



Brussels, 5.11.2015
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COMMISSION IMPLEMENTING DECISION

of 5.11.2015

**on the ENI East Regional Action Programme 2015 Part 3 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 (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action¹, and in particular Article 2(1) 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) The Commission has adopted the European Neighbourhood Instrument (ENI) East Regional Strategy Paper 2014- 2020 and Multiannual Indicative Programme 2014-2017³, which provide for the following priorities: Eastern Partnership including Flagship Initiatives; regional cooperation frameworks; energy and transport initiatives involving the wider region and horizontal and sectoral support.
- (2) The objectives pursued by the Annual Action Programme to be financed under the European Neighbourhood Instrument⁴ focus on energy and will support sound elaboration and implementation of evidence-based medium to long term energy policies in partner countries, based on improved use of statistics and sharing of best practice and EU experience.
- (3) Action in Annex entitled "Energy Policy in Eastern Partnership countries and Central Asia" aims at providing funding for achieving these objectives and will be implemented under direct management through grant contracts and procurement of services.
- (4) It is necessary to adopt a financing decision, the detailed rules of which are set out in Article 94 of Commission Delegated Regulation (EU) No 1268/2012⁵.
- (5) It is necessary to adopt a work programme for grants, the detailed rules on which are set out in Article 128(1) of Regulation (EU, Euratom) No 966/2012 and in

¹ OJ L77, 15.3.2014, p. 95.

² OJ L 298, 26.10.2012, p. 1.

³ Decision C(2014)5200, 28.07.2014.

⁴ Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument, OJ L77, 15.3.2014, p.27.

⁵ 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 188(1) of Delegated Regulation (EU) No 1268/2012. The work programme is constituted by the Annex.

- (6) The authorising officer responsible should be able to award grants without a call for proposals provided that the conditions for an exception to a call for proposals in accordance with Article 190 of Commission Delegated Regulation (EU) No 1268/2012 are fulfilled.
- (7) It is necessary to allow 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.
- (8) Pursuant to Article 94(4) of Commission Delegated Regulation (EU) No 1268/2012, the Commission should define changes to this Decision which are not substantial in order to ensure that any such changes can be adopted by the authorising officer responsible.
- (9) The measure provided for in this Decision are in accordance with the opinion of the European Neighbourhood Instrument Committee set up by Article 15 of the financing instrument referred to in recital 2.

HAS DECIDED AS FOLLOWS:

Article 1
Adoption of the programme

The ENI East Regional Action Programme 2015 Part 3, as set out in the Annex, is approved.

The programme shall include the following action:

- Annex: Action Document for Energy Policy in Eastern Partnership countries and Central Asia.

Article 2
Financial Contribution

The maximum contribution of the European Union for the implementation of the programme referred to in Article 1 is set at EUR 20 million and shall be financed from:

- budget line 21.03.02.02 for an amount of EUR 14 708 172.60 from the general budget of the European Union for 2015; and
- budget line 22.04.02.02 for an amount of EUR 5 291 827.40 from the general budget of the European Union for 2016.

The financial contribution 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 budget for 2016 after the adoption of the budget for that financial year or as provided for in the system of provisional twelfths.

Article 3
Implementation Modalities

The section “Implementation” of the Annex to this Decision sets out the elements required by Article 94(2) of Commission Delegated Regulation (EU) No 1268/2012.

Grants may be awarded without a call for proposals by the authorising officer responsible in accordance with Article 190 of Commission Delegated Regulation (EU) No 1268/2012.

Article 4
Non-substantial changes

Increases or decreases of up to EUR 10 million not exceeding 20% of the contribution set by the first paragraph of Article 2, considering each financial year separately, as well as extensions of the implementation period shall not be considered substantial within the meaning of Article 94(4) of Commission Delegated Regulation (EU) No 1268/2012, provided that they do not significantly affect the nature and objectives of the actions. The use of contingencies shall be taken into account in the ceiling set by this Article.

The authorising officer responsible may adopt such non-substantial changes in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 5.11.2015

For the Commission
Johannes HAHN
Member of the Commission