Research RTD, 7th EC framework programme 2007-2013: participation of undertakings, research centres and universities

2005/0277(COD) - 23/12/2005 - Legislative proposal

PURPOSE : to lay down the rules for the participation of undertakings, research centres and universities under the 7th Framework Programme (2007-2013) and for the dissemination of research results.

PROPOSED ACT : Regulation of the European Parliament and of the Council.

CONTENT : this proposal is being presented within the context of the seventh framework programme, which was adopted in April 2005. Its purpose is to establish the "Rules for Participation" in the programme. In preparing this proposal the Commission has sought to simplify as much as possible, the Rules in line with the Commission Staff Working Paper "Simplification in the 7th Framework Programme". The proposal is based on Article 167 of the Treaty, which foresees the adoption of rules for participation and relates to undertakings, research centres and universities. This article also refers to the rules of disseminating results.

The current proposal contains four chapters.

- The first being introductory provisions. Here the Articles refer largely to the subject matter, definitions and confidentiality clauses.

- The second Chapter deals with "participation in indirect actions". This Chapter sets the minimum conditions which need to be fulfilled prior to participation. It also establishes procedures such as the minimum number of candidates needed to participate, their place of establishment, proposal submissions and evaluation, the implementation of grant agreements, the monitoring of projects and programmes, the Community's financial contribution, eligibility for funding and the kind of grants, reimbursement rates, payment, distribution, recovery and guarantees offered by the EU.

- The third Chapter concerns the European Investment Bank.

- The fourth Chapter deals with "Rules for dissemination and use and access rights". In other words it covers all aspects of ownership, protection of rights, publications, dissemination and use and access rights to the research.

As far as the minimum number of participants is concerned the proposal suggests that this be dependant on where the participants are established and according to the type of action being financed. Legal entities established in Associated countries may participate on the same basis as those established in the Member States. In addition the new Rules set out the procedures to be followed for issuing calls for proposals, the exception to calls for proposals, rules on their submission, evaluation, selection and their award. Additional procedures are spelt out for the appointment of external experts.

As far as the evaluation process is concerned the Commission proposes to continue with the current internal rules without substantial changes. Greater use will be made of remote evaluation where possible. Other features of the proposal include:

- Accepting the use of electronic submissions. A single registration system comprising a common database for all Commission services should help significantly.

- The establishment of a model grant in which the rights and obligations of participants and the Community are spelt out. The grant agreement will come into force upon signature by the co-ordinator and Commission authorising officer.

- As with the 6th FP, participants will be required to conclude consortium agreements, except where exempted by the call for proposals. However, many of the new provisions relating to intellectual property should make it easier to establish consortiums.

- Participants eligible for Community funding are listed in the sub-section on Community financial contribution.

- Proposing three forms of grants. They are the reimbursement of eligible costs, lump sums and flat-rate financing. The use of lump sums and flat rate financing will be introduced gradually and, if successful, will be used more extensively over time.

- For the proposed "Frontier Research Actions", the European Research Council's Scientific Council will propose appropriate funding modalities.

- The Commission has decided to abandon the three cost reporting models used in previous Framework Programmes. Instead the definition of "eligible costs" has been simplified.

- The Community's financial contribution will cover a maximum of 50% of eligible costs minus receipts both for research and for demonstration activities.

- For SME's, public bodies, secondary and higher education establishments and non-profit organisations there will be a top up of a maximum of 25% for research activities.

- Frontier Research Actions would be reimbursed at 100% of all entities.

- All other activities, including those relating to co-ordination and support actions and actions for the training and career development of researchers would be reimbursed at up to 100% for all entities.

- A lump sum is proposed for Networks of Excellence

- The Commission has decided to do away with the principle of financial collective responsibility in order to secure greater SME participation.

- Bank guarantees will only be requested in rare cases, where pre-financing represents over 80% of the grant.

- As far as the ownership and protection of rights are concerned the Commission has strayed little from the 6th FP. There has been some fine tuning of the procedures based largely on experience gained over the implementation of the previous programme. The main changes made relate to:

- removing most of the obligation on participants to finalise conditions before they can sign an EU contract and

- removing most of the obligations requiring prior approval from the Commission for publication, transfers of ownership and provisions of access rights to third parties.

- For Joint Ownership, a default regime is being proposed in order to facilitate the exploitation of jointly owned results in the absence of a clear agreement between the parties

Information on projects funded will be provided to the Programme Committee but their role in approving individual projects has been removed. This will eliminate the need for a Commission decision for each project selected for funding. Such a measure, it is hoped, will speed up the “time to contract” process. Programme Committees will, however continue with their important role of reviewing and approving work programmes and other major policy issues.

Lastly, the Commission proposes to make further efforts to guarantee that information will be as clear and accessible as possible. The number and size of documents is to be reduced and consolidated. Duplication of information will be avoided. In addition the Commission will continue to be assisted by an IPR helpdesk.