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**COMMISSION IMPLEMENTING DECISION**

**of 6.5.2021**

**on the financing of the Programme for Single Market, competitiveness of enterprises,  
including small and medium sized enterprises, and European Statistics and the adoption  
of the work programme for 2021-2024**

(Text with EEA relevance)

## COMMISSION IMPLEMENTING DECISION

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### **on the financing of the Programme for Single Market, competitiveness of enterprises, including small and medium sized enterprises, and European Statistics and the adoption of the work programme for 2021-2024**

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to 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<sup>1</sup>, and in particular Article 110 thereof,

Having regard to Regulation of the European Parliament and of the Council establishing the Programme for single market, competitiveness of enterprises, including small and medium-sized enterprises, and European statistics and repealing Regulations (EU) No 99/2013, (EU) No 1287/2013, (EU) No 254/2014, (EU) No 258/2014, (EU) No 652/2014 and (EU) 2017/826 [Single Market Programme Regulation to be adopted],

Whereas:

- (1) The Programme for single market, competitiveness of enterprises, including small and medium-sized enterprises, and European statistics (Single Market Programme) aims at supporting improvements to the functioning of the internal market, the competitiveness of industry, especially micro, small and medium-sized enterprises (SMEs) through protection and empowerment of consumers, support to law making, standard setting and the enforcement of Union law, digitalisation of services and business operations, facilitation of market access, international cooperation especially in the areas of company law and contract and extra-contractual law, anti-money laundering, free movement of capital, financial services and competition, for the area of plants, animals, food and feed, and the programming and financing framework for the development, production and dissemination of European statistics.
- (2) In order to implement the Single Market Programme it is necessary to administer and ensure proper enforcement of the current acquis for the internal market, improve the legislation in force in that field and prepare the internal market for new challenges and to ensure that consumers are adequately represented and protected.
- (3) The Single Market Programme is financed from the appropriations entered in the budget headings 'Operation and development of the internal market of goods and services', 'market surveillance', 'Internal market governance tools', 'Taxud regulatory work support – Implementation and development of the internal market', 'Company

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<sup>1</sup> OJ L 193, 30.7.2018, p.1.

law’, ‘Competition policy for a stronger union in the digital age’, ‘Implementation and development of the internal market for financial services’, ‘Improving the competitiveness of enterprises, particularly SMEs, and supporting their access to markets’, ‘European standardisation’, ‘International financial reporting and auditing standards’, ‘Ensuring high level of consumer protection and product safety’, ‘The participation of end users in financial services policy making’, ‘Producing and disseminating high quality statistics in Europe’ and ‘Contributing to a high level of health and welfare for humans, animals and plants’.

- (4) The amounts related to the appropriations entered in the budget lines provided for in Article 2, first paragraph, of this Decision include contributions from countries of the European Free Trade Association (EFTA) that are members of the European Economic Area (EEA); for Budget line 03.0205 “Producing and disseminating high quality statistics in Europe”, the amount also includes other external assigned revenues based on the Agreement between the European Community and the Swiss Confederation on cooperation in the field of statistics<sup>2</sup>, with this financial contribution only supporting eligible actions implementing the specific objective referred to in the relevant provisions of the [Single Market Programme Regulation to be adopted].
- (5) The ‘European Innovation Council and SME Executive Agency’ established by Commission Implementing Decision C(2021) 953 final, is to be entrusted with management and programme implementation tasks relating to the competitiveness of enterprises, particularly SMEs, supporting their access to markets; European standardisation (excluding in relation to financial and non-financial reporting and auditing standards as well as the promotion of innovation and development of best practices in corporate reporting) and Consumer protection. The European Health and Digital Executive Agency is to be entrusted with management and programme implementation tasks relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material.
- (6) In order to ensure the implementation of the Single Market Programme, it is necessary to adopt a multi-annual financing decision, which constitutes the work programmes for 2021 and where relevant 2022 set out in Annexes I to V. This financing decision needs to be multi-annual only to cover the actions under budget line 03.0202, which is using commitments in instalments for 2021 to 2024 whilst all other actions in the work programmes in the annexes remain annual.
- (7) The envisaged assistance is to comply with the conditions and procedures set out by the restrictive measures<sup>3</sup> adopted pursuant to Article 215 of the Treaty.
- (8) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (9) Pursuant to Article 62(1)(c) of Regulation (EU, Euratom) 2018/1046 (‘the Financial Regulation’) indirect management is to be used for the implementation of parts of the programme.
- (10) The Commission is to ensure a level of protection of the financial interests of the Union with regards to entities and persons entrusted with the implementation of Union funds by indirect management as provided for in Article 154(3) of the Financial

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<sup>2</sup> Official Journal L 90, 28.3.2006, p. 20

<sup>3</sup> [www.sanctionsmap.eu](http://www.sanctionsmap.eu) Note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy the OJ prevails.

