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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, the 30.01.09
COM(2009) 472

COMMISSION DECISION

of 30.01.09

concerning the 2009 work programme for grants and contracts in the fields of transport and energy, and the financing decision in accordance with Article 75(2) of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities.

COMMISSION DECISION

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concerning the 2009 work programme for grants and contracts in the fields of transport and energy, and the financing decision in accordance with Article 75(2) of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities¹.

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 Communities², as amended by Council Regulation (EC, Euratom) No 1995/2006 of 13 December 2006 (the ‘Financial Regulation’), and in particular Articles 49(6), 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 Communities³, as last amended by Commission Regulation (EC, Euratom) No 478/2007 of 23 April 2007⁴, (the ‘implementing rules’), and in particular Articles 33, 90, 166, 167 and 168 thereof,

Whereas:

- (1) Under Article 110(1) of the Financial Regulation and Article 166 of the implementing rules, grants must be the subject of an annual programme specifying the basic act, the objectives and themes proposed and the timetable for calls for proposals together with the indicative amount and the results expected; that work programme is adopted by the Commission.
- (2) Under Article 168(1)(d) of the implementing rules, grants may be awarded without a call for proposals to organisations identified by a basic act.
- (3) Under Article 75(2) of the Financial Regulation, a financing decision precedes the commitment of expenditure, except where appropriations may be implemented without a basic act, in accordance with Article 49(6).

¹ OJ L 248, 16.9.2002, p. 1.

² OJ L 248, 16.9.2002, p. 1.

³ OJ L 357, 31.12.2002, p. 1.

⁴ OJ L 111, 28.4.2007.

- (4) Under Article 90 of the implementing rules, the annual work programme for grants and contracts may be considered to constitute a financing decision within the meaning of Article 75(2) of the Financial Regulation provided that it constitutes a sufficiently detailed framework. It therefore falls to the Commission to adopt the 2009 work programme for grants and contracts in the fields of transport and energy.
- (5) Grants and contracts relating to specific programmes are the subject of separate work programmes adopted by the Commission and which serve as financing decisions,

HAS DECIDED AS FOLLOWS:

Article 1

The general work programme for grants and contracts in the fields of transport and energy for 2009, set out in Annexes I and II, is hereby adopted.

Article 2

The general work programme for grants in the fields of transport and energy is, in respect of the grants set out in Annex I, equivalent to a financing decision within the meaning of Article 75(2) of the Financial Regulation.

Article 3

For the fields of transport and energy, Annex II lists the contracts to be implemented under the headings of operational actions arising from the Commission's institutional prerogatives within the meaning of Article 49(6) of the Financial Regulation and certain contracts with a basic act and is equivalent to a financing decision within the meaning of Article 75(2) of Regulation (EC, Euratom) No 1605/2002 (the Financial Regulation), as amended by Regulation (EC, Euratom) No 1995/2006.

Done at Brussels, the 30.01.09

For the Commission
Andris Piebalgs
Antonio Tajani
Members of the Commission

ANNEX

ANNEX I

General work programme for grants in the field of energy and transport for 2009

The amounts shown in this work programme refer to the Commission's 2009 budget. This work programme is divided into three parts:

- A. Grants awarded without a basic act following a call for proposals.
- B. Grants awarded without a call for proposals.
- C. Grants to be awarded by virtue of a basic act for the specific programmes in the field of energy and transport following a call for proposals.
 - Marco Polo II Programme,
 - Trans-European transport and energy networks,
 - Competitiveness and Innovation Framework Programme — ‘Intelligent Energy — Europe’ Programme
 - Galileo Programme,
 - Certain actions under the 7th Research Framework Programme.

Furthermore, for information, a grant awarded in the context of joint management for the benefit of an international organisation will either be the subject of an ad hoc financing decision, should the situation arise, or will be included in the specific work programmes.

Any change of more than 20% to the indicative budget for grants will be considered as substantial. An amendment to this work programme will be required in the event of any substantial change. The appropriations covered by the work programme may be used to pay default interest in accordance with Article 83 of the Financial Regulation.

Minor changes to the implementation of this programme affecting essential elements listed under Article 90 of the detailed rules for the implementation of the Financial Regulation, which are of an indicative nature⁵, may be made by the authorising officer by delegation (AOD), or by the authorising officer by sub-delegation (AOSD), in line with the delegation of powers conferred upon him by the AOD, in accordance with the principles of sound financial management without it being necessary to amend the financing decision.

All the grants covered by parts A and B of this work programme will be the subject of grant agreements.

⁵ These essential elements of an indicative nature are, for grants, the indicative amount of the call for proposals and, for procurement, the indicative number and type of contracts envisaged and the indicative time frame for launching procurement procedures.

A. GRANTS AWARDED WITHOUT A BASIC ACT FOLLOWING A CALL FOR PROPOSALS

A.1. Budget line: 06 02 03 (Support activities to the European transport policy and passenger rights)

Legal basis:

Task resulting from the Commission's prerogatives at institutional level in accordance with Article 49(6)(d) of the Financial Regulation.

Objective(s):

1) Completion, management and development of the large transport market, including its extension outside the Community, focusing in particular on the elimination of cross-border bottlenecks in areas where natural barriers impede the free movement of persons and goods.

2) Observation of the freight and passenger transport market (all modes), including improved collection of statistical data by Member States.

