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**COMMISSION IMPLEMENTING DECISION**

**of 12.12.2018**

**on the financing of operational technical assistance in the framework of the European  
Maritime and Fisheries Fund and the adoption of the work programme for 2019**

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## **on the financing of operational technical assistance in the framework 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 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>1</sup>, and in particular Article 110 thereof,

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 and repealing Council Regulation (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 861/2006 and No 791/2007 and Regulation No 1255/2011 of the European Parliament and Council<sup>2</sup>, and in particular Articles 23 and 92 thereof,

Having regard to the Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006<sup>3</sup>, and in particular Article 58 thereof,

Whereas:

- (1) In order to ensure implementation of the operational technical assistance in the framework of the European Maritime and Fisheries Fund, it is necessary to adopt an annual work programme for 2019. Article 110 of Regulation (EU, Euratom) 2018/1046 ("the Financial Regulation") establishes detailed rules on financing decisions.
- (2) It is necessary to allow for the payment of interest due for late payment on the basis of Article 116(5) of Regulation 2018/1046.
- (3) 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.

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<sup>1</sup> OJ L 193, 30.7.2018, p. 1.

<sup>2</sup> OJ L 149, 20.05.2014, p. 1.

<sup>3</sup> OJ L 347, 20.12.2013, p. 320–469.

HAS DECIDED AS FOLLOWS:

*Article 1*  
*Work programme*

The annual financing decision, constituting the annual work programme for the implementation of the operational technical assistance at the initiative of the Commission in the framework of the European Maritime and Fisheries Fund for 2019, as set out in Annex, is adopted.

*Article 2*  
*Union contribution*

The maximum Union contribution for the implementation of the operational technical assistance for 2019 is set at EUR 3.900.000, and shall be financed from the following line of the general budget of the Union for 2019:

11 06 63 01 EMFF operational technical assistance 3.900.000 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 system of provisional twelfths.

*Article 3*  
*Flexibility clause*

Cumulated changes<sup>4</sup> 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 increase of the maximum Union contribution set in the first paragraphs of Articles 2 and 3 of this Decision shall not exceed 20%.

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.

Done at Brussels, 12.12.2018

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

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<sup>4</sup> These changes can come from assigned revenue made available after the adoption of the financing decision.