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Committee on Industry, Research and Energy

2011/0399(COD)

2.7.2012

AMENDMENTS

109 - 391

Draft report
Christian Ehler
(PE489.632v01-00)

on the proposal for a regulation of the European Parliament and of the Council laying down the rules for the participation and dissemination in 'Horizon 2020 – the Framework Programme for Research and Innovation (2014-2020)

Proposal for a regulation
(COM(2011)0810 – C7-0465/2011 – 2011/0399(COD))

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United in diversity

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Amendment 109

Philippe Lamberts

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) Horizon 2020 should be implemented with a view to contributing directly to creating industrial leadership, **growth** and employment in Europe and should reflect the strategic vision of the Commission Communication of 6 October 2010 to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Region ‘Europe 2020 Flagship Initiative Innovation’ whereby the Commission engages to radically simplify access of participants.

Amendment

(2) Horizon 2020 should be implemented with a view to contributing directly to creating **citizen's welfare, economic development, environmental sustainability**, industrial leadership, **prosperity** and employment in Europe and should reflect the strategic vision of the Commission Communication of 6 October 2010 to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Region ‘Europe 2020 Flagship Initiative Innovation’ whereby the Commission engages to radically simplify access of participants.

Or. en

Amendment 110

Francisco Sosa Wagner

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) Horizon 2020 should be implemented with a view to contributing directly to creating industrial leadership, growth and employment in Europe and should reflect the strategic vision of the Commission Communication of 6 October 2010 to the European Parliament, the Council, the European Economic and Social Committee

Amendment

(2) Horizon 2020 should be implemented with a view to contributing directly to **improving public well-being, ensuring social, economic and environmental sustainability and** creating industrial leadership, **prosperity**, growth and employment in Europe and should reflect the strategic vision of the Commission

and the Committee of the Region "Europe 2020 Flagship Initiative Innovation" whereby the Commission engages to radically simplify access of participants.

Communication of 6 October 2010 to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Region "Europe 2020 Flagship Initiative Innovation" whereby the Commission engages to radically simplify access of participants.

Or. es

Justification

This introduces a series of aims that should be met in implementing Horizon 2020 that are fully in accordance with the objectives of the Europe 2020 strategy.

Amendment 111

Marisa Matias

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) Horizon 2020 should be implemented with a view to contributing directly to creating industrial leadership, growth and employment in Europe and should reflect the strategic vision of the Commission Communication of 6 October 2010 to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Region 'Europe 2020 Flagship Initiative Innovation' whereby the Commission engages to radically simplify access of participants.

Amendment

(2) Horizon 2020 should be implemented with a view to contributing directly to creating ***citizens welfare, social, economic and ecological sustainability***, industrial leadership, growth and employment in Europe and should reflect the strategic vision of the Commission Communication of 6 October 2010 to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Region 'Europe 2020 Flagship Initiative Innovation' whereby the Commission engages to radically simplify access of participants.

Or. en

Amendment 112

Kent Johansson, Fiona Hall, Cristian Silviu Buşoi, Jens Rohde

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) Horizon 2020 should be implemented with a view to contributing directly to creating industrial leadership, growth and employment in Europe and should reflect the strategic vision of the Commission Communication of 6 October 2010 to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Region ‘Europe 2020 Flagship Initiative Innovation’ whereby the Commission engages to radically simplify access of participants.

Amendment

(2) Horizon 2020 should be implemented with a view to contributing directly to creating industrial leadership, **sustainable** growth and employment in Europe and should reflect the strategic vision of the Commission Communication of 6 October 2010 to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Region ‘Europe 2020 Flagship Initiative Innovation’ whereby the Commission engages to radically simplify access of participants.

Or. en

Amendment 113

Ioannis A. Tsoukalas

Proposal for a regulation

Recital 3

Text proposed by the Commission

(3) Horizon 2020 should support the achievement and functioning of the European Research Area in which researchers, scientific knowledge and technology circulate freely, by strengthening cooperation between the Union and the Member States, notably through application of a coherent set of rules.

Amendment

(3) Horizon 2020 should support the achievement and functioning of the European Research Area in which researchers, scientific knowledge and technology circulate freely, by strengthening cooperation **both** between the Union and the Member States, **and among the Member States**, notably through application of a coherent set of rules.

Or. en

Amendment 114

Patrizia Toia

Proposal for a regulation
Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) Accessibility of patent applications, standards, publications or any other dissemination tools, also in electronic form, relating to project results funded by Horizon 2020 requires the provision of accessible formats for all. Accessible formats include, but are not limited to, large print, Braille, easy-to-read text, audio, video, and electronic format.

Or. en

Justification

Persons with disabilities should have equal access to patent applications, standards, publications or any other dissemination tools, also in electronic form, relating to project results funded by Horizon 2020, all the more so when it is about public funding

Amendment 115
Patrizia Toia

Proposal for a regulation
Recital 3 b (new)

Text proposed by the Commission

Amendment

(3b) Horizon 2020 should provide for funding to cover all the additional costs related to the participation of researchers and participants with disabilities in projects funded by Horizon 2020. All disability-related additional costs shall be eligible costs. Such costs include, but are not limited, to sign language interpretation, Braille format, live text transcription, including velotyping systems, provision of personal assistance and the use of accessible buildings for events.

Justification

In order to ensure that researchers and participants with disabilities are able to fully contribute to research projects funded under Horizon 2020, EU funding rules should allow for additional funding to cover all disability-related costs understood as reasonable accommodation in research policy and programmes.

Amendment 116

Norbert Glante

Proposal for a regulation

Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) In 2017 at the latest, the Commission should perform an interim evaluation of the participation rules with a view to the desired simplification of procedures and increased participation in the programmes. This should include an analysis of access to funding for participants from all regions and for SMEs and balanced participation by women and men, and the scope for further simplifications should be analysed. At the proposal of the Commission, the participation rules may if appropriate be adjusted by the legislature once during the period of application of Horizon 2020.

Or. de

Justification

The impact of the radical simplification approach in the participation rules requires continuous assessment, with the possibility of adjustment by the legislature.

Amendment 117

Andrzej Grzyb, Jerzy Buzek, Lena Kolarska-Bobińska, Jolanta Emilia Hibner, Bogdan

Kazimierz Marcinkiewicz, Krišjānis Kariņš

Proposal for a regulation

Recital 5

Text proposed by the Commission

(5) In order to ensure coherence with other Union funding programmes, Horizon 2020 should be implemented in accordance with Regulation (EU) No. XX/XX of the European Parliament and of the Council of [...] on the financial rules applicable to the annual budget of the Union, and the Delegated Commission Regulation (EU) No. X/X of [...] amending the detailed rules for the implementation of the Financial Regulation.

Amendment

(5) In order to ensure coherence with other Union funding programmes, Horizon 2020 should be implemented in accordance with Regulation (EU) No. XX/XX of the European Parliament and of the Council of [...] on the financial rules applicable to the annual budget of the Union, and the Delegated Commission Regulation (EU) No. X/X of [...] amending the detailed rules for the implementation of the Financial Regulation. ***However, flexibility to adopt specific rules taking into account the nature of the area of research and innovation should be ensured.***

Or. en

Amendment 118

Kent Johansson, Fiona Hall, Jens Rohde, Jürgen Creutzmann, Cristian Silviu Buşoi

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) An integrated approach should be ensured by bringing together activities covered by the Seventh Framework Programme for research, the Competitiveness and Innovation Framework Programme and the European Institute of Innovation and Technology (the EIT) to make participation easier, create a more coherent set of instruments and increase the scientific and economic impact while avoiding duplication and fragmentation. Common rules should apply in order to ensure a coherent framework which should facilitate the participation in

Amendment

(6) An integrated approach should be ensured by bringing together activities covered by the Seventh Framework Programme for research, the Competitiveness and Innovation Framework Programme and the European Institute of Innovation and Technology (the EIT) to make participation easier, create a more coherent set of instruments and increase the scientific and economic impact while avoiding duplication and fragmentation. Common rules should apply in order to ensure a coherent framework which should facilitate the participation in

programmes receiving Union financial contribution from the budget of Horizon 2020, including the participation in programmes managed by the EIT, joint undertakings or any other structures under Article 187 TFEU or participation in programmes undertaken by Member States pursuant to Article 185 TFEU. However, flexibility to adopt specific rules should be ensured when justified by the specific needs of the respective actions and with Commission consent.

programmes receiving Union financial contribution from the budget of Horizon 2020, including the participation in programmes managed by the EIT, joint undertakings or any other structures under Article 187 TFEU or participation in programmes undertaken by Member States pursuant to Article 185 TFEU. However, flexibility to adopt specific rules should be ensured *in exceptional cases* when *explicitly* justified by the specific needs of the respective actions and with Commission consent. ***This shall hold especially in order to boost opportunity-seizing activities in sectors with short research and innovation cycles, to ease the participation of SMEs and to simplify procedures for activities directly building on funded research results.***

Or. en

Justification

Important to keep some flexibility for justified cases in order not to make the rules too rigid. At the same time it is important to restrict the use only to exceptional cases.

