



Brussels, 13.2.2015  
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**COMMISSION DECISION**

**of 13.2.2015**

**on an individual measure for the Republic of Madagascar to be financed from the  
European Development Fund Bridging Facility**

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### on an individual measure for the Republic of Madagascar to be financed from the European Development Fund Bridging Facility

THE EUROPEAN COMMISSION,

Having regard to Council Regulation (EU) No 566/2014 amending Regulation (EC) No 617/2007<sup>1</sup> as regards the application of the transition period between the 10th European Development Fund (EDF) and the 11th EDF until the entry into force of the 11th EDF Internal Agreement<sup>2</sup>, and in particular Article 9 of the Annex thereto,

Having regard to Council Regulation (EU) No 567/2014 amending Regulation (EC) No 215/2008<sup>3</sup> on the Financial Regulation applicable to the 10th EDF as regards the application of the transition period between the 10th EDF and the 11th EDF until the entry into force of the 11th EDF Internal Agreement<sup>4</sup>, and in particular Article 26 of the Annex thereto,

Whereas:

- (1) After five years of turmoil (situation managed under Article 96 of the ACP-EU Agreement) and the recent setting-up of new democratic institutions in Madagascar, relations between the EU and Madagascar were re-established on 19 May 2014 with the adoption of Council Decision 2014/323/EU, which also marked the full resumption of development cooperation. The national authorising officer's functions were restored to Madagascar's National Authorising Officer on 24 July 2014 through the adoption of Commission Decision C(2014)5143. The EU has made a political commitment to help the new government deal with the many challenges facing a much weakened state and socio-economic conditions that have deteriorated considerably.
- (2) Pending the programming of the 11th EDF, and in the absence of a programming document, this measure is aimed at building the capacity of the administration to perform the functions of national authorising officer and ensuring that they are more effectively integrated into the national system in accordance with EDF procedures and mutual commitments.
- (3) This measure complements two other measures: the action entitled '*Ny Fanjakana Ho an'ny Daholobe – NFD*' ('an administration for all'), which is aimed at increasing the effectiveness and integration of the public administration and improving the quality of public services; and the State-Building Contract (SBC), which is intended to help the government cover the most urgently needed expenditure, relaunch the economy and restart the major reforms needed for an efficient administration and good governance. Together the three actions make up the 'post-election package', the EU's response aimed at helping the Malagasy State emerge from the crisis.

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<sup>1</sup> OJ L 152, 13.6.2007, p. 1.

<sup>2</sup> OJ L 157, 27.5.2014, p. 35.

<sup>3</sup> OJ L 78, 19.3.2008, p. 1.

<sup>4</sup> OJ L 157, 27.5.2014, p. 52.

- (4) This Decision complies with the conditions laid down in Article 94 of 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<sup>5</sup> applicable by virtue of Articles 2(1) and 26 of the Annex to Regulation (EU) No 567/2014.
- (5) The Commission should delegate budget-implementation tasks under indirect management to the partner country identified in this Decision, subject to the conclusion of a financing agreement. In accordance with Article 60(1)(c) of Regulation (EU, Euratom) No 966/2012 applicable by virtue of Articles 17 and 2(1) of the Annex to Regulation (EU) No 567/2014, the responsible authorising officer has ensured that measures have been taken to supervise and support the implementation of the delegated tasks. A description of these measures and the delegated tasks are to be found in the Annex to this Decision.
- (6) The maximum contribution of the European Union set by this Decision should cover any claims for 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, applicable by virtue of Articles 29(1) and 2(1) of the Annex to Regulation (EU) No 567/2014<sup>6</sup>.
- (7) The Commission is required to define the term ‘non-substantial change’ within the meaning of Article 94(4) of Delegated Regulation (EU) No 1268/2012 to ensure that any such changes may be adopted by the authorising officer by delegation or, under his or her responsibility, by the authorising officer by subdelegation (the ‘responsible authorising officer’).
- (8) The measure provided for in this Decision does not fall into the categories of measures for which the opinion of the Committee is required. The EDF Committee set up by Article 8 of the Internal Agreement between the Representatives of the Governments of the Member States, meeting within the Council, on the financing of Community aid under the multiannual financial framework for the period 2008 to 2013 in accordance with the ACP-EC Partnership Agreement and on the allocation of financial assistance for the overseas countries and territories to which Part Four of the EC Treaty<sup>7</sup> applies should be informed of this Decision within one month of its adoption,

HAS DECIDED AS FOLLOWS:

#### *Article 1*

##### **Adoption of the measure**

The individual measure for the Republic of Madagascar to be financed from the EDF Bridging Facility, as described in the Annex, is hereby approved.

The measure consists of the following action:

- Annex: Incorporation of the function of National Authorising Officer into the national system and closer coordination between the National Authorising Officer and the NAO's sectoral partners (IFON-Syn).

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<sup>5</sup> OJ L 362, 31.12.2012, p. 1.

<sup>6</sup> OJ L 362, 31.12.2012, p. 1.

<sup>7</sup> OJ L 247, 9.9.2006, p. 32.

## *Article 2*

### **Financial contribution**

The maximum contribution of the European Union authorised by this Decision for the implementation of the measure is set at EUR 2 000 000, to be financed from the EDF Bridging Facility.

## *Article 3*

### **Methods of implementation**

Budget-implementation tasks under indirect management may be delegated to the entity identified in the Annex, subject to conclusion of the relevant agreements.

Section 4 of the Annex referred to in the second paragraph of Article 1 sets out the elements required by Article 94(2) of Delegated Regulation (EU) No 1268/2012.

The financial contribution referred to in Article 2 shall also cover any interest due for late payment.

## *Article 4*

### **Non-substantial changes**

Increases or decreases not exceeding 20 % of the contribution referred to in Article 2, or cumulated changes to the allocations of specific actions not exceeding 20 % of the contribution, shall not be considered substantial within the meaning of Article 94(4) of Delegated Regulation (EU) No 1268/2012, provided that they do not substantially affect the nature and objectives of the actions. The use of the contingency reserve shall be taken into account in the ceiling referred to in this Article.

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

Done at Brussels, 13.2.2015

*For the Commission*  
*Neven MIMICA*  
*Member of the Commission*