

## Kraków: a 2-million grant against the law

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As a result of a control carried out in the Marshal Office of the Małopolskie Voivodship, the CBA officers have disclosed the facts substantiating the suspicion of having perpetrated a criminal offence of non-compliance with the obligations by the Office employees, which, according to the CBA, resulted in an undue grant of PLN 2 million for a museum project.

In mid-June this year, the CBA began controls of EU spending in 16 marshal offices throughout Poland. The controls cover procedures for taking and implementing decisions on financial support granted by the marshal offices for selected operational programmes for the years 2007-2013.

A team of the CBA officers from Kraków reached the Marshal Office in the Małopolskie Voivodship. As a result of the control, the facts were disclosed and the documents were secured which substantiated the suspicion of having perpetrated a criminal offence of non-compliance with the obligations by the Office employees, and of misrepresentation by the representatives of the foundation, which, according to the CBA controllers, resulted in granting almost 2 million of undue support, thus violating the law.

The case refers to the execution of the project titled "Open Fortress (Otwarta twierdza)... - stage I" within the framework of the Małopolskie Regional Operational Programmes for the years 2007-2013, aiming to provide access for the residents of and tourists in Fort 44 Tonie, which the CBA officers reported as having been executed with irregularities, without construction permissions and not in full range. Moreover, the expenses were incurred against the procedures in operation, the deadlines were not respected and the objective of the project was not reached.

As the managing institution, in matters related to the implementation of programmes

supported by the EU, the Marshal Office has a statutory obligation to act through project supervision, recovery of returnable amounts and ensuring a proper conduct of the project implementation as well as verification whether or not the project was accomplished pursuant to the laws in force and the procedures set forth for this particular project.

The CBA's findings point to the lack of the activity required, i.e. non-compliance with the obligations by the employees of the Office which resulted in a 2-million expenditure of public funds for a project which was implemented against the law and finally was not accomplished. According to the CBA, a suspicion occurred that the funds were spent in an untargeted and wasteful manner and to the detriment of the public interest. Simultaneously, the foundation which implemented the project against the law benefited from the employees' non-compliance with their obligations.

The CBA has requested the District Prosecutor's Office in Kraków to entrust the investigation to the Regional Office of the Central Anti-Corruption Bureau in Kraków.

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