Amendment 119 **Teresa Riera Madurell**

Proposal for a regulation **Recital 6**

Text proposed by the Commission

(6) An integrated approach should be ensured by bringing together activities covered by the Seventh Framework Programme for research, the Competitiveness and Innovation Framework Programme and the European Institute of Innovation and Technology (the EIT) to make participation easier, create a more coherent set of instruments and increase the scientific and economic impact

Amendment

(6) An integrated approach should be ensured by bringing together activities covered by the Seventh Framework Programme for research, the Competitiveness and Innovation Framework Programme and the European Institute of Innovation and Technology (the EIT) to make participation easier, create a more coherent set of instruments and increase the scientific and economic impact

while avoiding duplication and fragmentation. Common rules should apply in order to ensure a coherent framework which should facilitate the participation in programmes receiving Union financial contribution from the budget of Horizon 2020, including the participation in programmes managed by the EIT, joint undertakings or any other structures under Article 187 TFEU or participation in programmes undertaken by Member States pursuant to Article 185 TFEU. However, flexibility to adopt specific rules should be ensured when justified by the specific needs of the respective actions and with Commission consent.

while avoiding duplication and fragmentation. Common rules should apply in order to ensure a coherent framework which should facilitate the participation in programmes receiving Union financial contribution from the budget of Horizon 2020, including the participation in programmes managed by the EIT, joint undertakings or any other structures under Article 187 TFEU or participation in programmes undertaken by Member States pursuant to Article 185 TFEU. However, flexibility to adopt specific rules should be ensured when justified by the specific needs of the respective actions and with Commission consent, ***duly involving the EU legislative authority and the Member States.***

Or. en

Amendment 120
Romana Jordan

Proposal for a regulation
Recital 7

Text proposed by the Commission

(7) Actions which fall within the scope of this Regulation should respect fundamental rights and observe the principles acknowledged in particular by the Charter of Fundamental Rights of the European Union. Such actions should be in conformity with any legal obligation and with ethical principles, which include avoiding any kind of plagiarism.

Amendment

(7) Actions which fall within the scope of this Regulation should respect fundamental rights and observe the principles acknowledged in particular by the Charter of Fundamental Rights of the European Union. Such actions should be in conformity with any legal obligation and with ethical principles, which include avoiding any kind of plagiarism. ***Research activities should also take into account Article 13 TFEU and reduce the use of animals in research and testing, with a view ultimately to replacing animal use.***

Or. sl

Amendment 121

Britta Thomsen

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) Actions which fall within the scope of this Regulation should respect fundamental rights and observe the principles acknowledged in particular by the Charter of Fundamental Rights of the European Union. Such actions should be in conformity with any legal obligation **and** with ethical principles, which include avoiding any kind of plagiarism.

Amendment

(7) Actions which fall within the scope of this Regulation should respect fundamental rights and observe the principles acknowledged in particular by the Charter of Fundamental Rights of the European Union. Such actions should be in conformity with any legal obligation, with ethical principles **as well as principles of research integrity**, which include avoiding any kind of **fabrication of data and** plagiarism.

Or. en

Amendment 122

Konrad Szymański

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) Actions which fall within the scope of this Regulation **should** respect fundamental rights and observe the principles acknowledged in particular by the Charter of Fundamental Rights of the European Union. Such actions **should** be in conformity with any legal obligation and with ethical principles, which include avoiding any kind of plagiarism.

Amendment

(7) Actions which fall within the scope of this Regulation **shall** respect fundamental rights and observe the principles acknowledged in particular by the Charter of Fundamental Rights of the European Union. Such actions **shall** be in conformity with any legal obligation and with ethical principles, which include avoiding any kind of plagiarism.

Or. en

Justification

The use of the word “should” is not sufficient considering the importance of the provision, as

the expression just refers to an opportunity, while an obligation must be clearly stated.

Amendment 123

Kent Johansson, Fiona Hall, Jens Rohde

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) Actions which fall within the scope of this Regulation **should** respect fundamental rights and observe the principles acknowledged in particular by the Charter of Fundamental Rights of the European Union. Such actions should be in conformity with any legal obligation and with ethical principles, which include avoiding any kind of plagiarism.

Amendment

(7) Actions which fall within the scope of this Regulation **shall** respect fundamental rights and observe the principles acknowledged in particular by the Charter of Fundamental Rights of the European Union. Such actions should be in conformity with any legal obligation and with ethical principles, which include avoiding any kind of plagiarism.

Or. en

Amendment 124

Kent Johansson, Fiona Hall, Jens Rohde

Proposal for a regulation

Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) It is necessary to note the importance of a reinforced gender perspective in the design, implementation and delivery of Horizon 2020.

Or. en

Amendment 125

Marita Ulvskog

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) In line with the objectives of international cooperation as set out in Articles 180 and 186 TFEU, the participation of legal entities established in third countries and of international organisations should be promoted. The implementation of these rules should be in conformity with the measures adopted in accordance with Articles 75 and 215 TFEU and be in compliance with international law. Moreover, the implementation of these rules should duly take into account conditions for the participation of Union entities in third countries' programmes.

Amendment

(8) In line with the objectives of international cooperation as set out in Articles 180 and 186 TFEU, the participation of legal entities established in third countries and of international organisations should be promoted. The implementation of these rules should be in conformity with the measures adopted in accordance with Articles 75 and 215 TFEU and be in compliance with international law. Moreover, the implementation of these rules should duly take into account conditions for the participation of Union entities in third countries' programmes. ***By means of ensuring that funding dispersed under Horizon 2020 does not contradict core EU values, and to encourage coherence with EU foreign and development policy, specific rules are laid down applicable to third countries with reasonably grounded suspicions of human rights violations, involvement in armed conflicts or territorial conflicts.***

Or. en

Amendment 126
Christian Ehler

Proposal for a regulation
Recital 8

Text proposed by the Commission

(8) In line with the objectives of international cooperation as set out in Articles 180 and 186 TFEU, the participation of legal entities established in third countries and of international organisations should be promoted. The implementation of these rules should be in conformity with the measures adopted in accordance with Articles 75 and 215 TFEU

Amendment

(8) In line with the objectives of international cooperation as set out in Articles 180 and 186 TFEU, the participation of legal entities established in third countries and of international organisations should be promoted. The implementation of these rules should be in conformity with the measures adopted in accordance with Articles 75 and 215 TFEU

and be in compliance with international law. Moreover, the implementation of these rules should duly take into account conditions for the participation of Union entities in third countries' programmes.

and be in compliance with international law. Moreover, the implementation of these rules should duly take into account conditions for the participation of Union entities in third countries' programmes, *as well as take into consideration the conditions arising from the legal frameworks of the participating third countries and international organisations.*

Or. en

Amendment 127
Teresa Riera Madurell

Proposal for a regulation
Recital 8

Text proposed by the Commission

(8) In line with the objectives of international cooperation as set out in Articles 180 and 186 TFEU, the participation of legal entities established in third countries and of international organisations should be promoted. The implementation of these rules should be in conformity with the measures adopted in accordance with Articles 75 and 215 TFEU and be in compliance with international law. Moreover, the implementation of these rules should duly take into account conditions for the participation of Union entities in third countries' programmes.

Amendment

(8) In line with the objectives of international cooperation as set out in Articles 180 and 186 TFEU, the participation of legal entities established in third countries and of international organisations should be promoted. The implementation of these rules should be in conformity with the measures adopted in accordance with Articles 75 and 215 TFEU and be in compliance with international law. Moreover, the implementation of these rules should duly take into account conditions for the participation of Union entities in third countries' programmes, *based on the principle of reciprocity.*

Or. en

Amendment 128
Philippe Lamberts
on behalf of the Verts/ALE Group

Proposal for a regulation
Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) Rules should be defined for the establishment of public-private partnerships. The Commission will not establish any further joint undertakings under Article 187 TFEU while the establishment of public-private partnerships should be exceptional, and justified by the demonstration that no other type of financing mechanisms can deliver the same objectives.

Or. en

Amendment 129

Claudio Morganti, Oreste Rossi, Fiorello Provera

Proposal for a regulation

Recital 9

Text proposed by the Commission

Amendment

(9) These rules for the participation and dissemination should provide a coherent, comprehensive and transparent framework to ensure the most efficient implementation possible, taking into account the need for easy access by all participants, notably small and medium-sized enterprises, through simplified procedures. The financial assistance from the Union could be provided through different forms.

(9) These rules for the participation and dissemination should provide a coherent, comprehensive and transparent framework to ensure the most efficient implementation possible, taking into account the need for easy access by all participants, notably small and medium-sized enterprises ***and Civil Society Organisations, in particular organisations of persons with disabilities,*** through simplified procedures. The financial assistance from the Union could be provided through different forms.

Or. en

Amendment 130

Petru Constantin Luhan

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) These rules for the participation and dissemination should provide a coherent, comprehensive and transparent framework to ensure the most efficient implementation possible, taking into account the need for easy access by all participants, notably small and medium-sized enterprises, through simplified procedures. The financial assistance from the Union could be provided through different forms.

Amendment

(9) These rules for the participation and dissemination should provide a coherent, comprehensive and transparent framework to ensure the most efficient implementation possible, taking into account the need for easy access by all participants, notably small and medium-sized enterprises, ***Civil Society Organisations, also including organisations of persons with disabilities***, through simplified procedures. The financial assistance from the Union could be provided through different forms.

Or. en

Amendment 131

Alejo Vidal-Quadras, Cristina Gutiérrez-Cortines, Pilar del Castillo Vera

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) These rules for the participation and dissemination should provide a coherent, comprehensive and transparent framework to ensure the most efficient implementation possible, taking into account the need for easy access by all participants, notably small and medium-sized enterprises, through simplified procedures. The financial assistance from the Union could be provided through different forms.

