



Brussels, 6.12.2018  
C(2018) 8074 final

**COMMISSION IMPLEMENTING DECISION**

**of 6.12.2018**

**on the financing of the Consumer Programme and the adoption of the work programme  
for 2019**

# COMMISSION IMPLEMENTING DECISION

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## on the financing of the Consumer Programme and the adoption of the work programme for 2019

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 966/2012<sup>1</sup>, and in particular Article 110 thereof,

Having regard to the Regulation (EU) No 254/2014 of the European Parliament and of the Council of 26 February 2014 on a multiannual consumer programme for the years 2014-20 and repealing Decision No 1926/2006/EC<sup>2</sup>, and in particular Article 12 thereof,

Whereas:

- (1) In order to ensure the implementation of the multiannual consumer programme (“the Consumer Programme”), it is necessary to adopt an annual financing decision, which constitutes the annual work programme, for 2019. Article 110 of Regulation (EU, Euratom) 2018/1046 (‘the Financial Regulation’) establishes detailed rules on financing decisions.
- (2) On the basis of Article 195(c) of Regulation (EU, Euratom) 2018/1046 and Article 5(5) of Regulation (EU) No 254/2014, it is appropriate to authorise the award of grants without a call for proposals to the Member States holding the Presidency of Council configurations, other than that of Foreign Affairs or to bodies designated by those Member States, as identified by the basic act (the Consumer Programme).
- (3) 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..
- (4) In order to allow for flexibility in the implementation of the work programme, it is appropriate to allow changes which should not be considered substantial for the purposes of Article 110(5) of the Financial Regulation.
- (5) Estimated contributions from countries of the European Free Trade Associations (EFTA) members of the European Economic Area (EEA) for their participation in the Consumer Programme are: € 634 198,60 for the budget line 33 04 01; € 20 230,00 for the budget line 33 01 04 03; € 41 840,04 for the budget line 33 01 06 01.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Consumer Financial Programme Committee 2014-2020.

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<sup>1</sup> OJ L 193, 30.7.2018, p.1.

<sup>2</sup> OJ L 84, 20.3.2014, p. 42.

HAS DECIDED AS FOLLOWS:

*Article 1*  
*The work programme*

The financing decision, constituting the annual work programme for the implementation of the Consumer Programme for 2019, as set out in the Annex, is adopted.

*Article 2*  
*Union contribution*

The maximum Union contribution for the implementation of the Consumer Programme for 2019 is set at € 29 255 000,00 and shall be financed from the appropriations entered in the following lines of the general budget of the Union for 2019:

(a) budget line 33 04 01, Safeguarding consumers' interest and improving their safety and information: € 26 647 000,00;

(b) budget line 33 01 04 03, Support expenditure for the Consumer programme: € 850 000,00;

(c) budget line 33 01 06 01, Consumers, Health, Agriculture and Food Executive Agency (CHAFEA) — Contribution from the Consumer programme: € 1 758 000,00.

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 2019, following the adoption of that budget by the budgetary authority or as provided for in the system of provisional twelfths.

*Article 3*  
*Flexibility clause*

Cumulated changes to the allocations to specific actions not exceeding 20% of the maximum Union contribution set in Article 2 of this Decision shall not be considered to be substantial within the meaning of Article 110(5) of the Financial Regulation 2018/1046, where those changes do not significantly affect the nature of the actions and the objective of the work programme. The increase of the maximum contribution set in Article 2 of this Decision shall not exceed 20%.

In implementing this decision, the authorising officer responsible may apply the type of changes referred to in the first paragraph in accordance with the principles of sound financial management and proportionality.

*Article 4*  
*Grants*

Grants may be awarded without a call for proposals to the bodies referred to in point 2.1.2 of the Annex, in accordance with the conditions set out therein.

Done at Brussels, 6.12.2018

*For the Commission*  
*Věra JOUROVÁ*  
*Member of the Commission*



EUROPEAN  
COMMISSION

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ANNEX

**ANNEX**

*to the*

**Commission Implementing Decision**

**on the financing of the Consumer Programme and the adoption of the work programme  
for 2019**

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## 1. INTRODUCTION

The budget of the 2019 work programme will be devoted to actions aiming at effectively supporting the enforcement of consumer rights and product safety law, awareness raising and education activities as well as capacity building for consumer organisations in line with the objectives set in the Consumer Programme 2014-2020 Regulation<sup>1</sup> (hereafter the Consumer Programme) and the 2012 Consumer Agenda<sup>2</sup>.

Most of the actions (estimated at around € 18 million) outlined in this 2019 work programme will be implemented by the Consumers, Health, Agriculture and Food Executive Agency (CHAFEA).

