



Brussels, 6.5.2021
C(2021) 3046 final

ANNEX 3

ANNEX

to the

COMMISSION IMPLEMENTING DECISION

**on the financing of the Programme for single market, competitiveness of enterprises,
including small and medium-sized enterprises, and European statistics and the adoption
of the work programme for 2021-2024**

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ANNEX III
WORK PROGRAMME IMPLEMENTING THE SMP REGULATION (EU) 2020/XXXX OF THE
EUROPEAN PARLIAMENT AND OF THE COUNCIL OF XX DECEMBER 2020 AND
ESTABLISHING THE CONSUMER POLICY FINANCING PROGRAMME FOR 2021-2022

1. INTRODUCTION

The Consumer Policy Financing Programme for 2021-2022 will be devoted to implementing objective 3.2.(d).(i) set in the Regulation (EU) 2020/xxxx of the European Parliament and of the Council of xx December 2020 establishing the Single Market Programme¹ (hereafter the SMP Regulation), with due consideration of the 2020 New Consumer Agenda².

The Consumer Policy Financing Programme 2021-2022 aims at promoting the interests of consumers and ensuring a high level of protection of consumer rights and product safety by empowering, assisting and educating consumers, businesses and civil society; ensuring a high level of consumer protection, sustainable consumption and product safety notably by supporting competent enforcement authorities and consumer representative organisations and cooperation actions; ensuring that all consumers have access to redress and; provision of adequate information on markets and consumers;

This work programme implements the specific objective of promoting consumers interests and ensuring a high level of consumer protection and product safety. The work programme is subject to consultation of a committee referred to under Article 21 of the [SMP] Regulation [insert reference once adopted].

This work programme contains the actions to be financed and the budget breakdown for the years 2021-2022 as follows:

- a) for grants (point 2),
- b) for procurements (point 3),

The total budgetary envelope reserved for the Consumer Policy Financing Programme 2021-2022 is € 46 674 531 (€ 23 174 531 in 2021 and € 23 500 000 in 2022) of which around € 36 million will be implemented through actions that will be delegated to the European Innovation Council and SMEs Executive Agency (EISMEA).

These amounts include appropriations arising from the participation of EEA EFTA States to the programme and are therefore subject to the agreement on their participation

INDICATIVE BUDGET BREAKDOWN PER EXPENDITURE CATEGORY AND ACTION TYPE:

Calls for proposals for action grants to provide financial contributions to organisations representing consumer interests in Members States or offering assistance to consumers in Member States (2.1) – <i>implemented through EISMEA</i>	€ 2 000 000
Operating grant to support the activities of the consumer organisation at the Union level – award to beneficiary identified in the legal base – BEUC (2.2) – <i>implemented through EISMEA</i>	€ 4 000 000

¹ Regulation (EU) No XX/2020 of the European Parliament and of the Council of

² Ref. for New Consumer Agenda (due for adoption in November 2020)

Calls for proposals for action grants and action grants of exceptional utility for co-operation between national authorities responsible for the enforcement of consumer protection law (2.3) – <i>implemented through EISMEA</i>	€ 2 000 000
Direct action grants to support the activities of Member States authorities participating in EU consumer policy (2.4) – <i>implemented through EISMEA</i>	€ 400 000
Action grants to the designated bodies to host the European Consumer Centres (ECCs) (2.5) – <i>implemented through EISMEA</i>	€ 14 000 000
Grants Sub-total:	€ 22 400 000
Procurements	
Market surveillance and enforcement actions (3.1)	€ 6 850 000
<i>Implemented through EISMEA</i>	<i>€ 6 300 000</i>
Capacity building and education actions (3.2)	€ 3 009 500
<i>Implemented through EISMEA</i>	<i>€ 2 549 500</i>
Studies, analyses and surveys (3.3)	€ 7 064 031
<i>Implemented through EISMEA</i>	<i>€ 3 600 000</i>
IT systems and information support structures (3.4)	€ 6 301 000
<i>Implemented through EISMEA</i>	<i>€ 270 000</i>
Events and external communication actions (3.5)	€ 1 050 000
<i>Implemented through EISMEA</i>	<i>€ 1 050 000</i>
Procurements Sub-total:	€ 24 274 531
TOTAL	€ 46 674 531

The countries participating in the implementation of the Consumer Financing Programme 2021-2022 are:

- EU Member States;
- In line with Article XX of the SMP Regulation, 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 at present.

Should additional third countries conclude an agreement with the Union on their participation in the SMP as of 2021, this will be announced in the relevant call for proposals and/or on the Programme's website.