3) Development of a sustainable mobility policy in land, sea and air transport, and in particular:

- support for pilot actions in the field of road safety, in particular through the use of new technologies with the aim of standardising procedures;
- support for the competitiveness of inland waterway transport and short-sea shipping;
- improved interoperability of transport systems;
- promotion and improvement of the quality of rail transport, particularly for freight;
- standardisation mandates granted to European standardisation bodies and other organisations in all transport sectors, and the development of technical specifications for interoperability (rail transport);
- implementation of the Open Sky agreements.

Expected result(s):

- Achievement of the objectives set out in the White Paper 'European Transport Policy for 2010: time to decide, and its 2006 update 'Keep Europe Moving';
- Gradual rebalancing towards more environment-friendly modes of transport;
- More dialogue with industry to encourage sustainable mobility, e.g. through better control over the environmental impact and the rebalancing of modes of transport;
- Development of the interoperability of modes of transport;
- Development of inland waterway transport and short-sea shipping;
- Finalisation of international aviation agreements protecting the interests of European airlines;
- Extension of EU policies to future Member States;
- Preparation of Community initiatives;
- Improvement of training, information and accident prevention policies;
- Exploitation of the results of the Commission's work.

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| Main themes proposed for 2009 | – Assisting the development of harmonised training modules, covered by a curriculum, for officers responsible for monitoring the application of the Community acquis in the field of road transport. These modules will |
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| | <p>be designed to harmonise and improve the approach taken with regard to monitoring Community legislation;</p> <p>Creating a network of centres for promoting inland waterway navigation. The objective is to advise transport users at local level and encourage them to use inland navigation by providing logistic solutions, best practices and technical assistance. This measure should help to improve the image and awareness of this mode of transport.</p> <p>Definition of a series of objective and concrete indicators of the level of performance of ports and terminals. The quantification of these indicators will enable the socio-economic and environment impact in the EU to be assessed.</p> |
| Date of the call for transport proposals | February - March 2009 |
| Main selection criteria | <ul style="list-style-type: none"> - The applicants' financial capacity (applicants must prove their financial capacity to carry out the action to be subsidised and provide their balance sheet for the last financial year for which the accounts have been closed; this provision does not apply to public bodies and international organisations). - The applicants' technical capacity (applicants must have the technical and operational capacity to carry out the action to be subsidised and provide the documents required - CVs of the persons responsible for implementing the action, description of relevant projects and activities carried out during the last three years). |
| Main award criteria | <p>1) Quality of the action:</p> <p>European dimension: the Commission will assess the extent to which the proposed action will contribute and create genuine added value to the common transport policy. Initiatives of local interest are excluded.</p> <p>Innovative nature: the Commission will assess the extent to which the proposed action will lead to new approaches and practices.</p> <p>Multiplier effect: the Commission will assess the extent to which the proposed action will allow the transfer, generalisation, dissemination or large-scale application of results, experience, knowledge and good practice.</p> <p>Cost-effectiveness ratio: the budget, broken down by category of expenditure, must demonstrate a good cost-effectiveness ratio for the action (balance between the expected results and the amount of the grant).</p> <p>Visibility: the description of the action must include the means by which the Community action will be made visible (publications, organisation of events, websites, CD-ROMs, etc.).</p> <p>2) Presentation of the application: the organisation of the action must be described in detail, in particular as regards the following aspects:</p> <p>work plan (clarity and coherence of the objectives, adequacy of the expected results) and schedule;</p> <p>proposed methodology: evaluation and indicators of results compared with the expected objectives.</p> |
| Financing rate | Between 10% and 50%, or even 75%, of the total amount of the eligible costs of the action. The co-financing rate will be chosen in the light of the available budget and also on the basis of the award criteria and the opinion of the Evaluation Committees. The maximum possible co-funding rate will be earmarked for the |

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| | proposals which best meet the award criteria. |
| Budget | €900 000 |

A.2. Budget line: 06 07 01 (Transport security)

Legal basis:

Task resulting from the Commission's prerogatives at institutional level, as provided for in Article 49(6)(d) of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (OJ L 248, 16.9.2002, p. 1), as last amended by Regulation (EC) No 1525/2007 (OJ L 343, 27.12.2007, p. 9).

Regulation (EC) No 2320/2002 of the European Parliament and of the Council of 16 December 2002 establishing common rules in the field of civil aviation security (OJ L 355, 30.12.2002, p. 1), amended by Regulation (EC) No 849/2004 (OJ L 158, 30.4.2004, p. 1).

Regulation (EC) No 725/2004 of the European Parliament and of the Council of 31 March 2004 on enhancing ship and port facility security (OJ L 129, 29.4.2004, p. 6).

Directive 2005/65/EC of the European Parliament and of the Council of 26 October 2005 on enhancing port security (OJ L 310, 25.11.2005, p. 28).

Objective(s):

Monitoring and promoting, analysing and defining measures and regulations needed in order to strengthen land, air and sea transport security and the extension thereof to third countries.

Expected result(s):

- prevention of malicious acts in the area of transport, in particular as regards the carriage of dangerous goods and infrastructures,
- approximation of legislation, technical standards and administrative monitoring practices designed to ensure transport safety,
- definition of common indicators, common methods and common objectives with regard to security in the field of transport and the collation of data needed to define these,
- monitoring of transport security measures in the Member States for all modes of transport,
- international coordination on transport security issues,
- promoting research into transport security.