### OVERVIEW OF THE 2019 ALLOCATION OF FUNDS

Budget lines	Amount EU contribution	Amount EFTA contribution	Total amount per budget line	% of the Programme funds
33 04 01: Safeguarding consumers' interest and improving their safety and information	26 647 000,00	634 198,60	27 281 198,60	91,09%
33 01 04 03: Support expenditure for the Consumer Programme	850 000,00	20 230,00	870 230,00	2,91%
33 01 06 01: Consumers, Health, Agriculture and Food Executive Agency (CHAFEA) — contribution from the Consumer Programme	1 758 000,00	41 840,04	1 799 840,04	6,01%
<b>TOTAL</b>	<b>29 255 000,00</b>	<b>696 268,64</b>	<b>29 951 268,64</b>	<b>100,00%</b>

On the basis of the objectives given in the Consumer Programme, this work programme contains the actions to be financed from the budget line 33 04 01, "Safeguarding consumers' interest and improving their safety and information" including the EFTA contribution to this budget line.

The indicative distribution of budget between grants, procurement and other actions for the year 2019 is as follows:

Budget line 33 04 01: Safeguarding consumers' interest and improving their safety and information - Grants/Procurement	Amount	% of the Programme funds
Grants (implemented under direct management <sup>3</sup> ) (2.1)	10 500 000,00	38,49%

<sup>1</sup> Regulation (EU) No 254/2014 of the European Parliament and of the Council of 26 February 2014 on a multiannual Consumer Programme for the years 2014-20 and repealing Decision No 1926/2006/EC: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014R0254&from=EN>

<sup>2</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2012:0225:FIN>

<sup>3</sup> including delegation to executive agencies

Procurement (implemented under direct management <sup>4</sup> ) (2.2)	16 181 198,60	59%
Other actions (2.3)	600 000,00	2,20%
<b>TOTAL (including EFTA contribution)</b>	<b>27 281 198,60</b>	<b>100,00%</b>

The Consumer Programme is intended to complement, support and monitor the policies of the Member States and to contribute to protecting the health, safety and economic and legal interests of consumers, as well as to promote their right to information, to education and to organise themselves in order to safeguard their interests, supporting the integration of such consumer interests into other policy areas.

Its specific objectives are:

- I. Safety: to consolidate and enhance product safety
- II. Consumer information and education and support to consumer organisations
- III. Rights and redress: to develop and reinforce consumer rights
- IV. Enforcement: to support enforcement of consumer rights

The countries participating in the Programme are:

- EU Member States;
- In line with Article 7 of the Consumer Programme, participation in the Programme is open to the countries of the European Free Trade Association participating in the European Economic Area (EFTA/EEA countries), in accordance with the conditions established in the Agreement on the European Economic Area. In this context, Iceland and Norway participate.

Should additional third countries conclude an agreement with the Union on their participation in the Programme as of 2019 under Article 7 of the Regulation 254/2014, this will be announced in the relevant call for proposals and/or on the Programme's website.

Activities implemented under this work programme shall ensure consistency, complementarity and synergies with activities supported by other relevant Union policies, instruments and actions, in particular under the Rights, Equality and Citizenship Programme<sup>5</sup>, the third EU Health Programme<sup>6</sup>, the Union Programme to support specific activities in the field of financial reporting and auditing for the period of 2014-2020<sup>7</sup>, the programme for the

<sup>4</sup> including delegation to executive agencies

<sup>5</sup> Regulation (EU) No 1381/2013 of the European Parliament and of the Council of 17 December 2013 establishing a Rights, Equality and Citizenship Programme for the period 2014 to 2020 (OJ L 354, 28.12.2013, p. 62).

<sup>6</sup> Regulation (EU) No 282/2014 of the European Parliament and of the Council of 11 March 2014 on the establishment of a third Programme for the Union's action in the field of health (2014-2020) and repealing Decision No 1350/2007/EC Text with EEA relevance (OJ L 86, 21.3.2014, p. 1–13)

<sup>7</sup> Regulation (EU) No 258/2014 of the European Parliament and of the Council of 3 April 2014 establishing a Union Programme to support specific activities in the field of financial reporting and auditing for the period of 2014-20 and repealing Decision No 716/2009/EC (OJ L 105, 8.4.2014)



Competitiveness of Enterprises and Small and Medium-sized Enterprises (COSME)<sup>8</sup> and the Digital Single Market Strategy.

The actions referred to in the present work programme, in particular grants and other actions, may benefit from the use of simplified cost options (lump sums, reimbursement on the basis of unit costs, flat rate financing etc.) and simpler rules for in kind contributions by beneficiaries in line with the new Financial Regulation 2018/1046.

## **2. BUDGET LINE 33 04 01: SAFEGUARDING CONSUMERS' INTEREST AND IMPROVING THEIR SAFETY AND INFORMATION**

### **2.1. Grants**

#### ***2.1.1. Financial contributions to the functioning of Union-level consumer organisations representing consumer interests***

#### **LEGAL BASIS**

Consumer Programme Regulation (EU) No 254/2014: Objective II – Consumer information and education and support to consumer organisations, Article 4 (b) (5); Article 5 (1); Annex I 5. (a)

#### **PRIORITIES OF THE YEAR, OBJECTIVES PURSUED AND EXPECTED RESULTS**

The call for proposals for specific operating grants 2019 aims at providing financial contributions to the functioning of Union-level consumer organisations in 2020. It is addressed to the organisations who concluded 3-year framework partnership agreements with the Commission in 2018 (covering the operating years 2019, 2020 and 2021). The framework partners shall be invited to submit a simplified grant application, together with a detailed work programme and the corresponding budget for the operating year 2020, based on the multi-annual work programmes for the period 2019-2021 in the framework partnership agreements.

