



Brussels, 12.4.2019
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COMMISSION IMPLEMENTING DECISION

of 12.4.2019

**amending the multiannual work programme 2014-2020 on the financing of the
Connecting Europe Facility - Transport sector**

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THE EUROPEAN COMMISSION,

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

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 966/2012¹, and in particular Article 110 thereof,

Having regard to Regulation (EU) No 1316/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Connecting Europe Facility², amending Regulation (EU) No 913/2010 and repealing Regulations (EC) No 680/2007 and (EC) No 67/2010, and in particular Article 17(1) thereof,

Whereas:

- (1) In order to ensure the implementation of the Connecting Europe Facility in the field of Transport, it is necessary to adopt a multiannual financing decision, which amends Implementing Decision C(2014)1921 of 26 March 2014 establishing the multiannual work programme 2014-2020 as last amended by Decision C(2018)2226. Article 110 of Regulation (EU, Euratom) 2018/1046 ('the Financial Regulation') establishes detailed rules on financing decisions.
- (2) The envisaged assistance is to comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU.
- (3) In accordance with Article 17(1) and (3) of Regulation (EU) No 1316/2013, the Commission is to adopt multiannual work programmes for financial support to Projects of Common Interest in the transport sector.
- (4) In accordance with Article 16(a) of Regulation (EU) No 1316/2013, the Commission may establish a CEF Transport Blending Facility under Article 159 of Regulation (EU, Euratom) 2018/1046.
- (5) An assessment on the potential use of the Blending Facility for transport under the CEF, including on appropriate co-funding rates to support deployment of alternative fuels technologies, was conducted in 2018 and 2019. This assessment concluded that, given the current market failures in the financing of certain transport infrastructure sub-sectors and in view of recent developments, in particular the organisation of a CEF "Blending Call 2017", a Blending Facility, in the areas of deployment of

¹ OJ L 193, 30.7.2018, p.1.

² OJ L 348, 20.12.2013, p.129

European Rail Traffic Management Systems (ERTMS) and alternative fuels technologies, should be established under CEF.

- (6) In line with the objective of the Communication “A Clean Planet for all”³, the CEF Transport Blending Facility shall primarily focus on the deployment of: European Rail Traffic Management Systems (ERTMS), in accordance with Article 13(a) of the TEN-T Regulation and Commission Regulation (EU) 2016/919 on rail interoperability⁴, and deployment of alternative fuels in accordance with Article 33 of the TEN-T Regulation and Directive (EU) No 2014/94 of the European Parliament and of the Council on alternative fuels infrastructure⁵.
- (7) An indicative maximum amount of EUR 200 000 000 from multiannual appropriations 2019-2020 should be made available to support the objectives of the CEF Transport Blending Facility, including a new Programme Support Action for the European Investment Bank to provide advisory support under the Blending Facility, amounting to a maximum of EUR 2 000 000. Part of the budget for the Blending Facility is to be transferred from budget line 06 02 01 05 (Financial instruments), to budget lines 06 02 01 01 and 06 02 01 02 (Grants).
- (8) In line with the evolving priorities in the implementation of the Trans-European Transport Network policy objectives defined in Regulation (EU) No 1315/2013 of the European Parliament and of the Council⁶, it is necessary to amend some Programme Support Actions within the meaning of Article 5(2)(a) of Regulation (EU) No 1316/2013 and to provide for a number of new Programme Support Actions. An indicative maximum amount of EUR 14 775 000 from multiannual appropriations 2019-2020 should be made available to support the objectives of the Programme Support Actions. It is appropriate, for certain Programme Support Actions, to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (9) A supplementary amount of EUR 198,000,000 should be made available to support the objectives of this decision.
- (10) The objectives and priorities set out in the multiannual work programme for the CEF Transport Blending Facility and the Programme Support Actions are in line with the Union priorities, notably those related to 'Jobs, growth and investment', 'Digital single market' and 'Energy Union and climate'.
- (11) In order to ensure consolidation of all budgetary commitments of the Connecting Europe Facility – Transport sector from 2014 onwards, budgetary Annexes III and IV of the latest amending Decision C(2018) 2226 should be replaced by updated Annexes.
- (12) It is necessary to allow for the payment of interest due for late payment on the basis of Article 116(5) of the Financial Regulation.

³ COM(2018) 773: a Clean Planet for all A European strategic long-term vision for a prosperous, modern, competitive and climate neutral economy

⁴ Commission Regulation (EU) 2016/919 of 27 May 2016 on the technical specification for interoperability relating to the ‘control-command and signalling’ subsystems of the rail system in the European Union (OJ L 158, 15.06.2016, P 1.)

⁵ Directive 2014/94/EU of the European Parliament and of the Council of 22 October 2014 on the deployment of alternative fuels infrastructure (OJ L 307, 28.10.2014, P 1.)

⁶ Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU (OJ L 348, 20.12.2013, p. 1).

- (13) In order to allow for flexibility in the implementation of the multiannual 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.
- (14) The measures provided for in this Decision are in accordance with the opinion of the CEF Coordination Committee for the Transport sector established by Article 25 of the Regulation (EU) No 1316/2013.

HAS DECIDED AS FOLLOWS:

Sole Article

Commission Implementing Decision C(2014)1921 as last amended by Decision C(2018) 2226 is amended as follows:

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

“Article 2

Union contribution

The maximum Union contribution for the implementation of the programme for 2014 - 2020 is set at EUR 23,355,428,929 and shall be financed from the appropriations entered in the following lines of the general budget of the Union:

- (a) budget line 06020101: Removing bottlenecks, enhancing rail interoperability, bridging missing links and improving cross-border sections: EUR 8,583,291,688, out of which, for Programme Support Actions: EUR 82,993,815
- (b) budget line 06020102: Ensuring sustainable and efficient transport systems: EUR 849,781,266, out of which, for Programme Support Actions: EUR 28,222,695
- (c) budget line 06020103: Optimising the integration and interconnection of transport modes and enhancing interoperability: EUR 2,743,037,582, out of which, for Programme Support Actions: EUR 129,531,781, and for contribution to an entrusted body- the SESAR Joint Undertaking: EUR 10,000,000
- (d) budget line 06020104: Connecting Europe Facility – Cohesion Fund allocation: EUR 11,179,318,393, out of which, for Programme Support Actions: EUR 21,433,893

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 2020 following the adoption of that budget by the budget authority and subject to the availability of internal assigned revenues for year 2020.

- (2) Article 3 is replaced by the following:

“Article 3

Flexibility clause

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

- (3) Annex VI entitled "CEF Transport Blending Facility, under the Multi-Annual Work Programme 2014-2020" set out in Part I of the Annex to this Decision is added to Implementing Decision C(2014)1921.
- (4) Annexes III, IV and V to Implementing Decision C(2014)1921 are replaced by the text in Part II of the Annex to this Decision.

Done at Brussels, 12.4.2019

For the Commission
Violeta BULC
Member of the Commission