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ANNEX

to amending Commission Decision C(2022)1399 final 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 2022*[The text below between inverted commas is replacing the Annex to Commission Decision C(2022)1399 and it will thereafter be part of that Decision. Once the amending act enters into force, it exhausts its effects by changing the text of the original act. It is only the original act as amended that remains and continues to govern the whole of the matter.]*

'ANNEX

1. Introduction

On the basis of the objectives given in the budget remarks¹, this annex contains the actions to be financed and the budget breakdown for year 2022 as follows:

- *Procurement*
- *Indirect management*
- *Other actions or expenditure*

Legal basis

Articles 58(2)(d) of the Financial Regulation (FR)

Budget line(s)

02 20 04 02 – Support activities for the European energy policy and internal energy market
EUR 7 500 000

Objectives pursued

¹ Budget On-line (europa.eu)

The principal endorsed objectives are to implement a progressive common European policy in line with the Energy Union strategy (COM(2015) 80 final) ensuring continuous energy supply security, good functioning of the internal energy market and access to transport networks of energy, observation of energy market, integrated governance and monitoring, analysis of modelling including scenarios on the impact of considered policies and the strengthening of the rights and protection of energy users, based on general and particular knowledge of global and European energy markets for all energy types.

Expected results

The results stem from the Commission's prerogatives at institutional level, as provided for in Article 58(2)(d) of 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.

This appropriation is intended to cover expenditure incurred by the Commission to support the energy policy for collecting and processing information of all kinds needed for the analysis, definition, promotion, monitoring, financing, evaluation and implementation of a competitive, safe and sustainable European energy policy, of the internal energy market and its extension to third countries, of all aspects of energy supply security in a European and global perspective as well as the strengthening of the rights and protection of energy users by supplying quality services at transparent and comparable prices.

It is also intended to cover expert' expenditure directly linked to the collection, validation and analysis of necessary information on energy market observation, as well as expenditure on information and communication, digital processing and visualisation of data, conferences and events promoting activities in the energy sector, electronic and paper publications, audio-visual products as well as the development of different web-based and social media activities directly linked to the achievement of the objective of the energy policy. This appropriation will also support an enhanced energy dialogue with the Union's key energy partners and international agencies in the field of energy.

2. *Procurement*

The global budgetary envelope reserved for procurement in 2022 under line 02 20 04 02 is EUR 6 300 000.

2.1 Support activities for the European energy policy and internal energy market

General description of the actions envisaged

- Conferences, communication activities and publications
- Consultancy and studies, including evaluations and impact assessments
- Development and maintenance of IT systems, including EMOS (Energy Market Observatory)
- Purchase of data and information knowledge
- Technical support to implement and develop energy security rules, bidding zones and resource

adequacy (Joint Research Centre, JRC)

- Hosting/Housing and maintenance costs for the IT applications/websites of DG Energy (DG Informatics, DIGIT)

- Translation of energy-related documents (DG Translation, DGT)

Implementation

Directorate-General Energy.

Some of the above actions may be sub-delegated or co-delegated to other European Commission's departments as the JRC, DIGIT, DGT, the Publications Office (OP), Interpretation (SCIC), Communication (COMM).

3. *Actions implemented in indirect management*

The global budgetary envelope reserved for actions implemented in indirect management in 2022 under line 02 20 04 02 is EUR 1 000 000.

Energy global trends and Repower EU

Implementing entity

International Energy Agency (IEA), an autonomous, intergovernmental organisation providing analysis and data on the entire global energy sector, pillar-assessed under the OECD framework.

General description of the actions envisaged

The objective of the RepowerEU Plan² is to rapidly phase out the EU's dependence on Russian fossil fuels through energy savings, diversification of energy supplies, and accelerated roll-out of renewable energy to replace fossil fuels in homes, industry and power generation. In this context, the Commission needs to have access to high quality analytical resources in many energy fields including third countries to support work on reforms for energy transition and monitor oil and gas markets. The International Energy Agency will support the Commission by:

