



Brussels, 28.8.2017
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COMMISSION IMPLEMENTING DECISION

of 28.8.2017

on the adoption of the work programme for 2017 and on the financing of Structural Reform Support Programme and repealing Decision C(2017)3093

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THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2017/825 of the European Parliament and of the Council of 17 May 2017 on the establishment of the Structural Reform Support Programme for the period 2017 to 2020 and amending Regulations (EU) No 1303/2013 and (EU) No 1305/2013¹, and in particular Article 13(5) thereof,

Having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002², and in particular Article 84(2) thereof,

Whereas:

- (1) In order to facilitate a smooth start of the implementation of the Structural Reform Support Programme (the Programme), and the launch of essential procurement procedures, the work programme of the Programme for 2017 (which referred to a limited part of the available budget of the Programme for 2017) was adopted by Commission Implementing Decision C(2017) 3093 of 12.05.2017. This Decision was adopted before the entry into force of Regulation (EU) 2017/825 (the SRSP Regulation) and was therefore subject to the final adoption of the SRSP Regulation by the legislative authority.
- (2) The work programme adopted by Decision C(2017) 3093 provided for an initial maximum Union contribution for its implementation of EUR 8 000 000 out of the maximum Union contribution for the implementation of the Programme for the year 2017 of EUR 22 500 000. That Decision stated that the work programme would be amended and supplemented in due course in order to take into account the requests for support by the Member States and the discussions thereon between the Commission and Member States. In addition, there is a need to take into account the analysis by the Commission of such requests and the cooperation and support plans between the Commission and the Member States as provided for by Article 7 of the SRSP Regulation.
- (3) The work programme for 2017 therefore needs to be amended. For the sake of clarity, Decision C(2017) 3093 should be repealed and replaced by a new Decision adopting the annual work programme for 2017 and serving as financing decision. Article 94 of

¹ OJ L 129, 19.05.2017, p. 1.

² OJ L 298, 26.10.2012, p. 1.

Commission Delegated Regulation (EU) No 1268/2012³ establishes detailed rules on financing decisions.

- (4) It is appropriate to authorise the award of grants without a call for proposals under the conditions and for the reasons provided in the annual work programme for 2017. In accordance with Article 13(3) of Regulation (EU) 2017/825, the co-financing rate for grants shall be up to 100% of the eligible costs, without prejudice to the principles of co-financing and no-profit.
- (5) In order to allow for the implementation of certain measures by the European Bank for Reconstruction and Development (EBRD), it is necessary to entrust budgetary implementation tasks under indirect management, as provided for in Article 13(2)(e) of Regulation (EU) 2017/825. The authorising officer by delegation has obtained evidence that the entity entrusted with the implementation of the budget by indirect management fulfil the requirements laid down in points (a) to (d) of the first subparagraph of Article 60(2) of Regulation (EU, Euratom) No 966/2012.
- (6) It is necessary to allow for the payment of interest due for late payment on the basis of Article 92 of Regulation (EU, Euratom) No 966/2012 and Article 111(4) of Delegated Regulation (EU) No 1268/2012.
- (7) In order to allow for flexibility in the implementation of the annual work programme for 2017, it is appropriate to define the term 'substantial change' within the meaning of Article 94(4) of Delegated Regulation (EU) No 1268/2012.
- (8) In accordance with Article 13(6) of the SRSP Regulation, a limited part of the annual work programme shall be envisaged for special measures in the event of unforeseen and urgent needs,

HAS DECIDED AS FOLLOWS:

Article 1
Work programme

The annual work programme for the implementation of the Structural Reform Support Programme for 2017, as set out in the Annex, is adopted. It constitutes a financing decision within the meaning of Article 84 of Regulation (EU, Euratom) No 966/2012.

Article 2
Union contribution

The maximum Union contribution for the implementation of the Programme for the year 2017 is set at EUR 22 500 000, and it shall be financed from the appropriations entered in the following lines of the general budget of the Union for 2017:

(a) budget line 13.0801: EUR 17 442 912

(b) budget line 13.0802: EUR 5 057 088

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

³ Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (OJ L 362, 31.12.2012, p. 1).

Article 3

Methods of implementation and entrusted entities or persons

The budget implementation tasks related to the actions carried out by way of indirect management, as set out in the Annex, may be entrusted to the entity referred to in point 1.4 of that Annex.

Article 4

Flexibility clause and special measures

Cumulated changes to the allocations to specific actions not exceeding 20% of the maximum contribution set in Article 2 of this Decision shall not be considered to be substantial within the meaning of Article 94(4) of Delegated Regulation (EU) No 1268/2012, where those changes do not significantly affect the nature of the actions and objective of the work programme.

Up to 5 % of the contribution referred to in the first paragraph of Article 2 of this financing decision may serve to finance special measures in the event of unforeseen and duly justified grounds of urgency requiring an immediate response, including a serious disturbance in the economy or significant circumstances seriously affecting the economic or social conditions in a Member State going beyond its control.

The authorising officer responsible may apply the changes referred to in the first and second paragraphs. 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.

Article 6

Repeal

Implementing Decision C(2017) 3093, adopting the work programme for the Structural Reform Support Programme for year 2017 constituting a financing decision is hereby repealed.

The procurement procedures started on the basis of the repealed decision shall continue under this decision.

Done at Brussels, 28.8.2017

For the Commission
Valdis DOMBROVSKIS
Vice-President