Amendment

(9) These rules for the participation and dissemination should provide a coherent, comprehensive and transparent framework to ensure the most efficient implementation possible, taking into account the need for easy access by all participants, notably small and medium-sized enterprises, through simplified procedures. The financial assistance from the Union could be provided through different forms, ***but always with the aim of having the largest possible leverage effect.***

Or. en

Amendment 132

Ioannis A. Tsoukalas

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) These rules for the participation and dissemination should provide a coherent, comprehensive and transparent framework to ensure the most efficient implementation possible, taking into account the need for easy access by all participants, notably small and medium-sized enterprises, through simplified procedures. The financial assistance from the Union could be provided through different forms.

Amendment

(9) These rules for the participation and dissemination should provide a coherent, comprehensive and transparent framework to ensure the most efficient implementation possible, taking into account the need for easy access by all participants, notably small and medium-sized enterprises **and Civil Society Organisations**, through simplified procedures. The financial assistance from the Union could be provided through different forms.

Or. en

Amendment 133

Patrizia Toia

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) These rules for the participation and dissemination should provide a coherent, comprehensive and transparent framework to ensure the most efficient implementation possible, taking into account the need for easy access by all participants, notably small and medium-sized enterprises, through simplified procedures. The financial assistance from the Union could be provided through different forms.

Amendment

(9) These rules for the participation and dissemination should provide a coherent, comprehensive and transparent framework to ensure the most efficient implementation possible, taking into account the need for easy access by all participants, notably small and medium-sized enterprises **and Civil Society Organisations** through simplified procedures. The financial assistance from the Union could be provided through different forms.

Or. en

Amendment 134

Alyn Smith

Proposal for a regulation
Recital 9 a (new)

Text proposed by the Commission

Amendment

(9a) These rules for the participation and dissemination should also take into account the specific funding needs for SMEs and Small Midcaps, in order to release their full research and innovation potential, with due regard to the specificities of different types of SMEs and different sectors. The rules of participation should in due manner facilitate the shortening of "time-to-grant" to a maximum of six months.

Time to grant should be reduced, especially taking into account SME involvement. However, as already seen in the Seventh Framework Programme an attempt at this has created problems as the Commission has decided to do so during project negotiations resulting in hasty decision making especially regarding the consortium agreement with parties having compromise where in the past there was more time for open discussions amongst all concerned. Putting a maximum limit is therefore too restricting.

Or. en

Amendment 135
Teresa Riera Madurell

Proposal for a regulation
Recital 9 a (new)

Text proposed by the Commission

Amendment

(9a) Given the different nature and specific needs of the different participants among the research community, the rules for participation should establish simplified funding rates while maintaining the current differentiation

between universities/research centres, industry, non-profit organisations and SMEs, as clearly stated in paragraph 17 of the European Parliament resolution of 11 November 2010 on simplifying the implementation of the Research Framework Programmes¹. In case actual indirect costs are used, they should be based on national legislations and participant's usual cost accounting practices.

¹ OJ C 74 E, 13.3.2012, p. 34

Or. en

Amendment 136
Francesco De Angelis

Proposal for a regulation
Recital 9 a (new)

Text proposed by the Commission

Amendment

(9a) These participation and dissemination rules should also take into account the specific funding needs of SMEs and small mid-caps, in order to release their full research and innovation potential, with due regard for the specificities of the different types of SME and the different sectors. The participation rules should duly facilitate the shortening of the ‘time to grant’ to no more than six months.

Or. it

Justification

Administrative procedures for SMEs need to be simplified, with the necessary flexibility being built into the rules to take account of their specificities.

Amendment 137
Francisco Sosa Wagner

Proposal for a regulation
Recital 9 a (new)

Text proposed by the Commission

Amendment

(9 a) Access to patent applications, standards, publications or any other means of dissemination, including electronic format, relating to the results of Horizon 2020-funded research, shall be provided in formats accessible to all, including large print, Braille, easily readable text, audio, video and electronic format.

Or. es

Justification

People with disabilities must be provided access on equal terms to patent applications, standards, publications or any other means of dissemination, including electronic format, relating to the results of research funded Horizon 2020, especially when this information has been produced using public funds.

Amendment 138
Claudio Morganti, Oreste Rossi, Fiorello Provera

Proposal for a regulation
Recital 9 a (new)

Text proposed by the Commission

Amendment

(9a) Accessibility of patent applications, standards, publications or any other dissemination tools, also in electronic form, relating to project results funded by Horizon 2020 requires the provision of accessible formats for all. Accessible formats include, but are not limited to, large print, Braille, easy-to-read text, audio, video, and electronic format.

Amendment 139
Petru Constantin Luhan

Proposal for a regulation
Recital 9 a (new)

Text proposed by the Commission

Amendment

(9a) Horizon 2020 should provide for funding to cover all the additional costs related to the participation of researchers and participants with disabilities in projects funded by Horizon 2020.

Or. en

Amendment 140
Norbert Glante

Proposal for a regulation
Recital 9 a (new)

Text proposed by the Commission

Amendment

(9a) In general, the period between the deadline for the submission of project proposals and the conclusion of the grant agreement (time to grant) should not exceed six months. The Commission should set appropriate time limits for the submission of documents by the consortium.

Or. de

Justification

The reduction of the time to grant is regarded by many participants – and particularly by innovative undertakings – as one of the main reasons for participating in European research projects. However, the Commission should not unreasonably shift the pressure of time onto participants by setting unrealistic time limits for the submission of documents, failure to

comply with which can result in abandonment of the procedure.

Amendment 141
Norbert Glante

Proposal for a regulation
Recital 9 b (new)

Text proposed by the Commission

Amendment

(9b) The Commission should continue its efforts to simplify the procedures in ways made possible by the improvement of IT systems, such as the further expansion of the portal for participants as the single entry point from the publication of the calls for project proposals, followed by their submission, until implementation, for all programmes, with the aim of establishing a one-stop shop.

Or. de

Justification

A user-friendly, self-explanatory website for all participants and all stages in the whole process can make an essential contribution to the simplification of participation in the programme, thus indirectly making European research funding more attractive.

Amendment 142
Norbert Glante

Proposal for a regulation
Recital 9 c (new)

Text proposed by the Commission

Amendment

(9c) Synergies between the Structural Funds and Horizon 2020 should be used more than hitherto to attain the objective of spreading excellence and expanding participation. This should be done in particular by linking up-and-coming centres of excellence located in less

innovative, less well-performing Member States and regions with European research partners which are world leaders.

Or. de

Justification

Experience of promoting centres of excellence in Central and Eastern European countries – which at the time were associated countries – under FP5 should be put to use in bridge-building measures.

Amendment 143
Francisco Sosa Wagner

Proposal for a regulation
Recital 11 a (new)

Text proposed by the Commission

Amendment

(11 a) It would be wise progressively to introduce minimum conditions for participation obliging the Member States in which the legal entities are based to invest a minimum percentage of their GDP in RDI; this requirement will help strike a fair balance between states and encourage the legal entities to conduct cutting-edge research and aim for excellence.

Or. es

Justification

This amendment aims to add the medium-term requirement that Member States make a minimum investment in RDI, to the rules for participation in Horizon 2020 projects, thereby fostering a uniform level of excellence among Member States.

Amendment 144
Teresa Riera Madurell

Proposal for a regulation

Recital 12

Text proposed by the Commission

(12) It is appropriate to establish the terms and conditions for providing Union funding for participants in actions under Horizon 2020. In order to reduce the complexity of the existing funding rules **and have a higher flexibility in the project implementation**, a simplified cost reimbursement system should be adopted with enhanced use of lump sums, flat rates **and** scale of unit costs. **For simplification purposes, a single reimbursement rate should be applied for each type of action with no differentiation according to the type of participant.**

Amendment

(12) It is appropriate to establish the terms and conditions for providing Union funding for participants in actions under Horizon 2020. In order to reduce the complexity of the existing funding rules, a simplified cost reimbursement system should be adopted with enhanced use of lump sums, flat rates, scale of unit costs **as well as the option to declare costs actually incurred for non-profit legal entities with analytical accounting and detailed costs allocation systems.**

Or. en

Amendment 145

Philippe Lamberts

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 12

Text proposed by the Commission

(12) It is appropriate to establish the terms and conditions for providing Union funding for participants in actions under Horizon 2020. In order to reduce the complexity of the existing funding rules and have a higher flexibility in the project implementation, a simplified cost reimbursement system should be adopted with enhanced use of lump sums, flat rates and scale of unit costs. **For simplification purposes, a single reimbursement rate should be applied for each type of action with no differentiation according to the type of participant.**

Amendment

(12) It is appropriate to establish the terms and conditions for providing Union funding for participants in actions under Horizon 2020. In order to reduce the complexity of the existing funding rules and have a higher flexibility in the project implementation, a simplified cost reimbursement system should be adopted with enhanced use of lump sums, flat rates and scale of unit costs.

