



Brussels, 27.1.2020
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COMMISSION IMPLEMENTING DECISION

of 27.1.2020

on the financing of the use of technical assistance in the framework of the European Regional Development Fund and the Cohesion Fund and the adoption of the work programme for 2020

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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 966/2012¹, and in particular Article 110 thereof,

Having regard to Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006², and in particular Article 58 thereof,

Whereas:

- (1) In order to ensure the implementation of the technical assistance in the framework of the European Regional Development Fund ('ERDF') and the Cohesion Fund, it is necessary to adopt an annual financing decision, which constitutes the annual work programme for 2020. Article 110 of Regulation (EU, Euratom) 2018/1046 ('the Financial Regulation') establishes detailed rules on financing decisions.
- (2) The envisaged assistance is to comply with the conditions and procedures set out by the restrictive measures³ adopted pursuant to Article 215 TFEU.
- (3) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants⁴.
- (4) Pursuant to Article 62(1)(c) of the Financial Regulation indirect management is to be used for the implementation of point 5 of the work programme for 2020 in the framework of the ERDF and the Cohesion Fund for the use of technical assistance.

¹ OJ L 193, 30.7.2018, p. 1.

² OJ L 347, 20.12.2013, p. 320.

³ www.sanctionsmap.eu The sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the OJ. In case of discrepancy the OJ prevails.

⁴ Article 195 of the Financial Regulation.

- (5) The Commission is to ensure a level of protection of the financial interests of the Union with regards to entities and persons entrusted with the implementation of Union funds by indirect management as provided for in Article 154(3) of the Financial Regulation. To this end, such entities and persons are to be subject to an assessment of their systems and procedures in accordance with Article 154(4) of the Financial Regulation⁵ and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of the Financial Regulation before a contribution agreement can be signed.
- (6) It is necessary to allow for the payment of interest due for late payment on the basis of Article 116(5) of the Financial Regulation.
- (7) In order to allow for flexibility in the implementation of the work programme, it is appropriate to allow changes that should not be considered "substantial" for the purposes of Article 110(5) of the Financial Regulation,

HAS DECIDED AS FOLLOWS:

Article 1
The work programme

The annual financing decision, constituting the annual work programme for the implementation of the technical assistance in the framework of the ERDF and the Cohesion Fund for the year 2020, as set out in the Annex, is hereby adopted.

Article 2
Union contribution

The maximum Union contribution for the implementation of the technical assistance for the year 2020 is set at EUR 102 758 075, and shall be financed from the appropriations entered in the following lines of the general budget of the Union:

- (a) budget line 13 03 65 01 (ERDF): EUR 78 101 757;
- (b) budget line 13 04 61 01 (Cohesion Fund): EUR 24 656 318.

The appropriations provided for in the first paragraph may also cover interest due for late payment.

The implementation of this Decision is subject to the availability of the appropriations provided for in the draft general budget of the Union for 2020, following the adoption of that budget by the budget authority or as provided for in the system of provisional twelfths.

Article 3
Methods of implementation and entrusted entities or persons

The implementation of the actions carried out by way of indirect management, as set out in the Annex, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 5 of that Annex.

⁵ Except for the cases of Article 154(6) of the Financial Regulation, where the Commission may decide, not to require an ex-ante assessment.

Article 4
Flexibility clause

Cumulated changes to the allocations to specific actions not exceeding 20% of the maximum Union contribution set in the first paragraph of Article 2 of this Decision shall not be considered to be substantial for the purposes of Article 110(5) of the Financial Regulation, where those changes do not significantly affect the nature of the actions and the objective of the work programme.

The authorising officer responsible may apply the changes referred to in the first paragraph. Those changes shall be applied in accordance with the principles of sound financial management and proportionality.

Article 5
Grants

Grants may be awarded without a call for proposals in accordance with the conditions set out in the Annex. Grants may be awarded to the bodies referred to in the Annex.

Done at Brussels, 27.1.2020

For the Commission
Elisa FERREIRA
Member of the Commission