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**COMMISSION DECISION**

**of 24.2.2023**

**on the financing of actions under the prerogatives of the Commission and its specific powers in the field of energy, and adoption of the work programme for 2023**

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### **on the financing of actions under the prerogatives of the Commission and its specific powers in the field of energy, and adoption of the work programme for 2023**

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, and the tasks resulting from specific powers directly conferred on the Commission under Chapters III and VII, and in particular Article 174 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>1</sup>, and in particular Article 58(2)(d) and Article 110 thereof,

Having regard to Commission Regulation (Euratom) No 302/2005 of 8 February 2005 on the application of Euratom safeguards,

Whereas:

- (1) In order to ensure the implementation of the actions financed under the prerogatives of the Commission and its specific powers in the field of energy ('the work programme'), as set out in the Annex, it is necessary to adopt an annual financing decision for 2023. Article 110 of Regulation (EU, Euratom) 2018/1046 ('the Financial Regulation or FR') establishes detailed rules on financing decisions. Article 58(2)(d) establishes that appropriations for actions carried out by the Commission under its prerogatives may be implemented without a basic act.
- (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) Pursuant to Article 62(1)(c) of the Financial Regulation indirect management is to be used for the implementation of the programme.
- (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 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) FR.

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

- (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) FR.

HAS DECIDED AS FOLLOWS:

*Article 1*  
*The work programme*

The annual financing decision, constituting the annual work programme for the implementation of the Support activities for the European energy policy and internal energy market, Nuclear safeguards and Nuclear safety and protection against radiation for 2023, as set out in the Annex, is adopted.

*Article 2*  
*Union contribution*

The maximum Union contribution for the implementation of the work programme for 2023 is set at EUR 29 043 664, and shall be financed from the appropriations entered in the following item and heading of the general budget of the Union:

02 20 04 02 - Support activities for the European energy policy and internal energy market  
EUR 6 630 000

12 20 04 01 - Nuclear safeguards EUR 19 291 839

12 20 04 02 - Nuclear safety and protection against radiation EUR 3 121 825

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

*Article 3*  
*Indirect management and entrusted entities or persons*

The implementation of the actions carried out by way of indirect management, as set out in the Annex, may be entrusted to the entities or persons referred in the Annex.

*Article 4*  
*Flexibility clause*

Cumulated changes to the allocations to specific actions not exceeding 20% of the maximum contribution set in the first paragraph of Article 2 of this Decision shall not be considered to be substantial within the meaning 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 contribution set in the first paragraph of Article 2 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.

*Article 5*  
*Grants*

Grants may be awarded without a call for proposals in accordance with the conditions set out in the Annex.

Done at Brussels, 24.2.2023

*For the Commission*  
*Kadri SIMSON*  
*Member of the Commission*