Amendment 146
Kent Johansson, Fiona Hall

Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) It is appropriate to establish the terms and conditions for providing Union funding for participants in actions under Horizon 2020. In order to reduce the complexity of the existing funding rules and have a higher flexibility in the project implementation, a simplified cost reimbursement system should be adopted with enhanced use of lump sums, flat rates and scale of unit costs. For simplification purposes, a single reimbursement rate should be applied **for each type of action with no differentiation according to the type of participant.**

Amendment

(12) It is appropriate to establish the terms and conditions for providing Union funding for participants in actions under Horizon 2020. In order to reduce the complexity of the existing funding rules and have a higher flexibility in the project implementation, a simplified cost reimbursement system should be adopted with enhanced use of lump sums, flat rates and scale of unit costs. For simplification purposes, a single reimbursement rate should be applied, **regardless of the activity. However, there should be a differentiation between universities, research organisations, research institutes and SMEs on the one hand, and industry on the other.**

Amendment 147
Paul Rübzig

Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) It is appropriate to establish the terms and conditions for providing Union funding for participants in actions under Horizon 2020. In order to reduce the complexity of the existing funding rules and have a higher flexibility in the project

Amendment

(12) It is appropriate to establish the terms and conditions for providing Union funding for participants in actions under Horizon 2020. In order to reduce the complexity of the existing funding rules and have a higher flexibility in the project

implementation, a simplified cost reimbursement system should be adopted with enhanced use of lump sums, flat rates and scale of unit costs. For simplification purposes, a single reimbursement rate should be applied **for each type of action** with no differentiation according to the type of participant.

implementation, a simplified cost reimbursement system should be adopted with enhanced use of lump sums, flat rates and scale of unit costs. For simplification purposes, a single reimbursement rate **including a full-cost option** should be applied with no differentiation according to the type of participant.

Or. en

Justification

According to the Commission's proposal as well as previously and following amendments in a light of simplification to boost industries participation a single funding rate without differentiation according to the type of participant combined with the full-cost option needs to be introduced and mentioned in the recitals.

Amendment 148

Claudio Morganti, Oreste Rossi, Fiorello Provera

Proposal for a regulation

Recital 12 a (new)

Text proposed by the Commission

Amendment

(12a) Horizon 2020 should provide for funding to cover all the additional costs related to the participation of researchers and participants with disabilities in projects funded by Horizon 2020. All disability-related additional costs shall be eligible costs. Such costs include, but are not limited, to sign language interpretation, Braille format, live text transcription, including velotyping systems, provision of personal assistance and the use of accessible buildings for events.

Or. en

Amendment 149

Kent Johansson, Fiona Hall, Cristian Silviu Buşoi, Jürgen Creutzmann, Jens Rohde

Proposal for a regulation

Recital 12 a (new)

Text proposed by the Commission

Amendment

(12a) The cost models used shall achieve a real simplification for participants and increased participation for all beneficiaries compared to FP7. This shall be achieved through the use of simplified audit procedures, a broader acceptance of the usual accounting practices of the beneficiaries, the use of a flat rate option, adherence to the rules on state aid and by attracting co-financing from structural funds related to capacity building activities;

Or. en

Amendment 150

Alejo Vidal-Quadras, Cristina Gutiérrez-Cortines, Pilar del Castillo Vera

Proposal for a regulation

Recital 12 a (new)

Text proposed by the Commission

Amendment

(12a) The Commission should take into consideration that the application of the co-financing principle may be harmful to those Member States whose public expenditure is subject to large restrictions. Their leading research centres, universities and undertakings should be supported at Union's level.

Or. en

Amendment 151

Francisco Sosa Wagner

Proposal for a regulation
Recital 12 a (new)

Text proposed by the Commission

Amendment

(12 a) Funding and oversight of research in the social sciences, the law and the humanities should be subject to special conditions and preferably be orientated towards disseminating the results achieved rather than other stages of the process.

Or. es

Justification

This amendment aims to reflect the specific nature of research in these fields in relation to aspects of funding, stressing the importance of disseminating results, in the form of publishing, translation and holding seminars, meetings and congresses and the related costs.

Amendment 152
Peter Skinner

Proposal for a regulation
Recital 13

Text proposed by the Commission

Amendment

(13) Specific challenges in the area of research and innovation should be addressed through new forms of funding such as prizes, pre-commercial procurement and public procurement of innovative solutions which require specific rules.

(13) Specific challenges in the area of research and innovation should be addressed through new forms of funding such as prizes, pre-commercial procurement and public procurement of innovative solutions which require specific rules. ***It is appropriate to use different forms of funding, and where appropriate, combine different types of funding bodies. In particular, the financial instruments should be used in a complementary manner in cases where they help to leverage yet further private investment in research and innovation, including venture capital investments for innovative***

companies and in particular SMEs, and where the pursued results cannot be effectively achieved by grants, and where actions primarily consist of close-to-market activities. SMEs using instruments such as venture capital shall not be subject to undue delays or added barriers to further funding

Or. en

Justification

The financial instruments aim at triggering and facilitating private investment in innovation. A combination with close-to-market activities should be strengthened and highlighted throughout the rules for participation, including through a dedicated article in the "specific provisions" laying down the general conditions for the use of the financial instruments.

Amendment 153

Andrzej Grzyb, Jerzy Buzek, Jolanta Emilia Hibner, Lena Kolarska-Bobińska, Bogdan Kazimierz Marcinkiewicz

Proposal for a regulation

Recital 13

Text proposed by the Commission

(13) Specific challenges in the area of research and innovation should be addressed through new forms of funding such as prizes, pre-commercial procurement and public procurement of innovative solutions which require specific rules.

Amendment

(13) Specific challenges in the area of research and innovation should be addressed through new forms of funding such as prizes, pre-commercial procurement and public procurement of innovative solutions ***foreseen in the Regulation(EU) No XX/XX [Financial Regulation]*** which require specific rules ***to be provided in the sector-specific regulations.***

Or. en

Amendment 154

Ioannis A. Tsoukalas

Proposal for a regulation
Recital 13 a (new)

Text proposed by the Commission

Amendment

(13a) It is appropriate to use different forms of funding, and where appropriate, combine different types of funding bodies. In particular, the financial instruments should be used in a complementary manner in cases where they help to leverage yet further private investment in research and innovation, including national and structural funds, as well as venture capital investments, for innovative companies and in particular SMEs, and where the pursued results cannot be effectively achieved by grants, and where actions primarily consist of close-to-market activities.

Or. en

Amendment 155
Philippe Lamberts
on behalf of the Verts/ALE Group

Proposal for a regulation
Recital 14

Text proposed by the Commission

Amendment

(14) In order to maintain a level playing field for all undertakings active in the internal market, funding provided by Horizon 2020 should be designed in accordance with State aid rules so as to ensure the effectiveness of public spending and prevent market distortions such as crowding-out of private funding, creating ineffective market structures or preserving inefficient firms.

(14) In order to maintain a level playing field for all undertakings active in the internal market, funding provided by Horizon 2020 should be designed in accordance with State aid rules so as to ensure the effectiveness of public spending and prevent market distortions such as crowding-out of private funding, creating ineffective market structures or preserving inefficient firms. ***In particular, the establishment of public-private partnerships should be subject to conditions that ensure that an effective competitive environment is maintained***

and that ensures opportunities for new entrants to join in at any stage.

Or. en

Amendment 156
Ioannis A. Tsoukalas

Proposal for a regulation
Recital 15

Text proposed by the Commission

(15) The financial interests of the Union should be protected through proportionate measures throughout the expenditure cycle.

Amendment

(15) Open Accessibility of all patent applications, standards, scientific publications or any other dissemination tools relating to project results funded by Horizon 2020 requires the set up of digital central repositories and the use of open digital formats. The financial interests of the Union should be protected through proportionate measures throughout the expenditure cycle.

Or. en

Amendment 157
Christian Ehler, Paul Rübzig, Maria Ad Grace Carvel, Kent Johansson

Proposal for a regulation
Recital 15 a (new)

Text proposed by the Commission

Amendment

(15a) In accordance with Regulation (EU) No XX/XX [Financial Regulation], these rules for the participation and dissemination should provide the basis for a wider acceptance of the usual accounting practices of the beneficiaries and to accept beneficiaries' own accounting practices in establishing eligible costs. For this purpose, the requirements of audit certificates,

including the certificates on methodology, should be adapted appropriately. The Commission should establish to the greatest possible extent a single audit approach, leaving sufficient flexibility for the acknowledgement of common accounting practices, with due regard to nationally accepted accounting practices.

Or. en

Justification

See paragraph 14 of Carvel report.

Amendment 158

Philippe Lamberts

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 16

Text proposed by the Commission

(16) The participant Guarantee Fund set up under Regulation No 1906/2006/EC of the European Parliament and of the Council of 18 December 2006 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) and managed by the Commission has proved to be an important safeguard mechanism which mitigates the risks associated to the amounts due and not reimbursed by defaulting participants. Therefore, a new participant Guarantee Fund (the Fund) should be established. In order to ensure a more efficient management and a better coverage of participants' risk, the Fund should cover actions under the programme set up under Decision No 1982/2006/EC, under the programme set up by Council Decision of

Amendment

(16) The participant Guarantee Fund set up under Regulation No 1906/2006/EC of the European Parliament and of the Council of 18 December 2006 laying down the rules for the participation of undertakings, research centres, universities and *civil society organisations* in actions under the Seventh Framework Programme and for the dissemination of research results (2007-2013) and managed by the Commission has proved to be an important safeguard mechanism which mitigates the risks associated to the amounts due and not reimbursed by defaulting participants. Therefore, a new participant Guarantee Fund (the Fund) should be established. In order to ensure a more efficient management and a better coverage of participants' risk, the Fund should cover actions under the programme set up under Decision No 1982/2006/EC, under the

18 December 2006 concerning the Seventh Framework Programme of the European Atomic Energy Community (Erratum) for nuclear research and training activities (2007 to 2011), under the programme set up by Council Decision [...] of X 2011 establishing the Framework Programme of the European Atomic Energy Community (2012-2013) as well as actions under Regulation (EU) No XX/XX [Horizon 2020] and Regulation (Euratom) No XX/XX of the Council on the Research and Training Programme of the European Atomic Energy Community (2014-2018) complementing the Horizon 2020- the Framework Programme for Research and Innovation [Euratom H2020]. Programmes managed by entities other than Union bodies should not be covered by the Fund.

programme set up by Council Decision of 18 December 2006 concerning the Seventh Framework Programme of the European Atomic Energy Community (Euratom) for nuclear research and training activities (2007 to 2011), under the programme set up by Council Decision [...] of X 2011 establishing the Framework Programme of the European Atomic Energy Community (2012-2013) as well as actions under Regulation (EU) No XX/XX [Horizon 2020] and Regulation (Euratom) No XX/XX of the Council on the Research and Training Programme of the European Atomic Energy Community (2014-2018) complementing the Horizon 2020- the Framework Programme for Research and Innovation [Euratom H2020]. Programmes managed by entities other than Union bodies should not be covered by the Fund.

