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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 20 July 2007

C (2007) 3460

COMMISSION DECISION

**concerning the 2007 work programme for grants
in the fields of transport and energy,
and constituting a financing decision in accordance with Article 75(2)
of Council Regulation (EC, Euratom) No 1605/2002, as amended
by Council Regulation (EC, Euratom) No 1995/2006,
for contracts and grants in the fields of transport and energy,
and for the European Aviation Safety Agency,
the European Maritime Safety Agency,
the European Railway Agency,
the Competitiveness and Innovation Executive Agency,
the Trans-European Transport Network Executive Agency,
and the European GNSS Supervisory Authority.**

Draft

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for contracts and grants in the fields of transport and energy,
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the European Maritime Safety Agency,
the European Railway Agency,
the Competitiveness and Innovation Executive Agency,
the Trans-European Transport Network Executive Agency,
and the European GNSS Supervisory Authority.**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities,¹ as amended by Council Regulation (EC, Euratom) No 1995/2006 of 13 December, and in particular Article 49(2), Article 75(2) and Article 110(1) thereof,

Having regard to Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities,² as last amended by Commission Regulation (EC, Euratom) No 1248/2006 of 7 August 2006, and in particular Articles 33, 90, 166, 167 and 168 thereof,

Whereas:

- (1) Under Article 110(1) of Council Regulation (EC, Euratom) No 1605/2002, as amended by Council Regulation (EC, Euratom) No 1995/2006, and Article 166 of Commission Regulation (EC, Euratom) No 2342/2002, as last amended by Commission Regulation (EC, Euratom) No 1248/2006 of 7 August 2006, grants are subject to an annual programme which specifies the basic act, the objectives, the main themes proposed, and the timetable of calls for proposals together with the indicative amount and the results expected; that work programme is adopted by the Commission.

¹ OJ L 248, 16.9.2002, p. 1.

² OJ L 357, 31.12.2002, p. 1.

- (2) Under Article 168(1)(c) of Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002, as last amended by Commission Regulation (EC, Euratom) No 1248/2006 of 7 August 2006, grants may be awarded without a call for proposals to bodies with a *de jure* or *de facto* monopoly.
- (3) Under Article 168(1)(d) of Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002, as last amended by Commission Regulation (EC, Euratom) No 1248/2006 of 7 August 2006, grants may be awarded without a call for proposals to bodies specified in a basic act.
- (4) Article 75(2) of Regulation (EC, Euratom) No 1605/2002, as amended by Council Regulation (EC, Euratom) No 1995/2006, provides that a financing decision precedes the commitment of expenditure, except where appropriations may be implemented without a basic act, in accordance with Article 49(2).
- (5) Under Article 90 of the detailed rules for the implementation of the Financial Regulation, the annual work programme for grants and contracts may be considered to constitute a financing decision within the meaning of Article 75 of the Financial Regulation provided that it constitutes a sufficiently detailed framework. It therefore falls to the Commission to adopt the 2007 work programme for grants and contracts in the fields of transport and energy.
- (6) In accordance with Article 15(1) of the Commission Decision of 11 March 2004, as last amended by the Commission Decision of 21 February 2007, on the internal rules, appropriations which may be implemented without a basic act, in accordance with Article 49(2) of the Financial Regulation, must still be subject to a framework equivalent to that of a financing decision adopted by the Commission.
- (7) A framework should therefore be adopted for actions to be carried out under the headings of administrative support expenditure and operational actions arising from the Commission's institutional prerogatives and preparatory actions and pilot projects within the meaning of Article 49(2) of the Financial Regulation.
- (8) Contracts with basic acts charged to administrative support expenditure or operational expenditure which have not been included in the annual work programmes for the specific programmes are covered by this Decision.
- (9) It also falls to the Commission to adopt a financing decision for 2007 for the grants allocated for 2007 to the European Aviation Safety Agency (EASA), the European Maritime Safety Agency (EMSA), the European Railway Agency (ERA), the Competitiveness and Innovation Executive Agency, the Trans-European Transport Network Executive Agency, and the European GNSS Supervisory Authority.
- (10) Grants and contracts relating to specific programmes are the subject of separate work programmes adopted by the Commission which are equivalent to financing decisions.

HAS DECIDED AS FOLLOWS:

Article 1

The general work programme for grants in the fields of transport and energy for 2007 set out in Annex I is hereby adopted.

Article 2

The general work programme for grants in the fields of transport and energy is, for grants which are awarded without a basic act and subject to calls for proposals, equivalent to a framework decision within the meaning of Article 15(1) of the Commission Decision of 11 March 2004 (SEC(2004)120) on the internal rules, as last amended by the Commission Decision of 21 February 2007 (C(2007)513). The actions in question are described in Annex I.A.

Article 3

For the fields of transport and energy, Annex III lays down the contracts to be implemented under the headings of administrative support expenditure and operational actions arising from the Commission's institutional prerogatives and preparatory actions and pilot projects within the meaning of Article 49(2) of the Financial Regulation and is equivalent to a framework or financing decision within the meaning of Article 75(2) of Regulation (EC, Euratom) No 1605/2002, as amended by Council Regulation (EC, Euratom) No 1995/2006.

Article 4

In the fields of transport and energy, Annex IV lays down the contracts to be implemented under the headings of administrative support expenditure and operational actions arising from the specific programmes or budget lines with a basic act and is equivalent to a financing decision.

Article 5

Financing for 2007 in the form of grants for the European Aviation Safety Agency (EASA), the European Maritime Safety Agency (EMSA), the European Railway Agency (ERA), the Competitiveness and Innovation Executive Agency, the Trans-European Transport Network Executive Agency, and the European GNSS Supervisory Authority, the details and precise amounts of which are set out in Annex II, is hereby approved.

Done at Brussels,

For the Commission

Member of the Commission