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COMMISSION IMPLEMENTING DECISION

of 10.8.2020

amending Implementing Decision C(2015) 1290 approving certain elements of the operational programme "Administrative Capacity" for support from the European Social Fund under the Investment for growth and jobs goal in Romania CCI [2014RO05SFOP001]

(ONLY THE ENGLISH TEXT IS AUTHENTIC)

COMMISSION IMPLEMENTING DECISION

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amending Implementing Decision C(2015) 1290 approving certain elements of the operational programme "Administrative Capacity" for support from the European Social Fund under the Investment for growth and jobs goal in Romania

CCI [2014RO05SFOP001]

(ONLY THE ENGLISH TEXT IS AUTHENTIC)

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 1083/2006¹, and in particular Article 96(10) thereof,

Having consulted the ESF Committee,

Whereas:

- (1) By Commission Implementing Decision C(2015) 1290, as last amended by Commission Implementing Decision C(2017) 1290, certain elements of the operational programme "Administrative Capacity" for support from the European Social Fund ('ESF') under the Investment for growth and jobs goal in Romania were approved.
- (2) On 20 December 2019, 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 point (d) of the first subparagraph of paragraph 2 of Article 96 of Regulation (EU) No 1303/2013 subject to Implementing Decision C(2015) 1290.
- (3) Pursuant to Article 22(2) of Regulation (EU) No 1303/2013, the Commission determined that some priorities of the operational programme have not achieved their milestones; as a consequence, Romania was to propose to reallocate the corresponding amount of the performance reserve to the priorities that have achieved their milestones.

¹ OJ L 347, 20.12.2013, p. 320.

- (4) The amendment of the operational programme consists in the reallocation of the performance reserve amount of EUR 11 261 859 from the non-performing priority axis 2 to the performing priority axis 1.
- (5) The amendment of the operational programme consists also in the reallocation of the performance reserve amount (ESF) of EUR 10 396 987 from the non-performing priority axes 2 (EUR 1 002 680), 3 (EUR 1 350 450), 4 (EUR 3 294 567), 5 (EUR 327 896) and 6 (EUR 4 421 394), more developed regions, of the operational programme “Human Capital” (CCI 2014RO05M9OP001), to the performing priority axis 1, more developed regions, of the operational programme “Administrative Capacity” (CCI 2014RO05SFOP001).
- (6) The amendment to the operational programme consists in the reallocation of the performance reserve amount that in line with the fifth paragraph of Article 76 of Regulation (EU) No 1303/2013 is to be made available again on the following budgetary line for this operational programme in accordance with the nomenclature of the General Budget of the European Union for 2014.
- (7) 04 02 62: EUR 10 396 987 (ESF – More developed regions).
- (8) 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 reallocation of the performance reserve due to non-achievement of the milestones by some priority axes and 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 and Regulation (EU) No 1304/2013 of the European Parliament and of the Council² and the horizontal principles referred to in Articles 5, 7 and 8 of Regulation (EU) No 1303/2013.
- (9) Pursuant to the fifth paragraph of Article 76 of Regulation (EU) No 1303/2013 this decision constitutes the basis to make the appropriations relating to the performance reserve and de-committed under the operational programme “Human Capital” (CCI 2014RO05M9OP001) available again under the operational programme “Administrative Capacity” (CCI 2014RO05SFOP001).
- (10) In accordance with point (e) of Article 110(2) of Regulation (EU) No 1303/2013, the monitoring committee at its meeting of 30 October 2019 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.
- (11) 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) or the first sentence of Article 30(3) of Regulation (EU) No 1303/2013.
- (12) 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.
- (13) Implementing Decision C(2015) 1290 should therefore be amended accordingly,

² Regulation (EU) No 1304/2013 of the European Parliament and of the Council of 17 December 2013 on the European Social Fund and repealing Council Regulation (EC) No 1081/2006 (OJ L 347, 20.12.2013, p. 470).

HAS ADOPTED THIS DECISION:

Article 1

Implementing Decision C(2015) 1290 is amended as follows:

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

“The following elements of the operational programme “Administrative Capacity” for support from the ESF Fund 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 version on 25 February 2015, as last amended by the revised operational programme submitted in its final version on 20 December 2019, 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 563,588,476.00, to be financed from the following specific budget lines in accordance with the nomenclature of the General Budget of the European Union for 2014:

04 02 60: EUR 451,419,312.00 (ESF – Less developed regions);

04 02 62: EUR 112,169,164.00 (ESF – 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

This Decision is addressed to Romania.