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| Main theme proposed in 2008 | Creation of a network for the exchange of information in order to define and promote harmonised dissemination as regards security incidents at port and fleet level in the Member States |
| Date of the call for proposals (where appropriate): | May 2009 |
| Main selection criteria | <p>The applicants' financial capacity (applicants must prove their financial capacity to carry out the action to be subsidised and provide their balance sheet for the last financial year for which the accounts have been closed).</p> <p>The applicants' technical capacity (applicants must have the technical and operational capacity to carry out the action to be subsidised and provide the documents required - CVs of the persons responsible for implementing the action, description of the projects and activities carried out during the last three years).</p> |
| Main award criteria | <p>1) Quality of the action:</p> <p>Socio-economic and financial consequences of the measures proposed.</p> <p>European dimension: the Commission will assess the extent to which the proposed action will contribute and create genuine added value to the common transport policy.</p> <p>Innovative nature: the Commission will assess the extent to which the proposed action will lead to new approaches and practices.</p> <p>Multiplier effect: the Commission will assess the extent to which the proposed action will allow the transfer, generalisation, dissemination or large-scale application of results, experience, knowledge and good practice.</p> <p>Cost-effectiveness ratio: the budget, broken down by category of expenditure, must demonstrate a good cost-effectiveness ratio for the action (balance between the expected results and the amount of the grant).</p> <p>Evaluation: the Commission will assess the proposed evaluation method and the quality of the results indicators compared with the expected objectives.</p> <p>Visibility: the description of the action must include the means by which the Community action will be made visible (publications, organisation of events, websites, CD-ROMs, etc.).</p> <p>2) Quality of the application: the organisation of the action must be described in detail, in particular as regards the following aspects:</p> <p>work plan (clarity and coherence of the objectives, adequacy of the expected results),</p> <p>preliminary studies carried out,</p> <p>financial analysis of the risks to investors,</p> <p>action schedule,</p> <p>proposed methodology: evaluation and indicators of results compared with the expected objectives.</p> |
| Financing rate | Between 50% and 90% of the total eligible costs of the action. The co-financing rate will be chosen in the light of the available budget and also on the basis of the award criteria and the opinion of the Evaluation Committees. |
| Budget | €80 000 |

B. GRANTS AWARDED WITHOUT CALLS FOR PROPOSALS

A number of grants will be awarded to the beneficiaries stipulated in the basic act.

At this stage, actions planned under this financing procedure must meet the following criteria:

B.1. Budget line 06 07 01 (Transport security)

Legal basis:

Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (OJ L 260, 30.9.2008, Article 8(2), p. 18).

This article states that a grant may be awarded by the European Commission to Member States directly.

Objective(s):

Financial support for Member States as regards translating the Annexes to the new Directive on the inland transport of dangerous goods and amendments thereto carried out at national level.

Beneficiaries: 1) Member States (Article 168(1)(d) of the implementing measures)

Expected result(s):

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| Main themes proposed for 2008 | - 1) The purpose of the proposal is to finance the translation and publication of the technical Annexes to the Directive and amendments thereto. This concerns those Member States with official languages other than English, French and German. The international agreements on the transport of dangerous materials (ADR, RID, ADN) are available in English and French (and also German in the case of the RID). They are each a thousand pages long and are updated every two years. This Directive will enter into force on 1 July 2009. It includes a legal obligation to provide financial support to the Member States for translation of agreements and amendments thereto in the official languages. |
| Date of receipt of applications | July 2009 |
| Estimated budget | €500 000 |

C. GRANTS AWARDED BY VIRTUE OF A BASIC ACT FOLLOWING A CALL FOR PROPOSALS

In the field of energy and transport, the Commission is implementing five multiannual programmes adopted under the co-decision procedure:

- Marco Polo II Programme,
- Trans-European transport and energy networks,
- Competitiveness and Innovation Framework Programme — ‘Intelligent Energy — Europe’ Programme
- Galileo Programme,
- The 7th Research Framework Programme.

These multiannual programmes will be implemented in accordance with the corresponding basic act, which provides for a comitology procedure and the European Parliament’s right of scrutiny.

The following description of each of the five multiannual programmes is strictly for information.

C.1. Budget line 06 02 06 (Marco Polo II Programme)

Legal basis:

Regulation (EC) No 1692/2006 of the European Parliament and of the Council of 24 October 2006 establishing the second Marco Polo programme for the granting of Community financial assistance to improve the environmental performance of the freight transport system (Marco Polo II) and repealing Regulation (EC) No 1382/2003 (OJ L 328, 24.11.2006, p. 1-13).

Work programme:

The objectives and expected results are described in the legal basis.

The actions planned for 2009 will be described in a detailed annual work programme which will be adopted in January 2009, after receiving the approval of the committee of Member States.

Planned date of the call for proposals: January 2009

Amount of the call for proposals and contracts: €60 350 000 (2009 budget excluding EFTA).

C.2. Budget lines 06 03 03 (Financial support for projects of common interest in the trans-European transport network) and 06 03 04 (Financial support for projects of common interest in the trans-European energy network) and 06 03 05 (SESAR Joint Undertaking)

Legal basis:

- Regulation (EC) No 680/2007/EC of the European Parliament and of the Council of 20 June 2007 laying down general rules for the granting of Community financial aid in the field of the trans-European transport and energy networks
- Decision No 1364/2006/EC of the European Parliament and of the Council of 6 September 2006 laying down guidelines for trans-European energy networks and repealing Decision 96/391/EC and Decision No 1229/2003/EC
- Decision No 1692/96/EC of the European Parliament and of the Council of 23 July 1996 on Community guidelines for the development of the trans-European transport network (corrigendum published in OJ L 15 of 17 January 1997), as amended by Decision No 884/2004 (corrigendum published in OJ L 201 of 7 June 2004).

Work programme:

The objectives and expected results are described in the legal basis.

