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C(2024) 482 final

**COMMISSION IMPLEMENTING DECISION**

**of 1.2.2024**

**amending the Commission Implementing Decision C(2022)7393 on the financing of the energy sector under the Connecting Europe Facility and on the adoption of the multiannual work programme for the period 2021-2027**

# COMMISSION IMPLEMENTING DECISION

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## amending the Commission Implementing Decision C(2022)7393 on the financing of the energy sector under the Connecting Europe Facility and on the adoption of the multiannual work programme for the period 2021-2027

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2021/1153 of the European Parliament and of the Council of 7 July 2021 establishing the Connecting Europe Facility and repealing Regulations (EU) No 1316/2013 and (EU) No 283/2014<sup>1</sup> (hereinafter the ‘CEF Regulation’), and in particular Article 20(1) thereof,

Having regard to Regulation (EU) 2022/869 of the European Parliament and of the Council of 30 May 2022 on guidelines for trans-European energy infrastructure, amending Regulations (EC) No 715/2009, (EU) 2019/942 and (EU) 2019/943 and Directives 2009/73/EC and (EU) 2019/944, and repealing Regulation (EU) No 347/2013<sup>2</sup> (hereinafter the ‘TEN-E Regulation’), and in particular Articles 18 and 19 thereof,

Having regard to Regulation (EU, EURATOM) No 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>3</sup> (hereinafter the ‘Financial Regulation’), and in particular Article 110 thereof,

Whereas:

- (1) In order to ensure the implementation of the Connecting Europe Facility for Energy (hereinafter ‘CEF Energy’), it is necessary to adopt a multiannual financing decision, which constitutes the multiannual work programme, for 2021-2027. Article 110 of the Financial Regulation establishes detailed rules on financing decisions.
- (2) On 6 August 2021, the Commission adopted Implementing Decision C(2021) 5791 final on the financing of the energy sector under the Connecting Europe Facility and the adoption of the multiannual work programme for the period 2021-2027 (hereinafter the ‘2021 work programme’). The 2021 work programme provides for CEF Energy support for projects of common interest in the energy sector (hereinafter ‘PCIs’) and for cross-border projects in the field of renewable energy in the form of grants for studies, works and technical and administrative assistance, as well as procurement.
- (3) The 2021 work programme was amended once on 13 October 2022 by Implementing Decision C(2022) 7393 final to provide for *ad hoc* technical assistance in the context

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<sup>1</sup> OJ L 249, 14.7.2021, p. 38.

<sup>2</sup> OJ L 152, 3.6.2022, p. 45.

<sup>3</sup> OJ L 193, 30.7.2018, p.1.

of the synchronisation of the electricity system of the Baltic States with the continental European network.

- (4) The amended 2021 work programme set an indicative timetable for calls for proposals for the years 2021 to 2023 and defined an amount to be allocated to PCIs and cross-border projects in the field of renewable energy (EUR 2 758 294 290).
- (5) It is necessary to provide information on the budget to be allocated and on the calls for proposals for the years 2024 to 2027.
- (6) It is also necessary to adapt the work programme to the entry into force, in June 2022, of the TEN-E Regulation, which contains new rules regarding the eligible energy infrastructure.
- (7) The envisaged assistance is to comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU.
- (8) The work programme should contribute to climate mainstreaming in line with Commission Communication ‘The European Green Deal’<sup>4</sup> and in the Interinstitutional Agreement of 16 December 2020 between the European Parliament, the Council of the European Union and the European Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management, as well as on new own resources, including a roadmap towards the introduction of new own resources<sup>5</sup>.
- (9) Pursuant to Article 62(1)(c) of the Financial Regulation, indirect management may be used for the implementation of the programme.
- (10) 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 that 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.
- (11) It is necessary to allow for the payment of interest due for late payment on the basis of Articles 116 of the Financial Regulation.
- (12) 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.
- (13) The implementation of this Decision contributes to the enabling framework for renewable energy pursuant to Article 3(5) of Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources<sup>6</sup>.
- (14) The measures provided for in this Decision are in accordance with the opinion of the CEF Coordination Committee,

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<sup>4</sup> COM (2019) 640 final of 11 December 2019.

<sup>5</sup> OJ L 433I , 22.12.2020, p. 28.

<sup>6</sup> OJ L 328, 21.12.2018, p. 82.

HAS DECIDED AS FOLLOWS:

*Sole article*

Implementing Decision C(2022)7393 final is amended as follows:

(1) Articles 1 and 2 are replaced by the following:

*‘Article 1  
The work programme*

The multiannual financing decision, constituting the multiannual work programme for the implementation of trans-European energy infrastructure and cross-border projects in the field of renewable energy under the Connecting Europe Facility for years 2021-2027, as set out in Annexes I and II, is adopted.

*Article 2  
Union contribution*

The maximum Union contribution for the implementation of the programme for the years 2021-2027 authorised is set at EUR 5 888 492 723 and shall be financed from the appropriations entered in the following line of the general budget of the Union:

02 03 02 Connecting Europe Facility (CEF) – Energy

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 2024-2027 following the adoption of that budget by the budget authority.

The detailed breakdown is included in the Annexes’;

(2) The following Articles 3 and 4 are included:

*‘Article 3  
Methods of implementation and entrusted entities or persons*

The implementation of the actions carried out by way of indirect management, as set out in the Annexes, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 6.3 of these Annexes.

*Article 4  
Flexibility clause*

Cumulated changes to the allocations to the action not exceeding 20% of the maximum contribution set in Article 2 are not considered to be substantial within the meaning of Article 110 of the Rules of Application, where those changes do not significantly affect the nature and objective of the work programme. The increase of the maximum contribution set in Article 2 may not exceed 20%.

The authorising officer responsible may adopt such changes in accordance with the principle of sound financial management and the principle of proportionality’.

- (3) The sole Annex is numbered as Annex I and its title is replaced by the following:  
‘Annex I Work programme for the period 2021-2023’.
- (4) The text set out in the Annex to this Decision is added as ‘Annex II Work Programme for 2024-2027 for Connecting Europe Facility’.

Done at Brussels, 1.2.2024

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