- providing analysis (thematic reports, country-specific reports, and gas data in particular) and verifying data on globally available gas supplies, including those of the partners with which the Commission has signed agreements;
- preparing gas consumption scenario(s) in the EU until 2030 and 2050;
- reviewing country-specific recommendations under the European Semester (energy);
- assessing the competitiveness of the energy sector (turnover, investment needs, innovation), with a focus on clean technologies against this landscape;
- contributing to auction design and identifying opportunities in district heating/cooling as well as flexibility solutions to accelerate the deployment of renewable energy sources;

² COM/2022/230 final of 18.5.2022

- identifying best practices for short-term savings and behavioural changes feeding into the Energy Efficiency Hub, and helping to monitor the efficiency of building technologies;
- raising public awareness of energy saving measures and their potential in mitigating the impact of the energy crisis on household and businesses in the EU;
- preparing ad-hoc EU-oil monthly reports and investigating oil theft and illegal trade in some producing countries, and regular data on hydrogen and on methane emissions;
- providing ad-hoc support on European and international energy market issues, data and modelling.

4. Other actions or expenditure

The global budgetary envelope reserved for other actions or expenditure in 2022 under line 02 20 04 02 is EUR 200 000.

4.1. Voluntary contribution to the Energy Charter secretariat

Amount

EUR 150 000

Description

The objective of this action is to contribute to the Energy Charter Secretariat assistance work to the Energy Charter Conference for the proper application of the Energy Charter Treaty. The EU is a Contracting Party to this Treaty. Most Contracting Parties to the Treaty provide an annual mandatory financial contribution to the Secretariat. To be able to properly carry out its functions under the Treaty, the Energy Charter Secretariat is appealing to the Parties for additional annual contributions. The Commission responds to this appeal on a voluntary basis.

The contribution will be devoted to supporting the Energy Charter Secretariat to organize and conduct its activities under the Energy Charter Treaty.

The purpose of the Energy Charter Treaty is to establish a legal framework in order to promote long-term co-operation in the energy field in accordance with the objectives and principles of the Energy Charter. By creating a stable, comprehensive and non-discriminatory legal foundation for cross-border energy relations, the Treaty reduces political risks associated with economic activities in transition economies. It creates an economic alliance between countries which are united in their commitment to provide open energy markets, and to secure and diversify energy supply; to stimulate cross-border investment and trade in the energy sector; and to assist countries in economic transition in the development of their energy strategies and of an appropriate institutional and legal framework for energy.

Legal basis

Article 37(3) of the Energy Charter Treaty, approved by Council and Commission Decision 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

(98/181/EC, ECSC, Euratom).

Article 239 FR.

4.2. Commission Membership Fee as Permanent Observer to the Latin-American Energy Organisation (OLADE)

Amount

EUR 50 000

Description

The objective of this action is to become a Permanent Observer of OLADE which integrates 28 Member states in the sub-continent. They develop a high number of energy actions on their countries, produce intelligence on energy developments and are the relay among energy authorities in all countries in the region. OLADE organises at least one meeting a year of Ministers of Energy. Because of that, this international organisation is deemed an ideal partner with which to develop relations in an efficient and cost-effective way, considering the limited resources available. This should allow the Commission to be in a position to keep relations with all those countries while not allocating unaffordable resources. It would also give a good justification to limit the number of bilateral energy dialogues, while keeping open gates in the relations and building mutual trust within the area. It is expected to conclude in 2021 procedures for becoming Permanent Observer, which include consultation with Council, and committing to a fee. For the time being, this contribution is for a provisional status.

The contribution worth EUR 50 000 would be the 2022 membership fee for the EU, the same amount that was approved for 2020 and 2021. This amount should be the basis for negotiation with OLADE for a statutory fee and related benefits.

Legal basis

Ongoing negotiation process in the framework of article 239 FR.