Expected result for 2019 would be to have (i) the voice of the consumer organisations heard, in order to contribute to developing consumer policies both at EU and national levels through closer dialogue with key stakeholders, including EU institutions, business and relevant civil society organisations, production of policy papers, organisation/participation of events and working groups etc. and (ii) individual consumers' rights better protected.

#### **DESCRIPTION OF THE ACTIVITIES TO BE FUNDED UNDER THE CALL FOR PROPOSALS**

The operational activities for the functioning of the consumer organisations, as described by their specific work programme and by its detailed budget, will be co-financed. They will include: involvement and participation in public consultations to review legislation and in meetings with stakeholder groups, not only concerning the priorities set by the consumer policy itself, but also concerning the mainstreaming of national consumer interests in other

<sup>8</sup> Regulation (EU) No 1287/2013 of the European Parliament and of the Council of 11 December 2013 establishing a Programme for the Competitiveness of Enterprises and small and medium-sized enterprises (COSME) (2014 - 2020) and repealing Decision No 1639/2006/EC Text with EEA relevance (OJ L 347, 20.12.2013, p. 33–49)

EU relevant policies cooperation on concrete issues with EU level regulators (such as on energy), with NGOs (for example on environment), and with business associations (such as AIM brand association, Euro-commerce, Digital Europe and Eurelectric); communication and dissemination of the results of its activities; networking with and supporting the national consumer organisations.

#### ESSENTIAL ELIGIBILITY, SELECTION AND AWARD CRITERIA

**The essential award criteria for the specific operating grant are defined as follows:**

- (1) quality of the annual work programme, in particular as regards the description of the general and specific objectives and the relevance of the priority sectors that shall be covered;
- (2) quality of the communication strategy and of the full activities' list;
- (3) consistency of the objectives and targets with the multiannual work plan of the framework partnership agreement;
- (4) a clear and coherent estimated budget of the expenses in relation to the corresponding activities.

All award criteria have the same weight.

A maximum of 40 points can be attributed to the specific grant agreement proposal. The proposals have to reach a minimum of 20 points to be accepted.

#### IMPLEMENTATION

The action will be implemented by the Executive agency.

#### INDICATIVE TIMETABLE OF THE INVITATION TO SUBMIT PROPOSALS AND INDICATIVE AMOUNT OF THE SPECIFIC GRANTS DIRECTLY AWARDED UNDER FRAMEWORK PARTNERSHIPS

Reference	Date	Amount
Invitation to framework partners to submit proposals for specific operating grants for 2020	2 <sup>nd</sup> quarter 2019	€ 2 000 000

#### MAXIMUM POSSIBLE RATE OF CO-FINANCING OF THE ELIGIBLE COSTS

The co-financing shall not exceed 50% of the eligible costs.

*2.1.2. Support to events concerning consumer policy of the Union which are organised by the Member State holding the Presidency of Council configurations, other than that of Foreign Affairs, on issues in line with established Union policy priorities (grants for actions)*

#### LEGAL BASIS

Regulation (EU) No 254/2014: Objective II – Consumer information and education and

support to consumer organisations: Article 4 (b) (4); Article 5 (5); Annex I 6. (e)  
Article 195(c) of Regulation (EU, Euratom) 2018/1046

#### **PRIORITIES OF THE YEAR, OBJECTIVES PURSUED AND EXPECTED RESULTS**

Two grants are envisaged to be awarded, one to each Presidency. The co-financed events should bring added value and contribute to the Consumer policy objectives, such as:

- promoting consumer safety;
- enhancing knowledge of consumer rights;
- strengthening the development and enforcement of consumer rules;
- integrating consumer interests into the key sectorial policies, such as telecommunications, digital, environment and energy.

The expected results of the Presidency events should be directly linked to the key policy priorities of the Commission, more specifically to the Digital Single Market, the Deeper and Fairer Internal Market, the Circular Economy or the Energy Union. The form, topic and expected results of events are established by the respective Presidency in agreement with the Commission.

#### **DESCRIPTION OF THE ACTIVITIES TO BE FUNDED BY THE GRANT AWARDED WITHOUT A CALL FOR PROPOSALS**

Activities for the organisation of Presidency events, such as conferences, seminars, workshops, are co-funded by the Commission through the grant covering eligible costs.

#### **ESSENTIAL ELIGIBILITY, SELECTION AND AWARD CRITERIA**

##### **Eligibility criteria**

Grants may be awarded to national authorities of the Member State holding the Presidency of Council configurations, other than that of Foreign Affairs or to bodies designated by that Member State.

##### **Selection criteria**

The applicant must have adequate financial resources and the necessary operational resources, skills and professional experience in order to carry out the proposed action. The verification of the financial capacity shall not apply to public bodies.

##### **Award criteria**

- EU dimension of the event;
- contribution of the event to consumer policy objectives and to a better understanding of consumer's interests in the area concerned;
- clarity and accuracy of the application, in particular as regards the estimated budget.

