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**COMMISSION IMPLEMENTING DECISION**

**of 19.12.2018**

**on the financing of the use of technical assistance in the framework of the European Regional Development Fund and the Cohesion Fund and the adoption of the work programme for 2019**

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### **on the financing of the use of technical assistance in the framework of the European Regional Development Fund and the Cohesion Fund and the adoption of the work programme for 2019**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules 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<sup>1</sup>, and in particular Article 110 thereof,

Having regard to Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006<sup>2</sup>, and in particular Article 58 thereof,

Whereas:

- (1) In order to ensure the implementation of the work programme in 2019 in the framework of the European Regional Development Fund ('ERDF') and the Cohesion Fund ('CF') for the use of technical assistance, it is necessary to adopt an annual financing decision, which constitutes the annual work programme for 2019. Article 110 of Regulation (EU, Euratom) 2018/1046 ('the Financial Regulation') establishes detailed rules on financing decisions.
- (2) The envisaged assistance is to comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU.
- (3) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants under this Decision and its Annex according to Article 195 of the Financial Regulation.
- (4) It is necessary to allow for the payment of interest due for late payment on the basis of Article 116(5) of the Financial Regulation.
- (5) In order to allow for flexibility in the implementation of the work programme, it is appropriate to allow changes which should not be considered "substantial" for the purposes of Article 110(5) of the Financial Regulation,

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<sup>1</sup> OJ L 193, 30.7.2018, p. 1.

<sup>2</sup> OJ L 347, 20.12.2013, p. 320

HAS DECIDED AS FOLLOWS:

*Article 1*  
*The work programme*

The annual financing decision, constituting the annual work programme for the implementation of the technical assistance in the framework of the ERDF and the CF for the year 2019, as set out in the Annex, is hereby adopted.

*Article 2*  
*Union contribution*

The maximum Union contribution for the implementation of the work programme for the year 2019 is set at EUR 102 060 406, and shall be financed from the appropriations entered in the following lines of the general budget of the Union:

- (a) budget line 13 03 65 01 (ERDF): EUR 77 601 659;
- (b) budget line 13 04 61 01 (CF): EUR 24 458 747;

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*

Cumulated changes to the allocations to specific actions not exceeding 20% of the maximum Union contribution set in the first paragraph of Article 2 of this Decision shall not be considered to be substantial for the purposes of Article 110(5) 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.

*Article 4*  
*Grants*

Grants may be awarded without a call for proposals in accordance with the conditions set out in the Annex. Grants may be awarded to the bodies referred to in the Annex.

Done at Brussels, 19.12.2018

*For the Commission*  
*Corina CREȚU*  
*Member of the Commission*