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ANNEX 1

ANNEX

to the

COMMISSION IMPLEMENTING DECISION

concerning the adoption of the work programme for 2015 and the financing for the implementation of the multiannual consumer programme for the years 2014-2020

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1. INTRODUCTION

On the basis of the objectives given in the Consumer Programme, this work programme contains the actions to be financed and the budget breakdown for 2015, as follows:

- Grants (implemented under direct management) (2.): EUR 10 450 000
- Procurement (implemented under direct management) (3.): EUR 11 558 860
- Other actions (5.): EUR 500 000

The total available budget amounts to EUR 22 508 860 for 2015¹

It is not foreseen at this stage that the Consumer Programme contributes financially to corporate communication in 2015, in accordance with Article 9(1) of the Regulation on the Consumer programme 2014-2020. However, this is without prejudice to the fact that it shall do so in this or future exercises, as agreed by the Commission in the Communication SEC (2013) 486 final of 23.9.2013.

All actions under this work programme shall respect and shall be implemented in line with the rights and principles enshrined in the Charter of Fundamental Rights of the European Union.

2. GRANTS

2.1. Specific joint cooperation actions in the area of the safety of non-food consumer products and services under Directive 2001/95/EC

Legal basis

Objective I – Safety: Article 4(a)(2)

Priorities of the year, objectives pursued and expected results

The proposed joint actions aim at improving the effective application of Directive 2001/95/EC through co-operation between national authorities responsible for the assessment, market surveillance and enforcement of the safety of non-food consumer products and services, including products sold on-line and the cooperation with customs authorities regarding products to be imported from third countries.

Description of the activities to be funded under the call for proposals

¹ This budget corresponds to the amount available on the budget line 17 02 01 + 2.94 % EFTA (EEA) contributions

The joint actions may cover one or more of the following aspects of administrative cross-border cooperation activities related to surveillance and enforcement of European Union safety requirements for non-food consumer product and services: Assessment of risks posed by non-food consumer products; Product testing; Market surveillance operations; Exchange of expertise and development and Exchange of best practice related to risk assessment; Meetings and workshops included in the project. In particular, the joint actions may cover the execution of joint or co-ordinated activities, the exchange of information, development of common methodology approach, protocols and check-lists, and database development work.

Essential eligibility, selection and award criteria

Eligibility criteria

Beneficiaries eligible for grants may be Member States' authorities responsible for consumer affairs and corresponding authorities of third countries, notified to the Commission in accordance with Directive 2001/95/EC by a Member State or by a third country referred to in Article 7 of the Consumer programme 2014-2020, or non-profit-making bodies expressly designated by those authorities for that purpose.

Selection criteria

The applicants must have stable and sufficient sources of funding as well as the necessary professional resources, skills and professional experience required in order to carry out the proposed action. The verification of the financial capacity will not apply to public bodies.

Award criteria (weighting of 100 points; proposals have to reach a minimum of 60 points to be accepted)

The actions shall be ranked on the basis of the following award criteria: Potential benefits of the co-operation activities in terms of increased effectiveness of market surveillance and enforcement in the area covered (20 points); Potential impact on consumer safety (risk of migration, exposure and product spread across the internal market, including imported articles) (15 points); Degree to which the estimated budget is clear and well detailed for the expenses in relation to the corresponding activities carried out in the joint project (20 points); Balanced and fair distribution of tasks and activities between the participants in the joint actions (15 points); Clarity and quality of the objectives, work plan, organisation and description of the results and benefits expected (30 points). Financial contributions shall be awarded to the highest scoring actions up to the available budget.

Implementation

The grants shall be implemented by the Consumers, Health and Food Executive Agency (hereinafter 'the Executive agency').

Indicative timetable and indicative amount of the call for proposals

Reference	Date	Amount
Publication of the call for proposals	First semester 2015	EUR 2 500 000

Maximum possible rate of co-financing of the eligible costs

Financial contributions of up to 50% are permitted for joint actions with the participation of bodies from at least 5 Member States.

In the case of actions of exceptional utility, the contribution by the Union shall not exceed 70 % of the

eligible costs.

