



Brussels, **XXX**
[...] (2013) **XXX** draft

COMMISSION IMPLEMENTING DECISION

of **XXX**

on amending Commission Implementing Decision C(2012)9487 of 19 December 2012 on the adoption of the 2013 annual Work Programme for Community Actions in the framework of the European Fund for the Integration of third country nationals (EIF)

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on amending Commission Implementing Decision C(2012)9487 of 19 December 2012 on the adoption of the 2013 annual Work Programme for Community Actions in the framework of the European Fund for the Integration of third country nationals (EIF)

THE EUROPEAN COMMISSION,

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

Having regard to Council Decision N° 2007/435/EC of 25 June 2007 establishing the European Fund for the Integration of third-country nationals for the period 2007-2013¹, and in particular Article 5 thereof (hereinafter referred to as the 'European Fund for the Integration of third-country nationals'),

Having regard to Regulation (EU, Euratom) No 966/2012 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 repealing Council Regulation (EC, Euratom) N° 1605/2002² (hereinafter referred to as the 'Financial Regulation'),

Having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the financial rules applicable to the general budget of the European Communities³,

Having regard to 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 (hereinafter referred to as the 'Rules of Application')⁴,

Whereas:

- (1) In accordance with Article 84(2) of the Financial Regulation and Article 94(1) of the Rules of Application, the commitment of expenditure from the Union budget shall be preceded by a financing decision setting out the essential elements of the action involving expenditure and adopted by the institution or the authorities to which powers have been delegated by the institution;
- (2) In accordance with Article 84(3) of the Financial Regulation this financing decision shall specify the objectives pursued, the expected results, the method of implementation and its total amount. It shall also contain a description of the actions to be financed and an indication of the amount allocated to each action, and an indicative implementation timetable;
- (3) In accordance with Article 5 of the Council Decision N° 2007/435/EC of 25 June 2007 an annual work programme laying down the priorities for Community actions shall be adopted;

¹ OJ L 168, 28.6.2007, p.18.

² OJ L 298, 26.10.2012, p. 1.

³ OJ L 248, 16.09.2002, p. 1

⁴ OJ L 362, 31.12.2012, p.1.

- (4) The 2013 Annual Work Programme for the 'European Fund for the Integration of third-country nationals' constituting a financing decision for the expenditure provided therein for grants and procurement was adopted by Commission Implementing Decision C(2012)9487 on 19 December 2012;
- (5) There is a need to modify the 2013 Annual Work Programme in order to update the activities to be implemented. This Decision amends the financing Decision for the 2013 budget adopted by the Commission Implementing Decision C(2012)9487 of 19 December 2012;
- (6) Based on paragraph 1 of Article 3 of Commission Implementing Decision C(2012)9487 of 19 December 2012 changes substantially affecting the nature and objectives of the Annual Work Programme are considered as substantial change within the meaning of Article 94(4) of the Rules of Application;
- (7) In accordance with Article 90(4) of the Rules of Application any substantial change in a financing decision already adopted shall follow the same procedure as the initial decision;
- (8) Article 188(2) of the Rules of Application specifies that any substantial change in the annual work programme for grants shall also be adopted;
- (9) Under Article 190(1) (c) of the Rules of Application, grants may be awarded without a call for proposals to bodies with a de jure or de facto monopoly, duly substantiated in the award decision;
- (10) In accordance with Article 53d of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the financial rules applicable to the general budget of the European Communities, evidence has been obtained that the international organisations to be entrusted by the Commission with the implementation of Community funds in joint management, apply standards which offer guarantees equivalent to internationally accepted standards in their accounting, audit, internal control and procurement procedures;
- (11) In accordance with the procedure referred to in Article 52 of Decision N° 2007/435/EC, the common Committee 'Solidarity and Management of Migration Flows' was consulted and delivered a favourable opinion on the amendment of the annual Work Programme for 2013;

HAS DECIDED AS FOLLOWS:

Article 1

Annex to Commission Implementing Decision C(2012)9487 of 19 December 2012 is replaced by the Annex to this Decision.

Article 2

Grants may be awarded without a call for proposals to the bodies identified in the work programme, in accordance with the conditions specified therein.

Article 3

The budget implementation of the tasks related to actions to be carried out under joint management as identified in the work programme may be entrusted to the international organisation identified therein.

Article 4

This decision is addressed to the responsible authorizing officer by delegation.

Done at Brussels,

For the Commission
Cecilia MALMSTROM

Member of the Commission

ANNEX

Revised 2013 Work Programme for Community Actions within the framework of the European Fund for the Integration of third-country nationals