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C(2022) 6637 final

**COMMISSION IMPLEMENTING DECISION**

**of 13.9.2022**

**amending Implementing Decision C(2014) 10176 approving certain elements of the operational programme “Azores 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 autonomous region of the Azores in Portugal**

**CCI 2014PT16M2OP004**

(ONLY THE ENGLISH TEXT IS AUTHENTIC)

# COMMISSION IMPLEMENTING DECISION

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**amending Implementing Decision C(2014) 10176 approving certain elements of the operational programme “Azores 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 autonomous region of the Azores in Portugal**

**CCI 2014PT16M2OP004**

(ONLY THE ENGLISH TEXT IS AUTHENTIC)

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) 10176, as last amended by Commission Implementing Decision C(2021) 4843, certain elements of the operational programme “Azores 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 the Azores in Portugal were approved.
- (2) On 22 August 2022 Portugal submitted, through the electronic data exchange system of the Commission, a request for an amendment to this 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)(ii) to (iv) and point (d) of the first subparagraph of Article 96(2) of Regulation (EU) No 1303/2013, all subject to Implementing Decision C(2014) 10176.
- (3) The amendment to the operational programme consists mainly in allocating part of the REACT-EU resources made available to Portugal as external assigned revenues in accordance with Article 3(1) of Council Regulation (EU) 2020/2094<sup>2</sup> under the new thematic objective “Fostering crisis repair in the context of the COVID-19 pandemic

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

<sup>2</sup> Council Regulation (EU) 2020/2094 of 14 December 2020 establishing a European Union Recovery Instrument to support the recovery in the aftermath of the COVID-19 crisis (OJ L 433I, 22.12.2020, p. 23).

and its social consequences and preparing a green, digital and resilient recovery of the economy”, and should cover the year 2022.

- (4) The amendment to the operational programme concerning the ERDF REACT-EU resources consists in the modification of one result indicator and of all output indicators, in the update of some types of actions and in the correction of a type of beneficiary in priority axis 14 “Fostering crisis repair in the context of COVID-19 pandemic - ERDF” sustaining investments for health and social services, providing support in the form of working capital to SMEs and supporting investments to enhance and promote investments to support climate transition. The amendment to the operational programme concerning the ESF REACT-EU resources consists in the update and creation of indicators along with the update of some types of action in priority axis 15 “Fostering crisis repair in the context of COVID-19 pandemic - ESF” supporting employment maintenance and employability measures, in particular for young people and the improvement of skills and qualifications of the active population.
- (5) In accordance with Article 30(1) and with the sixth subparagraph of Article 92b(9) of Regulation (EU) No 1303/2013, the request for the amendment to the operational programme is duly justified by the need to quickly deploy the REACT-EU resources for crisis repair in the context of the COVID-19 pandemic and its social consequences and to prepare a green, digital and resilient recovery of the economy within the current programming period. The request for the amendment to the operational programme sets out the expected impact of the changes to the programme on fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and preparing a green, digital and resilient recovery of the economy in accordance with the second subparagraph of Article 92b(8) of Regulation (EU) No 1303/2013. It is consistent with Regulation (EU) No 1303/2013 and Regulations (EU) No 1301/2013<sup>3</sup> and (EU) No 1304/2013<sup>4</sup> of the European Parliament and of the Council.
- (6) In accordance with point (e) of Article 110(2) of Regulation (EU) No 1303/2013, the monitoring committee at its meeting of 23 May 2022 examined and approved the proposal for the amendment to the operational programme, taking into account the text of the revised operational programme and its financing plan.
- (7) 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.
- (8) 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.
- (9) Implementing Decision C(2014) 10176 should therefore be amended accordingly,

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<sup>3</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>4</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).

HAS ADOPTED THIS DECISION:

*Article 1*

Implementing Decision C(2014) 10176 is amended as follows:

