



Brussels, 3.12.2015
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COMMISSION DECISION

of 3.12.2015

on the annual work programme for 2016 in the field of energy

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THE EUROPEAN COMMISSION,

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

Having regard to the Energy Charter Treaty - Article 37(3) thereof, approved by Council and Commission Decision 98/181/EC, ECSC, EURATOM of 23 September 1997 on the conclusion, by the European Communities, of the Energy Charter Treaty and the Energy Charter protocol on energy efficiency and related environmental aspects (OJ L 69, 9.3.1998),

Having regard to Council Directive 2008/114/EC of 8 December 2008 on the identification and designation of European critical infrastructures and the assessment of the need to improve their protection – Article 8 (OJ L 245, 23.12.2008),

Having regard to Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources – Articles 22 and 23 (OJ L 140, 5.6.2009),

Having regard to Directive 2009/72/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity - Article 3, 37(1)(e), 47 and Annex I (OJ L 211, 14.8.2009),

Having regard to Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas - Article 3, 41(1)(e), 52 and Annex I (OJ L 211, 14.8.2009),

Having regard to Regulation (EU) No 1227/2011 of the European Parliament and of the Council of 25 October 2011 on wholesale energy market integrity and transparency – Article 6, 8 (OJ L 326, 8.12.2011),

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 Union - Article 54(2) (d) (OJ L 298, 26.10.2012),

Having regard to Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency – Article 24 (OJ L 315, 14.11.2012),

Having regard to Directive 2013/30/EU of the European Parliament and of the Council of 12 June 2013 on safety of offshore oil and gas operations – Article 27 (OJ L 178, 28.6.2013),

Having regard to the Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part (OJ L 161, 29.05.2014) - Article 274, approved by Council Decision 2014/668/EU of 23 June 2014 on the signing, on behalf of the European Union, and provisional application of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part, as regards Title III (with the exception of the provisions relating to the treatment of third-country nationals legally employed as workers in the territory of the other Party) and Titles IV, V, VI and VII thereof, as well as the related Annexes and Protocols (OJ L 278, 20.09.2014),

Whereas:

- (1) In order to ensure implementation of the general actions in the area of energy for the year 2016, it is necessary to adopt a financing decision as well as a corresponding work programme,
- (2) Given that the 2016 work programme contains the information specified in Article 94(2) of the Rules of Application, the decision adopting it constitutes itself a financing decision,

- (3) Article 54(2)(d) of the Financial Regulation provides that appropriations for actions carried out by the Commission by virtue of tasks resulting from its prerogatives at institutional level under the TFEU or Euratom Treaty may be implemented without a basic act,
- (4) It is necessary to allow 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,
- (5) For the application of this Decision, it is appropriate to define the term 'substantial change' within the meaning of Article 94(4) of the Rules of Application,
- (6) Grants and contracts relating to specific programmes are the subject of separate work programmes adopted by the Commission and serving as financing decisions,

HAS DECIDED AS FOLLOWS:

Article 1
The work programme

The work programme in the field of energy for 2016, as set out in the Annex, is hereby adopted.

The annual work programme constitutes a financing decision within the meaning of Article 84 of Regulation (EU, Euratom) 966/2012.

Article 2
Union contribution

The maximum contribution for the implementation of the programme for the year 2016 is set at EUR 5 410 000, and shall be financed from the following lines of the general budget of the European Union for 2016:

(a) budget line 32.0202 Support activities for the European energy policy and internal energy market: EUR 5 098 000,

(b) budget line 32.0203 Security of energy installations and infrastructure: EUR 312 000.

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 provided for in the draft budget for 2016 after the adoption of the budget for 2016 by the budgetary authority or as provided for in the system of provisional twelfths.

Article 3
Flexibility clause

Cumulated changes¹ 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, 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 contribution set in Article 2 of this Decision shall not exceed 20%.

¹ These changes can come from assigned revenue made available after the adoption of the financing decision.

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.

Done at Brussels, 3.12.2015

For the Commission
Miguel ARIAS CAÑETE
Member of the Commission