

COMMISSION DECISION
C(2009)10269 of 18/12/2009

**on the Regional Capacity Building Initiative III to be financed under Article 19 08 02 01
of the general budget of the European Union**

THE EUROPEAN COMMISSION,

Having regard to the Treaties on the European Union and on the Functioning of the European Union,

Having regard to Regulation (EC) N°1638/2006 of the European Parliament and the Council of 24 October 2006, laying down general provisions establishing a European Neighbourhood and Partnership Instrument¹, and in particular Article 12(1) and (3) thereof,

Whereas:

- (1) The Commission has adopted the Cross-Border Co-operation Strategy Paper and the Multiannual Indicative Programme for the period 2007/2010², point 6.6, which foresees the need for Regional Capacity Building Initiative in the partner countries. The need for support is particularly strong in the partner countries in the Mediterranean region where no previous experience of cross border cooperation exist.
- (2) The objectives pursued by the Regional Capacity Building Initiative are to build up the capacity of local and regional authorities in project development and management terms in the eligible regions.
- (3) The present decision constitutes a financing decision within the meaning of Article 75 of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities³ and Article 90 of Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of the Financial Regulation applicable to the general budget of the European Communities⁴.
- (4) The maximum contribution of the European Union set by the present decision should cover any possible claims for interest due for late payment on the basis of articles 83 of the Financial Regulation and 106(5) of its Implementing Rules.
- (5) It is appropriate to define the term “substantial change” in the meaning of Article 90 (4) Regulation (EC, Euratom) No 2342/2002 for the application of this decision.

¹ OJ L 310, 9.11.2006 p 1.

² PE/2007/294

³ OJ L 248 of 16.09.2002 p. 1.

⁴ OJ L 357 of 31.12 2002, p.1.

- (6) The measures provided for in this decision are in accordance with the opinion of the ENPI Committee set up under Article 26 of Regulation (EC) No 1638-2006,

HAS ADOPTED THIS DECISION:

Article 1

The Action "Regional Capacity Building Initiative III" [ENPI CBC], the text of which is set out in the attached Annexes, is approved.

Article 2

The maximum contribution of the European Union for the period 2010 – 2013 is set at EUR 3,000,000 to be financed from budget line 19 08 02 01 of the general budget of the European Union for 2009.

Article 3

Within the global indicative budget of all the specific actions, cumulated changes not exceeding 20% of the maximum contribution of the European Union shall not be considered substantial, provided that they do not significantly affect the nature and objectives of the special measure.

The authorising officer by delegation may introduce non substantial changes to the special measure in accordance with the principles of sound financial management.

This decision shall also cover any possible interest due for late payment.

Article 4

This decision is addressed to the responsible authorizing officers.

Done at Brussels,

For the Commission
Benita FERRERO-WALDNER
Member of the Commission

ANNEX I

Annex: Action fiche for the ENPI CBC Regional Capacity Building Initiative III