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COVER NOTE

From: Secretary-General of the European Commission,
signed by Mr Jordi AYET PUIGARNAU, Director

date of receipt: 22 August 2017

To: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of
the European Union

No. Cion doc.: C(2017) 5716 final

Subject: COMMISSION DELEGATED REGULATION (EU) .../... of 22.8.2017
amending Delegated Regulation (EU) No 522/2014 supplementing
Regulation (EU) No 1301/2013 of the European Parliament and of the
Council with regard to the detailed rules concerning the principles for the
selection and management of innovative actions in the area of sustainable
urban development to be supported by the European Regional
Development Fund

Delegations will find attached document C(2017) 5716 final.

Encl.: C(2017) 5716 final



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COMMISSION DELEGATED REGULATION (EU) .../...

of 22.8.2017

amending Delegated Regulation (EU) No 522/2014 supplementing Regulation (EU) No 1301/2013 of the European Parliament and of the Council with regard to the detailed rules concerning the principles for the selection and management of innovative actions in the area of sustainable urban development to be supported by the European Regional Development Fund

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE AMENDMENT OF THE DELEGATED ACT

Commission Regulation (EU) N° 522/2014 supplementing Regulation (EU) N° 1301/2013 with regard to the detailed rules concerning the principles for the selection and management of innovative actions in the area of sustainable urban development sets out a period of three years for the implementation of Urban innovative actions.

Urban authorities replied to the first calls for project by the Entrusted Entity with complex innovative solutions which address issues that are related to sustainable urban development and are of relevance at Union level. Project proposals were designed with a view to comply with the three year maximum period of implementation set in the Commission Regulation.

However providing more time for the implementation of future actions would allow urban authorities to fully test all the aspects of innovative solutions proposed. It would also facilitate capitalisation of knowledge and transferability of innovative solutions to urban authorities in the European Union.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

Consultations have been carried out in line with paragraph 4 of the Common Understanding on delegated acts between the European Parliament, the Council and the European Commission.

The amendment to the act has been discussed at expert group meeting involving experts from all Member States held on 14 July 2017. The European Parliament was duly notified of the date of the meeting, agenda and relevant document to enable requests to attend the meetings.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

Article 92(8) Regulation (EU) No 1303/2013 of the European Parliament and of the Council¹ sets out that EUR 330 million (in 2004 price, i.e. 371 million in current price) of the Structural Funds resources for the Investment for growth and jobs goal shall be allocated to innovative actions in the area of sustainable urban development. These funds may be implemented under the indirect management mode by the Commission.

Article 8(3) of Regulation (EU) No 1301/2013 of the European Parliament and of the Council² empowers the Commission to adopt delegated acts as regards detailed rules concerning the principles for the selection and management of innovative actions to be

¹ 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 (OJ L 347, 20.12.2013, p. 320).

² 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).

supported by the ERDF. The rules for the exercise of delegation are set out in Article 14 of that Regulation.

COMMISSION DELEGATED REGULATION (EU) .../...

of 22.8.2017

amending Delegated Regulation (EU) No 522/2014 supplementing Regulation (EU) No 1301/2013 of the European Parliament and of the Council with regard to the detailed rules concerning the principles for the selection and management of innovative actions in the area of sustainable urban development to be supported by the European Regional Development Fund

THE EUROPEAN COMMISSION,

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

Having regard to 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 1080/2006³, and in particular Article 8(3) thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) No 522/2014⁴ provides that urban innovative actions are to be implemented within a maximum period of three years. However, a longer period may be necessary to enable urban authorities to fully test all the aspects of the innovative solutions proposed, to collect the results and to ensure the transferability of the solutions to other urban authorities in the Union.
- (2) In order to provide sufficient time for the complete implementation of complex innovative solutions, so that innovative actions fully deliver their added value, the timeframe provided for in Delegated Regulation (EU) No 522/2014 should therefore be extended by one year.
- (3) Delegated Regulation (EU) No 522/2014 should therefore be amended accordingly.
- (4) In order to ensure that the amendment to Delegated Regulation (EU) No 522/2014 is applied in the context of the next call, which is planned for December 2017, this Regulation should enter into force on the day following that of its publication,

³ OJ L 347, 20.12.2013, p. 289.

⁴ Commission Delegated Regulation (EU) No 522/2014 of 11 March 2014 supplementing Regulation (EU) No 1301/2013 of the European Parliament and of the Council with regard to the detailed rules concerning the principles for the selection and management of innovative actions in the area of sustainable urban development to be supported by the European Regional Development Fund (OJ L 148, 20.5.2014, p. 1).

HAS ADOPTED THIS REGULATION:

Article 1

In Article 2 of Delegated Regulation (EU) No 522/2014, paragraph 6 is replaced by the following:

"6. Each innovative action shall be implemented within a maximum period of four years".

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 22.8.2017

For the Commission
The President
Jean-Claude JUNCKER