Done at Brussels, 10.8.2020

For the Commission

Nicolas SCHMIT

Member of the Commission



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“ANNEX I

Total financial appropriation from the ESF and the amounts related to the performance reserve

2014RO05SFOP001

Table 17

Fund	Category of region	2014		2015		2016		2017		2018		2019		2020		Total	
		Main allocation	Performance reserve	Main allocation	Performance reserve	Main allocation	Performance reserve	Main allocation	Performance reserve	Main allocation	Performance reserve	Main allocation	Performance reserve	Main allocation	Performance reserve	Main allocation	Performance reserve
ESF	Less developed	50,365,060.00	3,214,791.00	54,002,600.00	3,446,975.00	57,989,320.00	3,701,446.00	61,097,843.00	3,899,862.00	64,112,234.00	4,092,270.00	67,007,726.00	4,277,089.00	69,759,370.00	4,452,726.00	424,334,153.00	27,085,159.00
ESF	More developed	12,823,326.00	818,510.00	13,099,322.00	836,127.00	13,380,892.00	854,099.00	13,660,676.00	871,958.00	13,944,474.00	890,073.00	14,232,444.00	908,454.00	14,524,713.00	11,324,096.00	95,665,847.00	16,503,317.00
Total		61,188,386.00	4,033,301.00	67,101,922.00	4,283,102.00	71,370,212.00	4,555,545.00	74,758,519.00	4,771,820.00	78,056,708.00	4,982,343.00	81,240,170.00	5,185,543.00	84,284,083.00	15,776,822.00	520,000,000.00	43,588,476.00

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“ANNEX II

Total financial appropriation for the support from the ESF, the national co-financing for the operational programme and for each priority axis and the amounts related to the performance reserve

CCI: 2014RO05SFOP001

Table 18a: Financing Plan

Priority axis	Fund	Category of region	Basis for calculation of Union support (Total eligible cost or public eligible cost)	Union support	National counterpart	Indicative breakdown of national counterpart		Total funding	Co-financing rate	100% co-financing rate for accounting year 2020-2021*	For information EIB contributions	Main allocation (total funding less performance reserve)		Performance reserve		Performance reserve amount as proportion of total Union support
						National public funding	National private funding					Union support	National counterpart	Union support	National counterpart	
				(a)	(b) = (c) + (d) (1)	(c)	(d)	(e) = (a) + (b)	(f) = (a)/(e) (2)		(g)	(h)=(a)-(j)	(i) = (b) – (k)	(j)	(k)= (b) * ((j)/(a))	(l) = (j)/(a) *100
AP 1	ESF	Less developed	Public	272,281,145.00	48,049,614.00	48,049,614.00	0.00	320,330,759.00	84.9999999532 %	<input type="checkbox"/>	0.00	245,195,986.00	43,269,880.00	27,085,159.00	4,779,734.00	9.95%
AP 1	ESF	More developed	Public	75,760,680.00	18,940,171.00	18,940,171.00	0.00	94,700,851.00	79.9999991552 %	<input type="checkbox"/>		59,257,363.00	14,814,342.00	16,503,317.00	4,779,734.00	21.78%
AP 2	ESF	Less developed	Public	142,280,099.00	25,108,254.00	25,108,254.00	0.00	167,388,353.00	84.9999993727 %	<input type="checkbox"/>	0.00	142,280,099.00	25,108,254.00	0.00	0.00	0.00%
AP 2	ESF	More developed	Public	34,155,699.00	8,538,925.00	8,538,925.00	0.00	42,694,624.00	79.9999995316 %	<input type="checkbox"/>		34,155,699.00	8,538,925.00	0.00	0.00	0.00%
AP 3	ESF	Less developed	Public	36,858,068.00	6,504,365.00	6,504,365.00	0.00	43,362,433.00	84.9999998847 %	<input type="checkbox"/>	0.00	36,858,068.00	6,504,365.00			
AP 3	ESF	More developed	Public	2,252,785.00	563,197.00	563,197.00	0.00	2,815,982.00	79.9999786930 %	<input type="checkbox"/>		2,252,785.00	563,197.00			

Total	ESF	Less developed		451,419,312.00	79,662,233.00	79,662,233.00	0.00	531,081,545.00	84.9999997646%			424,334,153.00	74,882,499.00	27,085,159.00	4,779,734.00	6.00%
Total	ESF	More developed		112,169,164.00	28,042,293.00	28,042,293.00	0.00	140,211,457.00	79.9999988589%			95,665,847.00	23,916,464.00	16,503,317.00	4,125,829.00	14.71%
Grand total				563,588,476.00	107,704,526.00	107,704,526.00	0.00	671,293,002.00	83.9556608397%		0.00	520,000,000.00	98,798,963.00	43,588,476.00	8,905,563.00	“ .