Or. en

Amendment 159
Marisa Matias

Proposal for a regulation
Recital 16

Text proposed by the Commission

(16) The participant Guarantee Fund set up under Regulation No 1906/2006/EC of the European Parliament and of the Council of 18 December 2006 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) and managed by the Commission has proved to be an important safeguard mechanism which mitigates the risks associated to the amounts due and not reimbursed by defaulting participants. Therefore, a new participant Guarantee Fund (the Fund) should be established. In

Amendment

(16) The participant Guarantee Fund set up under Regulation No 1906/2006/EC of the European Parliament and of the Council of 18 December 2006 laying down the rules for the participation of undertakings, research centres, universities and ***civil society organisations or institutions*** in actions under the Seventh Framework Programme and for the dissemination of research results (2007-2013) and managed by the Commission has proved to be an important safeguard mechanism which mitigates the risks associated to the amounts due and not reimbursed by defaulting participants. Therefore, a new

order to ensure a more efficient management and a better coverage of participants' risk, the Fund should cover actions under the programme set up under Decision No 1982/2006/EC, under the programme set up by Council Decision of 18 December 2006 concerning the Seventh Framework Programme of the European Atomic Energy Community (Euratom) for nuclear research and training activities (2007 to 2011), under the programme set up by Council Decision [...] of X 2011 establishing the Framework Programme of the European Atomic Energy Community (2012-2013) as well as actions under Regulation (EU) No XX/XX [Horizon 2020] and Regulation (Euratom) No XX/XX of the Council on the Research and Training Programme of the European Atomic Energy Community (2014-2018) complementing the Horizon 2020- the Framework Programme for Research and Innovation [Euratom H2020]. Programmes managed by entities other than Union bodies should not be covered by the Fund.

participant Guarantee Fund (the Fund) should be established. In order to ensure a more efficient management and a better coverage of participants' risk, the Fund should cover actions under the programme set up under Decision No 1982/2006/EC, under the programme set up by Council Decision of 18 December 2006 concerning the Seventh Framework Programme of the European Atomic Energy Community (Euratom) for nuclear research and training activities (2007 to 2011), under the programme set up by Council Decision [...] of X 2011 establishing the Framework Programme of the European Atomic Energy Community (2012-2013) as well as actions under Regulation (EU) No XX/XX [Horizon 2020] and Regulation (Euratom) No XX/XX of the Council on the Research and Training Programme of the European Atomic Energy Community (2014-2018) complementing the Horizon 2020- the Framework Programme for Research and Innovation [Euratom H2020]. Programmes managed by entities other than Union bodies should not be covered by the Fund.

Or. en

Amendment 160
Adam Gierek

Proposal for a regulation
Recital 16 a (new)

Text proposed by the Commission

Amendment

(16a) An EU databank should be established, in cooperation with national centres for the management of scientific research, covering the scientific disciplines and including the names of experts in those fields.

Or. pl

Justification

Experts, especially if they harmoniously represent all of the Member States, guarantee impartiality in the decision-making process.

Amendment 161

Adam Gierek

Proposal for a regulation

Recital 17

Text proposed by the Commission

(17) In order to enhance transparency, the names of experts that ***have assisted*** the Commission or relevant funding bodies in application of this Regulation should be published. Where the publication of the name would endanger the security or integrity of the expert or would unduly prejudice his or her privacy, the Commission or funding bodies should be able to refrain from the publication of such names.

Amendment

(17) In order to enhance transparency, the names of experts that ***will assist*** the Commission or relevant funding bodies in the application of this Regulation ***by evaluating proposed projects on the basis of an accepted assessment scale*** should be published. ***The evaluations should be made available to the coordinator of the research team.*** Where the publication of the name would endanger the security or integrity of the expert or would unduly prejudice his or her privacy, the Commission or funding bodies should be able to refrain from the publication of such names.

Or. pl

Justification

A uniform assessment scale should be used when evaluating projects, as this will guarantee the transparency of applications. Furthermore, scientific grants, and subsequently the opinion in its entirety, should be made available to the coordinator of the research team, without necessarily revealing the name of the evaluation's author.

Amendment 162

Francisco Sosa Wagner

Proposal for a regulation

Recital 17

Text proposed by the Commission

(17) In order to enhance transparency, the names of experts that have assisted the Commission or relevant funding bodies in application of this Regulation should be published. Where the publication of the name would endanger the security or integrity of the expert or would unduly prejudice his or her privacy, the Commission or funding bodies should **be able to** refrain from the publication of such names.

Amendment

(17) In order to enhance transparency, the names of experts that have assisted the Commission or relevant funding bodies in application of this Regulation should be published. Where the publication of the name would endanger the security or integrity of the expert or would unduly prejudice his or her privacy, **in exceptional cases**, the Commission or funding bodies **may** refrain from the publication of such names.

Or. es

Justification

This amendment aims to encourage transparency by only allowing the names of experts to be withheld in exceptional cases.

Amendment 163

Ioannis A. Tsoukalas

Proposal for a regulation

Recital 19

Text proposed by the Commission

(19) Rules governing the exploitation and dissemination of results should be laid down to ensure that the participants protect, exploit and disseminate those results as appropriate, in particular the possibility of additional exploitation conditions in the European strategic interest.

Amendment

(19) Rules governing the exploitation and dissemination of results should be laid down to ensure that the participants protect, exploit and disseminate those results as appropriate, in particular the possibility of additional exploitation **and open access or other dissemination** conditions in the European strategic **or public** interest. **It is necessary to place more emphasis on the widest possible use and dissemination of knowledge generated by the supported activities, including knowledge generated in the previous framework programmes, up to the commercial or societal exploitation of**

such knowledge.

Or. en

Justification

The Horizon 2020 rules of participation should foresee that knowledge generated through EU funded research (such as research results, methods, artefacts, scientific data etc) should be made publicly accessible and widely disseminated (without prejudice to legitimate intellectual property claims by the creators of this knowledge), ensuring the greater public good through knowledge and innovation uptake by EU citizens, companies and SMEs and social and economic growth for the EU.

Amendment 164
Vicky Ford, Christian Ehler

Proposal for a regulation
Recital 19

Text proposed by the Commission

(19) Rules governing the exploitation and dissemination of results should be laid down to ensure that the participants protect, exploit and disseminate those results as appropriate, in particular the possibility of additional exploitation conditions in the European strategic interest.

Amendment

(19) Rules governing the exploitation and dissemination of results should be laid down to ensure that the participants protect, exploit and disseminate those results as appropriate, in particular the possibility of additional exploitation conditions in the European strategic interest. ***It is necessary to place more emphasis on the widest possible use and dissemination of knowledge generated by the supported activities whilst recognising the importance of protecting intellectual property.***

Or. en

Amendment 165
Kent Johansson, Fiona Hall, Jürgen Creutzmann, Jens Rohde, Cristian Silviu Buşoi

Proposal for a regulation
Recital 19

Text proposed by the Commission

(19) Rules governing the exploitation and dissemination of results should be laid down to ensure that the participants protect, exploit and disseminate those results as appropriate, in particular the possibility of additional exploitation conditions in the European strategic interest.

Amendment

(19) Rules governing the exploitation and dissemination of results should be laid down to ensure that the participants protect, exploit and disseminate those results as appropriate, in particular the possibility of additional exploitation, ***dissemination or licensing*** conditions in the European strategic interest, ***or where a predominant public interest exists, and shall be in full compliance with intellectual property rights.***

Or. en

Amendment 166

Philippe Lamberts, Amelia Andersdotter
on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 19

Text proposed by the Commission

(19) Rules governing the exploitation and dissemination of results should be laid down to ensure that the participants protect, exploit and disseminate those results as appropriate, in particular ***the possibility of*** additional exploitation conditions in the European strategic interest.

Amendment

(19) Rules governing the exploitation and dissemination of results should be laid down to ensure that the participants protect, exploit and disseminate those results as appropriate, in particular ***rules for open access to results and data or dissemination, exploitation or licensing*** conditions in the European strategic ***or public*** interest.

Or. en

Amendment 167

Cristina Gutiérrez-Cortines

Proposal for a regulation

Recital 19

Text proposed by the Commission

(19) Rules governing the exploitation and dissemination of results should be laid down to ensure that the participants protect, exploit and disseminate those results as appropriate, in particular the possibility of additional exploitation conditions in the European strategic interest.

Amendment

(19) Rules governing the exploitation and dissemination of results should be laid down to ensure that the participants protect, exploit and disseminate those results as appropriate, in particular the possibility of additional exploitation, ***dissemination or licensing*** conditions in the European strategic interest, ***or where a predominant public interest exists.***

Or. en

Justification

The goal of this amendment is to maximise the societal benefit of EU-funded research. In the case of major societal challenges such as health, there is a predominant public interest in the swift and broad dissemination of results and in universal accessibility to the products of frontier research.