Actions shall be considered as of exceptional utility where they involve at least 10 Member States taking part in the European network of Member States' competent authorities for product safety referred to in Article 10 of Directive 2001/95/EC or they contribute to the implementation of market surveillance activities in the field of consumer product safety that have been provided for in a Union legal act.

2.2. Financial contributions to the functioning of Union-level consumer organisations representing consumer interests (Operating grants)

Legal basis

Objective II – Consumer information and education and support to consumer organisations: Article 4 (b) (5); Article 5 (1); Annex I (5) (a).

Priorities of the year, objectives pursued and expected results

The call for proposals for a specific operating grant for 2016 aims at providing financial contributions to the functioning of Union-level consumer organisations under the framework partnership agreement (FPA) covering the period 2015-2018. The beneficiaries of the framework partnership will be invited to submit a simplified grant application, together with a detailed work programme and the corresponding budget for 2016.

Description of the activities to be funded by the specific grants directly awarded under FPA

Activities for the functioning of consumer organisations, as described by their annual work programme and by the detailed budget.

Essential eligibility, selection and award criteria

Eligibility criteria

Organizations awarded with a FPA are eligible for specific grants; the FPAs do not guarantee annual co-funding.

Selection criteria

The applicants must have stable and sufficient sources of funding, as well as relevant operational resources, skills and professional experience, to carry out their proposed programme.

Award criteria

Quality of the annual work programme, in particular as regards the description of the general and specific objectives and the relevance of the priority sectors that shall be covered; Quality of the communication strategy and of the full activities' list; Consistency of the objectives and targets with the multiannual work plan of the framework partnership agreement; A clear and coherent estimated budget of the expenses in relation to the corresponding activities.

All award criteria have the same weight. A maximum of 40 points can be attributed to a specific grant agreement proposal. Proposals have to reach a minimum of 20 points to be accepted.

Implementation

The action shall be implemented by the Executive agency.

Indicative timetable and indicative amount of the call for proposals

Reference	Date	Amount
Invitations addressed to the partners of the FPA to submit applications	Third quarter of 2015	EUR 1 400 000.

Maximum possible rate of co-financing of the eligible costs

The grants for the functioning of consumer organisations at Union level shall not exceed 50% of the eligible costs.

2.3. Support to events concerning consumer policy of the Union which are organised by the Member State holding the Presidency of Council configurations, other than that of Foreign Affairs on issues in line with established Union policy priorities; (Grants for actions)

Legal basis

Objective II – Consumer information and education and support to consumer organisations:
Article 4 (b) (6); Article 5 (5); Annex I (6) (e).

Priorities of the year, objectives pursued and expected results

Two grants are envisaged for 2015, one for each Presidency. The form, topic and expected results of events are established by the respective Presidency in agreement with the Commission. They shall bring added value to, and support the achievement of, objectives and priorities as defined by the Communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions – A European Consumer Agenda – Boosting confidence and growth (COM(2012) 225 final).

Description of the activities to be funded by the grants awarded without a call for proposals on the basis of Article 190 (1) (d) RAP

Organisation of Presidency events, such as conferences, seminars, workshops, is funded by the Commission through the grant covering costs for travels, subsistence and miscellaneous (various other costs).

Essential eligibility, selection and award criteria

Eligibility criteria

Grants may be awarded to national authorities of the Member State holding the Presidency of Council configurations, other than that of Foreign Affairs or to bodies designated by that Member State.

Selection criteria

The applicant must have adequate financial resources and the necessary operational resources, skills and professional experience in order to carry out the proposed action. The verification of the financial capacity shall not apply to public bodies.

Award criteria

EU dimension of the event; Contribution of the event to consumer policy objectives and to a better understanding of consumer's interests in the area concerned; Clarity and accuracy of the application, in particular as regards the costs estimation.

Implementation

The actions shall be implemented directly by DG JUST.

Indicative timetable and indicative amount of the grants awarded without a call for proposals

Reference	Date	Amount
Application for a subsidy	First and respectively second semester 2015	Maximum EUR 50 000 for each Presidency

Maximum possible rate of co-financing of the eligible costs

The grants for the organisation of Presidency events may not exceed 50 % of the eligible costs.

