



Brussels, 17.12.2018
C(2018) 8568 final

COMMISSION DECISION

of 17.12.2018

**concerning the adoption of the annual work programme and the financing of the
Hercule III Programme in 2019**

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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 250/2014 of the European Parliament and of the Council of 26 February 2014¹ establishing a programme² to promote activities in the field of the protection of the financial interests of the European Union (Hercule III Programme) and repealing Decision No 804/2004/EC, in particular Article 11 thereof,

Having regard to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules³ 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 (hereinafter referred to as the 'Financial Regulation'), and in particular Article 110(1) thereof,

Whereas:

- (1) In order to ensure the implementation of the Hercule III Programme, it is necessary to adopt a financing decision and work programme for 2019. Article 110 of the Financial Regulation establishes detailed rules on financing decisions.
- (2) In order to allow for flexibility in the implementation of the work programme, it is appropriate to define the term 'substantial change' within the meaning of Article 110(5) of the Financial Regulation.

HAS DECIDED AS FOLLOWS:

Article 1 *The work programme*

The annual work programme for implementing the Hercule III Programme in 2019 as set out in the Annex is adopted.

The annual work programme constitutes a financing decision within the meaning of Articles 110 and 111 of the Financial Regulation.

¹ OJ L 84, 20 March 2014, p. 6.

² Hereinafter referred to as the 'Hercule III Programme'.

³ OJ L 193, 30.07.2018, p. 1.

Article 2
Union contribution

The maximum contribution for implementation of the Programme in 2019 is set at EUR 15 891 200 and shall be financed from the appropriations entered in budget line 24.02.01 of the general budget of the Union for 2019.

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 budget authority or as provided for in the system of provisional twelfths.

Article 3
Flexibility clause

Cumulative changes to the allocations for the 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 Articles 110 of the Financial Regulation, where those changes do not significantly affect the nature of the actions and the objective of the work programme.

The authorising officer responsible may apply the changes referred to in the first paragraph. Those changes shall be applied in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 17.12.2018

For the Commission
Günther OETTINGER
Member of the Commission