Legal basis

Regulation (EU) 2020/xxxx of the European Parliament and of the Council of xx December 2020 establishing the Single Market Programme objective promoting consumers interests and ensuring a high level of consumer protection and product safety

Budget line(s)

Budget line 03.020401: ensuring high level of consumer protection and product safety

Objectives pursued

The SMP Regulation sets for the Single Market Programme one consumer-related specific objective (Article 3.2(d)(i) on promoting the interests of consumers and ensuring a high level of consumer protection and product safety

Expected results

To achieve the specific objective set above, this workprogramme should:

- empower, assist and educate consumers, businesses and civil society;
- ensure a high level of consumer protection, sustainable consumption and product safety
- support competent enforcement authorities and consumer representative organisations and cooperation actions;
- ensure that all consumers have access to redress
- provide adequate information on markets and consumers”

2. GRANTS

The global budgetary envelope reserved for grants under this work programme is EUR 22.4m.

2.1. Calls for proposals for action grants to provide financial contributions to organisations representing consumer interests in Members States or offering assistance to consumers in Member States

Type of applicants targeted by the calls for proposals

Calls for proposals for action grants in 2021 and 2022 will aim at providing financial contributions to organisations representing consumer interests in Members States or offering assistance to consumers in Member States, including in the form of Alternative Dispute Resolution (ADR) or debt advice. The applicants shall be supporting the enforcement of EU consumer law or facilitating the access of consumers to alternative dispute resolution (ADR) schemes compliant with Directive 2013/11/EU⁹, as well as to debt advice and to support measures for vulnerable consumers.

Description of the activities to be funded under the call for proposals.

The projects receiving action grants shall aim at supporting enforcement of EU consumer law or facilitating the access of consumers to ADR schemes compliant with Directive 2013/11/EU⁹, as well as to debt advice and to support measures for vulnerable consumers.

In particular, the following activities should be prioritised: make ADR bodies and providers of assistance such as debt advice more accessible to the consumers, including in the cross-border context, improve their operational capacity in resolving consumer disputes and problems, and debt advice entities, promote monitoring activities on the functioning and the effectiveness of dispute resolution, and debt advice mechanisms.

Implementation

by EISMEA

Indicative breakdown of annual instalments

2021 Budget (EUR million)	2022 Budget (EUR million)
1	1

Additional information

The maximum co-financing rate for grants covered by this part is 50%, except for calls for proposals facilitating the access of consumers to debt advice and to support measures for vulnerable consumers that can cover grants with a maximum co-financing rate of 95%.

2.2. Operating grant to support the activities of the consumer organisation at the Union level – award to beneficiary identified in the legal base - BEUC

Legal basis

Article 10(1)(e) of the SMP Regulation
Article 195(1)(d) of the Financial Regulation

Type of applicant

In accordance with Article 10(1)(e) of the SMP Regulation, BEUC (Bureau Européen des Unions de Consommateurs) will be eligible for two consequent annual operating grants to support the functioning of BEUC.

Description of the activities to be funded under the grant awarded without a call for proposals on the basis of Article 195 of the Financial Regulation

BEUC's functioning will be co-financed. This 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 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.

Implementation

by EISMEA

Indicative breakdown of annual instalments

2021 Budget (EUR million)	2022 Budget (EUR million)
2	2

Additional information

The maximum co-financing rate is 50%

2.3. Calls for proposals for action grants and action grants of exceptional utility for co-operation between national authorities responsible for the enforcement of consumer protection law

Type of applicants targeted by the call for proposals

Calls for proposals for action grants and action grants of exceptional utility in 2021 and 2022 for co-operation between national authorities responsible for the enforcement of consumer protection law will aim at supporting the activities of national authorities and

other relevant bodies notified under the Consumer Protection Cooperation (CPC) Regulation (Regulation (EU) 2017/2394)³ to tackle breaches of the laws listed in the Annex of this Regulation.

Description of the activities to be funded under the call for proposals

The action grants defined on the basis of the calls for proposal can support a wide range of activities for the implementation of Regulation (EU) 2017/2394, such as staff training, creation of online interfaces and monitoring tools, capacity building and networking tools including workshops, surveillance, e-enforcement tools and other enforcement capacities, including purchase of equipment for digital investigations and for product testing.

- Exceptional utility action grants defined on the basis of the calls for proposals can cover the above-mentioned activities and should involve at least three Member States or should concern infringements which cause or are likely to cause harm in two or more Member States.

Implementation

by EISMEA

Indicative breakdown of annual instalments

2021 Budget (EUR million)	2022 Budget (EUR million)
1	1

Additional information

The maximum level of Union contribution for all grants to national authorities is 50% of eligible costs. However, in the case of actions of exceptional utility the co-financing rate shall be increased up to 70 % of the eligible costs. Grants may be awarded on the basis of a multiannual grant agreement covering appropriations in 2021 and in 2022.

