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**COMMISSION IMPLEMENTING DECISION**

**of 18.9.2020**

**amending Implementing Decision C(2014) 10189 approving the "Regional Operational Programme of Algarve 2014-2020" for support from the European Regional Development Fund and the European Social Fund under the Investment for growth and jobs goal for the region Algarve in Portugal**

**CCI 2014PT16M2OP007**

(ONLY THE ENGLISH TEXT IS AUTHENTIC)

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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 1083/2006<sup>1</sup>, and in particular Article 96(10) thereof,

Having consulted the ESF Committee,

Whereas:

- (1) By Commission Implementing Decision C(2014) 10189, as last amended by Commission Implementing Decision C(2020) 1032, certain elements of the "Regional Operational Programme of Algarve 2014-2020" for support from the European Regional Development Fund ('ERDF') and the European Social Fund ('ESF') under the Investment for growth and jobs goal for the region of Algarve in Portugal were approved.
- (2) On 28 August 2020 Portugal 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 Portugal proposed an amendment to the elements of the operational programme referred to in points (a), (b)(i) to (v), and (d) of the first subparagraph of Article 96(2) of Regulation (EU) No 1303/2013, all subject to Implementing Decision C(2014) 10189.
- (3) Pursuant to Article 25a(1) of Regulation (EU) No 1303/2013, Portugal requests to apply a co-financing rate of 100% to expenditure declared in payment applications during the accounting year starting on 1 July 2020 and ending on 30 June 2021 for all priority axes of this operational programme.
- (4) Pursuant to Article 25a(2) of Regulation (EU) No 1303/2013, Portugal requests the transfer of the resources available for programming for the year 2020, in the amount of

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<sup>1</sup> OJ L 347, 20.12.2013, p. 320.

EUR 7 298 000 from the ESF to the ERDF within this operational programme. The transfer of resources does not include a change in the allocation by category of regions. This amount is transferred from priority axes 5 "Investing in jobs" and 7 "Enhancing skills" to priority axes 5, 6 "Asserting social and territorial cohesion" and 7.

- (5) The amendment to the operational programme consists in addition in a transfer of the ERDF resources amounting to EUR 7 131 000 from priority axis 3 "Promoting sustainability and resources efficiency" to priority axes 4 "Strengthening Territorial Competitiveness", 6 and 7, and a transfer of the ESF resources amounting to EUR 500 000 from priority axis 5 to priority axis 6 as well as EUR 1 012 000 from priority axis 8 "Modernise and Promote Administrative capacity" to priority axes 6 and 7.
- (6) The amendment to the operational programme also consists in adjusting the target values for some financial and output indicators to reflect the reallocations of resources between the priority axes and introducing new output indicators in respect of COVID-19 related operations in priority axes 1 "Promote Research and Regional innovation" and 6.
- (7) 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 need to provide an effective and immediate response to the current public health and economic crisis related to the COVID-19 outbreak and to temporarily alleviate the burden on public budgets responding to the crisis. The request to transfer resources from the ESF to the ERDF is duly justified by the necessary and exceptional investments that cannot be financed under the scope of intervention of the ESF. The request for the amendment to the operational programme 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, Regulations (EU) No 1301/2013<sup>2</sup> and (EU) No 1304/2013<sup>3</sup> of the European Parliament and of the Council, as well as of the horizontal principles referred to in Articles 5, 7 and 8 of Regulation (EU) No 1303/2013.
- (8) In accordance with point (e) of Article 110(2) of Regulation (EU) No 1303/2013, the monitoring committee by written procedure examined and approved on 25 August 2020 the proposal for the amendment to the operational programme, taking into account the text of the revised operational programme and its financing plan.
- (9) 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) of Regulation (EU) No 1303/2013. Nevertheless, Portugal submitted a modified version of the revised operational programme on 10 September 2020.
- (10) 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.

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<sup>2</sup> 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).

<sup>3</sup> 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).

(11) Implementing Decision C(2014) 10189 should therefore be amended accordingly,  
HAS ADOPTED THIS DECISION:

*Article 1*

Implementing Decision C(2014) 10189 is amended as follows:

1. in Article 1, the introductory sentence is replaced by the following:  
"The following elements of the "Regional Operational Programme Algarve 2014-2020" for joint support from the ERDF and the ESF under the Investment for growth and jobs goal for the region of Algarve in Portugal for the period from 1 January 2014 to 31 December 2020, submitted in its final version on 12 December 2014, as last amended by the revised operational programme submitted in its final version on 10 September 2020, 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 318 676 488, to be financed from the following specific budget lines in accordance with the nomenclature of the General Budget of the European Union for 2014:  
13 03 61: EUR 231 619 248 (ERDF – Transition regions);  
04 02 61: EUR 87 057 240 (FSE – Transition 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 the Portuguese Republic.

Done at Brussels, 18.9.2020

*For the Commission*  
*Elisa FERREIRA*  
*Member of the Commission*

