

Brussels, 8.12.2016
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COMMISSION DECISION

of 8.12.2016

concerning the adoption of the financing decision for 2017 for the Union contribution to the European Fisheries Control Agency (EFCA), and to international fisheries organisations.

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THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2016/1626 of the European Parliament and of the Council of 14 September 2016 amending Council Regulation (EC) No 768/2005 of 26 April 2005 establishing a Community Fisheries Control Agency and amending Regulation (EEC) No 2847/93 establishing a control system applicable to the common fisheries policy¹, and in particular Article 35(1) thereof,

Having regard to Regulation (EU) No 1380/2013 of the European Parliament and of the 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/EC²,

Having regard to Council Decision 81/691/EEC of 4 September 1981 on the conclusion of the Convention on the conservation of Antarctic marine living resources (CCAMLR)³,

Having regard to Council Decision 82/886/EEC of 13 December 1982 concerning the conclusion of the Convention for the Conservation of Salmon in the North Atlantic Ocean (NASCO)⁴,

Having regard to Council Decision 86/238/EEC of 9 June 1986 on the accession of the Community to the International Convention for the Conservation of Atlantic Tunas (ICCAT), as amended by the Protocol annexed to the Final Act of the Conference of Plenipotentiaries of the States Parties to the Convention signed in Paris on 10 July 1984⁵,

Having regard to Council Decision 81/608/EEC of 13 July 1981 concerning the conclusion of the Convention on Future Multilateral Cooperation in the North-East Atlantic Fisheries (NEAFC)⁶,

Having regard to Council Regulation (EEC) No 3179/78 of 28 December 1978 concerning the conclusion by the European Economic Community of the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries (NAFO)⁷,

Having regard to Council Decision 95/399/EC of 18 September 1995 on the accession of the Community to the Agreement for the establishment of the Indian Ocean Tuna Commission (IOTC)⁸,

¹ OJ L 128, 21.5.2005, p. 1.

² OJ L 354, 28.12.2013, p. 22

³ OJ L 252, 5.9.1981, p. 26

⁴ OJ L 378, 31.12.1982, p. 24

⁵ OJ L 162, 18.6.1986, p. 33

⁶ OJ L 227, 12.8.1981, p. 21

⁷ OJ L 378, 30.12.1978, p. 1

Having regard to Council Decision 98/416/EC of 16 June 1998 on the accession of the European Community to the General Fisheries Commission for the Mediterranean (GFCM)⁹,

Having regard to Council Decision 2002/738/EC of 22 July 2002 on the conclusion by the European Community of the Convention on the Conservation and Management of Fishery Resources in the South-East Atlantic Ocean (SEAFO)¹⁰,

Having regard to Council Decision 2008/780/EC of 29 September 2008 on the signing, on behalf of the European Community, of the Southern Indian Ocean Fisheries Agreement (SIOFA)¹¹,

Having regard to Council Decision 2005/75/EC of 26 April 2004 on the accession of the Community to the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC)¹²,

Having regard to Council Decision 2006/539/EC of 22 May 2006 on the conclusion, on behalf of the European Community, of the Convention for the Strengthening of the Inter-American Tropical Tuna Commission established by the 1949 Convention between the United States of America and the Republic of Costa Rica (IATTC)¹³,

Having regard to Council Decision 82/461/EEC of 24 June 1982 on the conclusion of the Convention on the conservation of migratory species of wild animals (CMS)¹⁴,

Having regard to Council Decision of 3 October 2011 on the approval, on behalf of the European Union, of the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean (SPRFMO)(2012/130/EU)¹⁵,

Having regard to Council Decision 98/392/EC of 23 March 1998 concerning the conclusion by the European Community of the United Nations Convention of 10 December 1982 on the Law of the Sea and the Agreement of 28 July 1994 relating to the implementation of Part XI thereof¹⁶, in particular the Seabed Authority and the International Tribunal for the Law of the Sea,

Having regard to Council Decision (EU) 2015/2437 of 14 December 2015 on the conclusion, on behalf of the European Union, of the Agreement in the form of an Exchange of Letters between the European Union and the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) concerning the membership of the Union in the Extended Commission of the Convention for the Conservation of Southern Bluefin Tuna,

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 Union¹⁷, and in particular Article 84(2) thereof,

Whereas:

- (1) In order to ensure implementation of the Commission contribution to the European Fisheries Control Agency (EFCA), and of the compulsory contributions to the international fisheries organisations, it is necessary to adopt a financing decision and

⁸ OJ L 236, 5.10.1995, p. 24

⁹ OJ L 190, 4.7.1998, p. 34

¹⁰ OJ L 234, 31.8.2002, p. 39

¹¹ OJ L 268, 9.10.2008, p. 27

¹² OJ L 32, 4.2.2005, p. 1

¹³ OJ L 224, 16.8.2006, p. 22

¹⁴ OJ L 210, 19.7.1982, p. 10–10

¹⁵ OJ L 67, 6.3.2012, p.1

¹⁶ OJ L 179, 23.6.1998, p. 1

¹⁷ OJ L 298, 26.10.2012, p. 1.

the work programme for 2017. Article 94 of 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 Union¹⁸ and Article 84 of Regulation (EU, Euratom) No 966/2012 of 25 October 2012 establish detailed rules on financing decisions.

- (2) It is appropriate to authorise the award of grants without a call for proposals to the bodies identified in the work programme and for the reasons provided therein.
- (3) This Decision should 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) 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.

HAS DECIDED AS FOLLOWS:

Article 1
The work programme

The work programme for the implementation of the Commission contribution to the European Fisheries Control Agency (EFCA), and of the compulsory contributions to the international fisheries organisations for 2017, as set out in the Annex, is adopted.

The work programme constitutes a financing decision within the meaning of Article 84 of the Regulation (EU, Euratom) No 966/2012.

Article 2
Union contribution to international fisheries organisations

The maximum contribution to international fisheries organisations for the implementation of the programme for the year 2017 is set at EUR 5 200 000, and shall be financed from budget line 11 03 02 of the general budget of the European Union for 2017.

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

Article 3
Union contribution to EFCA

The maximum contribution to EFCA for the implementation of the programme for the year 2017 is set at EUR 17 021 000, and shall be financed from the budget line 11 06 64 of the general budget of the European Union for 2017.

¹⁸ OJ L 362, 31.12.2012, p. 1.

Article 4
Flexibility clause

Cumulated changes¹⁹ 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 set 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 5
Adjustment clause

The contribution referred to in Article 3 may be adjusted to the amount of appropriation decided by the budgetary authority in the general budget of the Union for year 2017 if the change does not exceed 15%.

Article 6
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, 8.12.2016

For the Commission
Karmenu VELLA
Member of the Commission



¹⁹ These changes can come from assigned revenue made available after the adoption of the financing decision.