2.4. Grants for joint actions to improve cooperation between national authorities responsible for the enforcement of consumer protection laws (CPC)

Legal basis

Objective IV – Enforcement: Article 4 (d) (10); Article 5 (6); Annex I (10) (b)

Priorities of the year, objectives pursued and expected results

The proposed joint actions should improve the effective application of Regulation (EC) No2006/2004 through cooperation between Member States' authorities responsible for consumer affairs, including the corresponding authorities in third countries.

Description of the activities to be funded by the call for proposals

The joint actions may include all types of activities covered by Regulation (EC) No 2006/2004 under chapter II to IV (mutual assistance and community activities) e.g.: Development of common enforcement approaches to address widespread infringements to EU consumer laws through notably collection of information, sharing of expertise, sweeps of websites, legal analysis, joint investigation teams. The actions could also cover the improvement of the functioning of Regulation (EC) No 2006/2004 through notably: development of e-enforcement capacities; development of rapid alert systems especially to detect emerging infringements; development of training modules for various groups of stakeholders, including external parties in the judiciary or police domain; development of the knowledge base, e.g. case laws, compendium of unfair terms or practices.

Essential eligibility, selection and award criteria

Eligibility criteria

Beneficiaries eligible for grants may be authorities responsible for consumer affairs notified to the Commission in accordance with Regulation (EC) No 2006/2004 by a Member State or by a third country referred to in Article 7 of the Consumer Programme, or non-profit-making bodies expressly designated by those authorities for that purpose.

Selection criteria

The applicant must have adequate financial resources and the necessary operational resources, skills and professional experience in order to carry out the proposed action. The verification of the financial capacity shall not apply to public bodies.

Award criteria

Actions shall be ranked on the basis of the following criteria: Relevance in terms of the identified priority areas above and in particular how they correspond to the activities covered by Regulation (EC) No 2006/2004 under chapter II to IV (mutual assistance and community activities); Degree to which the estimated budget is clear and well detailed for the expenses in relation to the corresponding activities carried out in the joint project; Clarity and quality of the objectives, work plan, methodology, project organisation and description of the results and benefits expected.

All criteria have the same weight. Financial contribution shall be awarded to the highest scoring proposals up to the available budget. A maximum of 30 points can be attributed to a proposal. Proposals have to reach a minimum of 15 points to be accepted.

Implementation

The action shall be implemented by the Executive agency.

Indicative timetable and indicative amount of the call for proposals

Reference	Date	Amount
Publication of the call for proposals	First quarter 2015	EUR 450 000

Maximum possible rate of co-financing of the eligible costs

The maximum level of financial contributions by the Union shall not exceed 50% of the eligible costs, except in the case of actions of exceptional utility (which involve at least 6 Member States or concern infringements which cause or are likely to cause harm in two or more Member States), in which case the contributions by the Union to the eligible costs shall not exceed 70%.

2.5. Financial contributions for joint actions with bodies constituting the European Consumer Centres Network – ECC Net

Legal basis

Objective IV – Enforcement: Article 4 (d) (11); Article 5 (8); Annex I (11)

Priorities of the year, objectives pursued and expected results

The European Consumer Centres (ECCs) are currently active in the 28 Member States as well as in Norway and Iceland. The EU financial contribution shall cover the actions of the Centres in 2016 focusing on informing and assisting consumers on cross border issues and helping them exercise their

rights.

Description of the activities to be funded by the specific grants directly awarded under framework partnerships

The European financial contribution will cover the actions of one centre per country in 2016 focusing on cross-border issues, i.e.: promotional activities; direct provision of information; assisting consumers with a complaint or with a dispute; promotion of alternative dispute resolution (ADR) and other redress mechanisms; networking and feedback; collaboration with traders and enforcement authorities; promotion of equal quality of services.

The actions are organised as part of framework partnership agreements (FPAs) with host organisations of ECCs and covering ECCs' operations for the period 2015-2017.

Additional coordination or capacity building activities carried out by centres that wish to do so for the benefit of the entire network will be considered as creating an EU dimension added value that justify a higher co-financing rate.

Essential eligibility, selection and award criteria

Eligibility criteria

Entities awarded with a FPA are eligible for specific grants; the FPAs do not guarantee annual co-funding.

Selection criteria

Entities awarded with a FPA were selected for having the necessary operational capacity; they however must have the adequate financial resources to carry out the proposed operations in 2016. The verification of the financial capacity shall not apply to public bodies.

