


Procedure file

Basic information	
CNS - Consultation procedure Decision	1997/0310(CNS) Procedure completed
RTD 5th Euratom framework programme 1998-2002: participation of undertakings, research centres and universities	
Subject 3.50.02.02 Euratom framework programme, research and training programmes	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	ENER Research, Technological Development and Energy	GUE/NGL MARSET CAMPOS Pedro	22/01/1998
Council of the European Union	Council configuration	Meeting	Date
	Research	2154	22/12/1998
	Research	2109	22/06/1998

Key events			
16/12/1997	Legislative proposal published	COM(1997)0587	Summary
16/01/1998	Committee referral announced in Parliament		
19/05/1998	Vote in committee		Summary
19/05/1998	Committee report tabled for plenary, 1st reading/single reading	A4-0188/1998	
27/05/1998	Debate in Parliament		
28/05/1998	Decision by Parliament	T4-0315/1998	Summary
22/12/1998	Act adopted by Council after consultation of Parliament		
22/12/1998	End of procedure in Parliament		
01/02/1999	Final act published in Official Journal		

Technical information	
Procedure reference	1997/0310(CNS)
Procedure type	CNS - Consultation procedure

Procedure subtype	Legislation
Legislative instrument	Decision
Legal basis	Euratom Treaty A 007; Rules of Procedure EP 163
Stage reached in procedure	Procedure completed
Committee dossier	ENER/4/09678

Documentation gateway

Legislative proposal	COM(1997)0587	16/12/1997	EC	Summary
Economic and Social Committee: opinion, report	CES0632/1998 OJ C 214 10.07.1998, p. 0051	29/04/1998	ESC	
Committee report tabled for plenary, 1st reading/single reading	A4-0188/1998 OJ C 195 22.06.1998, p. 0003	19/05/1998	EP	
Text adopted by Parliament, 1st reading/single reading	T4-0315/1998 OJ C 195 22.06.1998, p. 0011-0030	28/05/1998	EP	Summary

Additional information

European Commission	EUR-Lex
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Final act

Decision 1999/66 OJ L 026 01.02.1999, p. 0056 Summary
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RTD 5th Euratom framework programme 1998-2002: participation of undertakings, research centres and universities

OBJECTIVE: to determine the rules for the participation of undertakings, research centres and universities in the implementation of the fifth Euratom framework programme (1998-2002). SUBSTANCE: alongside the framework programmes and specific programmes, the rules on participation laid down in this proposal for a decision will complete the legislative architecture of Community policy on research and technological development. The proposal follows the lines of the existing rules and experience gained in managing the 4th Framework Programme of RTD. It also takes account of the conclusions of the assessment by the Davignon panel and the structure and priorities of the 5th Framework Programme. In the eyes of the Commission, it is an operation of the 'innovation within continuity' kind, and it has been carried out with a concern to make the proposed rules transparent and comprehensible. The rules mainly concern: - the number of participants in indirect RTD actions; - conditions for the participation of legal entities from the Member States and associated States; - conditions for the participation of legal entities from third countries and international organizations; - conditions for the participation of the Joint Research Centre (JRC); - conditions relating to resources; - procedures to be applied; - selection criteria and conditions applicable in accordance with the type of procedure; - Community financial participation in eligible costs; - contracts; - any provisions in the programme of research and teaching relating to controlled thermonuclear fusion and energy systems using nuclear fission. ?

RTD 5th Euratom framework programme 1998-2002: participation of undertakings, research centres and universities

The Committee has adopted the report by Pedro MARSET CAMPOS (GUE/NGL, E) on the fifth EC framework programme for research, technological development and demonstration activities. on a Commission proposal: - one for a Council Decision concerning the rules for the participation of undertakings, research centers and universities and for the dissemination of research results for the implementation of the 5th programme of the EU (co-operation procedure, first reading) and The legal instruments for defining and implementing European reserach can be found at three separate but closely related levels: the framework programme (Article 130i(1)) of the Treaty, the specific programmes (Article 130i(3)) and the rules governing the participation of undertakings, research centres and the dissemination of results (Article 130g). The Commission proposal lays down the procedures and selection criteria applicable, sets out provisions governing financial participation and eligible costs and deals with contractual aspects. It also lays down rules for the dissemination and use of research results. The rapporteur argued that this proposal was of crucial importance to the implementation of the framework programme. For EU researchers, the decision on rules was as important as those setting out the objectives and substance of Community research. Because they offered a gateway into Community research, the rules should meet the essential requirements of being legally well-founded, universal, clear and transparent. Commissioner Edith CRESSON said that she could only accept amendments 4 and 8, and not amendments on the protection of the

Communities' financial interests and measures to combat fraud, on facilitating participation in projects and on the use of computer facilities such as websites to provide full information. ?

RTD 5th Euratom framework programme 1998-2002: participation of undertakings, research centres and universities

Adopting the report by Mr Pedro MARSET CAMPOS (GUE, E), the European Parliament put forward the following amendments to the Commission proposal: - indirect RTD actions may be performed by a cluster of SMEs and one large enterprise where one or more of them are established in a different EU Member State or in an Associated State; - in the case of highly innovative and rapidly changing information society projects, an exception may be made to the rule that an enterprise must have been operational for at least one year in order to be eligible for EU subsidies. The advance financing of a project by a consortium must never continue for longer than six months; - during the preparatory stage, after submission of the projects on the basis of the call by the Commission, the consortium partners may negotiate with one another about legal and contractual obligations. If, after approval of the consortium's contract by the Commission, the consortium partners are unable to sign the definitive contract within four months, the Commission shall withdraw its approval; - the interval between the deadline for submitting projects and the decision on their eligibility must not exceed four months; - the contract must also lay down what contribution the consortium must make to the dissemination and use of the research results secured and shall also stipulate the output criteria with which a project must comply. For highly innovative projects carried out in a rapidly changing market, the project may be altered to bring it into line with developments; Other Parliament amendments concern: - protection of the Community's financial interests and measures to combat fraud: before conclusion of a contract, the Commission shall always check whether the contracting party is reliable and may reject contractors deemed to be unreliable. If, during the financial inspection, serious failings or contractual irregularities are found, the Commission may suspend payment of instalments on the project in question and not finance any further participation by the undertaking concerned until the inspection procedure has been completed. The contracting party concerned shall be debarred from further participation in Community research programmes. - information: Infodesk shall be set up to provide contractors from the Member States with information on programmes in the Community languages. Parliament calls on the Commission to use websites to provide comprehensive information concerning expressions of interest and invitations to tender and to take all necessary measures to facilitate access to the programme for SMEs and research centres (specific brochures and the setting up of an administrative assistance unit).?

RTD 5th Euratom framework programme 1998-2002: participation of undertakings, research centres and universities

PURPOSE : to establish the rules for the participation of undertakings, research centres and universities in the implementation of the fifth framework programme of the European Atomic Energy Community (EURATOM) (1998-2002). COMMUNITY MEASURE : Council Decision 1999/66/EURATOM. CONTENT : The Decision lays down rules for the participation of undertakings, research centres and universities in indirect RTDT actions, as follows : - the number of participants in indirect RTDT actions; - the conditions to be fulfilled by legal entities in Member States and Associated States, by legal entities in third countries, international organisations and by the Joint Research Centre; - conditions regarding resources; - selection criteria and conditions applicable in accordance with the type of procedure (scientific excellence, Community added value, potential contribution to furthering the economic and social objectives of the Community, innovative nature of the project, prospects for dissemination/exploitation of results, effective transnational co-operation, effective and efficient management....); - Community financial participation and eligible costs; - content of contracts.?