Amendment 168
Marisa Matias

Proposal for a regulation
Recital 19

Text proposed by the Commission

(19) Rules governing the exploitation and dissemination of results should be laid down to ensure that the participants protect, exploit and disseminate those results as appropriate, in particular the possibility of additional exploitation conditions in the European strategic interest.

Amendment

(19) Rules governing the exploitation and dissemination of results should be laid down to ensure that the participants protect, exploit and disseminate those results as appropriate, in particular the possibility of additional exploitation, ***dissemination or licensing*** conditions in the European strategic interest, ***or where a predominant public interest exists.***

Or. en

Amendment 169
Francisco Sosa Wagner

Proposal for a regulation
Recital 19

Text proposed by the Commission

(19) Rules governing the exploitation and dissemination of results should be laid down to ensure that the participants protect, exploit and disseminate those results as appropriate, in particular the possibility of additional exploitation conditions in the European strategic interest.

Amendment

(19) Rules governing the exploitation and dissemination of results should be laid down to ensure that the participants protect, exploit and disseminate those results as appropriate, in particular the possibility of additional ***open access, dissemination or*** exploitation conditions in the European strategic interest.

Or. es

Justification

The expertise developed by EU-funded research must be more accessible, which would make it more likely for such research to benefit the public, and not remain private and confidential.

Amendment 170
Philippe Lamberts, Amelia Andersdotter
on behalf of the Verts/ALE Group

Proposal for a regulation
Recital 19 a (new)

Text proposed by the Commission

Amendment

(19a) All research and innovation builds on the capacity of scientists, research institutions, businesses and citizens to openly access share and use scientific information. To increase the circulation and exploitation of knowledge, free open online access to scientific publications, already embraced in the Seventh Framework Programme, should be the general principle for scientific publications which receive public funding from Horizon 2020. Furthermore,

Horizon 2020 should initiate the practice of open access to scientific data produced or collected by publicly funded research aiming at open access to such data becoming the general rule by 2020.

Or. en

Amendment 171
Kent Johansson, Fiona Hall, Jens Rohde

Proposal for a regulation
Recital 19 a (new)

Text proposed by the Commission

Amendment

(19a) In order to enhance transparency, steps shall be taken by the Commission or relevant funding body to disclose, upon request from EU citizens or their directly elected representatives, the details of projects undertaken under this programme.

Or. en

Amendment 172
Philippe Lamberts, Amelia Andersdotter
on behalf of the Verts/ALE Group

Proposal for a regulation
Recital 19 b (new)

Text proposed by the Commission

Amendment

(19b) Additional exploitation and dissemination conditions should be laid down for results concerning technologies with potential for tackling major societal challenges, for example the development into a novel medical technology (e.g. drug, diagnostic or vaccine) or technologies for fighting climate change.

Amendment 173

Kent Johansson, Fiona Hall, Jürgen Creutzmann, Jens Rohde

Proposal for a regulation

Recital 19 b (new)

Text proposed by the Commission

Amendment

(19b) All research and innovation builds on the capacity of scientists, research institutions, businesses and citizens to openly access share and use scientific information. However, intellectual property rights must be respected.

Amendment 174

Philippe Lamberts, Amelia Andersdotter
on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 19 c (new)

Text proposed by the Commission

Amendment

(19c) In the process of selection of proposals, the criterion of impact should include the potential extent of dissemination and public availability of research results and data, assigning priority to projects potentially entailing a wider dissemination and exploitation of results.

Amendment 175

Philippe Lamberts
on behalf of the Verts/ALE Group

Proposal for a regulation
Recital 19 d (new)

Text proposed by the Commission

Amendment

(19d) The setting up of patent pools should be encouraged in order to allow the sharing of patented scientific data and increase collaborative efforts and R&D cooperation on specific technological needs. This mechanism would be particularly suitable for technologies that are both complex and expensive allowing the avoidance of the blocking of research due to patent thicket situations.

Or. en

Amendment 176
Peter Skinner

Proposal for a regulation
Recital 20 a (new)

Text proposed by the Commission

Amendment

(20a) Programmes aimed at increasing both current and planned innovative research should be opened up to allow nuclear research as part of their list of applicable research categories. The Eureka Eurostars Programme and the Marie Curie Actions should widen their rules of participation to allow SMEs involved in nuclear research to participate.

Or. en

Justification

SMEs are vital to Europe's economy but are often under-represented when it comes to nuclear research. It is important that certain Union programmes designed to improve the situation of SMEs do not exclude those involved in nuclear research.

Amendment 177
Teresa Riera Madurell

Proposal for a regulation
Article 1 – paragraph 1 – subparagraph 2

Text proposed by the Commission

This Regulation also lays down the rules governing the dissemination of results.

Amendment

This Regulation also lays down the rules governing the **exploitation and** dissemination of results.

Or. en

Amendment 178
Francesco De Angelis

Proposal for a regulation
Article 1 – paragraph 3

Text proposed by the Commission

3. **A funding body** may establish rules which depart from those laid down in this Regulation or Regulation (EU) No XX/2012 [the Financial Regulation] if this is provided for in the basic act or, subject to the consent of the Commission, if its specific operating needs so require.

Amendment

3. **The EIT** may establish rules which depart from those laid down in this Regulation or Regulation (EU) No XX/2012 [the Financial Regulation] if this is provided for in the basic act or, subject to the consent of the Commission, if its specific operating needs so require, **in particular in relation to ownership, access rights and exploitation and dissemination of results.**

Or. it

Justification

The EIT needs to have a degree of independence in the management of matters coming within its sphere of competence and in relation to intellectual property issues and the exploitation and dissemination of results.

Amendment 179
Norbert Glante

Proposal for a regulation
Article 1 – paragraph 3

Text proposed by the Commission

3. *A funding body* may establish rules which depart from those laid down in this Regulation or Regulation (EU) No XX/2012 [the Financial Regulation] if this is provided for in the basic act or, subject to the consent of the Commission, if its specific operating needs so require.

Amendment

3. *The EIT* may establish rules which depart from those laid down in this Regulation or Regulation (EU) No XX/2012 [the Financial Regulation] if this is provided for in the basic act or, subject to the consent of the Commission, if its specific operating needs so require.

Or. de

Justification

One of the principal desiderata in connection with simplification was – inter alia as an outcome of the relevant consultation procedure – that the validity of uniform participation rules in all programme lines financed or cofinanced by Horizon 2020 should be ensured. This applies in particular to the transparency and openness of procedures and to provisions concerning protective rights and financing conditions. With the sole exception explicitly indicated here, this desideratum is taken into account.

Amendment 180
Marian-Jean Marinescu, Antonio Cancian, Jean-Pierre Audy

Proposal for a regulation
Article 2 – paragraph 1 – point 1 a (new)

Text proposed by the Commission

Amendment

(1a) 'action' means project;

Or. en

Amendment 181
Angelika Niebler

Proposal for a regulation
Article 2 – paragraph 1 – point 4

Text proposed by the Commission

(4) 'background' means any data, know-how and/or information whatever their form or nature as well as any rights such as intellectual property rights which are (i) held by participants prior to their accession to ***the action*** and (ii) ***identified by the participants in accordance with Article 42***;

Amendment

(4) 'background' means any data, know-how and/or information whatever their form or nature as well as any rights such as intellectual property rights which are (i) held by participants prior to their accession to ***a grant agreement or*** (ii) ***generated outside the action and contributed to the action by the participant holding the rights and which (iii) in both cases (i) and (ii) are necessary in order to implement the action or use the results of the action***;

Or. de

Justification

Horizon 2020 should not deviate from FP7 as regards the definition of the existing knowledge and protective rights.

Amendment 182
Vicky Ford

Proposal for a regulation
Article 2 – paragraph 1 – point 4

Text proposed by the Commission

(4) 'background' means any data, know-how and/or information whatever their form or nature as well as any rights such as intellectual property rights which are (i) held by participants prior to their accession to the action and (ii) identified by the participants in accordance with Article 42;

Amendment

(4) 'background' means any data, know-how and/or information whatever their form or nature as well as any rights such as intellectual property rights which are (i) held by participants prior to their accession to the action ***or prior to the application which has been filed before their accession to the action*** and (ii) identified by the participants in accordance with Article 42 ***and (iii) which is needed for carrying out the indirect action or for using the results of the indirect action***;

Justification

These changes have been suggested by DESCA coordinators.

Amendment 183
Jean-Pierre Audy

Proposal for a regulation
Article 2 – paragraph 1 – point 4

Text proposed by the Commission

(4) 'background' means any data, know-how and/or information whatever their form or nature as well as any rights such as intellectual property rights which are (i) held by participants prior to their accession to the action and (ii) identified by the participants in accordance with Article 42;

Amendment

(4) 'background' means any data, know-how and/or information whatever their form or nature as well as any rights such as intellectual property rights which are (i) held by participants prior to their accession to the action ***or the application for which has been filed before their accession to the action***, and (ii) identified by the participants in accordance with Article 42; ***and (iii) and which is needed for carrying out the indirect action or for using the results of the indirect action;***

Amendment 184
Norbert Glante

Proposal for a regulation
Article 2 – paragraph 1 – point 4

Text proposed by the Commission

(4) 'background' means any data, know-how and/or information whatever their form or nature as well as any rights such as intellectual property rights which are (i) held by participants prior to their accession to the action and (ii) identified by the

Amendment

(4) 'background' means any data, know-how and/or information whatever their form or nature as well as any rights such as intellectual property rights which are (i) held by participants prior to their accession to the action and (ii) ***necessary in order to implement the indirect action or use the***

participants in accordance with Article 42;

results of the indirect action and (iii)
identified by the participants in accordance
with Article 42;

Or. de

Justification

The criterion inserted has proved necessary during the current FP.