Award criteria

a) Regular running of a European Consumer Centre: Consistency of the proposed 2016 annual work programme with the FPA implementation strategy; quality of the detailed description of 2016 activities; convergence of targets towards the FPA targets; clear and coherent estimated budget of the expenses in relation to the corresponding activities.

b) Regular running of a European Consumer Centre and additional EU dimension activity: Consistency of the proposed 2016 annual work programme with the FPA implementation strategy; quality of the description of 2016 activities; convergence of targets towards the FPA targets; clear and coherent estimated budget of the expenses in relation to the corresponding activities; quality of the EU dimension activity proposed.

Implementation

The action shall be implemented by the Executive agency.

Indicative timetable and indicative amount of the call for proposals

Reference	Date	Amount
Invitation to the partners of the FPAs to submit applications for the 2016 specific grants	Second quarter 2015	EUR 6 000 000

Maximum possible rate of co-financing of the eligible costs

The maximum EU co-financing rate will be from 50% to up to 62% of the eligible cost of the action. For carrying out the activities corresponding to the regular running of a European Consumer Centre, the applicants will receive a grant covering up to 50% of the eligible costs. The applicants choosing to carry out, in addition, an EU dimension activity benefiting the whole network to strengthen its impact in leading joint projects, undertaking the development and management of shared tools (such as a document repository, FAQs, a newsletter, a case handling system, a legal advice centre), or mentoring schemes aimed at developing legal and assistance capacities of the network (including of potential new members and/or of centres with lower human resources) will receive a grant covering up to 55% of the eligible costs.² For ECCs from countries whose GDP per capita is in the lower quartile (source Eurostat 2013), the level of EU contribution can be up to 62 %. This criterion is intended to contribute to the reduction of inequalities in access to consumer redress mechanisms and equal enforcement levels across the internal market.

3. PROCUREMENT

The overall indicative budgetary allocation reserved for procurement contracts in 2015 amounts to EUR 11 558 860. An indicative number of 47-62 contracts are envisaged (40-48 specific contracts and 7-14 direct contracts).

3.1. Coordination of market surveillance and enforcement actions on product safety and actions to improve consumer services safety; Maintenance and further development of databases on cosmetics

Legal basis

Objective I – Safety: Article 4 (a); Annex I (2) (3)

Subject matter of the contracts envisaged (in generic terms)

Development, modernisation and maintenance of **IT tools**, such as: GPSD Business Application; RAPEX; Risk Assessment Guidelines; Cosmetic Products Notification Portal; database on Cosmetics Ingredients (COSING). **Events** (such as seminars, conferences, workshops and meetings) of stakeholders and experts on risks and enforcement in the area of **product safety**. Activities in the area of **data collection** regarding risks related to non-food products, and for **dissemination** strategies and **awareness**-rising about non-food product safety. Exchange of enforcement officials in the area of consumer safety. Support of **standardisation activities**, regulatory actions, enforcement activities and cooperation, including the knowledge base for further standards, regulations and control of products, including those imported from third countries.

Type of contract (*new FWC / direct contract / specific contract based on an existing FWC / contract renewal*) and type of procurement (*service/supply/works*)

11-13 specific service contracts based on existing framework contracts, including for IT. 2-3 direct service contracts. Simple invoice payments for some IT actions.

Indicative number of contracts envisaged: 13-16

² This higher rate of co-financing is justified both by the additional activity and by the impact of the EU dimension activity on the development of ECCs. It is the result of taking into account the following aspects: Necessity to support the additional EU dimension activities at the rate of 70%; Simplification, reduction of administrative burden for the beneficiaries (NGO's and public bodies); Difficulties for the beneficiaries to differentiate between costs at 50% and costs at 70%. On this basis DG SANCO has calculated a single co-financing rate of up to 55%.

Indicative timeframe for launching the procurement procedure

1st quarter (3-4 contracts); 2nd quarter (4-5 contracts); 3rd quarter (4 contracts); 4th quarter (2-3 contracts).