The Regulation laying down general rules for the granting of Community financial aid in the field of trans-European networks for transport and energy was adopted on 20 June 2007. The multiannual actions planned for 2009 are described in detail in the multiannual work programme C(2007) 2158 of 23 May 2007. The other actions are described in specific working programmes, yet to be adopted. These will be approved by the Commission by written procedure, after consulting the Programme Committee.

Date of the call for proposals for the part of the budget not covered by Decision C(2007)2158: December 2008

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| Amount of the call for proposals: | €30 000 000 | Motorways of the sea |
| | €250 000 000 | ERTMS |
| | €140 000 000 | Annual programme |
| Part remaining from the total budget of €915 238 000 , including the €60 000 000 for the loan guarantee instrument | €495 238 000 | TEN-Transport – 06 03 03 (multiannual programme) |
| | €26 048 000 | TEN-Energy – 06 03 04 |

C.3. Budget line 06 04 06 (Competitiveness and Innovation Framework Programme - Intelligent Energy - Europe Programme)

Legal basis:

Decision No 1639/2006/EC of the European Parliament and of the Council of 24 October 2006 establishing a Competitiveness and Innovation Framework Programme (2007 to 2013) (OJ L 310, 9.11.2006, p. 15).

Work programme:

The objectives and expected results are described in the legal basis.

The actions planned for 2009 will be described in a detailed annual work programme to be adopted in early 2009, after consulting the programme management committee.

Planned date of the call for proposals: April 2009

Amount of the call for proposals and contracts: €88 741 400 on budget line 06 04 06.

C.4. Budget line 06 02 10 (Galileo Programme)

Legal basis:

Regulation (EC) No 683/2008 of the European Parliament and of the Council of 9 July 2008 on the further implementation of the European satellite navigation programmes (EGNOS and **Galileo**), OJ L 196, 24.7.2008, p.1-11).

Work programme:

The principal objective is to implement the deployment and operational phases of the GALILEO Programme in order to bring into operation the first global satellite radionavigation and positioning infrastructure specifically designed for civilian purposes. It is the first major European space project on an industrial scale. The legal basis, which has yet to be adopted, describes in detail the objectives of and the results expected from this programme.

The principal actions planned for 2009 involve, on the one hand, the beginning of industrial activities of the deployment phase of the Galileo Programme and, on the other, the start of the operating phase of the EGNOS Programme.

These actions will be described in detail in the Commission's Multiannual Work Programme.

Amount necessary for 2009: €828 000 000 (budget line: 06 02 10).

C.5. Budget lines related to the 7th Research Framework Programme: 06 06 01 01 (Research related to energy), 06 06 01 02 (Research related to energy — Fuel Cells and Hydrogen Joint Undertaking (FCH)) and 06 06 02 01 (Research related to transport (including aeronautics)), 06 06 02 02 (Research related to transport (including aeronautics)) – Fuel Cells and Hydrogen Joint Undertaking (FCH), 06 06 02 03 (SESAR Joint Undertaking)

Legal basis:

Decision No 1982/2006/EC of the European Parliament and the Council of 18 December 2006 concerning the Seventh Framework Programme of the European Community for research, technological development and demonstration activities (2007-2013) (L(2006)412/1, 30.12.2006) and Commission Declarations (L(2006)412/42, 30.12.2006).

2006/971/EC: Council Decision of 19 December 2006 concerning the Specific Programme ‘Cooperation’ implementing the Seventh Framework Programme of the European Community for research, technological development and demonstration activities (2007 to 2013) (L(2006)400/86, 30.12.2006).

Regulation (EC) No 1906/2006 of the European Parliament and of the Council of 18 December 2006 laying down the rules for the participation of undertakings, research centres and universities in actions under the Seventh Framework Programme and for the dissemination of research results (2007-2013) (L(2006)391/1, 30.12.2006).

Work programme:

For the thematic priority ‘Transport (including aeronautics)’, the detailed work programme for 2009 was adopted by the Commission on 28 August 2008 (C(2008) 4598). This Work Programme has been implemented for Galileo, Sesar and the horizontal activities to be financed in 2009.

Similarly, for the ‘Energy’ thematic priority, the 2009 Work Programme was adopted by the Commission on 28 August 2008 (C(2008) 4598). This Work Programme for DG TREN has been implemented, for the projects to be financed in 2009, by the calls for proposals published on 3 September 2008 (reference: FP7-ENERGY-2009-2 and FP7-ENERGY 2009-BIOREFINERY), studies to be carried out following invitations to tender and horizontal activities.

Management of the projects relating to the thematic priority ‘Galileo’ has been entrusted to the GNSS Supervisory Authority, which will publish calls for proposals.

The appropriations for the 7th Research Framework Programme will make a financial contribution to the SESAR Joint Undertaking, which will carry out activities in the appropriate sectors indicated in the Work Programme. An amount of €55 million, including earmarked revenue, will be transferred to the SESAR Joint Undertaking for 2009.

Budget appropriations:

€128 685 000 for budget line 06 06 01 01 – ‘Research related to energy’

€20 160 000 for budget line 06 06 01 02 – ‘Research related to energy — Fuel Cells and Hydrogen Joint Undertaking (FCH)’

€61 550 000 for budget line 06 06 02 01 – ‘Research related to transport (including aeronautics)’.

€2 900 000 for budget line 06 06 02 02 – ‘Research related to transport (including aeronautics) - Fuel Cells and Hydrogen Joint Undertaking (FCH)’.

€51 500 000 for budget line 06 06 02 03 – ‘SESAR Joint Undertaking’.

ANNEX II

List of contracts and administrative arrangements in the fields of energy and transport in 2009

The amounts shown in this Decision refer to the Commission's 2009 Budget.

