Commission Delegated Regulation (EU) 2019/247 of 16 October 2018 laying down the list of indicators for the report on the application of Regulation (EC) No 1082/2006 of the European Parliament and of the Council on a European grouping of territorial cooperation (EGTC)

COMMISSION DELEGATED REGULATION (EU) 2019/247

of 16 October 2018

laying down the list of indicators for the report on the application of Regulation (EC) No 1082/2006 of the European Parliament and of the Council on a European grouping of territorial cooperation (EGTC)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1082/2006 of the European Parliament and of the Council of 5 July 2006 on a European grouping of territorial cooperation (EGTC)[(1)], and in particular the second paragraph of Article 17 thereof,

Whereas:

(1) In its first report on the application of Regulation (EC) No 1082/2006, the Commission proposed a number of amendments[(2)]. Regulation (EU) No 1302/2013 of the European Parliament and of the Council[(3)] improved, clarified and simplified the establishment and functioning of the European groupings of territorial cooperation ('EGTCs').

(2) In accordance with the first paragraph of Article 17 of Regulation (EC) No 1082/2006, the Commission is to forward to the European Parliament, the Council and the Committee of the Regions a report on the application of that Regulation, assessing, on the basis of certain indicators, the effectiveness, efficiency, relevance, European added value and scope for simplification of that Regulation.

(3) The indicators should help the Commission form an opinion on the progress made to date. A cut-off date should be introduced for gathering information for the report and progress should be assessed by comparing the situation at a given baseline and the situation at that cut-off date. Both quantitative and qualitative indicators should be used when compiling the report.

(4) In accordance with the second subparagraph of Article 3 of Regulation (EU) No 1302/2013, that Regulation applies as of 22 June 2014. In accordance with the transitional provisions in Article 2 of that Regulation, the approval procedure of EGTCs in the process of being established depends on the date of 22 June 2014. The baseline for indicators measuring progress should therefore be the situation on 21 June 2014. The cut-off date for receiving data or information to use the indicator can only be fixed during the preparatory work for the report on the application of the Regulation and should be mentioned in the report.

(5) The effectiveness indicator should demonstrate how successful Regulation (EC) No 1082/2006 has been in achieving its objectives or making progress in achieving them.

(6) The efficiency indicator considers the relationship between the resources or inputs used and the changes or results generated. With regard to the approval procedure for the establishment of the EGTCs, information on different costs for the establishment of different legal bodies for cooperation may only be generated by the national authorities who have previously approved comparable bodies. In assessing the progress of the EGTCs and indirectly the efficiency of Regulation (EC) No 1082/2006 to date, costs for the functioning of those EGTCs should be compared with the costs involved in setting up a different legal body for cooperation. Such a comparison may, however, only be made with the EGTCs that had set up a different legal body for cooperation beforehand.

(7) The relevance indicator considers the extent to which the objectives and provisions of Regulation (EC) No 1082/2006 correspond to the needs of the prospective members of EGTCs.

(8) The sustainability indicator, which is linked to relevance, considers the number of registered EGTC's which are actually not performing any activity.

(9) The European added value indicator considers whether EGTCs were set up because Regulation (EC) No 1082/2006 was adopted, whereas the EGTC members had not been able to set up legal bodies for territorial cooperation under existing international or national law.

(10) With regard to the scope for further simplification of Regulation (EC) No 1082/2006, the elements for simplification such as of the procedure to set up new EGTCs including tacit approval by national approval authorities, as introduced by Regulation (EU) No 1302/2013 should be assessed,

HAS ADOPTED THIS REGULATION:

Article 1

The indicators to be used for the report on the application of Regulation (EC) No 1082/2006 are set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 16 October 2018.

For the Commission

The President

Jean-Claude JUNCKER

Changes to legislation: *There are currently no known outstanding effects for the Commission Delegated Regulation (EU) 2019/247. (See end of Document for details)*

ANNEX

List of indicators for the report on the application of Regulation (EC) No 1082/2006 on a European grouping of territorial cooperation (EGTC)

Assessment criterion	Indicator name	Unit
Effectiveness	Conformity of Member States' national rules with this Regulation	Number of Member States having adopted revised implementation rules at the cut-off date for the report
	Increase of EGTCs set up (Baseline: number of EGTCs as of 21 June 2014: X)	Number of EGTCs at the cut-off date for the report
	Increase of EGTC members in existing EGTCs (Baseline: number of EGTC members at first setting-up)	Number of EGTC members at the cut-off date for the report
	Increase of EGTC members per category (Baseline: number of members as of 21 June 2014: X) Sub-indicators per category: — Member States — authorities at national level — regional authorities — local authorities — public undertakings — undertakings entrusted with operations of services of general economic interest — associations consisting of bodies belonging to one or more of these categories — national, regional or local authorities, or bodies or undertakings, equivalent to those above from third countries or	Number at the cut-off date for the report

a E.g. Euroregional Cooperation Grouping (Council of Europe); Euroregions, Eurodistricts; Zweckverband (German law), Consorcio (Spanish law), Groupement local de coopération transfrontalière (French law).

b 'Own staff' as opposed to staff delegated by members of the EGTC.

c Percentage based on the number of staff, no need to take account of full-time equivalents.

	overseas countries or territories	
	Increase of services provided as a result of EGTCs (Baseline: number of services provided as of 21 June 2014: X) Sub-indicators per category: — Health — Education and training — Environment, energy, nature protection — Transport — Research — Other	Number at the cut-off date for the report
Efficiency	Costs for the setting-up of an EGTC compared to costs for setting-up comparable structures under international or national law[a]	EUR
	Costs for the functioning of an EGTC compared to costs for the functioning of comparable structures under international or national law	EUR
	Approval procedure for the set-up of EGTC's compared to the approval procedure for comparable bodies under international or national law	Number of months
Relevance	Use of EGTC for the implementation of a **cooperation programme** (as managing authority) (Baseline: number of EGTC's being a managing Authority as of 21 June 2014: X)	Number of EGTCs designated as managing authority of a cooperation programme at the cut-off date for the report
	Use of EGTC to implement **part of a cooperation programme** (e.g. sub-programmes, Small-project-funds, people-to-people projects, Integrated	Number of EGTCs designated to implement part of a cooperation programme at the cut-off date for the report

a E.g. Euroregional Cooperation Grouping (Council of Europe); Euroregions, Eurodistricts; Zweckverband (German law), Consorcio (Spanish law), Groupement local de coopération transfrontalière (French law).

b 'Own staff' as opposed to staff delegated by members of the EGTC.

c Percentage based on the number of staff, no need to take account of full-time equivalents.