



Brussels, 13.11.2015
C(2015) 7678 final

COMMISSION IMPLEMENTING DECISION

of 13.11.2015

on the individual measure in favour of South Africa to be financed from the general budget of the European Union

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THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action¹, and in particular Article 2 (1) thereof,

Having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002², and in particular Article 84(2) thereof,

Whereas:

- (1) The Commission has adopted the Multiannual Indicative Programme (MIP) between the Republic of South Africa and the European Union for the period 2014-2020³, points 1.3 and following of which provide for the following priorities: 1) Employment creation; 2) Education, training and innovation; 3) Building a capable and developmental state. At point 5, the MIP mentions the need for support measure (such as the Technical Cooperation Facility) to be put in place: to accompany the programming, preparation, implementation, monitoring, and evaluation and audit of previous, on-going, and planned actions, where funds are not available within on-going projects or the sectoral allocations mentioned above.
- (2) The objectives pursued by the measure to be financed under the Development Cooperation Instrument⁴ are to ensure that cross-cutting issues including gender and women's empowerment, environment and climate change, HIV and AIDS, and other issues (including disability and good governance) are fully addressed in all the programming processes. In addition, the Technical Cooperation Facility may be used for ad-hoc actions that are consistent with the overall objectives of South Africa-EU collaboration, such as the promotion of dialogue, if deemed appropriate.
- (3) Action entitled Technical Cooperation Facility I (TCF) will accompany the programming, implementation, monitoring, auditing and evaluation of previous, on-going and planned actions. The TCF will allow the Delegation to respond swiftly and with flexibility to ad hoc requirements recurrent in the evolving context of cooperation with South Africa. The TCF will be used to expedite the mobilisation of technical assistance as well as capacity building, awareness and visibility support via trainings,

¹ OJ L 77, 15.3.2014, p. 95.

² OJ L 298, 26.10.2012, p. 1.

³ Commission Decision C(2014)5703

⁴ Regulation (EU) No 233/2014 of the European Parliament and of the Council establishing a financing instrument for development cooperation for the period 2014-2020 (OJ L 77, 15.3.2014, p. 44).

conferences and seminars in the implementation of all aspects of EU-South Africa cooperation and of Official Development Assistance related matters.

- (4) It is necessary to adopt a financing decision the detailed rules of which are set out in Article 94 of Commission Delegated Regulation (EU) No 1268/2012⁵.
- (5) It is necessary to allow the payment of interest due for late payment on the basis of Article 92 of Regulation (EU, Euratom) No 966/2012 and Article 111(4) of Delegated Regulation (EU) No 1268/2012.
- (6) Pursuant to Article 94(4) of Delegated Regulation (EU) No 1268/2012, the Commission should define changes to this Decision which are not substantial in order to ensure that any such changes can be adopted by the authorising officer responsible.
- (7) The measure provided for in this Decision does not fall in the categories of measures for which the prior opinion of the Committee is required. The European Parliament and the Development Cooperation Instrument Committee set up by Article 19 should be informed of this Decision within one month following its adoption.

HAS DECIDED AS FOLLOWS:

Article 1

Adoption of the measure

The individual measure in favour of South Africa to be financed from the general budget of the European Union, as set out in the Annex, is approved.

The measure shall include the following action :

- Annex : Technical Cooperation Facility I (TCF)

Article 2

Financial contribution

The maximum contribution of the European Union for the implementation of the measure referred to in Article 1 is set at EUR 4 995 000 and shall be financed from budget line 21.020600 of the general budget of the European Union for 2015.

The financial contribution provided for in the first paragraph may also cover interest due for late payment.

Article 3

Implementation modalities

The section “Implementation” of the Annex to this Decision sets out the elements required by Article 94(2) of Delegated Regulation (EU) No 1268/2012.

Article 4

Non-substantial changes

⁵ Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (OJ L 362, 31.12.2012, p. 1).

Increases or decreases not exceeding 20 % of the contribution set by the first paragraph of Article 2, or cumulated changes to the allocations of specific actions not exceeding 20 % of that contribution, as well as extensions of the implementation period shall not be considered substantial within the meaning of Article 94(4) of Delegated Regulation (EU) No 1268/2012, provided that they do not significantly affect the nature and objectives of the actions. The use of contingencies shall be taken into account in the ceiling set by this Article.

The authorising officer responsible may adopt such non-substantial changes in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 13.11.2015

For the Commission
Neven MIMICA
Member of the Commission