empollex National Correspondents

- EMSA, as the Empollex Coordinator, works with a network of National Correspondents (see **Annex 3**) covering all Empollex participating States. The National Correspondent of each country should be fully informed about the programme, as he/she plays the role of national contact point for Empollex.
- National Correspondents are responsible for the following tasks:
 - Disseminate information about Empollex to all interested parties / administrations within their country;
 - Coordinate with the CTG MPPR member of his/her country and inform EMSA of the country's interest at national level to participate in the Empollex programme each year;
 - Receive, screen and coordinate the applications received at national level and forward these to EMSA;
 - Assist EMSA with identifying and contacting appropriate national Hosting Centres in their country.
- The National Correspondent's coordination / selection of the expert applications is based on consideration of national priorities, relevance and added value of an exchange, etc.
- All candidates must send their Empollex applications (**Annex 6a**) directly to their National Correspondent. The National Correspondent reviews the applications of national candidates that they fall within the scope of the Empollex programme and then signs, dates and sends the applications to EMSA.

E. Practical Exchange Guidelines

Each Empollex exchange must follow **four main steps** as indicated below:

1. Expert's application at national level and application submission to EMSA;
2. Coordination and confirmation of the exchange by EMSA, in cooperation with the expert and the selected Hosting Centre(s) of Expertise;
3. The exchange takes place, as per the agreed programme;
4. Evaluation of exchange by expert and Hosting Centre, and expert's reimbursement.

Please refer to the **flowchart in Annex 5** which summarises the procedures in this Section, and the **Forms in Annex 4** and **Annex 6**.

E.1 Application and selection procedures

- Any eligible national expert who wishes to apply for an exchange (the expert candidate) will need to carefully review the Empollex Guidelines and then fill in, date and sign the Empollex **Application Form (Annex 6a)** and sent it to the National Correspondent of his/her country at least 10 weeks before the exchange is foreseen to take place.
- The *Application Form* must be fully completed, describing in detail the reasons for applying and clearly stating the applicant's objectives for the exchange, always within the scope of the programme.
- In the *Application Form* the candidate should propose the foreign Hosting Centre(s) of Expertise (institution or body with expertise in the field of marine pollution) that he/she would like to visit on the basis of his/her objectives. He/she can consult the **EMPOLLEX Centres of Expertise Report (Annex 7)** to make this choice and EMSA can also assist candidates in choosing an appropriate Hosting Centre.
- The **type of exchange** should be defined in the Application form, as different types of exchanges are possible under the programme, depending on the expert's objectives (see **Annex 2**).
- Applicants must send their *Application Forms* to their National Correspondent (see list in **Annex 3**), who reviews and coordinates the applications received at national level. Applications sent directly to EMSA by an expert will be forwarded to his/her National Correspondent to respect the national coordination process.
- The National Correspondent will screen the *Application Form* to ensure that it falls within the programme's scope, and will sign and send the application forms of selected candidates to the Empollex email at EMSA (Empollex@emsa.europa.eu), at least 8 weeks before the exchange is envisaged to take place.

At a glance - Experts applying to Empollex should:

1. Carefully review the Empollex Guidelines & Empollex Reimbursement Rules
2. Fill-in, date and sign the Application Form (Annex 6A)
3. Clearly state their objectives for the exchange within the programme's scope
4. Propose the foreign Hosting Centre(s) they wish to visit on the basis of their objectives
5. Send their Application form to their country's Empollex National Correspondent
6. Wait for EMSA to contact them

E.2 Coordination and confirmation of exchange by EMSA

E.2.1 Receipt of Application at EMSA

- After receiving the expert's Application, *EMSA will acknowledge its receipt via email* to both the expert applying for the exchange and the National Correspondent who sent the Application to EMSA. Applications shall remain valid for the calendar year of the date of acknowledgment of receipt by EMSA.
- EMSA will verify the conformity of the applications with the Guidelines in this document and take a decision on whether the application can be accepted in principle or not. During this phase, further clarification may be required by the expert. EMSA's formal decision on whether the exchange is approved / confirmed is given at a later stage with the **Exchange Confirmation letter**, following the review of all required documentation.

E.2.2 EMSA contact with Hosting Centre(s) of Expertise

- EMSA will then contact the desired Hosting Centre(s) of Expertise identified in the *Application Form* and will evaluate their possibilities of hosting the expert (consulting the National Correspondent of the host country if necessary). EMSA will forward the expert's *Application Form* to the Hosting Centre, so that they are aware of the expert's objectives and their proposed dates and duration for the exchange. In accordance with the

information in the expert's *Application Form*, the Hosting Centre will determine if and when they are able to host the expert and for how long.