Amendment 185

Salvador Sedó i Alabart, Ramon Tremosa i Balcells

Proposal for a regulation

Article 2 – paragraph 1 – point 4

Text proposed by the Commission

(4) 'background' means any data, know-how and/or information whatever their form or nature as well as any rights such as intellectual property rights which are (i) held by participants prior to their accession to the action and (ii) identified by the participants in accordance with Article 42;

Amendment

(4) 'background' means any data, know-how and/or information whatever their form or nature as well as any rights such as intellectual property rights which are (i) held by participants prior to their accession to the action and (ii) identified by the participants in accordance with Article 42, **which is needed for carrying out the indirect action or for using the results of the indirect action;**

Or. en

Amendment 186

Christian Ehler

Proposal for a regulation

Article 2 – paragraph 1 – point 4

Text proposed by the Commission

(4) 'background' means any data, know-how and/or information whatever their form or nature as well as any rights such as intellectual property rights which are (i)

Amendment

(4) 'background' means any data, know-how and/or information whatever their form or nature as well as any rights such as intellectual property rights which are (i)

held by participants prior to their accession to the action *and* (ii) identified by the participants in accordance with Article 42;

held by participants prior to their accession to the action, (ii) ***needed for carrying out the indirect action or for using the results of the indirect action, and (iii)*** identified by the participants in accordance with Article 42;

Or. en

Amendment 187
Teresa Riera Madurell

Proposal for a regulation
Article 2 – paragraph 1 – point 4

Text proposed by the Commission

(4) 'background' means any data, know-how and/or information whatever their form or nature as well as any rights such as intellectual property rights which are (i) held by participants prior to their accession to the action and (ii) identified by the participants in accordance with Article 42;

Amendment

(4) 'background' means ***tangible resource such as prototypes, as well as*** any data, know-how and/or information whatever their form or nature as well as any rights such as intellectual property rights which are (i) held by participants prior to their accession to the action and (ii) identified by the participants in accordance with Article 42;

Or. en

Amendment 188
Vicky Ford

Proposal for a regulation
Article 2 – paragraph 1 – point 4 a (new)

Text proposed by the Commission

Amendment

(4a) 'needed access' means:
(a) in the context of the implementation of the action
the access is needed if, without the grant of access rights, carrying out the tasks assigned to the recipient Party would be

impossible, significantly delayed, or require significant additional financial or human resources.

(b) in the context of the use of own results:

access is needed if, without the grant of such access rights, the use of own results would be technically or legally impossible.

Or. en

Justification

These changes have been suggested by DESCA coordinators.

Amendment 189
Christian Ehler, Paul Rübiger

Proposal for a regulation
Article 2 – paragraph 1 – point 5 a (new)

Text proposed by the Commission

Amendment

(5a) 'experimental development' means the acquiring, combining, shaping and using of existing scientific, technological, business and other relevant knowledge and skills for the purpose of producing plans and arrangements or designs for new, altered or improved products, processes or services, including activities such as prototyping, experimental production, testing, demonstrating, piloting, and market replication;

Or. en

Justification

Given that a difference in funding shall be established here, this difference should be based on a coherent definition that draws on an acknowledged concept of distinguishing research activities from activities closer to the market. The definition of 'experimental development' laid down in the current 'Community Framework for State Aid for Research and Development and Innovation' (2006/C 323/01) seems to be the most appropriate.

Amendment 190
Jean-Pierre Audy

Proposal for a regulation
Article 2 – paragraph 1 – point 5 a (new)

Text proposed by the Commission

Amendment

(5a) 'call for proposals' means an announcement inviting proposals for research.

Or. en

Amendment 191
Jean-Pierre Audy

Proposal for a regulation
Article 2 – paragraph 1 – point 5 b (new)

Text proposed by the Commission

Amendment

(5b) 'needed access' means: in the context of the implementation of the action the access is needed if, without the grant of access rights to results or background, carrying out the tasks assigned to the recipient participant would be impossible, significantly delayed, or require significant additional financial or human resources; in the context of exploitation of results the access is needed if, without the grant of access rights to results or background, the exploitation of results would be technically or legally impossible.

Or. en

Justification

'Needed': this term must be defined, since it is the need for results and/or background that provides the justification for requests from participants for access rights.

Amendment 192
Jean-Pierre Audy

Proposal for a regulation
Article 2 – paragraph 1 – point 5 c (new)

Text proposed by the Commission

Amendment

(5c) 'consortium' means group of participants who agree to work together to submit a proposal and potentially work in an action. A consortium is made up of a coordinator and action partners.

Or. en

Amendment 193
Britta Thomsen

Proposal for a regulation
Article 2 – paragraph 1 – point 6

Text proposed by the Commission

Amendment

(6) 'coordination and support action' means an action consisting primarily of accompanying measures such as dissemination, awareness raising and communication, networking, coordination or support services, policy dialogues and mutual learning exercises and studies, including design studies for new infrastructure;

(6) 'coordination and support action' means an action consisting primarily of accompanying measures such as dissemination, awareness raising and communication, networking, coordination or support services, ***participation in standardization activities***, policy dialogues and mutual learning exercises and studies, including design studies for new infrastructure;

Or. en

Justification

Participants should be encouraged to bring research results into the standardization activities and vice versa. Standardization plays an important role in the dissemination of research results.

Amendment 194
Jean-Pierre Audy

Proposal for a regulation
Article 2 – paragraph 1 – point 6 a (new)

Text proposed by the Commission

Amendment

(6a) 'coordinator' leads and represents the consortium and the proposal/project, acting as the point of contact to the Commission.

Or. en

Amendment 195
Philippe Lamberts, Amelia Andersdotter
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 2 – paragraph 1 – point 7

Text proposed by the Commission

Amendment

(7) 'dissemination' means the public disclosure of the results by any appropriate means (other than resulting from protecting or exploiting the results), including by publishing in any medium;

(7) 'dissemination' means the public disclosure of the results by any appropriate means (other than resulting from protecting or exploiting the results), including by publishing, in any medium, ***articles presenting the result of research such as scientific publications in peer-reviewed journals;***

Or. en

Justification

The publication of the results of research is an essential part of the scientific method. If they are describing experiments or calculations, they must supply enough details that an independent researcher could repeat the experiment or calculation to verify the results.

Amendment 196
Ioannis A. Tsoukalas

Proposal for a regulation
Article 2 – paragraph 1 – point 7

Text proposed by the Commission

(7) 'dissemination' means the public disclosure of the results by any appropriate means (other than resulting from protecting or exploiting the results), including by **publishing** in any medium;

Amendment

(7) 'dissemination' means the public disclosure of the results by any appropriate means (other than resulting from protecting or exploiting the results), including by **a published work** in any medium **in any medium**;

Or. en

Justification

The terms “describe, analyse and interpret research” at any rate limits the concept and content of a publication. The definition ‘published work’ is more inclusive of other potential forms of publications and does not unnecessarily limit the scope.

Amendment 197
Christian Ehler

Proposal for a regulation
Article 2 – paragraph 1 – point 7

Text proposed by the Commission

(7) 'dissemination' means the public disclosure of the results by any appropriate means (other than resulting from protecting or exploiting the results), including by **publishing** in any medium;

Amendment

(7) 'dissemination' means the public disclosure of the results by any appropriate means (other than resulting from protecting or exploiting the results), including by **publications** in any medium;

Or. en

Amendment 198
Vicky Ford, Lambert van Nistelrooij

Proposal for a regulation
Article 2 – paragraph 1 – point 7 a (new)

Text proposed by the Commission

Amendment

(7a) 'experimental development' means the acquiring, combining, shaping and using of existing scientific, technological, business and other relevant knowledge and skills for the purpose of producing plans and arrangements or designs for new, altered or improved products, processes or services. These may also include, for example, other activities aiming at the conceptual definition, planning and documentation of new products, processes and services. The activities may comprise producing drafts, drawings, plans and other documentation, provided that they are not intended for commercial use. The development of commercially usable prototypes and pilot projects is also included where the prototype is necessarily the final commercial product and where it is too expensive to produce for it to be used only for demonstration and validation purposes. In case of a subsequent commercial use of demonstration or pilot projects, any revenue generated from such use must be deducted from the eligible costs. The experimental production and testing of products, processes and services are also eligible, provided that these cannot be used or transformed to be used in industrial applications or commercially. Experimental development does not include the routine or periodic changes made to products, production lines, manufacturing processes, existing services and other operations in progress, even if such changes may represent improvements

Or. en

Justification

Definition taken from the Framework for State Aid for R&D.

Amendment 199

Norbert Glante

Proposal for a regulation

Article 2 – paragraph 1 – point 7 a (new)

Text proposed by the Commission

Amendment

(7a) ‘exploitation of results’ means direct and indirect use of results for further research work or to develop, manufacture and market a product or a procedure or to develop and provide a service, irrespective of the activities to which the indirect action relates.

Or. de

Justification

The exploitation of results must be defined, showing that this component is particularly important under the new approach to innovation introduced by Horizon 2020.

