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EUROPEAN COMMISSION

Brussels, 22/12/2010  
C(2010) 9013 final

**COMMISSION DECISION**

**of 22/12/2010**

**on the Annual Action Programme 2010 in favour of Swaziland for Accompanying Measures on Sugar to be financed under Article 21.06.03.00 of the general budget of the European Union**

## COMMISSION DECISION

of 22/12/2010

### **on the Annual Action Programme 2010 in favour of Swaziland for Accompanying Measures on Sugar to be financed under Article 21.060300 of the general budget of the European Union**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1905/2006 of the European Parliament and of the Council of 18 December 2006 establishing a financing instrument for development cooperation<sup>1</sup> (hereafter "DCI Regulation"), and in particular Article 17.2 second subparagraph and 22 (3) thereof,

Whereas:

- (1) The Commission has adopted the EU Multi-Annual Sugar Adaptation Strategy for the period 2006-2013 for Swaziland<sup>2</sup> and the Multiannual Indicative Programme for the period 2007-2010<sup>3</sup>, point 2.1 of which provides the following priorities: Help improving sugar production and its viability by providing assistance to smallholder sugarcane growers; Identify and make operational an alternative model for providing social services that were previously provided by the sugar industry; Improve transport infrastructures from the production areas to the mills; Support economic diversification in the sugarcane growing areas through crops diversification (research, trials and pilot projects); and Develop economic activities.
- (2) The objectives pursued by the 2010 Annual Action Programme are to improve the competitiveness of the sugar industry in the Hhohho District. The purpose of the project is to reduce the cost of hauling sugar cane from the fields to the mill in the Hhohho District. The objectives will be achieved by upgrading to paved bitumen standard the road Mananga to Sihhoye, leading to reduced transport costs per km and translating into improved profit margins for smallholder sugar cane growers.
- (3) The present decision constitutes a financing decision within the meaning of Article 75 of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget<sup>4</sup> (hereafter 'the Financial regulation') and Article 90 of Commission Regulation (EC, Euratom) No 2342/2002 of 23 December

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<sup>1</sup> OJ L 378, 27.12.2006 p.41

<sup>2</sup> C(2006)5353

<sup>3</sup> C(2007)3453

<sup>4</sup> OJEU L 248 of 16.09.2002 p. 1. Regulation last amended by Regulation (EC, Euratom) No1995/2006 (OJEU L 390, 30.12.2006, p.1) ) and by Council Regulation (EC, Euratom) N° 1525/2007 of 17 December 2007 (OJ L 343, 27.12.2007, p.9).

2002 laying down detailed rules for the implementation of the Financial Regulation applicable to the general budget<sup>5</sup> (hereafter 'the Implementing Rules').

- (4) 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 83 of the Financial Regulation and 106(5) of its Implementing Rules.
- (5) The Commission is required to define the term “substantial change” in the meaning of Article 90 (4) of the Implementing Rules to ensure that any substantial change in this decision shall follow the same procedure as the initial decision.
- (6) The measures provided for in this decision are in accordance with the opinion of the DCI Committee set up under Article 35 of Regulation (EEC) No 1905/2006.

HAS DECIDED AS FOLLOWS:

#### *Article 1*

The Annual Action Programme 2010 on Accompanying Measures for Sugar Protocol Countries, in favour of Swaziland, constituted by the action “Road Transport Infrastructure”, the text of which is set out in the attached Annex, is approved.

#### *Article 2*

The maximum contribution of the European Union to the Annual Action Programme is set at EUR 12,057,000 to be financed from budget line 21.06.03.00 of the general budget of the European Union for 2010.

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

#### *Article 3*

Cumulated changes of the allocations to the specific actions not exceeding 20% of the maximum contribution of the European Union shall not be considered substantial, provided that they do not significantly affect the nature and objectives of the Annual Action Programme. This may include an increase of the maximum contribution of the European Union up to 20%.

The relevant authorising officer may amend the present Decision to introduce non substantial changes to the Annual Action Programme in accordance with the principles of sound financial management.

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<sup>5</sup> OJEU L 357 of 31.12 2002, p.1. Regulation last amended by Regulation (CE, Euratom) No 478/2007 (OJEU L 111, 28.04.2007, p.13).

Done at Brussels, 22/12/2010

*For the Commission*

*Member of the Commission*

**ANNEX**

*Accompanying Measures for Sugar Protocol Countries “Road Transport Infrastructure”*