Implementation

The actions shall be implemented directly by DG JUST or by the Executive agency. Hosting for databases on cosmetics is provided by DG DIGIT. Actions in support of standardisation or regulatory actions may be carried out through an administrative agreement with the Joint Research Centre (JRC). The IT tools GPSD Business Application, RAPEX and Risk Assessment Guidelines may be sub-delegated to DG SANTE. The Cosmetic Products Notification Portal and the database on Cosmetics Ingredients (COSING) may be sub-delegated to DG ENTR.

3.2. Building and improving access to the evidence base for policy-making in areas affecting consumers; Support through capacity building for consumer organisations; Enhancing the transparency of consumer markets and consumer information; Enhancing consumer education.

Legal basis

Objective II - Consumer information and education and support to consumer organisations:
Article 4 (b); Annex I (4)(5)(6)(7)

Subject matter of the contracts envisaged (in generic terms) (*study / technical assistance / evaluation / survey / IT / communication services/etc.*)

Market studies (the topics will be decided on the basis of the Consumer Scoreboards and policy priorities). **Surveys:** consumer attitudes towards cross-border trade and consumer protection; business attitudes towards cross-border sales and consumer protection. Study to explore the key issues raised by the new practices, as for example of “**share**” **economy** and **collaborative consumption**. Update, development, maintenance and hosting of **IT systems:** Consumer Statistics; European Consumer Complaints Registration System and on-line application for complaints handling bodies. Development/maintenance of statistical software components and services. **Capacity building actions** for consumer organisations notably through training available in various languages and throughout the Union and exchange of best practices and expertise for staff members, in particular for consumer organisations in Member States where they are not sufficiently developed or which demonstrate a relatively low level of consumer confidence and awareness as evidenced by monitoring of consumer markets and the consumer environment in the Member States. The actions include: further development, maintenance and hosting of an interactive networking platform; development of e-learning modules to be integrated in the web networking platform; organisation of class teaching courses; organisation of local training courses at local, regional or national level, including the promotion of the training activities among the relevant target groups, and of some expert courses. Support for **communication on consumer issues**, including the contribution to DG JUST horizontal communication actions. **Consumer education actions**, including maintenance, update, hosting, moderation, enhancement of the teachers' interactive on-line platform on consumer education and promotional activities for the teachers' interactive on-line platform on consumer education; the actions aim at the development of education measures and materials in collaboration with stakeholders such as national authorities, teachers, consumer organisations and those active at grass-roots level, in particular by making use (e.g. collection, compilation, translation and diffusion) of materials produced at national level or for previous initiatives, on various media including digital, on e.g. consumer rights including cross-border issues, health and safety, Union consumer legislation, sustainable and ethical consumption including Union certification schemes, financial and media literacy. **Awareness-raising campaigns** on issues affecting consumers.

Type of contract (*new FWC / direct contract / specific contract based on an existing FWC / contract renewal*) and type of procurement (*service/supply/works*)

10-12 specific service contracts based on existing framework contracts, including for IT, communication services, market studies, capacity building, consumer education, consumer survey; 2-3 direct contracts; Simple invoice payments for some IT actions.

Indicative number of contracts envisaged: 12-15

Indicative timeframe for launching the procurement procedure

1st quarter (2-3 contracts); 2nd quarter (4-5 contracts); 3rd quarter (4-5 contracts); 4th quarter (2 contracts)

Implementation

The actions shall be implemented directly by DG JUST or by the Executive agency.

3.3. Preparation of consumer protection legislation and other regulatory initiatives; Facilitating access to dispute resolution mechanisms for consumers, in particular to alternative dispute resolution schemes, including through a Union-wide online system and the networking of national alternative dispute resolution entities.

Legal basis

Objective III – Rights and redress: Article 4 (c); Annex I (8)(9)

Subject matter of the contracts envisaged (in generic terms) (*study / technical assistance / evaluation / survey / IT / communication services/etc.*)

Studies, notably in the context of CPC regulation, behavioural economics and smart regulation activities.

Events of stakeholders and experts (such as seminars, conferences, workshops and meetings, including the Consumer Summit as well as the cooperation of ODR contact points and of ADR entities).

Support for the **Online Dispute Resolution (ODR)** platform (notably infrastructure, development, maintenance, associated services in particular translation and support).

