



Brussels, **XXX**
[...](2016) **XXX** draft

COMMISSION IMPLEMENTING DECISION

of **XXX**

**on the adoption of the work programme for 2016 and the financing of Union actions in
the framework of the Asylum, Migration and Integration Fund**

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THE EUROPEAN COMMISSION,

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

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 management¹, and in particular Article 6 and Article 8 thereof,

Having regard to Regulation (EU) No 516/2014 of the European Parliament and of the Council of 16 April 2014 establishing the Asylum, Migration and Integration Fund, amending Council Decision 2008/381/EC and repealing Decisions No 573/2007/EC and No 575/2007/EC of the European Parliament and of the Council and Council Decision 2007/435/EC², and in particular Article 14(4) and Article 20 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 Union³, and in particular Article 84(2) thereof,

Whereas:

- (1) In order to ensure implementation of Union actions, it is necessary to adopt a financing decision and the work programme for 2016. 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 2016 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.
- (3) It is necessary to 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) No 1268/2012.
- (4) In order to allow for flexibility in the implementation of the work programme, 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. 168.

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) The United Kingdom and Ireland are subject to the application of Regulation (EU) No 516/2014 and they are in consequence taking part in the adoption of this Decision and are bound by it and subject to its application.
- (7) Denmark is not bound by Regulation (EU) No 516/2014 or subject to its application and in consequence Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (8) 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

The annual work programme for 2016 for the implementation of Union actions within the framework of the Asylum, Migration and Integration Fund, as set out in the Annex, is adopted.

This Decision constitutes a financing decision within the meaning of Article 84 of Regulation (EU, Euratom) No 966/2012 and Article 94 of Delegated Regulation (EU) No 1268/2012.

Article 2

Union contribution

The maximum Union contribution for the implementation of the annual work programme for 2016 for Union actions within the framework of the Asylum, Migration and Integration Fund is set at EUR 43 165 543 and shall be financed from the appropriations entered in the following lines of the general budget for the Union for 2016:

Budget line 18 03 01 01: EUR 15 375 000,

budget line 18 03 01 02: EUR 27 790 543.

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

Article 3

Flexibility clause

Cumulated changes to the allocations to actions under this work programme not exceeding 20% of the maximum amount 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 amount set in Article 2 of this Decision shall not exceed 20%.

In implementing this Decision, 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 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,

For the Commission
Dimitris AVRAMOPOULOS
Member of the Commission