The amounts earmarked for the various actions are given as a guide. Any change of more than 20% to the indicative budget for a contract will be considered to be substantial even where there is no substantial modification of the nature, objectives and conditions of the activities detailed in the initial decision. An amendment to this Work Programme will be required in the event of any substantial change. Similarly, the number of invitations to tender and framework contracts may vary depending on pressing political priorities and needs during the course of the year.

Minor changes to the implementation of this programme affecting essential elements listed under Article 90 of the Implementing Rules to the Financial Regulation, which are of an indicative nature⁶, may be made by the authorising officer by delegation (AOD), or by the authorising officer by sub-delegation (AOSD), in line with the delegation of powers conferred upon him by the AOD, in accordance with the principles of sound financial management without it being necessary to amend the financing decision.

This list of contracts is equivalent to a financing decision and is divided into four parts:

- A. Contracts for expenditure relating to the activity 'Air, maritime and inland transport';
- B. Contracts for expenditure relating to the activity 'Conventional energy, nuclear energy and reimbursements under Article 6 of Euratom Regulation No 302/2005';
- C. Contracts for expenditure relating to the activity 'Safety and security'.

DG TREN contracts are principally for studies but also for the provision of services and the purchase of data, supplies and nuclear material. The appropriations covered by the Work Programme may also be used to pay default interest in accordance with Article 83 of the Financial Regulation.

A. CONTRACTS AND ADMINISTRATIVE ARRANGEMENTS FOR EXPENDITURE RELATING TO THE ACTIVITY 'AIR, MARITIME AND INLAND TRANSPORT'

The appropriations under the various budget lines are intended to cover expenditure incurred by the Commission for collecting and processing information of all kinds needed for the analysis, definition, promotion, monitoring, evaluation and implementation of:

- measures and rules required to improve the safety of inland, air and sea transport, including their extension to third countries, and technical assistance and specific training actions,
- the Community's common transport policy, including its extension to third countries, technical assistance, specific training and promotion of the common transport policy, including the establishment and implementation of guidelines for the trans-European transport network referred to in the Treaty.

⁶ These essential elements of an indicative nature are, for grants, the indicative amount of the call for proposals and, for procurement, the indicative number and type of contracts envisaged and the indicative time frame for launching procurement procedures.

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| Budget line | <i>06 02 03 (Support activities to the European transport policy and passenger rights)</i> | | |
| Legal basis | Task resulting from the Commission's prerogatives at institutional level in accordance with Article 49(6)(d) of the Financial Regulation. | | |
| 2009 appropriations | | Initial budget | 17 600 000 |
| | | Transfers | 0 |
| | | Total | 17 600 000 |
| Use of appropriations | | Grants | 900 000 |
| | | Contracts | 13 025 000 |
| Amount of this financing decision | | | 13 925 000 |
| Details of grants | | | |
| <i>An amount of €4 900 000 is provided for grants awarded without a basic act following a call for proposals and is included in the Work Programme in Annex I (Section A).</i> | | | |
| Details of contracts | | | |
| <i>Type</i> | <i>Number</i> | <i>Indicative amount</i> | <i>Date of conclusion of contract</i> |
| Specific contract under a framework contract | Twenty-one (21) contracts under framework contracts: one (1) conference, three (3) consultants, two (2) other cases, thirteen (13) for studies and two (2) for other services. | 8 975 000 | Q1 (4), Q2 (15), Q3 (0), Q4 (2) |
| Invitation to tender | Fourteen (14) contracts following invitations to tender: twelve (12) for studies, one (1) consultant and one (1) contract for services. | 2 550 000 | Q1 (9), Q2 (4), Q3 (1), Q4 (0) |
| Other cases | Three (3) contracts: one (1) operational project, one (1) consultant and one (1) other services. | 1 500 000 | Q1 (2), Q2 (0), Q3 (1), Q4 (0) |

Q1: Quarter 1, Q2: Quarter 2, Q3: Quarter 3, Q4: Quarter 4

**B. CONTRACTS FOR EXPENDITURE RELATING TO THE ACTIVITY
'CONVENTIONAL ENERGY, NUCLEAR ENERGY AND REIMBURSEMENTS UNDER
ARTICLE 6 OF EURATOM REGULATION NO 302/2005'**

Nuclear expenditure comprises expenditure relating to on-the-spot inspections relating to safeguards and the training of inspectors, purchases of equipment, services and specific work, expenditure on the decommissioning of nuclear power stations, nuclear safety and security expenditure and radiation protection expenditure.

Nuclear energy expenditure also includes expenditure relating to the physical and chemical monitoring of nuclear material and the purchase and maintenance of monitoring equipment.

These appropriations cover, in particular, contracts for:

- the purchase of monitoring equipment such as nuclear-specific detectors, cameras, videos, batteries, data storage units, servers, small replacement equipment, data transmission systems and electronic seals,
- the purchase of computer equipment, specific software and hardware, the replacement of obsolete software and hardware, extensions to guarantees for specific computer equipment and the development of specific hardware,
- the maintenance, decontamination and calibration of specific monitoring equipment,
- maintenance of specific computer equipment and applications,
- the testing of new computer applications,
- nuclear studies.

The actions will be contracts involving framework contracts or open or negotiated procedures.

The amount allocated to nuclear expenditure as a whole is €22 700 000.

