



FUSION FOR ENERGY

The European Joint Undertaking for ITER and the Development of Fusion Energy

THE GOVERNING BOARD

DECISION OF THE GOVERNING BOARD OF THE EUROPEAN JOINT UNDERTAKING FOR ITER AND THE DEVELOPMENT OF FUSION ENERGY ADOPTING AMENDMENTS TO THE IMPLEMENTING RULES OF THE FINANCIAL REGULATION

THE GOVERNING BOARD,

HAVING REGARD to the Council Decision (Euratom) No 198/2007 of 27 March 2007 establishing the European Joint Undertaking for ITER and the Development of Fusion Energy (hereinafter "the Joint Undertaking") and conferring advantages upon it¹ and in particular Article 5 thereof;

Having regard to the Financial Regulation of Fusion for Energy, as last amended by Decision of the Governing Board on 24-25 November 2011 (hereinafter "the Financial Regulation");

HAVING REGARD to the Decision of the Governing Board of 8 September 2008² adopting the Implementing Rules of the Financial Regulation of Fusion for Energy (hereinafter "the Implementing Rules") last amended on 29 June 2012³ and Article 81 (2) thereof.

HAS ADOPTED THIS DECISION:

Article 1

Article 7(2) of the Implementing Rules is replaced by the following:

The appropriations corresponding to assigned revenue may be made available:

- a) *For the commitments, on adoption of the budget as foreseen in Article 28 of the Financial Regulation, or for sums which do not find their origin in voted appropriations, on signature of specific contracts or agreements guaranteeing the corresponding payment appropriations.*
- b) *For the payments when the revenue has been received by the Joint Undertaking*

Article 2

Article 81 (2) of the Implementing Rules is replaced by the following:

The participation in procurement procedures may also be open to other economic operators than referred to in Paragraph 1, if so decided by the Director after hearing the opinion of the Executive Committee and with due regard to the objectives set out in the Industrial Policy of Fusion for Energy.

Article 3

When providing advice to the Director, the Governing Board invites the Executive Committee to take into account the hierarchy described in F4E's Industrial Policy and pay special attention to the procurement of goods, services or works which are of strategic or industrial importance to Europe. The Executive Committee is also invited to report to the Governing Board on its activities in this regard.

Article 4

This Decision shall have immediate effect.

¹ OJ L 90, 30.3.2007, p. 58

² F4E(08)-GB06-06a of 08/09/2008

³ F4E(12)-GB24-13b of 29/06/2012

Done at Barcelona, 11th December 2012

For the Governing Board

A handwritten signature in black ink, appearing to read 'Stuart Ward', with a horizontal line underneath the name.

Stuart Ward

Chair of the Governing Board

For the Secretariat

Raymond Monk

Secretary of the Governing Board