

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

2005/0277(COD) - 18/12/2006 - Final act

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

LEGISLATIVE ACT: Regulation 1906/2006/EC of the European Parliament and of the Council laying down the rules for the participation of undertakings, research centres and universities in actions under the Seventh Framework Programme and for the dissemination of research results (2007-2013).

CONTENT: this Regulation has been adopted alongside Decision 1982/20067/EC adopting the Seventh RT&D Framework Programme 2007-2013. See: [COD/2005/0043](#).

The purpose of this Regulation is to lay down the rules for the participation of undertakings, research centres, universities and any other legal entities, in actions undertaken by one or more participants through Funding Schemes as set out by the Seventh Framework Programme. It also lays down the rules on:

- results from the research programmes;
- direct or indirect utilisation of foreground in further research activities other than those covered by the indirect action concerned;
- developing, creating and marketing a product or process;
- creating and providing a service; and
- licences and user rights – referred to as “access rights”.

The provisions have been drafted so as to offer undertakings, research centres and universities a coherent, comprehensive and transparent framework. They have also been formulated so as to facilitate the exploitation of intellectual property developed by participants whilst taking account of the Community's interest in any subsequent IPR.

The Regulation also specifies the following points:

- The 7th Framework Programme will be implemented in accordance with State Aid rules.
- Confidential data will be governed by relevant Community legislation.
- Overseas countries and territories will be eligible to participate, as will legal entities established in third countries.
- Rules governing the use of independent experts will be established by the Commission.

- The Community's financial interests will be governed by the Financial Regulation and the Implementing Rules.
- The Community's financial contribution will reach participants without undue delay.
- Any Agreements concluded under the terms of this Regulation may be subject to on-the-spot checks carried out by the European Anti-Fraud Office (OLAF).
- The obligation for certain participants to take financial responsibility for their partners in the same consortium (as set out in the 6th Framework Programme) will be waived. Instead a "participant guarantee fund" will be established to cover costs which have not been reimbursed by defaulting partners.
- Community grants may be awarded to the EIB in order to allow for a larger volume of EIB lending. Financing may thus be given to risky RT&D projects.
- Financial support will be offered in the form of either: public procurement; grants; subscription to organisations in the form of a membership fee; or in the form of honoraria for independent experts.

As far as the upper funding limits are concerned the Community financial contribution may reach a maximum of 50% of the total eligible costs. However,

a) in the case of non-profit public bodies, secondary and higher education establishments, research organisations and SMEs, it may reach a maximum of 75% of the total eligible costs;

b) in the case of security-related research, it may reach a maximum of 75% for development capabilities in domains with very limited market size;

c) in the case of demonstration activities, the financial contribution may reach a maximum of 50% of the total eligible cost;

d) in the case of "frontier-driven" research actions, coordination and support actions, and actions for training and career development, the financial contribution may reach a maximum of 100% of the total eligible costs.

Non-profit public bodies, secondary and higher education establishments, research organisations and SMEs which are unable to identify their real indirect costs may opt for a flat-rate equal to 60% of the total direct eligible costs for grants awarded under calls for proposal closing before 1 January 2010.

ENTRY INTO FORCE: 2 January 2007.