Type of contract (*new FWC / direct contract / specific contract based on an existing FWC / contract renewal*) and type of procurement (*service/supply/works*)

12-13 specific service contracts based on an existing framework contracts; 1-2 direct service contracts; Simple invoice payments for some IT actions; New framework contract on consumer behavioural economics studies.

Indicative number of contracts envisaged: 13-15

Indicative timeframe for launching the procurement procedure

1st quarter (1-2 contracts); 2nd quarter (4-5 contracts); 3rd quarter (6 contracts); 4th quarter (2 contracts)

Implementation

The actions shall be implemented directly by DG JUST or by the Executive agency. The support for the Online Dispute Resolution (ODR) platform may be sub-delegated to DG SANTE.

3.4. Coordination of surveillance and enforcement actions with regard to Regulation on Consumer Protection Cooperation (CPC); Support to the European Consumer Centres Network

Legal basis

Objective IV – Enforcement: Article 4 (d); Annex I (10) (11)

Subject matter of the contracts envisaged (in generic terms) (*study / technical assistance / evaluation / survey / IT / communication services/etc.*)

Implementation and improvement of the CPC Regulation including: Maintenance and improvement of the **IT system** and IT platforms supporting the functioning of the CPC (Consumer Protection Cooperation System – CPCS; IT fiches for Sweeps and CPC notifications of competent authorities); **Monitoring of joint enforcement actions** and of results of joint enforcement actions such as sweeps, exchange of CPC enforcement officials, organisation of workshops to improve stakeholder knowledge of the CPC and to achieve common enforcement approaches to issues harming consumers across the Single Market.

Improvement of the functioning and visibility of the ECC-Net, notably by maintenance and improvement of the **IT system** and **IT platforms** supporting the functioning of the ECC-Net and **support services** for the improvement of the visibility and quality of services of the **ECC-Net**.

Type of contract (*new FWC / direct contract / specific contract based on an existing FWC / contract renewal*) and type of procurement (*service/supply/works*)

7-10 specific service contracts based on existing framework contracts; 2-6 direct service contracts; renewal of the contract for ECC support services; Simple invoice payments for some IT actions.

Indicative number of contracts envisaged: 9-16

Indicative timeframe for launching the procurement procedure

1st quarter (1-3 contracts); 2nd quarter (3-5 contracts); 3rd quarter (2-3 contracts); 4th quarter (3-5 contracts)

Implementation

The actions shall be implemented directly by DG JUST or by the Executive agency.

4. OTHER ACTIONS

The budgetary allocation reserved for other actions is estimated at EUR 500 000.

4.1. Support for the tasks of the independent scientific committees established by Commission Decision 2008/721/EC setting up an advisory structure of Scientific Committees and experts in the field of consumer safety, public health and the environment.

Legal basis

Objective I – Safety: Article 4 (a) (1); Annex 1 (1)

Amount

EUR 330 000

Description and objective of the implementing measure

Financial contribution to the work of the Non-food Scientific Committees dealing with consumer products, emerging risks and newly identified health risks. Payment by the Commission of indemnities to the committee members, external experts, associate members and rapporteurs throughout the year (50 % from the Consumer budget and 50 % from the Public Health budget).

The action may be sub-delegated to DG SANTE.

4.2. Support in the form of special indemnities to the exchanges of enforcement officials in the areas of consumer safety and consumer protection cooperation (CPC)

Legal basis

Objective I – Safety: Article 4 (a) (2); Annex I (2) (c) ; **Objective IV-Enforcement:** Article 4 (d) (10); Annex I (10) (b)

Amount

EUR 170 000

Description and objective of the implementing measure

Financial contribution in the form of indemnities, which may take the form of advance payments, is paid to enforcement officials and third countries notified to the European Commission for the purposes of Regulation (EC) N° 2006/2004 and of Directive 2001/95/EC by a Member State or a third country referred to in Article 7 of the Consumer Programme 2014-2020. These indemnities shall cover the expenses of the enforcement official's participation at the exchange. The indemnities awarded to officials shall cover travelling costs and subsistence allowances (including the hotel costs and daily allowance). The rules on the reimbursement of expenses incurred will be described in the letters addressed to the CPC and GPSD Committee representatives. The action shall be implemented by the Executive agency throughout the year 2015.