2.4. Direct action grants to support the activities of Member States authorities participating in EU consumer policy

Legal basis

Article 195(1)(d) of the Financial Regulation

Type of applicants targeted by direct grants

Grants may be directly awarded to national authorities of the Member State holding the Presidency of the Council of the EU or to bodies designated by that Member State for the organization of events linked to the key consumer policy priorities. Four grants, one per each Presidency term, may be directly awarded under this work programme.

³ 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

Description of the activities to be funded under the grant(s) awarded without a call for proposals on the basis of Article 195 of the Financial Regulation

The grants awarded directly to the Member States holding the Presidency of the Council of the EU will cover eligible costs of the organization and execution of Presidency events, such as conferences, seminars, workshops which will, in a form and on topics established by the respective Presidency in agreement with the Commission, contribute to the EU 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 sectoral policies, such as green and digital transition an economy that work for the people, the New Consumer Agenda

Implementation

by EISMEA

Indicative breakdown of annual instalments

2021 Budget (EUR million)	2022 Budget (EUR million)
0,2 (0,1 for each Presidency)	0,2 (0,1 for each Presidency)

[Additional information](#)

The maximum level of Union contribution for all grants to national authorities is 50% of eligible costs.

2.5. Action grants to the designated bodies to host the European Consumer Centres

Legal basis

Article 9(5) of the SMP Regulation

Type of applicants targeted by the grants

The European Consumer Centres (ECCs) are currently active in the Member States as well as in Norway and Iceland. Their network (ECC-Net) provides information and assistance to consumers to help them exercise their rights in cross border purchases and obtain access to appropriate dispute resolution.

Grants may be awarded to the bodies designated by the Member States [Norway and Iceland, other 3rd country tbc], under their responsibility to host the ECC. The procedure to designate the ECC host must respect the principles of legality and transparency.

Description of the activities to be funded

1. ECC action grants shall focus on assisting consumers with protecting and asserting their rights in cross-border purchases in the Single Market and in particular cover all the following activities: awareness raising and promotional activities on consumer rights and safety, direct provision of information, dissemination of best practices among the network, assisting consumers with a complaint or with a dispute, promotion of ADR, online dispute resolution (ODR) activities and other redress mechanisms, collaboration with traders (associations or professional bodies), enforcement authorities and other bodies, collecting and analysing information on consumer cases for statistical and policy-making purposes, developing efficient collaboration within the network and improving its corporate image, promotion of equal quality services, partnership with bodies with similar activities in third countries with a view to promote assistance to tourists travelling from and to such countries.
2. Grants for actions with EU dimension shall cover all the activities described in part 1 above and, in addition, actions which go beyond the regular activities of a European Consumer Centre and which aim to benefit the whole network in order to strengthen its overall impact. Such additional actions can cover supporting the network's IT system and the classification of cases, EU level coordination and strategy development, EU level and fully coordinated communication activities, a knowledge base for the network including the production of statistics, a common legal advice centre, a common website, or assisting other Centres in dealing with requests coming from third countries partners.
3. Grants for priority actions shall cover all the actions described in part 1 above and be executed by beneficiaries from Member States with a GDP per capita in the lower quartile within the Union distribution of GDP per capita.

Implementation

by EISMEA

Indicative breakdown of annual instalments

2021 Budget (EUR million)	2022 Budget (EUR million)
7	7

Additional information

The maximum EU co-financing rate for carrying out the activities corresponding to what described in part 1 above will cover up to 50 % of the eligible costs.

Priority actions can receive grants covering up to 63% of the eligible costs. Actions of Union dimension can receive grants covering up to 54% of the eligible costs.

Grants may be awarded on the basis of a multiannual grant agreement covering activities taking place in the period 2022-2023 but on the basis of available annual appropriations.

3. PROCUREMENT

The global budgetary envelope reserved for procurement contracts in 2021-2022 is EUR 24 274 531.

3.1. Procurement activities for market surveillance and enforcement actions

General description of the contracts envisaged

Several specific service contracts based on framework contracts will be concluded for coordinated activities on market surveillance for dangerous products across the EU to improve effective application of Directive 2001/95/EC on general product safety (GPSD)⁴. These activities include joint actions (“Coordinated Activities on the Safety of Products”), the support to the exchanges of EU Member States and EFTA/EEA enforcement officials in the areas of consumer safety, launch of e-enforcement labs, as well as the use of web crawling, Big data and other innovative tools in online market surveillance and product safety to screen the web on offers of unsafe products.

