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CONTRIBUTION

From: General Secretariat of the Council
To: Ad hoc Working Party on the Social Climate Fund

Subject: Fit for 55 package - Social Climate Fund: Follow-up to the AHWP SCF on 14 March 2022 - Comments by delegations

In follow-up to the call for comments (WK 3825/2022) on the Presidency non-paper (WK 3404/2022) on blocks 3 (eligibility) and 4 (management and control) of the SCF regulation, delegations will find below joint comments from the ■■■, ■■■, NL, ■■■ and ■■■ delegations.

Proposal for a Regulation establishing a Social Climate Fund

Comments from ■■■, ■■■, NL, ■■■, ■■■ on the coordinating authority

These comments do not prejudice our position on the establishment of a Social Climate Fund, which has not changed

Amendments proposal on article 21 (c)

■■■, ■■■, NL, ■■■ and ■■■ welcome the reference in article 21(c) to 'implementation and control at national and regional levels'. This openness to control and implement at different levels is very important.

We notice, however, that Annex III is not consistent with article 21(c). Indeed, Annex III requires the nomination of one coordinator/single point of contact, with an overall responsibility for the Social Climate Plan. This would not correspond to our national context, where different levels of power and authorities will be involved in and responsible for the implementation and control of the Fund. We therefore propose some modifications to Annex III in order to better reflect our institutional context, i.e. the possibility for several entities at different levels, to carry equal responsibility for implementation and control.

ANNEX III

Key requirements for the Member State's control system

(1) The Member State shall provide an effective and efficient internal control system **in accordance with their institutional, legal and financial framework**, including separation of functions and reporting, supervising and monitoring arrangements.

This includes:

~~☐ the nomination of an authority as "coordinator" having the overall responsibility for the Climate Action Social Plan and being the single point of contact for the Commission;~~

~~☐ that the coordinator has (i) the administrative capacity in terms of human resources (staff numbers and profiles), institutional experience and expertise, and (ii) the mandate and authority to exercise all relevant tasks, including supervision and reporting responsibilities;~~

☐ the designation of the authorities entrusted with the implementation of the Climate Action Social Plan and the allocation of the related **responsibilities and functions**;

☐ the designation of the authority **ies** responsible for signing the management declaration accompanying the payment requests;

procedures ensuring that this /these authority /ies will get assurance about the achievement of the milestones and targets set in the plan, that the funds were managed in accordance with all applicable rules, in particular rules on avoidance of conflicts of interests, fraud prevention, corruption and double funding;