

A04

Draft

COMMISSION DECISION

of [...]

**concerning 1) the work programme for grants in the field of energy and transport in 2004
2) the 2004 financing decision for the European Aviation Safety Agency
and the European Maritime Safety Agency**

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 Communities¹, in particular Articles 49(2), 75(2) and 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 Communities², in particular Articles 31, 33, 90, 166, 167 and 168 thereof,

Whereas:

- (1) In compliance with Article 110(1) of the Council Regulation (EC, Euratom) No 1605/2002 and with Article 166 of the Commission Regulation (EC, Euratom) No 2342/2002 grants must be subject to an annual programme which specifies the objectives and the schedule of calls for proposals together with the indicative amount; this work programme is adopted by the Commission and published by no later than 31 January each financial year.
- (2) Article 168(1)(c) of the Commission Regulation (EC, Euratom) No 2342/2002 provides that grants may be awarded without a call for proposals where the nature of the beneficiary is such that it is the only possible partner for a specific action.
- (3) Article 168(1)(d) of the Commission Regulation (EC, Euratom) No 2342/2002 provides that grants may be awarded without a call for proposals to organisations specified in a basic act.
- (4) Article 75(2) of the Council Regulation (EC, Euratom) No 1605/2002 provides that a financing decision precedes the commitment of expenditure, except where appropriations may be implemented without a basic act,

¹ OJ L 248, 16.09.2002, p. 1.

² OJ L 357, 31.12.2002, p. 1.

- (5) Consequently, it falls on the Commission to adopt the work programme for subventions in the field of energy and transport in 2004 and the 2004 financing decision for the European Aviation Safety Agency and the European Maritime Safety Agency

HAS ADOPTED THIS DECISION:

Article 1

The general work programme in Annex I for grants in the fields of transport and energy in 2004 is hereby adopted.

Article 2

The general work programme for grants in the field of transport is equivalent for the purpose of Article 75 of the Council Regulation (EC, Euratom) No 1605/2002 to the financing decision for grants which are awarded without a basic act but are subject to calls for proposals, provided that the appropriations are available following the adoption of the 2004 amending budget for the enlarged Union. The actions concerned are described in Annex 1, Part A.

Article 3

The financing for 2004 concerning the European Aviation Safety Agency (EASA) and the European Maritime Safety Agency (EMSA), both described in Annex II is hereby adopted.

Done at Brussels, [...]

For the Commission

[...]

Member of the Commission

ANNEX