

EUROPEAN
COMMISSION

Brussels, 12.2.2015
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COMMISSION DECISION

of 12.2.2015

amending Commission Decision C (2013) 9189 delegating powers to the Education, Audiovisual and Culture Executive Agency with a view to performance of tasks linked to the implementation of Union programmes in the field of education, audiovisual and culture comprising, in particular, implementation of appropriations entered in the general budget of the Union and of the European Development Fund (EDF) allocations

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THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes¹ and in particular Article 6 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 Union² and in particular Article 56(1) and Article 62 thereof,

Having regard to the following instruments:

- Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument³;
- Regulation (EU) No 234/2014 of the European Parliament and of the Council of 11 March 2014 establishing a Partnership Instrument for cooperation with third countries⁴;

Whereas:

- (1) Taking account of the cost-benefit analysis for the delegation of certain tasks regarding the implementation of Union Programmes 2014-2020 to the executive agencies, Commission Implementing Decision 2013/776/EU of 18 December 2013⁵ established the Education, Audiovisual and Culture Executive Agency (hereinafter “the Agency”) until 31 December 2024 and made the Education, Audiovisual and Culture Executive Agency responsible for implementing parts of the following Union programmes and actions:

- Creative Europe;
- Erasmus+;
- Europe for Citizens;
- EU Aid Volunteers initiative;

¹ OJ L 11, 16.1.2003, p.1.

² OJ L 298, 26.10.2012, p.1.

³ OJ L 77 15.3.2014, p.27.

⁴ OJ L 77 15.3.2014, p.77.

⁵ OJ L 343, 19.12.2013, p. 46.

- And projects in the field of higher education falling under external cooperation instruments.
- (2) In accordance with Article 6(3) of Regulation (EC) No 58/2003, the Commission has defined the terms, criteria, parameters and procedures with which an executive agency must comply when implementing the delegated programmes, i.e. Commission Decision C (2013) 9189 of 18 December 2013 delegating powers to the Education, Audiovisual and Culture Executive Agency with a view to performance of tasks linked to the implementation of Union programmes in the field of education, audiovisual and culture comprising, in particular, implementation of appropriations entered in the general budget of the Union and of the European Development Fund (EDF) allocations, as amended by Commission Decision C(2014) 4084 of 25 June 2014.
 - (3) In view of Commission Decision SEC (2014) 572 of 5.11.2014 on the 2014 Package of Organisation Chart Changes Implementing the President's Decisions on the Attribution of Portfolios, Commission Decision C (2013) 9189 needs to reflect the new parent Directorates General of the Agency. Decision SEC (2014)572 takes effect from 1 January 2015.
 - (4) In accordance with President Decision C(2014)9000 of 1 November 2014 on the organisation of responsibilities of the Members of the Commission and the accompanying administrative and budgetary decisions of 5 November 2014⁶, it is necessary to delete the reference to the internal audit function in the executive agencies as from 1 March 2015.
 - (5) In view of the adoption of Regulation (EU) No 232/2014 establishing a European Neighbourhood Instrument and of Commission Implementing Decision C(2014) 6316 of 11.9.2014 on the Annual Action Programme 2014 (part 2) in favour of Jordan to be financed from the general budget of the European Union including "Special Window for Jordan in the Capacity Building for Higher Education component of Erasmus+ in 2014", Erasmus+ actions in Jordan are to be supported by the European Neighbourhood Instrument.
 - (6) In view of the adoption of Regulation (EU) No 234/2014, and of Commission Implementing Decision C(2014)7423 on the 2014 Partnership Instrument Annual Action Programme for cooperation with third countries to be financed from the general budget of the European Union, Jean Monnet actions in partner countries are to be supported by the Partnership Instrument.
 - (7) In view of the adoption of Regulation (EU) No 231/2014, and of Commission Implementing Decision C(2014) 9407 of 10.12.2014 adopting a Multi-country Action Programme for the year 2014, the Western Balkans Youth Window under Erasmus+ is to be supported by the Instrument for Pre-accession.
 - (8) It is therefore necessary to amend Annex VI to include the budget headings corresponding to these three actions.
 - (9) As regards the Erasmus+ Charter, it is necessary to clarify the delineation of tasks between the Commission and the Agency.

