



Brussels, 5.3.2013
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COMMISSION DECISION

of 5.3.2013

repealing Decision C(2007) 2034 on the rules and procedures applicable to service, supply and works contracts financed by the general budget of the European Union for the purposes of cooperation with third countries

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THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002, and in particular Article 188(2) thereof,

Whereas:

- (1) On 24 May 2007, pursuant to Article 237(1) of Regulation (EC, Euratom) No 2342/2002, the Commission adopted Decision C(2007) 2034 on the rules and procedures applicable to service, supply and works contracts financed by the general budget of the European Communities for the purposes of cooperation with third countries.
- (2) On 25 October 2012 the European Parliament and the Council adopted Regulation (EU, Euratom) No 966/2012 on the financial rules applicable to the general budget of the Union and repealing Regulation (EC, Euratom) No 1605/2002 (hereinafter referred to as the 'Financial Regulation').
- (3) On 29 October 2012 the Commission adopted Delegated Regulation (EU) No 1268/2012 on the rules of application of the new Financial Regulation (EU, Euratom) No 966/2012 (hereinafter referred to as the 'Rules of application of the Financial Regulation').
- (4) These two Regulations now make up the legal framework governing the procedures for the award of grants and service, supply and works contracts financed by the Union and concluded for the purposes of cooperation with third countries financed from the general budget of the European Union.
- (5) Pursuant to Articles 184 and 188 of the Financial Regulation, the rules and procedures applicable to service, supply and works contracts financed from the general budget of the European Communities for the purposes of cooperation with third countries are now enshrined in Title V of Part One and Title IV of Part Two of the Financial Regulation and in Articles 260 *et seq.* of its Rules of application.
- (6) Furthermore, pursuant to Article 137(3) of the Financial Regulation and Article 209(2) of its Rules of application, the rules governing the award of contracts with which grant beneficiaries are required to comply when carrying out an action are laid down by the authorising officer by delegation and set out in the grant agreement. It is no longer necessary for them to be adopted by the Commission.
- (7) Moreover, the rules governing the award of contracts, standard contracts and corresponding operational instructions and the rules, standard contracts and

operational instructions for grants awarded in the context of external actions are listed and explained in the Practical Guide to contract procedures for EU external action (PRAG), a revised version of which was adopted by the Director-General of the Directorate-General for Development and Cooperation – EuropeAid after the adoption of the Financial Regulation and its Rules of application.

- (8) The rules and procedures laid down in Decision C(2007) 2034 on the rules and procedures applicable to service, supply and works contracts financed by the general budget of the European Union for the purposes of cooperation with third countries are now therefore covered by provisions laid down in Regulation (EU, Euratom) No 966/2012 and Delegated Regulation (EU) No 1268/2012 on the application thereof, which entered into force on 1 January 2013. Decision C(2007) 2034 is now obsolete, following their entry into force,

HAS DECIDED AS FOLLOWS:

Sole Article

Decision C(2007) 2034 of 24 May 2007 is repealed as of 1 January 2013.

Done at Brussels, 5.3.2013

For the Commission
Andrís Piebalgs
Member of the Commission