Regulation. To this end, such entities and persons are to be subject to an assessment of their systems and procedures in accordance with Article 154(4) of the Financial Regulation and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of the Financial Regulation before a contribution agreement can be signed.

- (11) It is necessary to allow for the payment of interest due for late payment on the basis of Article 116(5) of the Financial Regulation.
- (12) In order to allow for flexibility in the implementation of the work programme, it is appropriate to allow changes which should not be considered substantial for the purposes of Article 110(5) of the Financial Regulation.
- (13) In accordance with in the relevant provisions of the [Single Market Programme Regulation to be adopted] and of Article 193(2), second subparagraph, point (a), of the Financial Regulation and by way of derogation from Article 193(4) of that Regulation, if duly justified, activities and costs in grants financed under this decision should be eligible from the beginning of the 2021 financial year, even if implemented and incurred before the grant application was submitted. The same rules apply, *mutatis mutandis*, to the eligibility of activities and costs under indirect management.
- (14) Annex II concerning the work programme implementing the specific objectives referred to in the relevant provisions of of the [Single Market Programme Regulation to be adopted] is subject to a positive opinion from the Committee established for this purpose. Annex III, concerning the work programme implementing the specific objectives referred to in the relevant provisions of that Regulation is subject to consultation of the Committee established for this purpose. Annex IV concerning the work programme implementing the specific objectives referred to in the relevant provisions of that Regulation is subject to a positive opinion by the Standing Committee on Plants, Animals, Food and Feed established by Article 58(1) of Regulation (EC) No 178/2002<sup>4</sup>. The European Statistical System Committee has been consulted on the measures provided for in annex V in accordance with Article 17 of Regulation (EC) 223/2009.
- (15) To ensure the adoption of the work programmes before the adoption of the [Single Market Programme Regulation to be adopted], the work programme implementing the specific objective of improving the competitiveness of enterprises, particularly SMEs was submitted to an expert group of representatives of Member States for an informal consultation. The work programme implementing the specific objective of promoting consumers interests and ensuring a high level of consumer protection and product safety was submitted to an expert group of representatives of Member States for an informal consultation. The work programme implementing the specific objective of contributing to a high level of health for humans, animals and plants along the food chain and in related areas was submitted to the Standing Committee on Plants, Animals, Food and Feed established by Article 58(1) of Regulation (EC) No 178/2002 for an informal consultation. The work programme implementing the specific objective of producing and communicating high quality statistics on Europe in a timely, impartial and cost-efficient manner, through enhanced partnerships within the European Statistical System was submitted to the European Statistical System

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<sup>4</sup> Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1).

Committee established by Article 7(1) of Regulation (EC) No 223/2009<sup>[1]</sup>, in accordance with Article 17 thereof,

HAS DECIDED AS FOLLOWS:

*Article 1*

*The work programmes*

The multi-annual financing decision, constituting the work programmes for the implementation of the Single Market Programme as set out in the Annexes, is hereby adopted.

The (annual) work programme implementing the specific objectives of making the internal market, including for financial services, more effective, company law, including anti-money laundering, contract and extra-contractual law, standardisation and support for competition policy, customs and taxation, and consumers and end-users in financial services is set out in Annex I.

The (multi-annual) work programme implementing the specific objective of improving the competitiveness of enterprises, particularly SMEs, and supporting their access to markets is set out in Annex II.

The (multi-annual) work programme implementing the specific objective of promoting consumers interests and ensuring a high level of consumer protection and product safety is set out in Annex III.

The (multi-annual) work programme implementing the specific the objective of contributing to a high level of health for humans, animals and plants along the food chain and in related areas is set out in Annex IV.

