


Procedure file

Basic information	
NLE - Non-legislative enactments Regulation	2012/0321(NLE) Procedure completed
Community legal framework for a European Research Infrastructures Consortium (ERIC): participation of associated countries Amending Regulation (EC) No 723/2009 2008/0148(CNS) Subject 3.50.01 European research area and policy 3.50.20 Scientific and technological cooperation and agreements	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	ITRE Industry, Research and Energy		23/01/2013
		PPE SARTORI Amalia	
Council of the European Union	Council configuration	Meeting	Date
	Competitiveness (Internal Market, Industry, Research and Space) 3276		03/12/2013
European Commission	Commission DG	Commissioner	
	Research and Innovation	GEOGHEGAN-QUINN Maire	

Key events			
03/12/2012	Legislative proposal published	COM(2012)0682	Summary
15/01/2013	Committee referral announced in Parliament		
07/10/2013	Vote in committee		
16/10/2013	Committee report tabled for plenary, 1st reading/single reading	A7-0331/2013	Summary
20/11/2013	Results of vote in Parliament		
20/11/2013	Decision by Parliament	T7-0481/2013	Summary
03/12/2013	Act adopted by Council after consultation of Parliament		
03/12/2013	End of procedure in Parliament		
06/12/2013	Final act published in Official Journal		

Technical information	
Procedure reference	2012/0321(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consultation of Parliament
Legislative instrument	Regulation

	Amending Regulation (EC) No 723/2009 2008/0148(CNS)
Legal basis	Treaty on the Functioning of the EU TFEU 187; Treaty on the Functioning of the EU TFEU 188 -a1
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	ITRE/7/11424

Documentation gateway

Legislative proposal		COM(2012)0682	03/12/2012	EC	Summary
Committee draft report		PE504.312	25/02/2013	EP	
Economic and Social Committee: opinion, report		CES0604/2013	20/03/2013	ESC	
Committee report tabled for plenary, 1st reading/single reading		A7-0331/2013	16/10/2013	EP	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0481/2013	20/11/2013	EP	Summary

Additional information

National parliaments	IPEX
European Commission	EUR-Lex

Final act

[Regulation 2013/1261](#)
[OJ L 326 06.12.2013, p. 0001](#) Summary

Community legal framework for a European Research Infrastructures Consortium (ERIC): participation of associated countries

PURPOSE: to amend Regulation (EC) No 723/2009 concerning the Community legal framework for a European Research Infrastructures Consortium (ERIC) so as to facilitate the participation of associated countries in ERICs.

PROPOSED ACT: Council Regulation.

BACKGROUND: the ERIC Regulation was adopted by Council in 2009 to facilitate the establishment and operation of European research infrastructures on a non-economic basis. With the Regulation a new legal instrument was created at EU level for establishing European research infrastructures with a legal personality recognized in all Member States.

Since the entry into force of the Community legal framework for a European Research Infrastructure Consortium (ERIC) in 2009, two European research infrastructures have been awarded ERIC status. Many of the projects included in the European Strategy Forum on Research Infrastructures (ESFRI) Roadmap are planning to use the ERIC as the legal instrument to implement and operate the research infrastructure.

The ERIC Regulation provides for a distinction and a difference in treatment between Member States, associated countries, third countries other than associated countries and intergovernmental organisations. An ERIC needs at least three Member States as members and Member States shall jointly hold the majority of the voting rights in the assembly of members. An ERIC however, may be hosted by a Member State or an associated country.

Until now no associated countries or third states other than associated countries have become member of an ERIC. Associated countries play an integral role in the preparation and the implementation of European research infrastructures and should be able to participate in ERICs on the same footing as Member States, as they contribute to the scientific excellence of Union research and to the competitiveness of the Union's economy through their support.

Associated countries and in particular Norway, have indicated strongly that they intend to contribute as host or member to a significant number of ERICs that are in preparation if they would have voting rights as do EU Member States in an ERIC, especially when they would be host of an ERIC and thus provide substantial contributions to its activities.

IMPACT ASSESSMENT: the proposal for a limited technical amendment to the ERIC Regulation does not have any effect on the impact assessment carried out by the Commission when the said Regulation was proposed for adoption by then Council.

LEGAL BASIS: Articles 187 and 188 of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: the objective of the proposed amendment of the ERIC Regulation is to avoid that associated countries would not be able to become host or member of an ERIC because in the current situation, their voting rights do not potentially reflect their financial support to ERIC projects.

As a result, the proposed amendment seeks to ensure that a minimum of one Member State together with at least two Member States or associated countries is necessary for establishing an ERIC. Furthermore, it is proposed that Member States or associated countries shall hold jointly the majority of voting rights in the general assembly. No other changes are proposed.

BUDGETARY IMPACT: the proposed amendment has no impact on the EUs budget or that of its Member States.

Community legal framework for a European Research Infrastructures Consortium (ERIC): participation of associated countries

The Committee on Industry, Research and Energy adopted, in the framework of a special legislative procedure (Parliaments consultation) the report by Amalia SARTORI (EPP, IT) on the proposal for a Council regulation amending Regulation (EC) No 723/2009 concerning the Community legal framework for a European Research Infrastructures Consortium (ERIC).

It approved the Commission proposal.

Community legal framework for a European Research Infrastructures Consortium (ERIC): participation of associated countries

The European Parliament adopted by 658 votes to 17, with 10 abstentions, in the framework of a special legislative procedure (Parliaments consultation), a legislative resolution on the proposal for a Council regulation amending Regulation (EC) No 723/2009 concerning the Community legal framework for a European Research Infrastructures Consortium (ERIC).

It approved the Commission proposal unamended.

Community legal framework for a European Research Infrastructures Consortium (ERIC): participation of associated countries

PURPOSE: to amend the legal framework for a European Research Infrastructures Consortium (ERIC).

NON-LEGISLATIVE ACT: Council Regulation (EU) No 1261/2013 amending Regulation (EC) No 723/2009 concerning the Community legal framework for a European Research Infrastructures Consortium (ERIC).

CONTENT: the ERIC Regulation was adopted in 2009 with the aim of establishing a legal framework laying down the requirements and procedures for, and the effect of, setting up a European Research Infrastructure Consortium (ERIC).

This Regulation amends the legal framework applicable to the European Research Infrastructure Consortium in order to make it easier for associated countries to become members of an ERIC.

Associated countries play an integral role in the preparation and the implementation of European research infrastructures and should be able to participate in ERICs on the same footing as Member States, as they contribute to the scientific excellence of Union research and to the competitiveness of the Unions economy through their support.

The amendment seeks to ensure that a minimum of one Member State together with at least two Member States or associated countries is necessary for establishing an ERIC. Furthermore, it is provided that Member States or associated countries shall hold jointly the majority of voting rights in the general assembly.

ENTRY INTO FORCE: 26.12.2013.