⁶ PV(2014)2104

HAS ADOPTED THIS DECISION:

Article 1

Commission Decision C (2013) 9189 is amended as follows:

1. Article 2 is replaced by the following:

"The following Directorates-General shall be the parent Directorates-General of the Agency:

- Directorate-General for Education and Culture;
- Directorate-General for Migration and Home Affairs;
- Directorate-General for Communications Networks, Content and Technology;
- Directorate-General for Humanitarian Aid and Civil Protection (ECHO).

In that capacity, they shall handle relations between the Commission and the Agency and shall be responsible for monitoring and supervising the Agency in accordance with Section 5."

2. Annexes I and VI of Decision C (2013) 9189 are amended as detailed in the Annex to this Decision.

3. Regarding the Internal Audit Capability, the following amendments are required:

- (a) Article 25 of Decision C (2013) 9189 is deleted and the following articles accordingly renumbered;
- (b) In Article 3(2), letter (f) is deleted;
- (c) In Article 20(1), letter (g), the reference to the IAC is deleted and the text of this letter is amended as follows: "(g) summary of the number and type of audits conducted by the Internal Audit Service and the European Court of Auditors, the recommendations made and the status of the actions".

Article 2

Date of application

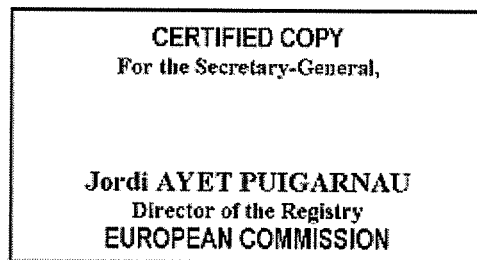
Article 1(1) and 1(2) of this decision shall apply from 1 January 2015.

Article 1(3) of this decision shall apply from 1 March 2015.

Article 3

This Decision is addressed to the Education, Audiovisual and Culture Executive Agency.
Done at Brussels, 12.2.2015

For the Commission
Tibor NAVRACSICS
Member of the Commission



ANNEX

Amendment 1

Annex I to Commission Decision C (2013) 9189 is amended as follows:

1. Following the introductory paragraph "Parts of the programme which are delegated", the following paragraph is inserted:

"The Agency shall implement the international dimension of these actions where appropriations are made available to the Agency, which constitute a marginal increase in the level of the operational appropriations managed by the Agency for tasks of the same nature, from the budget lines corresponding to the international cooperation instruments listed in Commission Implementing Decision of 2013/776/EU."

2. In paragraph 3.2, the text of the bullet related to the Erasmus Charter for Higher Education is amended as follows:

- "Erasmus Charter for Higher Education (ECHE): the general operational management, including the implementation of the entire selection and evaluation process, the preparation of the award and rejection decisions, the notification of selection results to applicants, and the maintenance of an updated ECHE database following splits or mergers of higher education institutions;
- The European Commission remains responsible for:
 - Consultations with National authorities and National Agencies during the eligibility check of the candidates;
 - Adoption of decisions awarding or withdrawing the charter and decisions rejecting applications;
 - Following-up/ monitoring of the ECHE implementation, including acceptance of reports and other deliverables."

Amendment 2

Annex VI to Commission Decision C (2013) 9189 is amended to add the following budget lines of which part of the appropriations corresponding to the tasks entrusted to the Agency shall be implemented by the Agency:

19 05 01 -
Cooperation with third countries to advance and promote European Union and mutual interests
21 03 01 01
European Neighbourhood Instrument (ENI) – Mediterranean Countries – Human Rights and Mobility
22 02 04 01
Multi-country programmes, regional integration and territorial cooperation