

The Community legal framework for a European Research Infrastructure Consortium (ERIC)

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ERIC : Main aims

An easy-to-use legal instrument providing:

- the spirit of a truly European venture
- a legal personality recognized in all EU Member States
- flexibility to adapt to the specific requirements of each infrastructure
- some privileges / exemptions allowed at a national level for intergovernmental organisations
- a faster process than creating an international organisation

ERIC's Tasks & requirements

- Principal task: **establish and operate a Research Infrastructure**, on a **non economic basis** (limited economic activities are however possible)
- Five requirements to be met:
 - necessary for **European research**
 - **added value** in the development of ERA and significant **improvement** in relevant S&T fields
 - **effective access** to European researchers
 - Contributes to the **mobility of knowledge** and/or **researchers** with in the ERA
 - **dissemination / optimization** of the RTD results

Membership of an ERIC

- Member States
- Associated Countries
- Third States
- Intergovernmental organisations

An ERIC must at all times have at least **three** Member States as members.

Member States shall jointly hold the majority of the voting rights in the assembly of members.

A State may be **represented** by one or more public entities or private entities with a public-service mission

Public Procurement and VAT

ERICs will not be bound by the procedures of the **Public Procurement Directive** but may set their own procurement rules based on transparency, non-discrimination and competition.

ERICs will be exempted from paying **VAT** and **excise duty**.

This is possible because ERICs will be considered as international bodies/ organisations for the purposes of the Directives on public procurement, VAT and excise duties.

Internal Structure of an ERIC

- **statutory seat** in a Member State or Associated Country; research locations anywhere
- mandatory **bodies** (members' assembly; director/board of directors)
- members' **liability**
 - ✓ limited to committed contribution, no capital requirement.
 - ✓ may specify in the Statutes a fixed liability above their respective contributions or unlimited liability.

Application process

- **Who can apply?**

States and intergovernmental organisations, including at least three Member States

- **Submission of the application**

Electronically to: RTD-ERIC@ec.europa.eu by the Permanent Representation to the European Union of the country of the statutory seat of the ERIC

- **Language**

Applications may be submitted in any official language of the European Union.

Status of the ERIC legal framework

- Adoption of proposal by Commission, 25 July 2008
- Adoption by Council, 25 June 2009
- Entry into force, 28 August 2009
- First meeting of Management Committee 9 October 2009, next 25 January 2010
- Practical Guide available to projects since 27 November 2009, update online next week
- Several RI projects preparing applications

- Further information:

http://ec.europa.eu/research/infrastructures/eric_en.html

Thank you for your attention -
Questions welcome!