#### **IMPLEMENTATION**

The actions shall be implemented directly by Directorate-General for Justice and Consumers. The result of the grant award procedure will take the form of grant agreements.

**INDICATIVE TIMETABLE OF THE INVITATION TO SUBMIT A PROPOSAL AND INDICATIVE AMOUNT OF THE GRANT(S)**

<b>Reference</b>	<b>Date</b>	<b>Amount</b>
Application for a grant	First and second semester of 2019	Maximum € 100 000 for each Presidency

**MAXIMUM POSSIBLE RATE OF CO-FINANCING OF THE ELIGIBLE COSTS**

The grants for the organisation of Presidency events may not exceed 50 % of the eligible costs.

### **2.1.3. Grants for actions with Member States for capacity building of the alternative dispute resolution bodies for consumer disputes <sup>9</sup>**

#### **LEGAL BASIS**

Regulation (EU) No 254/2014: Objective III – Rights and redress: Article 4(c)(9); Article 5(9); Annex I (9)

#### **PRIORITIES OF THE YEAR, OBJECTIVES PURSUED AND EXPECTED RESULTS**

Facilitating the access of consumers to alternative dispute resolution schemes compliant with Directive 2013/11/EU<sup>10</sup> including through measures for vulnerable consumers, developing the networking of national alternative dispute resolution entities, promoting monitoring activities on the functioning and the effectiveness of dispute resolution mechanisms.

The expected results are that ADR bodies become more accessible to the consumers, including in the cross-border context, and improve their operational capacity in resolving consumer disputes.

#### **DESCRIPTION OF THE ACTIVITIES TO BE FUNDED UNDER THE CALL FOR PROPOSALS**

The projects should correspond to one of the following activity:

- Awareness raising on consumer ADR and the consumer ODR, including ADR networks, bringing knowledge on ADR and ODR to a wider groups of consumers and traders;
- ADR networks support: meetings, conferences, development of common tools and common knowledge;
- Case handling: development of case management systems, including information technology tools, advice and staff training on the relevant European legislation;
- ADR operational capacity: mentoring, study visits and consulting to allow ADR entities to implement working methods and organisational models to better fulfil their mission.

The call for proposals may stipulate activities where support shall only be provided to consortia of ADR entities.

#### **ESSENTIAL ELIGIBILITY, SELECTION AND AWARD CRITERIA**

##### **Eligibility criteria**

- The applicants must be, on the date of the submission of the proposal, an Alternative Dispute Resolution (ADR) entity notified to the European Commission pursuant to Article 20(2) of Directive 2013/11/EU on consumer ADR <sup>11</sup>;

<sup>9</sup> This action will be implemented by a grant or as a fall-back position by procurement.

<sup>10</sup> Directive 2013/11/EU of the European Parliament and of the Council of 21 May 2013 on alternative dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Directive on consumer ADR), OJ L 165, 18.6.2013, p. 63–79

<sup>11</sup> Regulation (EU) No 524/2013 of the European Parliament and of the Council of 21 May 2013 on online dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Regulation on consumer ODR), OJ L 165, 18.6.2013, p. 1–12

- The EU grant requested cannot be lower than € 10 000 for mono-beneficiaries and € 60 000 for multi-beneficiary grant.

### **Selection criteria**

The applicants must have stable and sufficient sources of funding as well as the necessary professional resources, skills and experience required in order to carry out the proposed actions.

### **Award criteria**

The proposals will be evaluated based on the following criteria:

- **Relevance** of the action, including the expected results and impact, in view of the objectives of the call;
- **Quality** of the proposed action: clear and feasible description of activities, schedule and deliverables; appropriate and cost-effective allocation of resources, including management.

Each criteria will have equal weight. The call for proposals shall specify the criteria for ranking proposals obtaining the same score to ensure a geographical and sectorial balance of beneficiaries.

### **IMPLEMENTATION**

The grants shall be implemented by the Executive agency.

### **INDICATIVE TIMETABLE OF THE INVITATION TO SUBMIT PROPOSALS AND INDICATIVE AMOUNT OF THE CALL FOR PROPOSALS**

<b>Reference</b>	<b>Date</b>	<b>Amount</b>
Publication of the call for proposals	1 <sup>nd</sup> quarter 2019	€ 1 000 000

### **MAXIMUM POSSIBLE RATE OF CO-FINANCING OF THE ELIGIBLE COSTS**

The maximum co-financing rate for grants for action to national consumer complaint bodies is 50%.

#### ***2.1.4. Financial contributions for joint actions with bodies constituting the European Consumer Centres Network – ECC-Net***

##### **LEGAL BASIS**

Regulation (EU) No 254/2014: Objective IV – Enforcement: Article 4 (d) (11); Article 5 (8); Annex I(11)

##### **PRIORITIES OF THE YEAR, OBJECTIVES PURSUED AND EXPECTED RESULTS**

The European Consumer Centres (ECCs) are currently active in the Member States as well as in Norway and Iceland. The objective of co-financing the European Consumer Centres Network (ECC-Net) jointly with Member States is to support a better enforcement of consumer rights by enabling consumers to exercise their rights in a cross border context. The network provides information and assistance to consumers to help them exercise their rights in cross border purchases and obtain access to appropriate dispute resolution.

