



Brussels, 28.6.2013
C(2013) 3998 final

COMMISSION IMPLEMENTING DECISION

of 28.6.2013

**ENPI East Regional Action Programme 2013 Part I to be financed from the general
budget of the European Union**

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THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument (ENPI)¹, and in particular Article 12 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 (hereinafter referred to as 'the Financial Regulation'), and in particular Article 84 thereof,

Having regard to Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union³ (hereinafter referred to as 'the Rules of Application'), and in particular Article 94 thereof, Whereas:

- (1) The Commission has adopted the ENPI East Regional Strategy Paper and Indicative Programme for the period 2010-2013⁴, chapter 6 of which provides for the following priorities: democracy, good governance and stability; economic development (including, inter alia, transport); climate change, energy and environment; and advancing integration with the EU and promoting regional cooperation.
- (2) The objectives pursued by the ENPI East Regional Action Programme 2013 part I, as set out in the attached Annex, are to address challenges in the area of economic development.
- (3) This Decision constitutes a financing decision within the meaning of Article 84 of the Financial Regulation and complies with the conditions laid down in Article 94 of the Rules of Application.
- (4) The Commission may entrust budget-implementation tasks under joint management (indirect management with an international organisation) to the entities identified in this Decision, subject to the conclusion of a contribution agreement. The responsible authorising officer has ensured that these entities comply with the conditions of Article 53d of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities⁵

¹ OJ L 310, 9.11.2006, p. 1

² OJ L 298, 26.10.2012, p. 1.

³ OJ L 362, 31.12.2012, p. 1.

⁴ C(2010)1144

⁵ OJ L 248, 16.9.2002, p.1. These provisions remain applicable until 31 December 2013 according to Article 212 of the Financial Regulation.

(hereinafter referred to as 'the Financial Regulation 1605/2002') and of Articles 35 and 43 of its Implementing Rules⁶.

- (5) The maximum contribution of the European Union set by the present Decision should cover any possible claims for interest due for late payment on the basis of articles 92 of the Financial Regulation and Article 111 (4) of the Rules of Application .
- (6) The Commission is required to define the term “substantial change” in the meaning of Article 94(4) of the Rules of Application to ensure that any substantial change can be adopted by the authorising officer by delegation, or under his or her responsibility, by sub-delegation (hereinafter referred to as the 'responsible authorising officer').
- (7) The measures provided for in this Decision are in accordance with the opinion of the ENPI Committee set up under Article 26 of Regulation (EC) No 1638/2006,

HAS DECIDED AS FOLLOWS:

Article 1

Adoption of the programme

The ENPI East Regional Action Programme 2013 Part I in favour of eastern ENP countries, constituted by the action "Eastern Partnership / SMEs Development Support", the text of which is set out in the attached Annex, is approved

Article 2

Financial contribution

The maximum contribution of the European Union to this Action Programme is set at EUR 10 million to be financed from budget line 19 08 01 03 of the general budget of the European Union for 2013.

This maximum contribution shall also cover any possible interests due for late payment.

Article 3

Implementation modalities

The budget-implementation tasks under joint management shall be entrusted to the entities identified in the attached Annex, subject to the conclusion of the relevant agreements.

The financial contribution referred to in Article 2 shall also cover any possible interests due for late payment.

Article 4

Cumulated changes of the allocations to the specific actions, including the use of the contingency, not exceeding 20 %, including the use of contingencies, of the contribution referred to in the first paragraph of Article 2 shall not be considered substantial, provided that

⁶ Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities. OJ L 357, 31.12.2002, p.1. These provisions remain applicable until 31 December 2013 according to Article 212 of the Financial Regulation.

they do not significantly affect the nature and objectives of the actions. This may include an increase of this contribution by up to 20%.

The responsible authorising officer may amend this decision to introduce non-substantial changes in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 28.6.2013

For the Commission
Štefan FÜLE
Member of the Commission

ANNEX

Annex: Action Fiche “Eastern Partnership /SMEs Development Support”