

EN



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels,

NOT FOR PUBLICATION

COMMISSION DECISION

of [...]

concerning the financing of the programme for the use of operational and non-operational technical assistance at the initiative of or on behalf of the European Commission under the European Social Fund for 2008

COMMISSION DECISION

of [...]

concerning the financing of the programme for the use of operational and non-operational technical assistance at the initiative of or on behalf of the European Commission under the European Social Fund (ESF) for 2008

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1083/2006 of 11 July 2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1260/1999¹, and in particular Article 45, paragraph 3 thereof,

Having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the General Budget of the European Communities², and in particular Article 75(2) thereof,

Having regard to the opinion of the Coordination Committee of the Funds,

Having regard to the opinion of the Committee set up under Article 147 of the Treaty,

Whereas:

- (1) Article 45(1) of Regulation (EC) No 1083/2006 defines the technical assistance actions at the initiative of and/or on behalf of the Commission which may be financed by the European Social Fund.
- (2) For the European Social Fund such technical assistance is defrayed from the appropriations available on budget lines 04.022000 (operational technical assistance) and 04.010401 (non-operational technical assistance).
- (3) This Decision constitutes a financing decision within the meaning of Article 75 of Council Regulation (EC, Euratom) N) 1605/2002. Article 90 of Commission Regulation (EC, Euratom) No 2342/2002 laying down detailed rules for the implementation of the Financial Regulation applicable to the general budget of the European Communities³, and Article 15 of Commission Decision SEC/2004/120 of 11

¹ OJ L 210 of 31.7.2006, p. 25. Regulation amended by Regulation (EC) No 1989/2006 (OJ L 411 of 30.12.2006), p. 6).

² OJ L 248 of 16.9.2002, p. 1. Regulation last amended by Council Regulation (EC, Euratom) N° 1995/2006 of 13 December 2006 (OJ L 390 of 30.12.2006, p.1).

³ OJ L 357 of 31.12.2002, p. 1. Regulation last modified by regulation (EC, Euratom) no 478/2007 (OJ L 111, 28.4.2007, p. 13).

March 2004 on the Internal Rules on the implementation of the general budget of the European Communities 5(Commission section)⁴.

- (4) In view of the specificity of some actions, this Decision authorises flat-rate financing within the meaning of Article 181(1) of Regulation (EC, Euratom) N° 2342/2002.
- (5) In accordance with Article 76(3) of Regulation (EC Euratom) N° 1605/2002, it is necessary to point out that the implementation of some actions provided for in this Decision will require budgetary commitments spread over several years.
- (6) For the purpose of Article 90(4) of Regulation (EC, Euratom) N° 2342/2002, it is necessary to define the point beyond which any adaptation to this Decision is deemed to be substantial in character and is therefore required to be adopted under the same procedure.
- (7) The measures provided for in this Decision are in accordance with the opinion of the Committee set up under Article 147 of the Treaty.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Coordination Committee of the Funds,

HAS DECIDED AS FOLLOWS:

Article 1

The financing of the actions described in Annexes I and II to this Decision is approved.

In the budget year 2008 the following maximum amounts may be committed:

- (a) a maximum amount of €10.000.000 from budget line 04.022000 (Annex I)
- (b) a maximum amount of €18 054 219 from budget line 04.010401 (Annex II).

Article 2

This Decision authorises the use of scales of unit costs as stipulated in Article 181(1) of Regulation (EC) No 2342/2002 as last amended by Regulation 478/2007 of 23 April 2007, in particular for actions n° 4 listed in annex I.

Article 3

Amendments amounting to less than 15% in total shall not be regarded as substantial, within the meaning of Article 90(4) of Regulation (EC, Euratom) N° 2342/2002, provided that they do not significantly affect the nature and the aims of this Decision and that the maximum amounts specified in Article 1 are not exceeded.

⁴ Decision last amended by Decision C/2007/513 of 21 February 2007 on the Internal Rules on the implementation of the general budget of the European Communities (Commission section).

The authorising officer by delegation may adopt these amendments in accordance with the principle of sound financial management.

Article 4

This Decision shall be adopted only if the allocation of the corresponding budget lines is also adopted.

Done at Brussels, [...]

For the Commission
Vladimír Špídl
Member of the Commission

ANNEX I

1. INTRODUCTION:

This list contains the actions planned in 2008 by DG EMPL concerning the budget line for "operational technical assistance": 04.022000.

The types of measures and the types of procedures followed for the contracts or procurement procedures are indicated. For possible subsidies, the selection and award criteria and the maximum co-financing rates are indicated.

Appropriations may be used to cover the payment of interest on late payment due to contractors and beneficiaries in accordance with Article 106 of the Implementing Rules of the Financial Regulation, arising from legal commitments concluded on the current budget line.

In addition, late payment interest arising from legal commitments concluded under previous programmes and actions in the field of the European Social Fund, for which no earmarked revenues and no legal basis exist any more, may be paid by the current budget line, if the current budget line is to be considered the closest line.

2. DETAILED LIST OF ACTIONS:

FORECAST OPERATIONAL TECHNICAL ASSISTANCE TO BE FINANCED FROM THE ESF IN 2008

(Article 45 of Council Regulation No 1083/2006)

Budget line 04.022000

(See attached table I)

ANNEX II

1. INTRODUCTION :

This list contains the actions planned in 2008 by DG EMPL concerning the budget line for "non-operational technical assistance": 04.010401.

The types of measures and the types of procedures followed for the contracts or procurement procedures are indicated. For possible subsidies, the selection and award criteria and the maximum co-financing rates are indicated.

Appropriations may be used to cover the payment of interest on late payment due to contractors and beneficiaries in accordance with Article 106 of the Implementing Rules of the Financial Regulation, arising from legal commitments concluded on the current budget line.

In addition, late payment interest arising from legal commitments concluded under previous programmes and actions in the field of the European Social Fund, for which no earmarked revenues and no legal basis exist any more, may be paid by the current budget line, if the current budget line is to be considered the closest line.

2. DETAILED LIST OF ACTIONS:

FORECAST NON-OPERATIONAL TECHNICAL ASSISTANCE TO BE FINANCED FROM THE ESF IN 2008

(Article 45 of Council Regulation No 1083/2006)

Budget line 04.010401

(See attached table II)