The EU financial contribution shall cover the 2020 actions of one ECC per participating country. These actions shall be organised as part of a Framework Partnership Agreement (FPA) covering operations for the period 2018-2021.

##### **DESCRIPTION OF THE ACTIVITIES TO BE FUNDED BY THE SPECIFIC GRANTS DIRECTLY AWARDED UNDER FRAMEWORK PARTNERSHIPS**

Activities shall focus on cross-border issues such as: awareness raising and promotional activities, direct provision of information, staff training, sectoral and regional networks, dissemination of best practices, monitoring tools, digital interfaces with the broad range of stakeholders, assisting consumers with a complaint or with a dispute, promotion of alternative dispute resolution (ADR) and other redress mechanisms, networking and feedback, collaboration with traders and enforcement authorities, promotion of equal quality of services. Additional coordination or capacity building activities carried out by centres that wish to do so for the benefit of the entire network will be considered as creating an EU dimension added value that justify a higher co-financing rate.

##### **ESSENTIAL ELIGIBILITY, SELECTION AND AWARD CRITERIA**

###### **Selection criteria**

ECCs must have adequate financial and operational resources in order to carry out the proposed activities. The operational capacity will be assessed on the basis of the capacity of each ECC to perform the activities to be funded. Each ECC team should be composed of at least of a full time employed director or coordinator, a lawyer and a communication officer; ideally these should be three different persons. Only in exceptional cases (due to the size of the centre) part-time staff will be accepted.

ECCs that have signed a Framework Partnership Agreement (FPA) were selected also on the basis of having the necessary operational capacity; thus the selection criteria will not be assessed again at specific grant agreement application stage. However, framework partners must confirm that they have the adequate financial resources to carry out the proposed operations in 2020 and that their operational capacity remained as required.

###### **Award criteria**

***Regular running of a European Consumer Centre and additional EU dimension activity:***

- consistency of the proposed 2020 annual work programme with the FPA implementation strategy;
- convergence of the 2020 targets towards the FPA targets;
- clear and coherent estimated budget of the expenses in relation to the corresponding activities;
- quality of the EU dimension activity proposed;
- quality of the detailed description of 2020 activities

## **IMPLEMENTATION**

The action shall be implemented by the Executive agency. The financial contribution shall be in the form of specific grants.

### **INDICATIVE TIMETABLE OF THE INVITATION TO SUBMIT A PROPOSAL AND INDICATIVE AMOUNT OF THE SPECIFIC GRANTS DIRECTLY AWARDED UNDER FRAMEWORK PARTNERSHIPS**

<b>Reference</b>	<b>Date</b>	<b>Amount</b>
Invitation to the Member States and to EFTA/EEA countries (Norway and Iceland) to submit proposals for the 2020 specific grants	2 <sup>nd</sup> quarter 2019	€ 6 300 000

### **MAXIMUM POSSIBLE RATE OF CO-FINANCING OF THE ELIGIBLE COSTS**

The maximum EU co-financing rate will be 70 % of the eligible cost of the action.

Grants for carrying out the activities corresponding to the regular running of a European Consumer Centre will cover up to 50 % of the eligible costs.

The applicants choosing to carry out in addition to the regular activities an EU dimension activity benefitting the whole network in order to strengthen its impact, will receive a grant covering up to 60% of the eligible costs. An EU dimension activity should be consisting of the management of shared tools, such as the business support including case classification for the ECC-Net IT tool, the management of a knowledge base for the consumer portal including the production of relevant statistics, a common legal advice centre or a centre producing common communication material.

The European Consumer Centres from countries whose GDP per capita is in the lower quartile (source Eurostat 2017), can receive grants covering up to 70 % of the eligible costs. This criterion is intended to contribute to the reduction of inequalities in access to consumer redress mechanisms and equal enforcement levels across the internal market.



### **2.1.5. Co-operation between national authorities responsible for the enforcement of the consumer protection laws**

#### **LEGAL BASIS**

Regulation (EU) No 254/2014: Objective IV – Enforcement: Article 4(d)(10); Article 5(6); Article 8(3)(a); Annex I (10)

#### **PRIORITIES OF THE YEAR, OBJECTIVES PURSUED AND EXPECTED RESULTS**

The grants for co-operation between national authorities responsible for the enforcement of the consumer protection law aim at preparing the stakeholders for the new CPC Regulation (Regulation (EU) 2017/2394)<sup>12</sup> as well as facilitating the activities of national authorities as foreseen under the current CPC Regulation<sup>13</sup> to tackle breaches of the laws listed in the Annex of this Regulation.

#### **DESCRIPTION OF THE ACTIVITIES TO BE CO-FINANCED UNDER THE CALL FOR PROPOSALS**

The grants can support a wide range of activities such as preparing the stakeholders for the new CPC Regulation, staff training, creation of online interfaces and monitoring tools, networking tools including workshops, surveillance, e-enforcement tools and other enforcement capacities, including purchase of equipment for product testing.