Budget line(s)

12 20 04 01 - Nuclear safeguards EUR 18 913 906

Objectives pursued

This appropriation is intended to cover, in particular:

- expenses for missions by inspectors carried out in accordance with pre-established six-monthly programmes, short-notice inspections (daily subsistence allowances and travel expenses),
- training of inspectors and meetings with Member States, international organisations, nuclear

operators and other stakeholders,

- purchases of equipment for use in inspections, particularly purchases of monitoring equipment such as digital video systems, gamma, neutron and infrared measurement devices, electronic seals and seal-reader systems,

- procurement and renewal of information technology hardware for inspections,

- specific information technology projects for inspections (development and maintenance),

- replacement of monitoring and measurement devices which have reached the end of their service life,

- maintenance of equipment for non destructive analysis and other specialised equipment, including insurance costs, where applicable,

- technical infrastructure measures, including waste management and sample transport,

- on-site analyses (labour costs and mission expenses for analysts),

- agreements on working premises on site(laboratories, offices, etc.),

- day-to-day management of on-site installations and central laboratories (repairs, maintenance, information technology hardware, purchases of supplies and consumables, etc.),

- information technology support and tests for applications for inspections.

The following will also give rise to the provision of additional appropriations as internal assigned revenue in accordance with Article 21(3) of the Financial Regulation:

- paid insurance claims,

- repayment of sums unduly paid by the Commission for goods, work or services.

This appropriation may also cover expenditure on studies, meetings of experts, information and publications directly linked to the achievement of the objectives coming under this article, and any other expenditure on technical and administrative assistance not involving public authority tasks outsourced by the Commission under ad hoc service contracts.

Expected results

The results stem from the Commission's prerogatives at institutional level, as provided for in Article 58(2)(d) of 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.

Task resulting from specific powers directly conferred on the Commission by the Treaty establishing the European Atomic Energy Community, Title II, Chapter 7, Article 174.

Commission Regulation (Euratom) No 302/2005 of 8 February 2005 on the application of Euratom safeguards (OJL54,28.2.2005,p. 1).

Reference acts

Agreement between Member States, the European Atomic Energy Community and the

International Atomic Energy Agency (INFCIRC/193) on the Non-Proliferation of Nuclear Weapons and its Additional Protocol.

Agreement between the United Kingdom, the European Atomic Energy Community and the International Atomic Energy Agency in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons (INFCIRC/263) and its Additional Protocol.

Agreement between France, the European Atomic Energy Community, and the International Atomic Energy Agency for the application of safeguards in France (INFCIRC/290) and its Additional Protocol.

Bilateral Nuclear Cooperation Agreements between the European Atomic Energy Community and third countries, such as the United States of America, Canada, Japan and Australia.

Communication from the Commission to the Council and to the European Parliament of 24 March 1992 concerning a Commission decision on the implementation of on-site laboratories for verification analysis of safeguards samples (SEC(1992)0515).

5. Procurement

The global budgetary envelope reserved for procurement in 2022 under line 12 20 04 01 is EUR 12 608 906.

5.1 Nuclear safeguards

General description of the actions envisaged

- Development, consultancy and maintenance of IT systems and IT equipments
- Training for nuclear safeguard inspectors and technicians
- Purchase of inspection equipment, maintenance, transport, etc.
- Service Level and Administrative Agreements with other European Commission's departments

Implementation

Directorate-General Energy.

Some of the above actions may be sub-delegated or co-delegated to other European Commission's departments as the Joint Research Centre (JRC), Informatics (DIGIT).

6. Other actions or expenditure

The global budgetary envelope reserved for other actions or expenditure in 2022 under line 12 20 04 01 is EUR 6 305 000.

6.1. Inspection – Mission costs

Amount

EUR 2 250 000

Description

Safeguards-related missions including inspections, associated technical missions and meetings held in connection with activities of Directorate-General Energy (mainly Directorate E <i>Euratom Safeguards</i>).

Legal basis: Treaty establishing the European Atomic Energy Community, Title II, Chapter 7.

6.2. Reimbursement to nuclear operators and other nuclear related services

Amount

EUR 4 055 000

Description

Operation and maintenance of on-site nuclear laboratory and other tasks resulting from specific powers directly conferred to the European Commission by the Treaty establishing the European Atomic Energy Community, Title II, Chapter 7, Article 174.