In accordance with Article 6 of Euratom Regulation No 302/2005: 'The Commission shall reimburse operators the cost of special services provided for in the particular safeguard provisions or which arise from a special request by the Commission or the inspectors and on the basis of an agreed estimate. The extent of and procedures for the reimbursement will be fixed by mutual agreement between the parties concerned and will be reviewed periodically as necessary.'

These reimbursements are not, strictly speaking, contracts but are intended to pay operators for certain contracts which they alone are authorised to conclude, having regard to the applicable national law (see Legal Service Note of 10 October 2003, Adonis 15580).

They also cover 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, particularly in the new Member States, and for the policy on decommissioning.

Lastly, they cover expenditure on radiation protection, i.e. measures and actions relating to monitoring and protection against the effects of radiation, aimed at helping to protect the population and the environment against the dangers of ionising radiation and radioactive substances, as well as expenditure on the establishment and operation of a corps of inspectors to check protection against ionising radiation in the Member States.

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| Budget line | <i>06 05 01 Nuclear safeguards</i> | | |
| Legal basis | <p>Commission Regulation (Euratom) No 302/2005 of 8 February 2005 on the application of Euratom safeguards (OJ L 54, 28.2.2005, p.1). Task resulting from specific powers directly conferred on the Commission by the Euratom Treaty under Chapter VII and Article 174.</p> <p><u>Reference acts:</u> Verification agreements between the Community, the non-nuclear-weapon Member States and the International Atomic Energy Agency. Tripartite agreement between the Community, the United Kingdom and the International Atomic Energy Agency. Tripartite agreement between the Community, France and the International Atomic Energy Agency. Cooperation agreements between the Community and third countries such as the United States of America, Canada and Australia. Commission Communication of 24 March 1992 to the European Parliament and to the Council concerning a Commission decision on the implementation of on-site laboratories for verification analysis of safeguards samples (SEC(92) 515 final).</p> | | |
| 2009 appropriations | Initial budget | 20 200 000 | |
| | Transfers | 0 | |
| | Total | 20 200 000 | |
| Use of appropriations | Grants | 0 | |
| | Contracts | 20 200 000 | |
| Amount of this financing decision | | 20 200 000 | |
| Details of grants (for the record) | | | |
| <i>No grant will be awarded under this budget line.</i> | | | |
| Details of contracts | | | |
| <i>Type</i> | <i>Number</i> | <i>Indicative amount</i> | <i>Date of conclusion of contract</i> |
| Specific contract under a framework contract | Thirty-two (32) contracts under framework contracts: four (4) for supplies, one (1) for works, twelve (12) for operational projects, eight (8) for services and seven (7) for other contracts. | 6 500 000 | Q1 (15), Q2 (12), Q3 (1), Q4 (4) |
| Invitation to tender | Four (4) invitations to tender: two (2) for supplies, one (1) specific work and one (1) other services | 2 350 000 | Q1 (2), Q2 (2), Q3 (0), Q4 (0) |
| Other cases. | 37 (thirty-seven) other contracts and Art. 6: twelve (12) for supplies, seven (7) for maintenance and work, nine (9) for services and purchase of specific material, five (5) other services and four (4) other cases | 11 350 000 | Q1 (13), Q2 (19), Q3 (1), Q4 (4) |

| | | | |
|---|--|--------------------------|---------------------------------------|
| Budget line | <i>06 05 02 Nuclear safety and protection against radiation</i> | | |
| Legal basis | Task resulting from specific powers directly conferred on the Commission by the Euratom Treaty under Chapter III and Article 174. | | |
| 2009 appropriations | | Initial budget | 2 500 000 |
| | | Transfers | 0 |
| | | Total | 2 500 000 |
| Use of appropriations | | Grants | 0 |
| | | Contracts | 1 785 000 |
| Amount of this financing decision | | | 1 785 000 |
| Details of grants (for the record) | | | |
| <i>No grant will be awarded under this budget line.</i> | | | |
| Details of contracts | | | |
| <i>Type</i> | <i>Number</i> | <i>Indicative amount</i> | <i>Date of conclusion of contract</i> |
| Specific contract under a framework contract | Three (3) contracts under framework contracts: one (1) study, one (1) other services and one (1) other case | 510 000 | Q1 (2), Q2 (0), Q3 (1), Q4 (0) |
| Invitations to tender | Five (5) contracts following invitations to tender: Three (3) consultants, one (1) for operational projects and one (1) other services | 710 000 | Q1 (1), Q2 (4), Q3 (0), Q4 (0) |
| Miscellaneous contracts/negotiated procedure | Four (4) other contracts: one (1) for communications, one (1) consultant and two (2) other services. | 565 000 | Q1 (2), Q2 (1), Q3 (1), Q4 (0) |

This appropriation also covers contracts for expenditure relating to the activity ‘conventional and renewable energy with a basic act’. This appropriation is intended to cover expenditure incurred by the Commission for collecting and processing information of all kinds needed for the analysis, definition, promotion, monitoring, evaluation and implementation of an European competitive, safe and sustainable energy policy, of the internal energy market and its extension to third countries, of the energy supply security for all aspects in an 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.

