



Brussels, **XXX**
[...](2019) **XXX** draft

COMMISSION IMPLEMENTING DECISION

of **XXX**

on the financing of Union actions and emergency assistance in the framework of the Internal Security Fund – the instrument for financial support for police cooperation, preventing and combating crime, and crisis management and the adoption of the work programme for 2019

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THE EUROPEAN COMMISSION,

Having regard to Regulation (EU, Euratom) No 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 966/2012¹, and in particular Article 110 thereof,

Having regard to Regulation (EU) No 514/2014 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 management², and in particular Article 6 to 8 thereof,

Having regard to Regulation (EU) No 513/2014 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 police cooperation, preventing and combating crime, and crisis management and repealing Council Decision 2007/125/JHA³, and in particular Articles 5(4), 8 and 10 thereof,

Whereas:

- (1) In order to ensure the implementation of Union actions and emergency assistance, it is necessary to adopt an annual financing decision, which constitutes the 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.
- (4) Pursuant to Article 62(1)(c) of the Financial Regulation indirect management is to be used for the implementation of the programme.
- (5) The Commission is to ensure a level of protection of the financial interests of the Union with regards to entities and persons entrusted with the implementation of Union funds by indirect management as provided for in Article 154(3) of the Financial

¹ OJ L 193, 30.7.2018, p.1.

² OJ L 150, 20.5.2014, p. 112.

³ OJ L 150, 20.5.2014, p. 93.

Regulation. To this end, such entities and persons are to be subject to an assessment of their systems and procedures in accordance with Article 154(4) of the Financial Regulation⁴ and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of the Financial Regulation before a contribution agreement can be signed.

- (6) 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.
- (7) 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.
- (8) Ireland is bound by the application of Regulation (EU) No 513/2014 and in consequence is taking part in the adoption of this Decision and is subject to its application.
- (9) The United Kingdom and Denmark are not bound by Regulation (EU) No 513/2014, or subject to its application and in consequence they are not taking part in the adoption of this decision and are not bound by it or subject to its application.
- (10) 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 DECIDED AS FOLLOWS:

Article 1
The work programme for 2019

The annual financing decision, constituting the work programme for 2019 for the implementation of the Union actions and emergency assistance in the framework of the Internal Security Fund – the instrument for financial support for police cooperation, preventing and combating crime, and crisis management for year 2019, as set out in the Annex, is adopted.

Article 2
Union contribution

The maximum Union contribution for the implementation of the work programme for 2019 is set at EUR 43 000 002, and shall be financed from the appropriations entered in the following line of the general budget of the Union: budget line 18 02 01 02: Internal Security Fund – Prevention and fight against cross-border organised crime and better management of security related risks and crisis..

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

⁴ Except for the cases of Article 154(6) of the Financial Regulation, where the Commission may decide, not to require an ex-ante assessment.

Article 3

Methods of implementation and entrusted entities or persons

The implementation of the actions carried out by way of indirect management, as set out in the Annex, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 4 of that Annex.

Article 4

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 for 2019. The increase of the maximum Union contribution set in the first paragraph of Article 2 of this Decision shall not exceed 20%.

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

Article 5

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,

For the Commission

Dimitris AVRAMOPOULOS

Member of the Commission