COMMISSION DECISION

of 13.5.2016

on the individual measure in favour of The Republic of Fiji to be financed from the European Development Fund
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THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EU) No 322/2015 of 2 March 2015 on the implementation of the 11th European Development Fund and in particular Article 9(1) thereof,

Having regard to Council Regulation (EU) No 323/2015 of 2 March 2015 on the financial regulation applicable to the 11th European Development Fund and in particular Article 26 thereof,

Whereas:

(1) The Commission has adopted the National Indicative Programme for the Republic of Fiji for the period 2014 to 2020\(^1\), point 4, B allocation.

(2) The objectives pursued by the measure to be financed under the 11th EDF Internal Agreement\(^2\) are to contribute to the Post Cyclone Recovery Programme.

(3) The B-allocation is destined to cover unforeseen needs such as humanitarian, emergency and post emergency assistance, where such support cannot be financed from the EU budget.

(4) The individual measure Post Cyclone Recovery Programme is to contribute to the recovery efforts of the Government of Fiji in the wake of the Cyclone Winston that hit the country on February 20\(^{th}\), 2016, by improving the financial capability of the government for recovery and rehabilitation of the agriculture sector after the cyclone Winston.

(5) 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 1268/2012\(^3\) applicable by virtue of Article 26 of Regulation (EU) No 323/2015,

(6) 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

\(^1\) C(2015)9338 of 14/12/2015.

\(^2\) Internal Agreement between the Representatives of the Governments of the Member States of the European Union, meeting within the Council, on the financing of European Union aid under the multiannual financial framework for the period 2014 to 2020, in accordance with the ACP-EU Partnership Agreement, and on the allocation of financial assistance for the OCTs to which Part Four of the EC Treaty applies, OJ L 210, 6.8.2013 p.1.

Regulation (EU) No 1268/2012, applicable by virtue of Article 29(1) of Regulation (EU) No 323/2015.

(7) Pursuant to Article 94(4) of 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.

(8) The measures provided for in this Decision do not fall in the categories of measures for which the prior opinion of the European Development Fund Committee ('EDF Committee') set up by Article 8 of the Internal Agreement is required. The EDF Committee should be informed of this Decision within one month following its adoption.

HAS DECIDED AS FOLLOWS:

Article 1

Adoption of the measure

The Post Cyclone Recovery Programme as set out in the Annex, is approved.

The measure shall include the following action:

– "Post Cyclone Recovery Programme"

Article 2

The maximum contribution of the European Union for the implementation of the measure referred to in Article 1 is set at EUR 10 million and shall be financed from the European Development Fund.

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

Article 3

Implementation modalities

The section “Implementation” of the Annex to this Decision sets out the elements required by Article 94(2) of 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, or cumulated changes to the allocations of specific actions not exceeding 20 % of that, as well as extensions of the implementation period shall not be considered substantial within the meaning of Article 94(4) of Delegated Regulation (EU) No 1268/2012 provided that they do not significantly affect the nature and objectives of the actions.
The authorising officer responsible may adopt such non-substantial changes in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 13.5.2016

For the Commission
Neven Mimica
Member of the Commission