The principal objectives established are to set up a progressive European policy assuring continuous energy supply security, the smooth running of the internal energy market and access to transport networks of energy, the observation of the energy market, analysis of modelling including scenarios on the impact of policies being considered, the strengthening of the rights and protection of energy users, based on general and specific information on global and European energy markets for all energy types.

| | | | |
|---|---|--------------------------|---------------------------------------|
| Budget line | <i>06 04 03 Support activities to the European energy policy and internal energy market</i> | | |
| Legal basis | Regulation (EC) No 1228/2003 of the European Parliament and of the Council of 26 June 2003 on conditions for access to the network for cross-border exchanges in electricity (OJ L 176, 15.7.2003, p. 1). | | |
| 2009 appropriations | Initial budget | 4 000 000 | |
| | Transfers | 0 | |
| | Total | 4 000 000 | |
| Use of appropriations | Grants | 0 | |
| | Contracts | 3 510 000 | |
| Amount of this framework decision | | 3 510 000 | |
| Details of grants (for the record) | | | |
| <i>No grant will be awarded under this budget line.</i> | | | |
| Details of contracts | | | |
| <i>Type</i> | <i>Number</i> | <i>Indicative amount</i> | <i>Date of conclusion of contract</i> |
| Specific contract under a framework contract | Thirteen (13) contracts under framework contracts: ten (10) for studies, one (1) consultant and two (2) contracts for services | 2 150 00 | Q1 (5), Q2 (0), Q3 (8), Q4 (0) |
| Invitations to tender | Four (4) contracts following invitations to tender for studies | 1 000 000 | Q1 (1), Q2 (2), Q3 (0), Q4 (1) |
| Other cases | One (1) for the purchase of data | 360 000 | Q1 (0), Q2 (1), Q3 (0), Q4 (0) |

**C. CONTRACTS AND ADMINISTRATIVE ARRANGEMENTS FOR EXPENDITURE
RELATING TO THE ACTIVITY 'SAFETY AND SECURITY'**

The appropriations under the various budget lines are intended to cover 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 rules and measures required to improve the security of inland, air and sea transport, including their extension to third countries, technical assistance and specific training, as well as a corps of inspectors to check security at airport and port installations in the Member States, including extension to third countries.

They also cover 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 measures and rules and regulations needed in order to enhance energy safety and security, technical assistance and specific training actions. The main objectives of the action are to develop and implement energy safety and security rules.

| | | | |
|---|--|--------------------------|---------------------------------------|
| Budget line | <i>06 07 01 Transport security</i> | | |
| Legal basis | <p>Task resulting from the Commission's prerogatives at institutional level in accordance with Article 49(6)(d) of the Financial Regulation.</p> <p>Regulation (EC) No 2320/2002 of the European Parliament and of the Council of 16 December 2002 establishing common rules in the field of civil aviation security (OJ L 355, 30.12.2002, p. 1).</p> <p>Regulation (EC) No 725/2004 of the European Parliament and of the Council of 31 March 2004 on enhancing ship and port facility security (OJ L 129, 29.4.2004).</p> <p>Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (OJ L 260, 30.9.2008, Article 8(2), p. 18).</p> | | |
| 2009 appropriations | Initial budget | 2 750 000 | |
| | Transfers | 0 | |
| | Total | 2 750 000 | |
| Use of appropriations | Grants | 580 000 | |
| | Contracts | 1 360 000 | |
| Amount of this financing decision | | 1 940 000 | |
| Details of grants | | | |
| <i>The sum of €500 000 is earmarked for a grant linked to a basic act (Annex I, Section B) and a second to a call for proposals in the sum of €80 000 (Annex I, Section A).</i> | | | |
| Details of contracts | | | |
| <i>Type</i> | <i>Number/subject</i> | <i>Indicative amount</i> | <i>Date of conclusion of contract</i> |
| Invitation to tender | Three (3) contracts following invitations to tender: two (2) for studies and one (1) for other services | 530 000 | Q1 (1), Q2 (2), Q3 (0), Q4 (0) |
| Inspections | Two (2) types of security inspections: maritime and aviation (national officials and inspectors) | 830 000 | Q1 (2), Q2 (0), Q3 (0), Q4 (0) |

| | | | |
|---|---|--------------------------|---------------------------------------|
| Budget line | <i>06 07 04 Security of energy installations and infrastructures</i> | | |
| Legal basis | Task resulting from the Commission's prerogatives at institutional level in accordance with Article 49(6)(d) of the Financial Regulation. | | |
| 2009 appropriations | | Initial budget | 250 000 |
| | | Transfers | 0 |
| | | Total | 250 000 |
| Use of appropriations | | Grants | 0 |
| | | Contracts | 250 000 |
| Amount of this financing decision | | | 250 000 |
| Details of grants | | | |
| <i>No grant will be awarded under this budget line.</i> | | | |
| Details of contracts | | | |
| <i>Type</i> | <i>Number/subject</i> | <i>Indicative amount</i> | <i>Date of conclusion of contract</i> |
| Invitation to tender | One (1) invitation to tender for a study | 250 000 | Q1 (1), Q2 (0), Q3 (0), Q4 (0) |

BUDGETARY IMPACT STATEMENT
(see Article 16 of the Internal Rules)

POLICY AREA(S): TRANSPORT & ENERGY

WORK PROGRAMME FOR 2009:

1. BUDGET LINE(S) CONCERNED AND HEADING(S)

| | |
|-----------------|--|
| <u>06 02 03</u> | <u>06 02 03 (Support activities to the European transport policy and passenger rights)</u> |
| <u>06 04 03</u> | <u>Support activities to the European energy policy and internal energy market</u> |
| <u>06 05 01</u> | <u>Nuclear safeguards</u> |
| <u>06 05 02</u> | <u>Nuclear safety and protection against radiation</u> |
| <u>06 07 01</u> | <u>Transport security</u> |
| <u>06 07 04</u> | <u>Security of energy installations and infrastructures</u> |

2. LEGAL BASIS

See Annex II to the Decision.