In addition, an open call procedure shall be initiated for conclusion of framework contracts for coordinated activities on market surveillance for dangerous products across the EU to improve effective application of Directive 2001/95/EC on general product safety (GPSD).

Contracts based on open calls for tender or specific contracts concluded on the basis of existing framework contracts will be used to provide services in relation to activities in the field of exchanges of enforcement officials of a Member state, EFTA/EEA and/or third countries notified to the European Commission for the purposes of CPC Regulation (EU) 2017/2394. These exchanges shall support the enforcement of consumer rights by strengthening cooperation between national enforcement bodies. The exchanges may notably cover visits, coordination of enforcement or investigations, workshops on common issues including as a contribution to the work of international bodies.

Implementation

by EISMEA. In specific cases involving the testing and use of innovative online tools the implementation may be ensured directly by Directorate-General for Justice and Consumers (DG JUST), with possible cross-subdelegation to DG CNECT on the basis of a SLA.

3.2. Procurement activities for capacity building and consumer education

General description of the contracts envisaged

Contracts based on open calls for tender or specific contracts concluded on the basis of existing framework contracts will be used to carry out actions in

- Capacity building of consumer organisations for projects supporting consumer policy priorities such as the promotion of sustainable consumption, the prevention of vulnerabilities, including possible continuation of ConsumerPRO
- Consumer Education and awareness programme, including educational tools for schools, public authorities and businesses, raising the awareness of consumer policy/law and the importance of consumer rights (including “Consumer Law Ready” trainings for SMEs)
- Preparation and implementation of innovative training tools and collaborative

⁴ 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,

programmes, e.g. e-Enforcement Academy, in relation to the enforcement of consumer rights and products safety (workshop on the support of the adoption of the GPSD)

Implementation

by EISMEA. In specific cases entailing a close and direct link to policy development the implementation may be ensured directly by DG JUST.

3.3. Procurement of studies, analyses and surveys

General description of the contracts envisaged

Contracts based on open calls for tender or specific contracts concluded on the basis of existing framework contracts will be used to prepare, organise, carry out, and report the results of:

- Market monitoring surveys – monitoring the functioning of selected consumer markets, as well as the prevalence of specific practices and problems faced by consumers
- Consumer behaviour surveys and studies – monitoring and analysis of consumer behaviour, actions and opinions in relation to the performance of consumer markets and respect of consumer rights, promotion of new disclosure models and other policy measures to ensure consumers make informed and unbiased choices
- Feasibility and implementation studies on new indicators of effectiveness of enforcement of consumer rights and safety (including Injuries Data collection follow-up and possible management and linkage with Safety Gate/RAPEX environment) and handling of consumer complaints for systematic monitoring of consumer conditions, problems and capacities of enforcement bodies in the Member States
- Studies, surveys, workshops and analyses to provide updated information and data on unfair commercial practices (including in the digital environment), application and enforcement of consumer law including product safety, and possible improvements in consumer law, its application and collaborative enforcement, evaluation and monitoring of existing legislation, transposition checks and impact assessments

In addition open call procedures may need to be initiated for conclusion of framework contract(s) for the procurement of knowledge management services as well as analyses on consumer and market issues, including for scoreboards, knowledge database, and for evidence-based policy-making.

Implementation

by EISMEA. In specific cases entailing a close and direct link to policy development the implementation may be ensured directly by DG JUST.

3.4. Procurement of IT systems and information support structures

General description of the contracts envisaged

Specific contracts under existing Framework Contracts or other procurement models for

- IT development, update and maintenance work for the EU's Rapid Alert System for dangerous products (RAPEX) and related systems, including other IT-based projects aimed at improving product safety enforcement.
- IT development, update and maintenance work to support the work of the ECC-Net the CPC network, networks of ODR contact points and ADR entities and the running and continuous improvement of the ODR platform
- Preparation of the electronic database to support the work of entities designated to carry out representative actions

Implementation

As a general rule by DG JUST, with use of cross-subdelegations to DG DIGIT where appropriate.

3.5. Procurement activities for the organization of events and external communication

General description of the contracts envisaged

Specific contracts concluded on the basis of existing framework contracts in the fields of external events and communication will be used to prepare and execute events with the participation of external stakeholders and consumer groups, such as Consumer Summits, ADR Assembly and promotional campaign on ADR, European Product Safety Award, RAPEX media event, the International Product Safety week, and to ensure the production and dissemination of information related to EU consumer policies and the changes to the consumer protection stemming from recently adopted new EU legislation.

Implementation

by EISMEA or through specific contracts under suitable Framework Contracts available in the Commission (in this case the implementation may be ensured directly by Directorate-General for Justice and Consumers - DG JUST).