- If a Centre of Expertise agrees to host the expert (see **Annex 8** for Guidance for Centres of Expertise or Hosting Centres), EMSA will ask this Hosting Centre to fill in and sign Part A of the ***Exchange Schedule Sheet (Annex 6b – Part A)***, then return it to EMSA. In this Sheet, the Hosting Centre is asked to propose a programme for the exchange including any necessary logistical arrangements, and indicate the preferred dates and duration for the exchange. When drafting the programme the Hosting Centre will meet the expert's objectives as much as possible. This Sheet should preferably be received by EMSA at least 5 weeks prior to the exchange.
- If the proposed Centre is not able to host the expert (i.e. unable to find convenient dates for both parties, unable to host for the duration requested, or to fulfil the expert's objectives), EMSA will contact other Centres/countries with similar expertise that may fulfil the expert's objectives, in close cooperation with the expert and the relevant National Correspondents.

E.2.3 EMSA contact with expert and exchange of documents

- Once EMSA has received the *Exchange Schedule Sheet (Annex 6b)*, with **Part A** filled in and signed by the Hosting Centre, including the Centre's proposed programme for the exchange, EMSA will forward this Sheet to the expert to inform them of the proposed exchange programme and possible dates.
- If the expert agrees with the programme and terms of the exchange given in the ***Exchange Schedule Sheet***, they will fill in and sign its **Part B (Annex 6b - Part B)** and return it to EMSA, at least 4 weeks prior to the exchange. With this the expert declares that he agrees with the programme and duration proposed by the Hosting Centre for the exchange.
- The general terms for the exchange (objectives, dates and duration) should be agreed between the Centre and the Expert in the *Exchange Schedule Sheet (Annex 6b – Parts A and B)*. Once both parties have signed the *Exchange Schedule Sheet (Parts A and B)*, the Empollex exchange is agreed between the expert and the Hosting Centre and the expert should begin making the preliminary necessary arrangements for the exchange within his/her own institution (e.g. mission request).
- At least 3 weeks before the exchange, the expert will then have to fill-in, date and sign the ***Provisional Financial Sheet (Annex 6c)*** and send it to EMSA for review. When filling in the *Provisional Financial Sheet*, the expert must include all types of envisaged / estimated costs for the exchange, including travel (plane, train, local travel) and accommodation expenses (see Section **F.2** of this document for more details). The estimated costs in Annex 6c should be as accurate as possible.
- EMSA will review the *Provisional Financial Sheet (Annex 6c)*, and may contact the expert for clarifications.

At a glance – Documents needed from the Expert prior to the formal approval of the exchange:

1. *Exchange Schedule Sheet (Annex 6b) – Part B: Agreement by the expert of the proposed programme for the exchange, as submitted by the Hosting Centre in Part A]*
2. *Provisional Financial Sheet (Annex 6c)* with all the estimated costs for the exchange

E.2.4 Exchange confirmation

- After review of all the documents mentioned in part E.2 above, if the exchange is approved by EMSA this will be confirmed and communicated to the expert in the form of the **Empollex Exchange Confirmation Letter**, at least 2 weeks prior to the exchange.
- Only upon receiving this *Exchange Confirmation letter*, the expert should submit the mission request to their institution, book/purchase their tickets and make the hotel reservations for the exchange, on the basis of the agreed programme for the exchange (Annex 6b) and the Provisional Financial Sheet (Annex 6c).

- Authorisation by EMSA should be requested in writing prior to the actual exchange taking place, if the actual costs for an already confirmed Empollex exchange exceed by more than 20% the estimated costs indicated in the *Provisional Financial Sheet* (Annex 6c).
- The Hosting Centre(s) will also be informed of the confirmation of the exchange by EMSA. At this point the expert is also given the contact details of the Hosting Centre to discuss directly any details and logistical arrangements of the exchange.

E.2.5 Cases of *force majeure*

'*Force majeure*' is any unforeseeable, exceptional situation or event beyond the control of the expert or the hosting institution that prevents either of them from fulfilling any of their obligations under the Empollex exchange. The situation or event must not be attributable to error or negligence on the part of the expert or on the part of the hosting institution and must prove to be inevitable despite their exercising due diligence. Defaults of services, defects in equipment or material or delays in making them available, labour disputes, strikes and financial difficulties may not be invoked as *force majeure*, unless they stem directly from a relevant case of *force majeure*.

In case of *force majeure* that prevents an expert from leaving for an exchange:

- Each cancellation should be justified and EMSA should be informed as soon as possible prior to the agreed exchange dates.
- If possible the institution or organisation sending the expert abroad should foresee a back-up person who can replace the initially selected expert to make sure that an exchange takes place.

