MANAGEMENT BOARD DECISION 04/2017
of 09 February 2017
delegating the power to make non-substantial amendments to the annual work programme to the Executive Director

THE MANAGEMENT BOARD

Having regard to the European Border and Coast Guard Regulation¹, in particular Article 64(8) thereof,

Whereas:

(1) The annual work programme is adopted by the Management Board.
(2) In accordance with Article 68(3) of the Financial Regulation² the annual work programme is equivalent to a financing decision for the activities it covers.
(3) Substantial amendments to the annual work programme need to be adopted applying the same procedure as the adoption of the initial work programme, i.e. by the Management Board.
(4) The power to make non-substantial amendments to the annual work programme may be delegated to the Executive Director.
(5) Article 27(1)(a) of the Frontex Financial Regulation empowers the Executive Director to authorise transfers from one title to another of appropriations up to 10% of the appropriations for the year shown on the line from which the transfer is made.
(6) A common threshold for the transfer of appropriations and the materiality level for non-substantial amendments to the annual work programme form a logical and consistent approach.

HAS DECIDED AS FOLLOWS:

Article 1
Delegation of powers

1. The power to make non-substantial amendments to the annual work programme is hereby delegated to the Executive Director.
2. Such amendments shall not significantly affect the nature of the annual work programme.
3. The Executive Director exercises the delegated power to make amendments to the annual work programme that entail amendments in financial resources allocated to each activity, not exceeding a 10% materiality threshold of the adopted operational budget for that year including amendments and transfers.
4. The 10% materiality threshold is cumulative in the annual perspective.

5. Fluctuations in applications or technical accounting changes (e.g. due to exchange rate fluctuations) are not considered amendments within the meaning of Article 64(8) of the European Border and Coast Guard Regulation and will not be counted towards the 10% threshold.

6. Changes to annexes to the annual work programme are not considered an amendment within the meaning of Article 64(8) of the European Border and Coast Guard Regulation.

7. The Executive Director informs the Management Board on any non-substantial amendment in the meeting following the decision taken.

8. A summary of the non-substantial amendments shall be included in the Agency’s consolidated annual activity report.

Article 2
Entry into force

This decision enters into force on the day following its adoption.

Done in Valletta, 09 February 2017

For the Management Board

[signed]

Marko Gašperlin
Chairperson