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EUROPEAN COMMISSION

Brussels, 15.12.2009

C(2009) 9934 final

COMMISSION DECISION

of 15 December 2009

amending Decision C(2006)7035 of 22 December 2006 establishing a technical assistance facility to support the implementation of the instrument of financial support to encourage the economic development of the Turkish Cypriot community – Part II

**COMMISSION DECISION
C(2009)9934**

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amending Decision C(2006)7035 of 22 December 2006 establishing a technical assistance facility to support the implementation of the instrument of financial support to encourage the economic development of the Turkish Cypriot community – Part II

THE EUROPEAN COMMISSION,

Having regards to the Treaty of the European Union and to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 389/2006 of 27 February 2006 establishing an instrument of financial support for encouraging the economic development of the Turkish Cypriot community¹, and in particular Article 3 thereof,

Whereas:

- (1) Following the accession of Cyprus, the application of the *acquis* is suspended pursuant to Article 1(1) of Protocol No 10 to the Act of Accession 2003 in the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control (hereinafter referred to as ‘the areas’).
- (2) Pursuant to Article 3(1) of Protocol No 10, nothing in the Protocol precludes measures with a view to promoting the economic development of the areas.
- (3) Council Regulation (EC) No 389/2006 lays down the rules and conditions for the granting of assistance for encouraging the economic development of the Turkish Cypriot community.
- (4) Commission Decision C(2006)7035 of 22 December 2006 establishing a technical assistance facility to support the implementation of the instrument of financial support to encourage the economic development of the Turkish Cypriot community – Part II was adopted pursuant to the aims of Council Regulation (EC) No 389/2006.
- (5) According to the art 166 of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities² (hereafter: “the Financial Regulation”), individual contracts related to audit and evaluation may be concluded more than 3 years after the date of the global commitment.

¹ OJ L 65, 7.3.2006, p. 5.

² OJ L 248, of 16.9.2002, p.1.

- (6) Funds under the Commission Decision C(2006)7035 of 22 December 2006 are foreseen for audits and evaluation projects of the Aid Programme for the Turkish Cypriot community. This Programme will be implemented until 2012. Audit and Evaluation projects will be carried out and contracted at a later stage of the implementation process.
- (7) The Committee referred to in Article 3(2) of Regulation (EC) No 389/2006 will be informed of this Decision.

HAS ADOPTED THIS DECISION:

Sole Article

The Annex to Decision C(2006)7035 of 22 December 2006 is hereby amended as follows:

Section 1, Identification, Contracting end date, shall read "15 December 2009 and 15 December 2012 for audit and evaluation projects."

Section 1, Identification, Execution of Contracts end date, shall read "15 December 2012 and 15 December 2015 for audit and evaluation projects."

Section 8, Implementation Arrangements, the third paragraph shall read "Contracts must be concluded by 15 December 2009 with the exception of contracts relating to audit and evaluation under Component I of the project that must be concluded by 15 December 2012. For contracts other than for audit and evaluation the contracting period cannot exceed 3 years after the date of the global commitments. Contracts must be executed by 15 December 2012 with the exception of contracts relating to audit and evaluation under Component I of the project that must be executed by 15 December 2015."

This Decision is addressed to the competent authorizing officers.

Done at Brussels, [...]

For the Commission
Olli Rehn
Member of the Commission