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**COMMISSION IMPLEMENTING DECISION**

**of 10.7.2020**

**amending Implementing Decision C(2014) 10221 approving certain elements of the operational programme "Technical Assistance" for support from the European Regional Development Fund under the Investment for growth and jobs goal in Romania**

**CCI 2014RO16RFTA001**

(ONLY THE ENGLISH TEXT IS AUTHENTIC)

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**amending Implementing Decision C(2014) 10221 approving certain elements of the operational programme "Technical Assistance" for support from the European Regional Development Fund under the Investment for growth and jobs goal in Romania**

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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 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006<sup>1</sup>, and in particular Article 96(10) thereof,

Whereas:

- (1) By Commission Implementing Decision C(2014) 10221, as last amended by Commission Implementing Decision C(2020) 256, certain elements of the operational programme "Technical Assistance" for support from the European Regional Development Fund ('ERDF') under the Investment for growth and jobs goal in Romania were approved.
- (2) On 29 June 2020 Romania submitted, through the electronic data exchange system of the Commission, a request for an amendment to the operational programme. The request was accompanied by a revised operational programme, in which Romania proposed an amendment to the elements of the operational programme referred to in points (c)(iii) and (iv), and (d) of the first subparagraph of Article 96(2) of Regulation (EU) No 1303/2013, all subject to Implementing Decision C(2014) 10221.
- (3) Pursuant to Article 25a(1) of Regulation (EU) No 1303/2013, Romania requests to apply a co-financing rate of 100% to expenditure declared in payment applications during the accounting year starting on 1 July 2020 and ending on 30 June 2021 for all priority axes of this operational programme.
- (4) Pursuant to Article 25a(3) of Regulation (EU) No 1303/2013, Romania requests the transfer of the ERDF resources available for programming for the year 2020 from the less developed regions category to the more developed regions category from the operational programme "Large Infrastructure" (CCI 2014RO16M1OP001) to this operational programme.

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<sup>1</sup> OJ L 347, 20.12.2013, p. 320.

- (5) The amendment to the operational programme consists also in reallocation of the ERDF resources from the operational programme "Large Infrastructure" to this operational programme to finance future programming period project preparation and support future managing authorities. Output indicators were modified accordingly.
- (6) In accordance with Article 30(1) of Regulation (EU) No 1303/2013, the request for the amendment to the operational programme is duly justified by the need to temporarily alleviate the burden on public budgets responding to the crisis situation related to the COVID-19 outbreak. The request to transfer the ERDF resources between categories of regions is duly justified by the fact that the budgetary burden on more developed agglomerations due to responding to the current public health crisis does not allow to support the future managing authority of the more developed region in the preparation of the future programming period. The amendment to the operational programme sets out the expected impact of the changes to the programme on achieving the Union's strategy for smart, sustainable and inclusive growth and the specific objectives defined in the programme, taking account of Regulation (EU) No 1303/2013, Regulation (EU) No 1301/2013 of the European Parliament and of the Council<sup>2</sup>, and the horizontal principles referred to in Articles 5, 7 and 8 of Regulation (EU) No 1303/2013.
- (7) In accordance with point (e) of Article 110(2) of Regulation (EU) No 1303/2013, the monitoring committee by written procedure on 23 June 2020 examined and approved the proposal for the amendment to the operational programme, taking into account the text of the revised operational programme and its financing plan.
- (8) The Commission assessed the revised operational programme and did not make observations pursuant to the second sentence of the first subparagraph of Article 30(2) of Regulation (EU) No 1303/2013.
- (9) The amended elements of the revised operational programme subject to the Commission's approval under Article 96(10) of Regulation (EU) No 1303/2013 should therefore be approved.
- (10) For reasons of clarity, it is appropriate to indicate the date as of which expenditure that is not related to operations fostering crisis response capacities in the context of the COVID-19 outbreak but becomes eligible as a result of the amendment to the operational programme is to be eligible in accordance with Article 65(9) of Regulation (EU) No 1303/2013.
- (11) Implementing Decision C(2014) 10221 should therefore be amended accordingly,
- HAS ADOPTED THIS DECISION:

### *Article 1*

Implementing Decision C(2014) 10221 is amended as follows:

1. in Article 1, the introductory sentence is replaced by the following:

"The following elements of the operational programme "Technical Assistance" for support from the ERDF under the Investment for growth and jobs goal in Romania for the period from 1 January 2014 to 31 December 2020, submitted in its final

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<sup>2</sup> Regulation (EU) No 1301/2013 of the European Parliament and of the Council of 17 December 2013 on the European Regional Development Fund and on specific provisions concerning the Investment for growth and jobs goal and repealing Regulation (EC) No 1080/2006 (OJ L 347, 20.12.2013, p. 289).

version on 17 December 2014, as last amended by the revised operational programme submitted in its final version on 29 June 2020, are hereby approved:";

2. in Article 4, paragraph 2 is replaced by the following:

"2. The total financial appropriation for the operational programme is set at EUR 332 765 958 to be financed from the following specific budget lines in accordance with the nomenclature of the General Budget of the European Union for 2014:

13 03 60: EUR 320 170 639 (ERDF – Less developed regions);

13 03 62: EUR 12 595 319 (ERDF – More developed regions).";

3. Annex I is replaced by the text set out in Annex I to this Decision;
4. Annex II is replaced by the text set out in Annex II to this Decision.

#### *Article 2*

Expenditure that is not related to operations fostering crisis response capacities in the context of the COVID-19 outbreak but becomes eligible as a result of the amendment to the operational programme "Technical Assistance" approved by this Decision is eligible from 29 June 2020.

#### *Article 3*

This Decision is addressed to Romania.

Done at Brussels, 10.7.2020

*For the Commission*

*Elisa FERREIRA*

*Member of the Commission*

