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**COMMISSION IMPLEMENTING DECISION**

**of 13.12.2018**

**on the financing of the European Maritime and Fisheries Fund and the adoption of the  
work programme for 2019**

# COMMISSION IMPLEMENTING DECISION

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## on the financing of the European Maritime and Fisheries Fund and the adoption of the work programme for 2019

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 Article 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) 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 966/2012<sup>5</sup> and in particular Article 110 thereof,

Whereas:

- (1) In order to ensure implementation of the European Maritime and Fisheries Fund, it is necessary to adopt an annual financing decision, which constitutes the annual work programme for 2019. Article 110 of Regulation (EU, Euratom) No 2018/1046 ("the Financial Regulation") establishes detailed rules on financing decisions.

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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 193, of 30.7.2018, p.1-122.

- (2) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (3) Under Article 195(d) of the Financial Regulation, grants may be awarded without a call for proposals to bodies identified in a basic act, within the meaning of Article 58 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 195(c) and (f) of the Financial Regulation, 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) It is necessary to allow for the payment of interest due for late payment on the basis of Article 116(5) of Regulation (EU, Euratom) No 2018/1046.
- (6) 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.
- (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 financing decision constituting the annual work programme for the implementation of the European Maritime and Fisheries Fund for 2019 as set out in the Annex, is adopted.

*Article 2*  
*Union contribution*

The maximum Union contribution for the implementation of the programme for the year 2019 is set at EUR 87,588,000 and shall be financed from the appropriations entered in the following lines of the general budget of the Union:

- (a) 11 06 61 Integrated Maritime Policy: 49,340,000 EUR
- (b) 11 06 62 01 Scientific advice: 9,300,000 EUR
- (c) 11 06 62 02 Control and enforcement: 5,500,000 EUR
- (d) 11 06 62 03 Voluntary contributions to international organisations 13,640,000 EUR
- (e) 11 06 62 04 Governance and communication 5,900,000 EUR
- (f) 11 06 62 05 Market intelligence 3,908,000 EUR

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 as provided for in the draft general budget of the Union for 2019, following the adoption of that budget by the budget authority or as provided for in the provisional twelfths.

*Article 3*  
*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.

The authorising officer responsible may apply the changes referred to in the first paragraph.

Those changes shall be applied 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 referred to in the Annex in accordance with the conditions set out therein.

Done at Brussels, 13.12.2018

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