E.3 The Exchange

- The expert goes to the Hosting Centre or Centres of Expertise for the actual Empollex exchange, in accordance with the agreed exchange programme. It is important during the visit to the Hosting Centre of Expertise to promote the **exchange of information and best practice** between the Hosting Centre and the visiting expert, so that the Hosting Centre also benefits from the exchange.
- The agreed exchange programme and envisaged/estimated costs, as described in **Annex 6b** and **Annex 6c**, should be followed as much as possible. Any significant variations to the agreed programme or increase of more than 20% of the estimated costs should be notified by the expert in writing to and authorised by EMSA prior to travelling to the agreed Empollex Hosting Centre for the exchange.

E.4 After the Exchange – Evaluation and Reimbursement

- After the exchange, EMSA will contact the **Hosting Centre(s) of Expertise** for its/their feedback on the exchange (**Annex 9**).
- Within **60 calendar days** from the last day of the exchange at the agreed Empollex Hosting Centre, the expert must submit his/her request for reimbursement to EMSA. Requests for reimbursements or supporting documents received after this deadline may be rejected and EMSA may not reimburse the related expenditure. The request for reimbursement comprises of two sets of documents:
 1. **Empollex Exchange Evaluation Sheet (Annex 6d).**
 2. **Expenses Reimbursement Form for Empollex Experts (Annex 4), including copies of all travel supporting documents.**
- The **Empollex Exchange Evaluation Sheet (Annex 6d)** must be completed, dated and signed and sent to EMSA by email (scan) or fax.

- The evaluation sheets (Annex 6d) will also be used by EMSA to evaluate the quality of the exchanges. A summary of the evaluation will also be reported to the Hosting Centre(s). At the end of the year a general summary will be sent to the National Correspondents based on the exchanges which took place.
- The travel **Expenses Reimbursement Form for Empollex Experts (Annex 4)** must be filled in and signed by the expert and sent to EMSA by post. The part that says “*For EMSA use only*” should not be filled in by the expert. As all costs must be evidenced by appropriate documents, copies of all travel supporting documents (i.e. e-tickets for all flights, train tickets, tickets for public transport, hotel invoices, etc.) must also be sent to EMSA. See Section **F.2** for guidance on what costs can be reimbursed by EMSA.
- The completed *Expenses Reimbursement Form for Empollex Experts (Annex 4)* must be sent to EMSA by post; the remaining supporting documents (i.e. e-tickets for all flights, train tickets, tickets for public transport, hotel invoices, etc.) and the *Exchange Evaluation Sheet (Annex 6d)* can be scanned and sent to EMSA by email. EMSA will review these and advise the expert on any corrections needed or if further information or documentation is required.
- In order to be reimbursed by EMSA, all experts undertaking an exchange (if they have not already been reimbursed by EMSA in the past) need to fill in and submit to EMSA the **Legal Entity Form¹** and the **Financial Identification Form²**.
- EMSA will strictly apply its **Rules of Reimbursement of Travel Subsistence and Other Expenses to Experts participating in the Empollex Programme (Annex 4)**, therefore EMSA will not reimburse any costs incurred by the expert which are not covered under these Rules.
- EMSA is committed to pay 75 % of the actual incurred total costs of the exchange within 30 calendar days upon receipt and acceptance of the expert’s **Exchange Evaluation Sheet** and **Expenses Reimbursement Form** (including supporting documents), whichever comes later.
- Any conversion between the euro and another currency will be made at the monthly accounting exchange rate, established by the Commission and published on the website indicated below, applicable on the date of the invoice.
http://ec.europa.eu/budget/contracts_grants/info_contracts/inforeuro/inforeuro_en.cfm
- The reimbursement by EMSA shall be executed by bank transfer in EURO to the account of the expert’s institution, unless the expert has explicitly requested otherwise (e.g. to be reimbursed in their personal account), in which case written derogation will be requested by EMSA from the expert’s administration. In all cases, the bank account for the reimbursement should be clearly indicated in the *Reimbursement Form*.
- The Expert should make the appropriate arrangements within his/her administration for reimbursement of the remaining 25% of the exchange costs.

