



Brussels, **XXX**
[...] (2014) **XXX** draft

COMMISSION IMPLEMENTING DECISION

of **XXX**

concerning the adoption of the work programme for 2015 and the financing for Union actions and emergency assistance within the framework of the Internal Security Fund – the instrument for financial support for external borders and visa

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concerning the adoption of the work programme for 2015 and the financing for Union actions and emergency assistance within the framework of the Internal Security Fund – the instrument for financial support for external borders and visa

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 514/2014¹ of the European Parliament and of the Council of 16 April 2014 laying down general provisions on the Asylum, Migration and Integration Fund and on the instrument for financial support for police cooperation, preventing and combating crime, and crisis management, and in particular Articles 6 to 8 thereof,

Having regard to Regulation (EU) No 515/2014² of the European Parliament and of the Council of 16 April 2014 establishing, as part of the Internal Security Fund, the instrument for financial support for external borders and visa and repealing Decision No 574/2007/EC, and in particular Articles 5(4), 13 and 14 thereof,

Having regard to Regulation (EU, Euratom) No 966/2012³ of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union, and in particular Article 84(2) thereof,

Whereas:

- (1) In order to ensure implementation of Union actions and emergency assistance, it is necessary to adopt a financing decision and the work programme for 2015. Article 94 of Commission Delegated Regulation (EU, Euratom) 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 Union⁴ establishes detailed rules on financing decisions.
- (2) The work programme for 2015 being a sufficiently detailed framework in the meaning of Article 94(2) and (3) of Delegated Regulation (EU, Euratom) No 1268/2012, the present Decision constitutes a financing decision for the expenditure provided for in the work programme for Union actions and emergency assistance.
- (3) This Decision shall allow for the payment of 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, Euratom) No 1268/2012.
- (4) For the application of this Decision, it is appropriate to define the term 'substantial change' within the meaning of Article 94(4) of Delegated Regulation (EU, Euratom) No 1268/2012.

¹ OJ L 150, 20.5.2014, p. 112.

² OJ L 150, 20.5.2014, p. 143.

³ OJ L 298, 26.10.2012, p. 1.

⁴ OJ L 362, 31.12.2012, p. 1.

- (5) It is appropriate to authorise award of grants without a call for proposals to the bodies identified in the work programme and for the reasons provided therein.
- (6) This Decision constitutes a development of the provisions of the Schengen *acquis* in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen *acquis*⁵. The United Kingdom is therefore not bound by it or subject to its application.
- (7) This Decision constitutes a development of the provisions of the Schengen *acquis* in which Ireland does not take part, in accordance with Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis*⁶. Ireland is therefore not bound by it or subject to its application.
- (8) This Decision constitutes a development of the provisions of the Schengen *acquis*, Denmark notified the implementation of Regulation (EU) No 515/2014 in its national law in accordance with Article 4 of the Protocol No 22 on the position of Denmark annexed to the Treaty on European Union and to the Treaty establishing the European Community. Denmark is therefore bound under international law to implement this Decision.
- (9) As regards Iceland and Norway, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application and development of the Schengen *acquis*⁷, which fall within the areas referred to in Article 1, Point B of Council Decision 1999/437/EC⁸ on certain arrangements for the application of that Agreement.
- (10) As regards Switzerland, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*⁹, which fall within the area referred to in Article 1, Point B of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2008/146/EC¹⁰.
- (11) As regards Liechtenstein, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*¹¹, which fall within the area referred to in Article 1, Point B of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2011/350/EU¹².

⁵ OJ L 131, 1.6.2000, p. 43.

⁶ OJ L 64, 7.3.2002, p. 20.

⁷ OJ L 176, 10.7.1999, p.36.

⁸ OJ L 176, 10.7.1999, p.31.

⁹ OJ L 53, 27.2.2008, p. 52.

¹⁰ OJ L 53, 27.2.2008, p. 1

¹¹ OJ L 160, 18.6.2011, p. 21.

¹² OJ L 160, 18.6.2011, p. 19.

(12) The measures provided for in this Decision are in accordance with the opinion of the 'Asylum, Migration and Integration and Internal Security Funds' Committee established by Article 59(1) of Regulation (EU) No 514/2014,

HAS ADOPTED THIS DECISION:

Article 1

The annual work programme for 2015 for the implementation of Union actions and emergency assistance within the framework of the instrument for financial support for external borders and visa of the Internal Security Fund, as set out in the Annex, is hereby adopted.

Article 2

This Decision constitutes a financing decision for 2015 for the budget line 18 02 01 01 Internal Security Fund – support of borders management and a common visa policy to facilitate legitimate travel, for a maximum amount of EUR 16 937 000 and shall be indicatively used as follows:

- (a) EUR 9 217 000 for Union actions,
- (b) EUR 7 720 000 for emergency assistance.

The appropriations provided for in the first paragraph may also cover interest due for late payment.

Article 3

Cumulated changes to the allocations to actions under this work programme not exceeding 20% of the maximum contribution set in Article 2 of this Decision shall not be considered to be substantial within the meaning of Article 94(4) of Delegated Regulation (EU, Euratom) No 1268/2012, where those changes do not significantly affect the nature of the actions and objective of the work programme. The increase of the maximum contribution set in Article 2 of this Decision shall not exceed 20%.

The authorising officer responsible may adopt the changes referred to in the first paragraph in accordance with the principles of sound financial management and proportionality.

Article 4

Grants may be awarded without a call for proposals to the bodies identified in the Annex, in accordance with the conditions specified therein. Done at Brussels,

For the Commission

[...]

Member of the Commission