The (annual) work programme implementing the specific objective of producing and communicating high quality statistics on Europe in a timely, impartial and cost-efficient manner, through enhanced partnerships within the European Statistical System is set out in Annex V.

The work programmes are subject to:

- (a) the final adoption of the [Single Market Programme Regulation to be adopted] by the legislative authority without significant modifications, and
- (b) A positive opinion by the respective committee referred to under the relevant provisions of the [Single Market Programme Regulation to be adopted] on the relevant Annex.
- (c) Consultation of the respective committee referred to under in the relevant provisions of the [Single Market Programme Regulation to be adopted] on the relevant Annex.

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<sup>[1]</sup> Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics (OJ L 87, 31.3.2009, p. 164).

## Article 2

### Union contribution

The maximum Union contribution for the implementation of the programme for 2021 is set at EUR 734 410 116 and shall be financed from the appropriations entered in the following lines of the general budget of the Union for 2021, 2022, 2023 and 2024<sup>5</sup>:

- (a) Budget line 03.020101 “Operation and development of the internal market of goods and services”: EUR 35 467 156;
- (b) Budget line 03.020102 “Internal Market Governance Tools”: EUR 5 560 268;
- (c) Budget line 03.020103 “Taxud regulatory work support – Implementation and development of the internal market”: EUR 3 222 507;
- (d) Budget line 03.020104 “Company Law”: EUR 973 386;
- (e) Budget line 03.020105 “Competition policy for a stronger union in the digital age”: EUR 20 393 275;
- (f) Budget line 03.020106 “Implementation and development of the internal market for financial services”: EUR 5 408 806;
- (g) Budget Line 03.020107 “Market Surveillance : EUR 10 844 093;
- (h) Budget line 03.0202 “Improving the competitiveness of enterprises, particularly SMEs, and supporting their access to markets”: EUR 296 114 423;
- (i) Budget line 03.020301 “European standardisation”: EUR 21 458 109;
- (j) Budget line 03.020302 “International financial reporting and auditing standards”: EUR 8 439 058;
- (k) Budget line 03.020401 “Ensuring high level of consumer protection and product safety”: EUR 23 584 573;
- (l) Budget line 03.020402 “The participation of end users in financial services policy making”: EUR 1 496 375;
- (m) Budget line 03.0205 “Producing and disseminating high quality statistics in Europe”: EUR 75 498 500; plus appropriations corresponding to other external assigned revenues: EUR 5 735 047;
- (n) Budget line 03.0206 “Contributing to a high level of health and welfare for humans, animals and plants”: EUR 220 714 540.

The appropriations provided for in the first paragraph may also cover interest due for late payment.

The implementation of the actions covered by the budget lines referred to in points (a), (b), (d) to (h), (k), (l) and (m), of the first paragraph is subject to the agreement on the participation of the Member States of the European Free Trade Association for a total amount of EUR 7,359,996.

The implementation of this Decision is subject to the availability of the appropriations provided for in the general budget of the Union for 2022, 2023 and 2024 following the adoption of that budget by the budget authority.

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<sup>5</sup> Contains financial appropriations for 2021,2022, 2023 and 2024 for budget line 03.0202

### *Article 3*

#### *Methods of implementation and entrusted entities or persons*

The implementation of the actions carried out by way of indirect management, as set out in the Annexes, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in the Annexes where such actions are included.

### *Article 4*

#### *Flexibility clause*

Cumulated changes to the allocations to specific actions not exceeding 20% of the maximum Union contribution set in Article 2, first paragraph, of this Decision shall not be considered to be substantial for the purposes of Article 110(5) of Regulation (EU, Euratom) 2018/1046, where those changes do not significantly affect the nature of the actions and the objective of the work programme. The increase of the maximum Union contribution as well as the increase of each budget line set in the first paragraph of Article 2 of this Decision shall not exceed 20%.

The respective authorising officers responsible for the budget lines listed in Article 2 may apply the changes referred to in the first paragraph. Those changes shall be applied in accordance with the principles of sound financial management and proportionality.

The transfer between budget lines must be agreed between respective authorising officers responsible.

### *Article 5*

#### *Grants*

Grants may be awarded without a call for proposals in accordance with the conditions set out in the Annexes. Grants may be awarded to the bodies referred to in the Annexes.

Done at Brussels, 6.5.2021

*For the Commission*  
*Thierry BRETON*  
*Member of the Commission*