



Brussels, 12.6.2020
C(2020) 3759 final

COMMISSION DECISION

of 12.6.2020

amending Commission Decision C(2018) 5120 on the Internal rules on the implementation of the general budget of the European Union (European Commission section) as regards the model grant agreement for use as from 2021

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union and the Treaty establishing the European Atomic Energy Community,

Having regard to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (the 'Financial Regulation')¹, and in particular Article 60 and 69 thereof,

Whereas:

- (1) Article 201 of the Financial Regulation requires that grants be covered by a written agreement and further sets out minimum requirements for that agreement. Article 148 of the Financial Regulation provides that all exchanges with recipients, including the entering into legal commitments and any amendments thereto, may be done through electronic exchange systems.
- (2) In the interests of simplification for beneficiaries and granting authorities, a single model grant agreement should be used for all grant award procedures based on appropriations under the post 2020 Multi-annual financial frameworks and under instruments not covered by the Multi-annual financial frameworks. Those should include grants awarded under direct management by the Commission and executive agencies, grants awarded by joint undertakings, and grants managed through partner countries in external actions. The single model grant agreement may also be used by other EU bodies.
- (3) While it is necessary to set out a corporate model grant agreement for all programmes, this Decision should also provide for a procedure whereby that model grant agreement can be adapted to accommodate the specific policy objectives of individual EU funding programmes as specified in the relevant legal acts. A similar procedure is required to take account of possible amendments of the Financial Regulation or other legal acts and technical adaptations that become necessary to operate the model.
- (4) It is therefore appropriate to allow for the adoption of such adjustments by the Director-General for Budget and the Director-General of the Legal Service. Adjustments should be subject to close cooperation with the Commission department(s) and granting authorities concerned, the Secretariat-General and the Commission IT services in charge of eGrants.

¹ Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).

HAS DECIDED AS FOLLOWS:

Article 1

Commission Decision C(2018) 5120 on the Internal Rules on the implementation of the general budget of the European Union (European Commission section) is amended as follows:

(a) The following Article 24a is inserted:

“Article 24a

1. For the purposes of point (1) of article 4.1, when making a legal commitment in the form of a grant agreement, the authorising officers shall use the corporate model grant agreement included in Annex 23 as adjusted in accordance with paragraph 2.

2. The Director-General for Budget and the Director-General of the Legal Service shall authorise the following adjustments to the model grant agreement set out in Annex 23 :

- (a) adjustments to take account of relevant changes in EU law, in particular to the Financial Regulation;
- (b) technical adaptations that might become necessary to operate and maintain the model grant agreement;
- (c) adjustments necessary to accommodate specific policy objectives of individual programmes as specified in the relevant legal acts.

The adjustments in points (a) and (b) shall be:

- prepared in association with the Commission IT services in charge of eGrants where the eGrants management system is used;
- authorised following consultation with the Secretariat-General

The adjustments in point (c) shall be:

- prepared in association with the Commission IT services in charge of eGrants where the eGrants management system is used;
- authorised following consultation with the Secretariat General and the Commission department(s) in charge of the relevant legal act.”

(b) The corporate model grant agreement in the Annex to this Decision is inserted as Annex 23 to Commission Decision C(2018)5120.

Article 2

This Decision enters into force from its adoption and shall apply from its entry into force.

Done at Brussels, 12.6.2020

For the Commission

Johannes HAHN
Member of the Commission

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For the Secretary-General,

Jordi AYET PUIGARNAU
Director of the Registry
EUROPEAN COMMISSION