1. in Article 1, the introductory sentence is replaced by the following:  
“The following elements of the operational programme “Azores 2014-2020” for joint support from the ERDF and the ESF under the Investment for growth and jobs goal for the region of the Azores in Portugal and benefitting from the REACT-EU resources for 2021 and 2022, submitted in its final version on 11 December 2014, as last amended by the revised operational programme submitted in its final version on 22 August 2022, 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 1 265 807 068, to be financed from:  
(a) the following specific budget lines in accordance with the nomenclature of the General Budget of the European Union for 2014:  
13 03 60: EUR 736 224 866 (ERDF – Less developed regions);  
13 03 63: EUR 57 500 000 (ERDF – Additional allocation for outermost and sparsely populated regions);  
04 02 60: EUR 343 756 016 (ESF – Less developed regions);  
(b) the following REACT-EU resources made available to Portugal in accordance with Article 3(1) of Regulation (EU) 2020/2094 on the following specific budget lines in accordance with the nomenclature of the General Budget of the European Union for 2022:  
05 02 05 01: EUR 99 826 186 (ERDF REACT-EU);  
07 02 05 01: EUR 28 500 000 (ESF REACT-EU).”;
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*

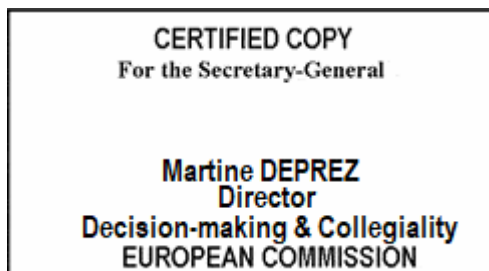
This Decision is addressed to the Portuguese Republic.

Done at Brussels, 13.9.2022

*For the Commission*

*Elisa FERREIRA*

*Member of the Commission*



**EN****ANNEX I****“ANNEX I****Total financial appropriation from the ERDF and the ESF and the amounts related to the performance reserve per year (in EUR)**

Fund	Category of region	2014		2015		2016		2017		2018		2019		2020		2021	2022	Total	
		Main allocation	Performance reserve	Main allocation	Performance reserve	Main allocation	Performance reserve	Main allocation	Performance reserve	Main allocation	Performance reserve	Main allocation	Performance reserve	Main allocation	Performance reserve	Main allocation	Main allocation	Main allocation	Performance reserve
ERDF	Less developed	96,959,639	4,868,494	98,900,808	6,402,610	100,880,559	6,530,775	102,899,519	6,661,477	104,958,822	6,794,792	105,443,724	6,826,185	81,136,790	6,960,672			691,179,861	45,045,005
ERDF	Outermost or northern sparsely populated	7,270,024	464,044	7,415,571	473,334	7,564,011	482,809	7,715,392	492,472	7,869,798	502,328	8,027,288	512,380	8,187,916	522,633			54,050,000	3,450,000
<b>Total ERDF</b>		<b>104,229,663</b>	<b>5,332,538</b>	<b>106,316,379</b>	<b>6,875,944</b>	<b>108,444,570</b>	<b>7,013,584</b>	<b>110,614,911</b>	<b>7,153,949</b>	<b>112,828,620</b>	<b>7,297,120</b>	<b>113,471,012</b>	<b>7,338,565</b>	<b>89,324,706</b>	<b>7,483,305</b>	<b>0</b>	<b>0</b>	<b>745,229,861</b>	<b>48,495,005</b>
ESF	Less developed	37,661,528	2,403,928	39,087,946	2,494,975	42,099,312	2,687,190	42,052,335	2,684,192	43,386,134	2,769,327	45,879,600	2,928,497	73,224,977	4,396,075			323,391,832	20,364,184
<b>Total ESF</b>		<b>37,661,528</b>	<b>2,403,928</b>	<b>39,087,946</b>	<b>2,494,975</b>	<b>42,099,312</b>	<b>2,687,190</b>	<b>42,052,335</b>	<b>2,684,192</b>	<b>43,386,134</b>	<b>2,769,327</b>	<b>45,879,600</b>	<b>2,928,497</b>	<b>73,224,977</b>	<b>4,396,075</b>	<b>0</b>	<b>0</b>	<b>323,391,832</b>	<b>20,364,184</b>
ERDF REACT-EU		0	0	0	0	0	0	0	0	0	0	0	0	0	0	72,813,559	27,012,627	99,826,186	0
ESF REACT-EU		0	0	0	0	0	0	0	0	0	0	0	0	0	0	23,186,441	5,313,559	28,500,000	0
<b>Total REACT-EU</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>96,000,000</b>	<b>32,326,186</b>	<b>128,326,186</b>	<b>0</b>
<b>Total</b>		<b>141,891,191</b>	<b>7,736,466</b>	<b>145,404,325</b>	<b>9,370,919</b>	<b>150,543,882</b>	<b>9,700,774</b>	<b>152,667,246</b>	<b>9,838,141</b>	<b>156,214,754</b>	<b>10,066,447</b>	<b>159,350,612</b>	<b>10,267,062</b>	<b>162,549,683</b>	<b>11,879,380</b>	<b>96,000,000</b>	<b>32,326,186</b>	<b>1,196,947,879</b>	<b>68,859,189</b>