#### **ESSENTIAL ELIGIBILITY, SELECTION AND AWARD CRITERIA**

##### **Eligibility criteria**

The following entities are eligible:

- authorities notified to the Commission in accordance with Regulation (EC) No 2006/2004<sup>14</sup> or non-profit-making bodies designated by such authorities for the purpose of consumer protection;
- entities notified in accordance with Article 8 of the Regulation (EU) 2017/2394: competent authorities, single liaison offices, designated bodies, public or private entities empowered under Article 27 (1) of the Regulation (EU) 2017/2394.
- ‘other public authorities’ for the purpose of assisting competent authorities under Article 6 of Regulation (EU) 2017/2394, when instructed for the specific purpose of the proposed activity by a competent authority or single liaison office.

##### **Selection criteria**

The applicant must have adequate financial resources in order to carry out the proposed

<sup>12</sup> Regulation (EU) 2017/2394 of the European Parliament and of the Council of 12 December 2017 on cooperation between national authorities responsible for the enforcement of consumer protection laws and repealing Regulation (EC) No 2006/2004

<sup>13</sup> Regulation (EC) No 2006/2004 of the European Parliament and of the Council of 27 October 2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws (the Regulation on consumer protection cooperation)

<sup>14</sup> Article 18 of Regulation (EC) No 2006/2004 of the European Parliament and of the Council of 27 October 2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws (the Regulation on consumer protection cooperation)

action. The verification of the financial capacity shall not apply to public bodies.

Beneficiaries must have the operational resources, skills and professional experience necessary for implementing the action.

**Award criteria**

(1) *Added value* of the action in relation to the enforcement of consumer law included in the Annex of the current and new CPC Regulations;

(2) *Methodology* of implementing the action (including timing, resources and project organisation).

**IMPLEMENTATION**

The grants shall be implemented by the Executive agency. The result of the grant award procedure will take the form of grant agreements.

**INDICATIVE TIMETABLE OF THE INVITATION TO SUBMIT PROPOSALS AND INDICATIVE AMOUNT OF THE CALL FOR PROPOSALS**

<b>Reference</b>	<b>Date</b>	<b>Amount</b>
Publication of the call for proposals	4th quarter 2019	€ 1 000 000

**MAXIMUM POSSIBLE RATE OF CO-FINANCING OF THE ELIGIBLE COSTS**

The maximum level of Union contribution is 50% of eligible costs. However, in the case of actions of exceptional utility (submitted jointly by at least two authorities, if they concern infringements which cause or are likely to cause harm in two or more Member States) the Union contribution shall not exceed 70% of the eligible costs.

## 2.2. *Procurements*

The overall budgetary allocation reserved for procurement contracts in 2019 amounts to € 16 181 198,60.

The Commission, where appropriate with support of the Executive agency, intends to undertake several actions through contracts following public procurements or administrative arrangements. Conferences, expert meetings, workshops, seminars, communication activities may be organised, surveys and studies, impact assessments, ex-ante and ex-post evaluations, development and maintenance of IT platforms and systems or translations may be undertaken as far as they are needed to monitor the proper implementation of existing legislation, or to prepare, accompany new legislation, or to respond to policy priorities in the area covered by the Programme.

The actions may be implemented by Directorate-General for Justice and Consumers (DG JUST), Directorate-General for Health and Food Safety (DG SANTE), Directorate-General for Informatics (DG DIGIT), Directorate-General for Translations (DG DGT), Directorate-General for Interpretation (DG SCIC), Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs (DG GROW), Directorate-General for Financial Stability, Financial Services and Capital Markets Union (DG FISMA), Joint Research Centre (JRC), the Consumers, Health, Agriculture and Food Executive Agency (CHAFEA), Paymaster Office (PMO) and other Commission services if applicable.

### 2.2.1. *Coordination of market surveillance and enforcement actions on product safety; maintenance and further development of databases on cosmetics*

#### LEGAL BASIS

Regulation (EU) No 254/2014: Objective I – Safety: Article 4 (a); Annex I (2) (3)
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<b>Subject matter</b> of the contracts envisaged (study / technical assistance / evaluation / survey / IT / communication services/etc.)	Indicative number and type of <b>contracts</b> and type of procurement	Indicative <b>timeframe</b> for launching the procedure	<b>Implementation</b> entity
IT development, update and maintenance work for the EU's Rapid Alert System for dangerous products (RAPEX) and related systems.	5-7 specific service contracts based on framework contracts (FWC) or other procurement models	Throughout the year 2019	DG JUST; Hosting sub-delegated to DG DIGIT
Coordinated activities on market surveillance for dangerous products across the EU. The aim is to improve the effective application of	4-5 specific service contracts based on a framework	Throughout the year 2019	DG JUST and/or Executive agency

<b>Subject matter</b> of the contracts envisaged (study / technical assistance / evaluation / survey / IT / communication services/etc.)	Indicative number and type of <b>contracts</b> and type of procurement	Indicative <b>timeframe</b> for launching the procedure	<b>Implementation</b> entity
Directive 2001/95/EC of the European Parliament and of the Council of 3 December 2001 on general product safety (GPSD) <sup>15</sup>	contract (FCW)		
Monitoring the implementation of the General Product Safety Directive 2001/95/EC (GPSD) and promoting RAPEX	Open call for tender or specific service contracts based on a FWC	2 <sup>nd</sup> semester 2019	DG JUST
Maintenance, support, development and hosting of databases on cosmetics, including CPNP (Cosmetic Product Notification Portal) and COSING (Cosmetics Ingredients)	3-5 specific service contracts based on an IT FWC	Throughout the year 2019	DG GROW; Hosting: DG DIGIT