Legal basis: Commission Regulation (Euratom) No 302/2005 of 8 February 2005 article 6 on the application of Euratom safeguards (OJ L 54, 28.2.2005, p. 1).
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Budget line(s)

12 20 04 02 - Nuclear safety and protection against radiation EUR 3 060 668
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Objectives pursued

This appropriation is intended to cover:
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-expenditure incurred by the Commission for collecting and processing information of all kinds needed for the analysis, definition, promotion, monitoring, evaluation and implementation of the common policy on nuclear safety and security and of the rules and measures in the field of radiation protection,
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-expenditure on measures and actions relating to monitoring and protection against the effects of ionising radiation and aimed at ensuring the health protection of the population and the protection of the environment against the dangers of radiation and radioactive substances; these actions relate to specific tasks provided for under the Euratom Treaty,

-expenditure related to verifying the operation and efficiency of systems to monitor the level of radioactivity in the air, water and soil and to ensure compliance with the basic standards in the Member States (Article 35 of the Euratom Treaty); this expenditure includes, in addition to

subsistence allowances and travel (mission) expenses, costs for training, for preparatory meetings and for purchases of equipment to be used for inspections,

-expenditure linked to the implementation of the Commission's tasks referred to in point 31 of the European Council conclusions of 24 and 25 March 2011.

This appropriation may also cover expenditure on information and publications directly linked to the achievement of the objectives coming under this article.

Expected results

The results stem from the Commission's prerogatives at institutional level, as provided for in Article 58(2)(d) of 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.

Task resulting from specific powers directly conferred on the Commission by the Treaty establishing the European Atomic Energy Community, Title II, Chapter 3, Article 174.

Treaty establishing the European Atomic Energy Community, in particular Article 31 (collection of information and preparation of new legislation complementing the basic safety standards), Article 33 (implementation of directives, including in particular in the medical field (field C)) and Article 35(2) (verification of monitoring of environmental radioactivity), thereof.

Council Decision 87/600/Euratom of 14 December 1987 on Community arrangements for the early exchange of information in the event of a radiological emergency(OJ L371,30.12.1987, p.76).

Council Directive 2009/71/Euratom of 25 June 2009 establishing a Community framework for the nuclear safety of nuclear installations (OJ L172,2.7.2009, p.18).

Council Directive 2011/70/Euratom of 19 July 2011 establishing a Community framework for the responsible and safe management of spent fuel and radioactive waste(OJ L199,2.8.2011, p.48).

Council Directive 2013/51/Euratom of 22 October 2013 laying down requirements for the protection of the health of the general public with regard to radioactive substances in water intended for human consumption (OJ L 296, 7.11.2013, p.12).

Council Directive 2013/59/Euratom of 5 December 2013 laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation, and repealing Directives 89/618/Euratom, 90/641/Euratom, 96/29/Euratom, 97/43/Euratom and 2003/122 Euratom (OJ L13,17.1.2014, p.1).

Council Regulation (Euratom) 2016/52 of 15 January 2016 laying down maximum permitted levels of radioactive contamination of food and feed following a nuclear accident or any other case of radiological emergency, and repealing Regulation (Euratom) No. 3954/87 and Commission Regulations (Euratom) No 944/89 and (Euratom) No770/90 (OJ L 13,20.01.2016, p.2).

Commission Implementing Regulation (EU) 2020/1158 of 5 August 2020 on the conditions governing imports of food and feed originating in third countries following the accident at the

Chernobyl nuclear power station (OJ L 257, 6.8.2020, p.1).

7. Procurement

The global budgetary envelope reserved for procurement in 2022 under line 12 20 04 02 is EUR 3 030 668.

Nuclear safety and protection against radiation

General description of the actions envisaged

- Conferences
- Communication activities
- Studies
- Development and maintenance of IT systems & IT Equipments
- Service Level and Administrative Agreements with other European Commission's departments

Implementation

Directorate-General Energy.

Some of the above actions may be sub-delegated or co-delegated to other European Commission's departments as the Joint Research Centre (JRC), Informatics (DIGIT), Communication (COMM).

8. Other actions or expenditure

The global budgetary envelope reserved for other actions or expenditure in 2022 under line 12 20 04 02 is EUR 30 000.

8.1. Verifications as per Article 35 of the Euratom Treaty

Amount

EUR 30 000

Description

Expenditure related to verifying the operation and efficiency of systems to monitor the level of radioactivity in the air, water and soil and to ensure compliance with the basic standards in the Member States. This expenditure includes, in addition to subsistence allowances and travel (mission) expenses, costs for training, for preparatory meetings and for purchases of equipment to be used for inspections.

