



Brussels, 18.12.2012
C(2012) 9442 final

COMMISSION IMPLEMENTING DECISION

of 18.12.2012

**concerning the adoption of the 2013 work programme for the implementation of the
Entrepreneurship and Innovation Programme, serving as a financing decision**

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THE EUROPEAN COMMISSION,

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

Having regard to 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)¹, and in particular the first subparagraph of Article 5(1) thereof,

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 Union², and in particular Articles 53a, 75, 108a and 110 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, and in particular Articles 90, 168(1) and 181 thereof,

Whereas:

- (1) An annual work programme for the implementation of the Entrepreneurship and Innovation Programme is to set out in detail the elements laid down in Article 25 of Decision No 1639/2006/EC in accordance with the objectives set out in Article 10 of that Decision.
- (2) This Decision should allow for the award of grants in the form of flat rate financing for the reasons and amounts set out in the work programme.
- (3) It is appropriate to authorise grants without a call for proposals, as set out in Article 168.1 (c) and (f) of the Regulation No 2342/2002, to eligible National Administrations in charge of tourism, on account of their administrative power; to the Lithuanian government or its representative for the organization of the annual conference of the Enterprise Europe Network, implementing article 21 and Annex III of the of Decision No 1639/2006/EC, as Lithuania will hold the Union Council Presidency in 2nd half 2013; and to the European Patent Office (EPO), on account of its technical competence and its high degree of specialization in quality machine translations services for patents.

¹ OJ L 310, 9.11.2006, p. 15.

² OJ L 248, 16.9.2002, p. 1.

³ OJ L 357, 31.12.2002, p. 1.

- (4) The use of indirect centralised management mode is justified as per Commission Decision of 9 July 2007 delegating powers to the “Executive Agency for Competitiveness and Innovation” with a view to performance of tasks linked to implementation of the Intelligent Energy-Europe Programme 2003-2006, the Marco Polo Programme 2003-2006, the Competitiveness and Innovation Framework Programme 2007-2013 and the Marco Polo Programme 2007- 2013 comprising in particular implementation of appropriations entered in the Community budget⁴.
- (5) Evidence of the existence and proper operation of the elements listed in Article 56 of Regulation (EC, Euratom) No 1605/2002, within the Executive Agency for Competitiveness and Innovation (hereinafter 'EACI'), has been obtained by the authorising officer by delegation.
- (6) In accordance with Article 53d of Regulation (EC, Euratom) No 1605/2002, evidence has been obtained by the authorising officer that the international organisations to be entrusted with the implementation of the Union budget by joint management, apply standards which offer guarantees equivalent to internationally accepted standards in their accounting, internal control and procurement procedures.
- (7) This Decision should allow for the payment of interest due for late payment on the basis of Article 83 of Regulation (EC, Euratom) No 1605/2002 and Article 106(5) of Regulation (EC, Euratom) No 2342/2002.
- (8) For the application of this Decision it is appropriate to define the term 'substantial change' within the meaning of Article 90(4) of Regulation (EC, Euratom) No 2342/2002.
- (9) The activities covered by the annual work programme should be carried out in close cooperation with the third countries participating in the Entrepreneurship and Innovation Programme
- (10) The measures provided for in this Decision are in accordance with the opinion of the Committee for the Entrepreneurship and Innovation Programme.

HAS DECIDED AS FOLLOWS:

Article 1

The 2013 work programme for the implementation of the Entrepreneurship and Innovation Programme established by Decision No 1639/2006/EC (hereinafter 'work programme'), as set out in the Annex to this Decision, is adopted.

Article 2

The maximum contribution for the work programme is set at EUR 376 669 628, and shall be financed from the following lines of the General Budget of the European Union for 2013:

- budget line 01 04 04: EUR 214 975 330;

⁴ C(2007) 3198 final.

- budget line 02 01 04 30: EUR 8 065 298;
- budget line 02 02 01: EUR 153 629 000.

These appropriations shall cover interest due for late payment.

The implementation of this Decision is subject to the availability of the appropriations provided for in the draft budget for 2013 after the adoption of the budget for 2013 by the budgetary authority or provided for in the provisional twelfths.

Article 3

The budget implementation of tasks related to actions to be carried out by indirect centralised management, as set out in the work programme, shall be entrusted to the Executive Agency for Competitiveness and Innovation.

Article 4

Cumulated changes to the allocations to the specific actions not exceeding 20% of the maximum contribution set in Article 2 are not considered to be substantial within the meaning of Article 90(4) of Regulation (EC, Euratom) No 2342/2002 where those changes do not significantly affect the nature and objective of the work programme.

The authorising officer may adopt such changes in accordance with the principle of sound financial management and the principle of proportionality.

Article 5

The budget implementation of tasks related to actions to be carried out by joint management, as identified in the work programme, may be entrusted to the international organisations referred to in the Annex.

Article 6

Grants may be awarded as flat-rate financing, in accordance with the conditions and for the amounts set out in the Annex.

Article 7

Grants may be awarded without a call for proposals to the bodies identified in the Annex, in accordance with the conditions specified therein.

Article 8

In grants awarded under the measure number ENT/CIP/13/D/N01S00 set out in the Annex (Eco-innovation first application and market replication projects), the financial contribution

related to the travel costs may take the form of flat-rate financing of 4% of direct eligible costs. The maximum amount per grant authorized for this form of funding shall not exceed EUR 60 000.

Article 9

In grants for the action "Erasmus for Entrepreneurs", and in grants for the action "100 entrepreneurs - Exchange Europe – Brazil" under measure number ENT/CIP/13/E/N01C00 set out in the Annex, grants shall combine reimbursement of a certain proportion of eligible costs actually incurred for managing the programme and supporting mobility actions and flat-rate amounts for the financial assistance allocated to new entrepreneurs participating in a mobility action.

The rate of Union co-financing shall be up to 90 % of eligible costs incurred by the intermediary organisations. The European Union contribution shall not exceed 75 % of the programme management costs but may be up to 100 % of the sum allocated to new entrepreneurs participating in a mobility action. Financial assistance to new entrepreneurs participating in a mobility action shall take the form of a flat rate financing of maximum EUR 6 600 per entrepreneur within the limit of EUR 500 000 by grant.

Done at Brussels, 18.12.2012

For the Commission
Antonio TAJANI
Vice-President