*2.2.2. Building and improving access to the evidence base for policy-making in areas affecting consumers; support through capacity building for consumer organisations; enhancing the transparency of consumer markets and consumer information; enhancing consumer education*

#### LEGAL BASIS

Regulation (EU) No 254/2014: Objective II - Consumer information and education and support to consumer organisations: Article 4 (b); Annex I (4)(5)(6)(7)

<b>Subject matter</b> of the contracts envisaged (study / technical assistance / evaluation / survey / IT / communication services/etc.)	Indicative number and type of <b>contracts</b> and type of procurement	Indicative <b>timeframe</b> for launching the procedure	<b>Implementation</b> entity
Consumer survey: attitudes towards cross-border trade and consumer protection Retailer survey: attitudes towards	2 specific service contracts based on FWC	3 <sup>rd</sup> and 4 <sup>th</sup> quarter 2019	Executive agency

<sup>15</sup> Directive 2001/95/EC of the European Parliament and of the Council of 3 December 2001 on general product safety (Text with EEA relevance), OJ L 11, 15.1.2002,

<b>Subject matter</b> of the contracts envisaged (study / technical assistance / evaluation / survey / IT / communication services/etc.)	Indicative number and type of <b>contracts</b> and type of procurement	Indicative <b>timeframe</b> for launching the procedure	<b>Implementation</b> entity
cross-border trade and consumer protection			
In-depth market studies to investigate problems in various consumer markets and propose remedies and evaluation studies including in relation to sustainable consumption	2-4 specific service contracts based on a FWC or new open call for tender	Throughout the year 2019	DG JUST and Executive agency
Studies and evaluations in the field of behavioural economics	2-4 specific service contracts based on the existing FWC and new open call for tender for Framework Contract (FWC)	Throughout the year 2019 with a new call for a FCW planned for 3 <sup>rd</sup> quarter 2019	Executive agency and Joint Research Centre. Other Commission services may be involved depending on the topics/objects of the studies/evaluations
Consumer Education and awareness programme, including educational tools for schools, addressing teachers, raising the awareness of consumer policy/law and the importance of consumer education	2 or 3 specific contracts within a FWC	Throughout the year 2019	Executive agency
Capacity building of consumer organisations for projects supporting consumer policy priorities such as the promotion of sustainable consumption, the prevention of vulnerabilities, the preparation to new tasks of consumer organisations in relation to the enforcement of consumer rights.	Open call for tender or FWC	Throughout the year 2019	Executive agency
Awareness raising activities in particular in relation to EU Ecolabel and other EU labelling instruments supporting the	Open call for tender or specific service contract based	1 <sup>st</sup> quarter 2019	DG JUST (possibly with other Commission DGs associated in charge)

<b>Subject matter</b> of the contracts envisaged (study / technical assistance / evaluation / survey / IT / communication services/etc.)	Indicative number and type of <b>contracts</b> and type of procurement	Indicative <b>timeframe</b> for launching the procedure	<b>Implementation</b> entity
transition towards a low-carbon, green and circular economy	on a FWC		of the EU labelling instrument)

**2.2.3. Preparation of consumer protection legislation and other regulatory initiatives; facilitating access to dispute resolution mechanisms for consumers, in particular to alternative dispute resolution schemes, including through a Union-wide online system and the networking of national alternative dispute resolution entities**

**LEGAL BASIS**

Regulation (EU) No 254/2014: Objective III – Rights and redress: Article 4 (c); Annex I (8)(9)

<b>Subject matter</b> of the contracts envisaged (study / technical assistance / evaluation / survey / IT / communication services/etc.)	Indicative number and type of <b>contracts</b> and type of procurement	Indicative <b>timeframe</b> for launching the procedure	<b>Implementation</b> entity
Studies in relation to the implementation of EU legislation related to both Objectives III and IV. They may concern in particular, the implementation of the new CPC Regulation, the ADR/ODR legislation, or the package travel Directive	3-6 specific service contracts based on a FWC	1 <sup>st</sup> – 4 <sup>th</sup> quarter 2019	DG JUST and/or Executive agency
IT costs related to support for the Online Dispute Resolution Platform	1-3 specific service contracts based on a FWC	1 <sup>st</sup> – 3 <sup>rd</sup> quarter 2019	DG JUST Hosting sub-delegated to DIGIT
Awareness raising on and networking of ADR bodies	Open call for tender or specific service contracts based on a FWC	3rd quarter 2019	DG JUST

**2.2.4. Coordination of surveillance and enforcement actions with regard to Regulation on Consumer Protection Cooperation (CPC); support to the European Consumer Centres Network (ECC-Net)**

**LEGAL BASIS**

Regulation (EU) No 254/2014: Objective IV – Enforcement: Article 4 (d); Annex I (10) (11)