3. OVERALL FIGURES FOR THE FINANCIAL YEAR (IN EUROS)

▣ 3.a. - Current year (2009)

| | <u>CA</u> | <u>CP</u> |
|---|--------------------------|--------------------------|
| <u>Initial appropriation</u> <u>EUR 27</u> | | |
| <u>06 02 03</u> | <u>17 600 000</u> | <u>14 500 000</u> |
| <u>06 04 03</u> | <u>4 000 000</u> | <u>2 180 000</u> |
| <u>06 05 01</u> | <u>20 200 000</u> | <u>19 000 000</u> |
| <u>06 05 02</u> | <u>2 500 000</u> | <u>1 500 000</u> |
| <u>06 07 01</u> | <u>2 750 000</u> | <u>2 530 000</u> |
| <u>06 07 04</u> | <u>250 000</u> | <u>75 000</u> |
| <u>TOTAL</u> | <u>47 300 000</u> | <u>39 785 000</u> |
| <u>Planned transfers</u> | | |
| | <u>0</u> | <u>0</u> |
| <u>TOTAL APPROPRIATIONS</u> | <u>47 300 000</u> | <u>39 785 000</u> |
| <u>Amount for the proposed action</u> | <u>40 130 000</u> | <u>12 039 000</u> |

▣ 3.b. - Carryovers

Not applicable.

▣ 3.c. - Next year

Not applicable.

4. DESCRIPTION OF THE ACTION

See Annex II to the Decision

5. CALCULATION METHOD USED

Not applicable.

6. SCHEDULE OF PAYMENTS (IN EUROS)

| Line | Commitments | Payments | | | | |
|--------------|-------------------|---------------------|-------------------|-------------------|----------|------------------|
| | | Year n ⁷ | Year n+1 | Year n+2 | Year n+3 | Subsequent years |
| 06 02 03 | 13 025 000 | 3 907 500 | 5 210 000 | 3 907 500 | | |
| 06 04 03 | 3 510 000 | 1 053 000 | 1 404 000 | 1 053 000 | | |
| 06 05 01 | 20 200 000 | 6 060 000 | 8 080 000 | 6 060 000 | | |
| 06 05 02 | 1 785 000 | 535 500 | 714 000 | 535 500 | | |
| 06 07 01 | 1 360 000 | 408 000 | 544 000 | 408 000 | | |
| 06 07 04 | 250 000 | 75 000 | 175 000 | | | |
| Total | 40 130 000 | 12 039 000 | 16 127 000 | 11 964 000 | | |

⁷ Year n is 2009.

POLICY AREA(S): TRANSPORT & ENERGY

FINANCING DECISION FOR GRANTS

1. BUDGET LINE(S) CONCERNED AND HEADING(S)

06 02 03 **Transport safety**

06 07 01 **Transport security**

2. LEGAL BASIS

06 02 03 Transport safety

Task resulting from the Commission's institutional prerogatives, as provided for in Article 49(2) of Council Regulation (EC, Euratom) No 1995/2006 of 13 December 2006 amending Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (OJ L 390, 30.12.2006, p. 1).

06 07 01 Transport security

Task resulting from the Commission's prerogatives at institutional level in accordance with Article 49(6) of the Financial Regulation.

Regulation (EC) No 2320/2002 of the European Parliament and of the Council of 16 December 2002 establishing common rules in the field of civil aviation security (OJ L 355, 30.12.2002, p. 1), as last amended by Regulation (EC) No 849/2004 (OJ L 158, 30.4.2004, p. 1).

Regulation (EC) No 725/2004 of the European Parliament and of the Council of 31 March 2004 on enhancing ship and port facility security (OJ L 129, 29.4.2004, p. 6).

Directive 2005/65/EC of the European Parliament and of the Council of 26 October 2005 on enhancing port security (OJ L 310, 25.11.2005, p. 28).

3. OVERALL FIGURES FOR THE FINANCIAL YEAR (IN EUROS)

▣ 3.a. - Current year

06 02 03 Transport safety

| | | CA |
|---|-------------|-------------------|
| Initial appropriation for the year | EUR 27 | 17 600 000 |
| Transfers | | 0 |
| Additional appropriations (third-party contributions) | | 0 |
| Total appropriation | EUR 27 | 17 600 000 |
| Appropriations already reserved by another work programme (contract framework decision) | <i>Date</i> | 13 025 000 |
| Balance available | EUR 27 | 4 575 000 |
| Amount covered by the framework decision | | 900 000 |

06 07 01 Transport security

| | | CA |
|---|-------------|------------------|
| Initial appropriation for the year | EUR 27 | 2 750 000 |
| Transfers | | 0 |
| Additional appropriations (third-party contributions) | | 0 |
| Total appropriation | EUR 27 | 2 750 000 |
| Appropriations already reserved by another work programme (contract framework decision) | <i>Date</i> | 1 360 000 |
| Balance available | EUR 27 | 1 390 000 |
| Amount covered by the framework decision | | 580 000 |

▣ **3.b. - Carryovers**

Not applicable.

▣ **3.c. - Next year**

Not applicable.

4. DESCRIPTION OF THE ACTION

See Annex I to the Decision

5. CALCULATION METHOD USED

Not applicable.

6. SCHEDULE OF PAYMENTS (IN EUROS)

| Line | Commitments | Payments | | | | |
|--------------|------------------|----------------|------------------|----------|----------|------------------|
| | | Year n | Year n+1 | Year n+2 | Year n+3 | Subsequent years |
| 06 02 03 | 900 000 | 270 000 | 630 000 | | | |
| 06 07 01 | 580 000 | 174 000 | 406 000 | | | |
| Total | 1 480 000 | 444 000 | 1 036 000 | | | |