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**COMMISSION IMPLEMENTING DECISION**

**of 15.12.2016**

**concerning the adoption of the work programme for 2017 and the financing decision for  
the implementation of the European Maritime and Fisheries Fund**

## COMMISSION IMPLEMENTING DECISION

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### concerning the adoption of the work programme for 2017 and the financing decision for the implementation of the European Maritime and Fisheries Fund

THE EUROPEAN COMMISSION,

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

Having regard to the Regulation (EU) No 508/2014 of the European Parliament and Council of 15 May 2014 on the European Maritime and Fisheries Fund repealing Council Regulation (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006, (EC) No 791/2007, Regulation No 1255/2011 of the European Parliament and of the Council<sup>1</sup>, and in particular Article 23 thereof,

Having regard to the Regulation (EU) No 1380/2013 of the European Parliament and Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC<sup>2</sup>, and in particular Article 45 (3) thereof,

Having regard to the Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products, amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000<sup>3</sup>, and in particular Art. 42 thereof

Having regard to the Commission Decision 2005/629/EC establishing a Scientific, Technical and Economic Committee for Fisheries<sup>4</sup>, in particular Article 9 thereof,

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<sup>5</sup>, and in particular Article 84(2) thereof,

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<sup>6</sup> (RAP), and in particular Article 94 thereof,

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<sup>1</sup> OJ L 149, 20.05.2014, p. 1.

<sup>2</sup> OJ L 354, 28.12.2013, p. 22.

<sup>3</sup> OJ L 354, 28.12.2013, p. 1.

<sup>4</sup> OJ L 225, 31.8.2005, p. 18.

<sup>5</sup> OJ L 298, 26.10.2012, p. 1.

<sup>6</sup> OJ L 362, 31.12.2012, p. 1.

Whereas:

- (1) In order to ensure implementation of the European Maritime and Fisheries Fund it is necessary to adopt a financing decision and the work programme for 2017. Article 94 of Commission Delegated Regulation (EU) No 1268/2012 establishes detailed rules on financing decisions.
- (2) 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.
- (3) Under Article 190(1)(d) of Commission Delegated Regulation (EU) No 1268/2012 (RAP), grants may be awarded without a call for proposals to bodies identified in a basic act, within the meaning of Article 54 of the Financial Regulation, as beneficiaries of a grant. The following bodies are identified in a basic act as beneficiaries of a grant: Advisory Councils established in accordance with Article 43 of Regulation (EC) No 1380/2013 on the Common Fisheries Policy.
- (4) Under Articles 190(1) (c) and (f) of the Commission Delegated Regulation (EU) No 1268/2012 (RAP), grants may be awarded without a call for proposals to bodies with a de jure or de facto monopoly or that have a high degree of specialisation, or because of their administrative power. It is appropriate to authorise the award of grants without a call for proposals to bodies identified in the Annex, in accordance with the conditions set out therein.
- (5) This Decision should allow for the payment of interest due for late payment on the basis of Article 92 of the Financial Regulation and Article 111(4) of Delegated Regulation (EU) No 1268/2012 (RAP).
- (6) 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) No 1268/2012 (RAP).
- (7) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 127 of Regulation (EU) No 508/2014 on the European Maritime and Fisheries Fund.

HAS DECIDED AS FOLLOWS:

*Article 1*  
*The work programme*

The annual work programme for the implementation of the European Maritime and Fisheries Fund for 2017 as set out in Annex, is adopted.

The work programme constitutes a financing decision within the meaning of Article 84 of the Financial Regulation for actions funded from appropriations of 2017.

*Article 2*  
*Union contribution*

The maximum contribution for the implementation of the programme for the year 2017 is set at EUR 75,608,860 and shall be financed from the following lines of the general budget of the European Union for 2017:

- (a) 11 06 61 Integrated Maritime Policy: EUR 38,426,980
- (b) 11 06 62 01 Scientific advice: EUR 8,700,000
- (c) 11 06 62 02 Control and enforcement: EUR 8,725,000
- (d) 11 06 62 03 Voluntary contributions to international organisations EUR 7,970,000
- (e) 11 06 62 04 Governance and communication EUR 7,419,000
- (f) 11 06 62 05 Market intelligence EUR 4,367,880

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 budget for 2017 after the adoption of the budget for 2017 by the budgetary authority or provided for in the provisional twelfths.

*Article 3*  
*Flexibility clause*

Cumulated changes to the allocations to specific actions 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) 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 per budget line 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*

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, 15.12.2016

*For the Commission*  
*Karmenu VELLA*  
*Member of the Commission*