<b>Subject matter</b> of the contracts envisaged (study / technical assistance / evaluation / survey / IT / communication services/etc.)	Indicative number and type of <b>contracts</b> and type of procurement	Indicative <b>timeframe</b> for launching the procedure	<b>Implementation</b> entity
Maintenance, development, hosting and support of the CPC and ECC-Net IT systems, running the knowledge management platforms, support to business users, trainings	2-4 specific service contracts based on a FWC	1 <sup>st</sup> – 2 <sup>nd</sup> quarter 2019	DG JUST with sub-delegation to DIGIT and/or DG GROW
Workshops in connection with the new CPC Regulation and logistics support to CPC joint activities and capacity building, awareness raising activities in this area or in support to the ECC-Net activities	2-4 specific service contracts based on a FWC	1 <sup>st</sup> – 4 <sup>th</sup> quarter 2019	DG JUST and/or Executive agency

### **2.3. Other actions or expenditures**

#### **2.3.1. Support for the tasks of the independent scientific committees established by Commission Decision C(2015)5383 of 07.08.2015 on establishing Scientific Committees in the field of public health, consumer safety and the environment**

##### **LEGAL BASIS**

Regulation (EU) No 254/2014: Objective I – Safety: Article 4 (a) (1); Annex 1(1)

##### **AMOUNT**

€ 400 000

##### **DESCRIPTION AND OBJECTIVE OF THE IMPLEMENTING MEASURE**

The advice from the Scientific Committees feeds into the work of EU standardisation bodies and into the knowledge base by providing scientific advice in support of actions to further improve consumer product safety in the EU, in particular on cosmetic products, as well as to draw attention to emerging problems.

The financial contribution for the advice from the Scientific Committees consists of expert reimbursement for accommodation, travelling and daily allowance, of payment of special allowances to the Committee members and external experts, associate members and rapporteurs throughout the year.

Moreover, the financial contribution covers also the scientific and technical assistance provided by the Secretariat. This includes organisation of scientific hearings and thematic workshops, as well as direct scientific support for the drafting of documents, such as literature searches, editing, and translation of scientific texts into publications for the general public and updating of the scientific committees' website. These services will be provided by external contractors. Support will be provided for data analysis, scientific aspects of impact assessments and risk communication.

##### **IMPLEMENTATION**

The action may be sub-delegated or co-delegated to Directorate-General Health and Food Safety (DG SANTE) and related payments executed by the Paymaster Office (PMO).



**2.3.2. Support to the exchanges of EU Member States and EFTA/EEA enforcement officials in the areas of consumer safety (Directive 2001/95/EC) and consumer protection cooperation (CPC)**

**LEGAL BASIS**

Regulation (EU) No 254/2014: Objective I – Safety: Article 4 (a) (2); Annex I (2) (c) ; Objective IV-Enforcement: Article 4 (d) (10); Annex I (10) (b)

**AMOUNT**

€ 200 000 (€ 100 000 for consumer safety officials and € 100 000 for CPC officials)

**DESCRIPTION AND OBJECTIVE OF THE IMPLEMENTING MEASURE**

The exchanges of officials contribute to a coordinated and coherent approach to the enforcement of product safety and market surveillance rules across the EU and to exchanging information and best practices between product safety stakeholders. They also support the enforcement of consumer rights by strengthening cooperation between national enforcement bodies. The exchanges may notably cover visits, coordination of enforcement or investigations, small workshops to tackle common issues among safety and enforcement authorities.

Financial contribution in the form of indemnities, possibly lump sums, reimbursement on the basis of unit costs and flat rate financing, and which may take the form of advance payments, is paid to enforcement officials and third countries notified to the European Commission for the purposes of Regulation (EC) N° 2006/2004 and of Directive 2001/95/EC by a Member State or a third country referred to in Article 7 of the Consumer Programme 2014-2020. These indemnities shall cover the expenses of the enforcement official's participation at the exchange. The indemnities awarded to officials shall cover travelling costs and subsistence allowances (including the hotel costs and daily allowance). The rules on the reimbursement of expenses incurred will be described in the letters addressed to the CPC and the Consumer Safety Networks.

**IMPLEMENTATION**

The action shall be launched by the Executive agency in the first quarter of 2019 and implemented throughout the year.

**3. BUDGET LINE 33 01 04 03: SUPPORT EXPENDITURE FOR THE CONSUMER PROGRAMME**

Total: € 870 230,00 (including EFTA contribution to this budget line: € 20 230,00)

The appropriations allocated to this budget line will be used mainly for organisation of expert meetings, workshops, seminars, publications, communication activities, contribution to IT fund and any other expenditure on technical and administrative assistance.

**4. BUDGET LINE 33 01 06 01: CONSUMERS, HEALTH, AGRICULTURE AND FOOD EXECUTIVE AGENCY - CONTRIBUTION FROM THE CONSUMER PROGRAMME**

Total: € 1 799 840,04 (including EFTA contribution to this budget line: € 41 840,04)

The appropriations under this budget line are allocated to cover the contribution for expenditure on the agency's staff and administration incurred as a result of the agency's role in the management of measures forming part of the Consumer Programme.