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**COMMISSION IMPLEMENTING DECISION**

**of 9.7.2019**

**on the financing of the Nuclear Decommissioning Assistance Programmes and the  
adoption of the joint work programmes for 2019**

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### on the financing of the Nuclear Decommissioning Assistance Programmes and the adoption of the joint work programmes for 2019

THE EUROPEAN COMMISSION,

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

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to the 2003 Accession Treaty, and in particular Protocol No 4 thereto,

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 Council Regulation (Euratom) 1368/2013<sup>2</sup> on Union support for the nuclear decommissioning assistance programmes in Bulgaria and Slovakia, and in particular Article 6 thereof,

Having regard to Council Regulation (EU) No 1369/2013<sup>3,4</sup> on Union support for the nuclear decommissioning assistance programme in Lithuania, and in particular Article 6 thereof,

Whereas:

- (1) In order to ensure the implementation of the nuclear decommissioning assistance programmes for Bohunice V1 NPP, Ignalina NPP and Kozloduy NPP Unit 1-4 it is necessary to adopt an annual financing decision, which constitutes the annual work programme, for 2019. Article 110 of Regulation (EU, Euratom) No 1046/2018 ('the Financial Regulation') establishes detailed rules on financing decisions.
- (2) The envisaged assistance is to comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU.
- (3) In order to execute the work programmes it is necessary to use indirect management for the implementation of the nuclear decommissioning assistance programmes for Bohunice, Ignalina and Kozloduy.
- (4) The Commission is to ensure a level of protection of the financial interests of the Union with regards to entities and persons entrusted with the implementation of Union funds by indirect management as provided for in Article 154(3) of the Financial Regulation. To this end, such entities and persons are to be subject to an assessment of their systems and procedures in accordance with Article 154(4) of the Financial Regulation and, if necessary, to appropriate supervisory measures in accordance with

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

<sup>2</sup> OJ L 346, 20.12.2013, p. 1

<sup>3</sup> OJ L 346, 20.12.2013, p. 7

<sup>4</sup> OJ L 121, 24.04.2014, p. 59

Article 154(5) of the Financial Regulation before a contribution agreement can be signed.

- (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 1046/2018.
- (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 Nuclear Decommissioning Assistance Programme Committee.
- (8) The measures provided for in this Decision are based on the content and results of the report from the Commission to the European Parliament and the Council on the implementation of the work under the nuclear decommissioning assistance programme to Bulgaria, Lithuania and Slovakia in 2018 and previous years (COM(2019)215).
- (9) At the end of the current financial framework (2014-2020) the Commission should conduct, in close cooperation with the Member States, an evaluation on the effectiveness and efficiency of the programmes, as well as the effectiveness of financed measures in terms of impacts, use of resources and added-value for the Union.

HAS DECIDED AS FOLLOWS:

*Article 1*  
*The work programmes*

The annual financing decision, constituting the annual work programme for the implementation of the nuclear decommissioning assistance programmes for Bohunice, Ignalina and Kozloduy for the year 2019, as set out in the Annexes, is adopted.

*Article 2*  
*Union contribution*

The maximum Union contribution for the implementation of the programmes for 2019 is set at EUR 143,947,000 and shall be financed from the appropriations entered in the following lines of the general budget of the Union:

1. budget line 32.030402 (Bohunice programme): EUR 33,475,000;
  - (a) The Union contribution for the purposes set out in Article 2 of Council Regulation (Euratom) No 1368/2013 is set at EUR 33,445,000, to be financed through the budget line 32.030402.
  - (b) The maximum Union contribution for the purposes set out in Article 3.3 of Council Regulation (Euratom) No 1368/2013 is set at EUR 30,000, to be financed through the budget line 32.030402.
2. budget line 32.030300 (Ignalina programme): EUR 66,953,000;
  - (a) The Union contribution for the purposes set out in Article 2 of Council Regulation (EU) No 1369/2013 is set at EUR 66,923,000, to be financed through the budget line 32.030300.

- (b) The maximum Union contribution for the purposes set out in Article 3.3 of Council Regulation (EU) No 1369/2013 is set at EUR 30,000, to be financed through the budget line 32.030300.

3. budget line 32.030401 (Kozloduy programme): EUR 43,519,000.

- (a) The Union contribution for the purposes set out in Article 2 of Council Regulation (Euratom) No 1368/2013 is set at EUR 43,489,000, to be financed through the budget line 32.030401.
- (b) The maximum Union contribution for the purposes set out in Article 3.3 of Council Regulation (Euratom) No 1368/2013 is set at EUR 30,000, to be financed through the budget line 32.030401.

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 general budget of the Union for 2019.

### *Article 3*

#### *Methods of implementation and entrusted entities or persons*

The budget implementation tasks related to the actions carried out by way of indirect management, as set out in the Annex 4, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 5 of that Annex.

The budget implementation tasks under Article 3.3 of Council Regulation (Euratom) No 1368/2013 and of Council Regulation (EU) No 1369/2013, shall be implemented directly by the Commission.

### *Article 4*

#### *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 objectives of the work programmes.

The authorising officer responsible may apply the type of 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, 9.7.2019

*For the Commission*  
*Miguel ARIAS CAÑETE*  
*Member of the Commission*