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ANNEX II

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**Total financial appropriation for the support from the ERDF, the ESF and the national co-financing for the operational programme and for each priority axis and the amounts related to the performance reserve**

Priority axis	Fund	Category of region	Basis for calculation of Union support (Total eligible cost or public eligible cost)	Union support (a)	National counterpart (b) = (c) + (d)	Indicative breakdown of national counterpart		Total funding (e) = (a) + (b)	Co-financing rate (f) = (a) / (e) (2)	100% CO-FINANCING RATE FOR ACCOUNTING YEAR 2020-2021 (3)	100% CO-FINANCING RATE FOR ACCOUNTING YEAR 2021-2022 (4)	EIB contributions (g)	Main allocation		Performance reserve		Performance reserve amount as proportion of total Union support (l) = (j) / (a) * 100
						National public funding (c)	National private funding (d) (1)						Union support (h) = (a) - (j)	National Counterpart (i) = (b) - (k)	Union support (j)	National Counterpart (k) = (b) * (i) / (a)	
1	ERDF	Less developed	Total	31,600,000	6,917,833.00	4,637,516	2,280,317	38,517,833.00	82.03%				29,496,997.00	6,457,446.00	2,103,003	460,387.00	6.66%
10	ERDF	Less developed	Total	103,267,302	18,223,642.00	18,223,642		121,490,944.00	84.99%		✓		96,926,531.00	17,104,682.00	6,340,771	1,118,960.00	6.14%
10	ESF	Less developed	Total	133,550,575	23,567,749.00	23,567,749		157,118,324.00	84.99%		✓		125,537,540.00	22,153,684.00	8,013,035	1,414,065.00	6.00%
11	ESF	Less developed	Total	67,200	11,859.00	11,859		79,059.00	84.99%		✓		67,200.00	11,859.00	0	0.00	0.00%
12	ERDF	Outermost or northern sparsely populated	Total	57,500,000	10,147,059.00	10,147,059		67,647,059.00	84.99%		✓		54,050,000.00	9,538,235.00	3,450,000	608,824.00	6.00%
14	ERDF REACT-EU		Total	99,826,186	0.00	0	0	99,826,186.00	100.00%				99,826,186.00	0.00		0.00	0.00%
15	ESF REACT-EU		Total	28,500,000	0.00	0	0	28,500,000.00	100.00%				28,500,000.00	0.00		0.00	0.00%

