



EUROPEAN  
COMMISSION

Brussels, 13.12.2022  
C(2022) 9077 final

## **COMMISSION DECISION**

**of 13.12.2022**

**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 adopting the work programme for 2022**

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### **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 adopting the work programme for 2022**

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), point (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) On 10 March 2022, the Commission adopted Decision C(2022)1399 final<sup>2</sup>. Article 110 of Regulation (EU, Euratom) 2018/1046 establishes detailed rules on financing decisions. Article 58(2) point (d) of Regulation (EU, Euratom) 2018/1046 establishes that appropriations for actions carried out by the Commission under its prerogatives may be implemented without a basic act.
- (2) In order to support new priorities under the RepowerEU Plan<sup>3</sup>, 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. For these reasons, a new action under indirect management needs to be included in the work programme for 2022 and the maximum Union contribution for the implementation of the work programme for 2022 needs to be increased.
- (3) Due to the technical nature of the action, it is better entrusted to an entity specialised in multiple energy fields. The International Energy Agency is an entity covered by Article 62(1), point (c) of Regulation (EU, Euratom) 2018/1046. Pursuant to this Article, indirect management is to be used for the implementation of the programme.

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

<sup>2</sup> Commission Decision C(2022) 1399 final of 10.3.2022 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.

<sup>3</sup> COM/2022/230 final of 18.5.2022, Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, REPowerEU Plan.

- (4) The Commission is to ensure a level of protection of the financial interests of the Union with regard to entities and persons entrusted with the implementation of Union funds by indirect management as provided for in Article 154(3) of Regulation (EU, Euratom) 2018/1046. 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 Regulation (EU, Euratom) 2018/1046 and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of Regulation (EU, Euratom) 2018/1046 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) 2018/1046.
- (6) Decision C(2022) 1399 final should be amended accordingly,

HAS DECIDED AS FOLLOWS:

*Sole Article*

Decision C(2022)1399 final is amended as follows:

- (1) Article 2 is replaced by the following:

*‘Article 2*

The maximum Union contribution for the implementation of the work programme for 2022 is set at EUR 29 474 574 and shall be financed from the appropriations entered in the following item and heading of the general budget of the Union:

- (a) 02 20 04 02 - Support activities for the European energy policy and internal energy market: EUR 7 500 000;
- (b) 12 20 04 01 - Nuclear safeguards: EUR 18 913 906;
- (c) 12 20 04 02 - Nuclear safety and protection against radiation: EUR 3 060 668.

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

- (2) The following article 2a is inserted:

*‘Article 2a*

*Methods of implementation and entrusted entities or persons*

- (3) 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 to or selected in accordance with the criteria laid down in point 3 of that Annex.’The Annex is replaced by the text in the Annex to this Decision.

Done at Brussels, 13.12.2022

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