At a glance – Documents needed for the Expert’s reimbursement within 60 days after the exchange:

1. *Empollex Exchange Evaluation Sheet (Annex 6d)* – The sheet must be completed, dated, signed and sent to EMSA by email or fax.
2. *Expenses Reimbursement Form for Empollex Experts (Annex 4)* – The form must be completed, dated, signed and sent to EMSA by post. The part that says “*For EMSA use only*” should not be filled in by the expert. *All costs must be evidenced by supporting documents (e-tickets for flights, train tickets, tickets for public transport, hotel invoices, etc.) which must also be provided by the expert to EMSA.*

¹ http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm

² http://ec.europa.eu/budget/contracts_grants/info_contracts/financial_id/financial_id_en.cfm

F. Financial terms for the exchange

F.1 General terms

- EMSA's contribution for each expert exchange under the Empollex programme amounts to reimbursing 75% of the travel and subsistence costs of the exchange. The remaining 25% are at the expense of the participating institution /administration sending the expert abroad.
- The estimated costs as indicated in the *Provisional Financial Sheet (Annex 6c)* (+20%) will be considered during the reimbursement as a maximum ceiling (see Sections **E.2** and **E.3** above).

F.2 Travel, accommodation and subsistence reimbursement

- EMSA's reimbursement will be done in accordance with the **Rules of Reimbursement of Travel Subsistence and Other Expenses to Experts participating in the Empollex Programme** (referred below as *Empollex Rules of Reimbursement*) (**Annex 4**). These Rules will be provided to the expert together with the Exchange Confirmation Letter.
- Should the Empollex Rules of Reimbursement be amended by the date the Empollex exchange takes place, the Rules in force at the time when the Exchange Confirmation Letter was sent out will apply.
- All travel, accommodation and subsistence expenses must be paid by the expert or his/her institution and 75 % of the total costs will be reimbursed by EMSA after the exchange, subject to submission of the required documentation (see Section **E.4** above). EMSA will not reimburse any costs incurred by the expert which are not covered under the *Empollex Rules of Reimbursement* or any costs which are not evidenced by appropriate supporting documents (tickets, invoices etc.).
- In accordance with these *Empollex Rules of Reimbursement (Annex 4)*, the types of costs reimbursed by EMSA include:
 - **Daily allowance:** Experts shall receive reimbursement for subsistence expenses through a daily allowance per day of Empollex exchange meeting (excluding travel days), as indicated in the **Empollex Rules of Reimbursement (Annex 4), part 1.3**. For Empollex exchange meetings/events which only last half a day (duration of 4 hours or less), 2/3 of the daily subsistence allowance paid by EMSA shall be reimbursed. The daily allowance amount to be reimbursed to the expert is indicated per country in the list attached as **Annex A** to the Empollex Rules of Reimbursement (Annex 4).
 - **Accommodation allowance:** Experts shall receive reimbursement for their accommodation through an accommodation allowance per necessary overnight stay, as indicated in the **Empollex Rules of Reimbursement (Annex 4), part 1.3**. The accommodation expenses actually incurred by the expert will be reimbursed up to the ceiling indicated per country in the list attached as **Annex A** to the Empollex Rules of Reimbursement (Annex 4).
 - **Travel costs:** EMSA will reimburse travel costs including flights (economy class), train or ferry/ship costs as indicated in the **Empollex Rules of Reimbursement (Annex 4), part 1.2. 'Travel Reimbursement'**. In any case the expert is requested to indicate all travel costs (incl. transport within the country of where the exchange takes place) in the *Provisional Financial Sheet (Annex 6c)* and provide supporting documents as to the actual price of all the travel done during the exchange. A prior agreement by EMSA shall always be obtained by the expert when the price of air travel may exceed EUR 1,000. Travel to and from an airport shall be reimbursed only when public transport is used; please note that taxi fares are not reimbursed.

G. Liabilities – insurances

- No moral, material or bodily harm incurred by the expert, in the course of the journey or stay in the place where the Empollex exchange (meeting or other event) took place, may be subject to a claim against EMSA unless it can be imputed to EMSA.
- In case of travel of the expert by private motor vehicle, the owner, holder and driver of the vehicle shall be fully liable for any damage incurred in relation to the operation of the vehicle according to general legislation in place. No moral, material or bodily harm incurred in relation to the use of a private motor vehicle may be subject to a claim against EMSA.

H. List of Annexes

Annex 1 – Areas of Expertise

Annex 2 – Types of Exchange

Annex 3 – List of Empollex National Correspondents

Annex 4 – Expenses Reimbursement Form for Empollex experts and Rules of Reimbursement of Travel Subsistence and Other Expenses to Experts participating in the Empollex Programme

Annex 5 – Flowchart: Procedure to be followed for an Exchange

Annex 6 – Forms needed for the Empollex Exchange

6a Application Form

6b Exchange Schedule Sheet - Part A and Part B

6c Provisional Financial Sheet

6d Exchange Evaluation Sheet

Annex 7 – Empollex Centres of Expertise Report

Annex 8 – Guidance for Centres of Expertise / Hosting Centres

Annex 9 - Feedback by the Hosting Centre