Priority axis	Fund	Category of region	Basis for calculation of Union support (Total eligible cost or public eligible cost)	Union support (a)	National counterpart (b) = (c) + (d)	Indicative breakdown of national counterpart		Total funding (e) = (a) + (b)	Co-financing rate (f) = (a) / (e) (2)	100% CO-FINANCING RATE FOR ACCOUNTING YEAR 2020-2021 (3)	100% CO-FINANCING RATE FOR ACCOUNTING YEAR 2021-2022 (4)	EIB contributions (g)	Main allocation		Performance reserve		Performance reserve amount as proportion of total Union support (l) = (j) / (a) * 100
						National public funding (c)	National private funding (d) (1)						Union support (h) = (a) - (j)	National Counterpart (i) = (b) - (k)	Union support (j)	National Counterpart (k) = (b) * (j) / (a)	
2	ERDF	Less developed	Total	18,200,000	3,211,766.00	3,211,766	0	21,411,766.00	84.99%			✓	17,082,493.00	3,014,559.00	1,117,507	197,207.00	6.14%
3	ERDF	Less developed	Total	287,188,500	103,012,548.00	14,047,770	88,964,778	390,201,048.00	73.60%				270,107,913.00	96,885,858.00	17,080,587	6,126,690.00	5.95%
4	ERDF	Less developed	Total	42,155,564	11,481,674.00	7,439,218	4,042,456	53,637,238.00	78.59%			✓	42,155,564.00	11,481,674.00	0	0.00	0.00%
5	ERDF	Less developed	Total	42,200,000	7,447,059.00	7,447,059	0	49,647,059.00	84.99%			✓	39,449,211.00	6,961,626.00	2,750,789	485,433.00	6.52%
6	ERDF	Less developed	Total	79,813,500	14,084,736.00	14,084,736		93,898,236.00	84.99%			✓	73,504,931.00	12,971,459.00	6,308,569	1,113,277.00	7.90%
7	ERDF	Less developed	Total	28,000,000	4,941,177.00	4,941,177	0	32,941,177.00	84.99%			✓	23,506,943.00	4,148,285.00	4,493,057	792,892.00	16.05%
8	ESF	Less developed	Total	113,355,853	20,003,976.00	20,003,976		133,359,829.00	84.99%			✓	107,760,954.00	19,016,641.00	5,594,899	987,335.00	4.94%
9	ERDF	Less developed	Total	96,300,000	16,994,118.00	16,994,118		113,294,118.00	84.99%			✓	91,449,278.00	16,138,108.00	4,850,722	856,010.00	5.04%
9	ESF	Less developed	Total	96,782,388	17,079,245.00	17,079,245		113,861,633.00	84.99%			✓	90,026,138.00	15,886,966.00	6,756,250	1,192,279.00	6.98%
13	ERDF	Less developed	Total	7,500,000	1,323,530.00	1,323,530		8,823,530.00	84.99%				7,500,000.00	1,323,530.00			
<b>Total</b>	<b>ERDF</b>	<b>Less developed</b>		<b>736,224,866</b>	<b>187,638,083.00</b>	<b>92,350,532</b>	<b>95,287,551</b>	<b>923,862,949.00</b>	<b>79.68%</b>				<b>691,179,861.00</b>	<b>176,487,227.00</b>	<b>45,045,005</b>	<b>11,150,856.00</b>	<b>6.12%</b>
<b>Total</b>	<b>ERDF</b>	<b>Outermost or northern sparsely populated</b>		<b>57,500,000</b>	<b>10,147,059.00</b>	<b>10,147,059</b>		<b>67,647,059.00</b>	<b>84.99%</b>				<b>54,050,000.00</b>	<b>9,538,235.00</b>	<b>3,450,000</b>	<b>608,824.00</b>	<b>6.00%</b>



Priority axis	Fund	Category of region	Basis for calculation of Union support (Total eligible cost or public eligible cost)	Union support (a)	National counterpart (b) = (c) + (d)	Indicative breakdown of national counterpart		Total funding (e) = (a) + (b)	Co-financing rate (f) = (a) / (e) (2)	100% CO-FINANCING RATE FOR ACCOUNTING YEAR 2020-2021 (3)	100% CO-FINANCING RATE FOR ACCOUNTING YEAR 2021-2022 (4)	EIB contributions (g)	Main allocation		Performance reserve		Performance reserve amount as proportion of total Union support (l) = (j) / (a) * 100
						National public funding (c)	National private funding (d) (1)						Union support (h) = (a) - (j)	National Counterpart (i) = (b) - (k)	Union support (j)	National Counterpart (k) = (b) * ((j) / (a))	
Total	ESF	Less developed		343,756,016	60,662,829.00	60,662,829		404,418,845.00	84.99%				323,391,832.00	57,069,150.00	20,364,184	3,593,679.00	5.92%
Total	ERDF REACT-EU			99,826,186	0.00	0	0	99,826,186.00	100.00%				99,826,186.00	0.00	0	0.00	0.00%
Total	ESF REACT-EU			28,500,000	0.00	0	0	28,500,000.00	100.00%				28,500,000.00	0.00	0	0.00	0.00%
Total	REACT-EU			128,326,186	0.00	0	0	128,326,186.00	100.00%				128,326,186.00	0.00	0	0.00	0.00%
Grand total				1,265,807,068	258,447,971.00	163,160,420	95,287,551	1,524,255,039.00	83.04%			0	1,196,947,879.00	243,094,612.00	68,859,189	15,353,359.00	

(1) To be completed only when priority axes are expressed in total costs.

(2) This rate may be rounded to the nearest whole number in the table. The precise rate used to reimburse payments is the ratio (f).

(3) By ticking the box the Member State requests to apply, pursuant to Article 25a(1) of Regulation (EU) No 1303/2013, 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 /some of the priority axes of the operational programme.

(4) By ticking the box the Member State requests to apply, pursuant to Article 25a(1a) of Regulation (EU) No 1303/2013, a co-financing rate of 100% to expenditure declared in payment applications during the accounting year starting on 1 July 2021 and ending on 30 June 2022 for all /some of the priority axes of the operational programme.

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