Amendment 200

Ioannis A. Tsoukalas

Proposal for a regulation

Article 2 – paragraph 1 – point 7 a (new)

Text proposed by the Commission

Amendment

(7a) ‘fair and reasonable conditions’ means financial and other terms which take into account the specific circumstances of the request for access, in particular the actual or potential value of the foreground or background to which access is requested and/or the scope, duration and any other characteristics of

the use envisaged;

Or. en

Justification

The phrase "fair and reasonable" (compensation/conditions) is used in the Regulation, however not exclusively when referring to access. The amendment should not be biased and read as suggested

Amendment 201
Lambert van Nistelrooij

Proposal for a regulation
Article 2 – paragraph 1 – point 7 a (new)

Text proposed by the Commission

Amendment

(7a) 'fair and reasonable conditions' means appropriate conditions including possible financial terms, taking into account the specific circumstances of the request for access, which may be determined by the actual or potential value of the results or background to which access is requested and/or the scope, duration or other characteristics of the exploitation envisaged;

Or. en

(In reference to Amendment 20; PE489.632v01-00)

Amendment 202
Salvador Sedó i Alabart, Ramon Tremosa i Balcells

Proposal for a regulation
Article 2 – paragraph 1 – point 7 a (new)

Text proposed by the Commission

Amendment

(7a) 'exploitation' means the direct or indirect utilization of results in further

research activities other than those covered by the indirect action concerned, or for developing, creating and marketing a product or process, or for creating and providing a service;

Or. en

Amendment 203
Philippe Lamberts, Amelia Andersdotter
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 2 – paragraph 1 – point 7 a (new)

Text proposed by the Commission

Amendment

(7a) 'exploit/exploitation' means the direct use of results for developing, creating and marketing a product or process, or for creating and providing a service;

Or. en

Amendment 204
Philippe Lamberts, Amelia Andersdotter
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 2 – paragraph 1 – point 7 b (new)

Text proposed by the Commission

Amendment

(7b) 'fair and reasonable conditions' means terms, including royalty-free conditions, which take into account the specific circumstances of the request for access and/or the scope, duration or other characteristics of the use envisaged;

Or. en

Amendment 205

Andrzej Grzyb, Jerzy Buzek, Jolanta Emilia Hibner, Lena Kolarska-Bobińska, Bogdan Kazimierz Marcinkiewicz

Proposal for a regulation

Article 2 – paragraph 1 – point 10

Text proposed by the Commission

(10) 'legal entity' means **undertakings, research centres and universities, encompassing** any natural person, or any legal person created under national law, Union law or international law, which has legal personality and which may, acting in its own name, exercise rights and be subject to obligations;

Amendment

(10) 'legal entity' means any natural person, or any legal person created under national law, Union law or international law, which has legal personality and which may, acting in its own name, exercise rights and be subject to obligations;

Or. en

Justification

To simplify the definition of legal entity and to remove any doubts if a natural person is also treated as a legal entity in Horizon 2020. The proposed definition is fully in line with the definition used in FP7 rules for participation.

Amendment 206

Marisa Matias

Proposal for a regulation

Article 2 – paragraph 1 – point 10

Text proposed by the Commission

(10) 'legal entity' means undertakings, research centres and **universities**, encompassing any natural person, or any legal person created under national law, Union law or international law, which has legal personality and which may, acting in its own name, exercise rights and be subject to obligations;

Amendment

(10) 'legal entity' means undertakings, research centres, **universities** and **civil society organisations** encompassing any natural person, or any legal person created under national law, Union law or international law, which has legal personality and which may, acting in its own name, exercise rights and be subject to obligations;

Or. en

Amendment 207
Philippe Lamberts
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 2 – paragraph 1 – point 10

Text proposed by the Commission

(10) 'legal entity' means undertakings, research centres and universities, encompassing any natural person, or any legal person created under national law, Union law or international law, which has legal personality and which may, acting in its own name, exercise rights and be subject to obligations;

Amendment

(10) 'legal entity' means undertakings, research centres and universities, encompassing any natural person, or any legal person created under national law, Union law or international law, which has legal personality and which may, acting in its own name, exercise rights and be subject to obligations; ***these include non-profit and civil society organisations;***

Or. en

Amendment 208
Francisco Sosa Wagner

Proposal for a regulation
Article 2 – paragraph 1 – point 10

Text proposed by the Commission

(10) 'legal entity' means undertakings, research centres ***and*** universities, encompassing any natural person, or any legal person created under national law, Union law or international law, which has legal personality and which may, acting in its own name, exercise rights and be subject to obligations;

Amendment

(10) 'legal entity' means undertakings, research centres, universities ***and civil society organisations,*** encompassing any natural person, or any legal person created under national law, Union law or international law, which has legal personality and which may, acting in its own name, exercise rights and be subject to obligations;

Or. es

Justification

This amendment aims to stress the role played by civil society organisations in RDI and to facilitate exchange between science and society.

Amendment 209

Salvador Sedó i Alabart, Ramon Tremosa i Balcells

Proposal for a regulation

Article 2 – paragraph 1 – point 10

Text proposed by the Commission

(10) 'legal entity' means undertakings, research centres and universities, encompassing any natural person, or any legal person created under national law, Union law or international law, which has legal personality and which may, acting in its own name, exercise rights and be subject to obligations;

Amendment

(10) 'legal entity' means undertakings, research centres and universities ***or other research and innovation institutions***, encompassing any natural person, or any legal person created under national law, Union law or international law, which has legal personality and which may, acting in its own name, exercise rights and be subject to obligations;

Or. en

Amendment 210

Cristina Gutiérrez-Cortines

Proposal for a regulation

Article 2 – paragraph 1 – point 10

Text proposed by the Commission

(10) 'legal entity' means undertakings, research centres and universities, encompassing any natural person, or any legal person created under national law, Union law or international law, which has legal personality and which may, acting in its own name, exercise rights and be subject to obligations;

Amendment

(10) 'legal entity' means undertakings, ***civil society organizations***, research centres and universities, encompassing any natural person, or any legal person created under national law, Union law or international law, which has legal personality and which may, acting in its own name, exercise rights and be subject to obligations;

Or. en

Amendment 211
Salvador Sedó i Alabart, Ramon Tremosa i Balcells

Proposal for a regulation
Article 2 – paragraph 1 – point 10 a (new)

Text proposed by the Commission

Amendment

(10a) 'non-profit legal entity' means a legal entity which by law shall not have a lucrative aim and/or which has a legal or statutory obligation not to distribute profits and/or which is recognized as such by national, Union or international authorities;

Or. en

Amendment 212
Jean-Pierre Audy, Gaston Franco

Proposal for a regulation
Article 2 – paragraph 1 – point 15

Text proposed by the Commission

Amendment

(15) 'results' means any data, knowledge and information whatever their form or nature, whether or not they can be protected, which are generated in the action as well as any attached rights, including intellectual property rights;

(15) 'results' means any data, knowledge, and information, ***artefacts and other tangible outputs***, whatever their form or nature, whether or not they can be protected, which are generated in the action as well as any attached rights, including intellectual property rights ***such as copyright; design rights; patent rights; plant variety rights or similar forms of protection; but excluding data, knowledge and information that are generated by a participant in connection with a specific action but do not come within the objectives of that specific action and are not needed in order to implement the specific project or exploit the results obtained.***

Justification

The definition of the term ‘results’ should also cover tangible outputs.

Amendment 213
Christian Ehler

Proposal for a regulation
Article 2 – paragraph 1 – point 15

Text proposed by the Commission

(15) 'results' means any data, knowledge and **information** whatever their form or nature, whether or not they can be protected, which are generated in the action as well as any attached rights, including intellectual property rights;

Amendment

(15) 'results' means any data, knowledge, **information, objects and other tangible outputs**, whatever their form or nature, whether or not they can be protected, which are generated in the action as well as any attached rights, including intellectual property rights. ***For the purposes of this Regulation, publications shall not be considered as results;***

Amendment 214
Salvador Sedó i Alabart, Ramon Tremosa i Balcells

Proposal for a regulation
Article 2 – paragraph 1 – point 15

Text proposed by the Commission

(15) 'results' means any data, knowledge and information whatever their form or nature, whether or not they can be protected, which are generated in the action as well as any attached rights, including intellectual property rights;

Amendment

(15) 'results' means any data, knowledge and information whatever their form or nature, whether or not they can be protected, which are generated in the action as well as any attached rights, including intellectual property rights ***such as copyright, design rights, patent rights, plant variety rights or similar forms of protection;***

Amendment 215
Vicky Ford, Christian Ehler

Proposal for a regulation
Article 2 – paragraph 1 – point 15

Text proposed by the Commission

(15) 'results' means any data, knowledge and information whatever their form or nature, whether or not they can be protected, which are generated in the action as well as any attached **rights**, including intellectual property rights;

Amendment

(15) 'results' means any **artefacts and other tangible outputs**, data, knowledge and information whatever their form or nature, whether or not they can be protected, which are generated in the action as well as any **rights attached to them**, including intellectual property rights;

Or. en

Justification

Addition of tangible results to the definition in order to avoid legal uncertainty. Re-wording also aims to clarify the meaning of “attached rights”. These changes have been suggested by DESCA coordinators.

Amendment 216
Ioannis A. Tsoukalas

Proposal for a regulation
Article 2 – paragraph 1 – point 15

Text proposed by the Commission

(15) 'results' means any data, knowledge and **information** whatever their form or nature, whether or not they can be protected, which are generated in the action as well as any attached rights, including intellectual property rights;

Amendment

(15) 'results' means any data, knowledge, **information, artefacts and other tangible outputs**, whatever their form or nature, whether or not they can be protected, which are generated in the action as well as any attached rights, including intellectual property rights.

Or. en

Justification

The improvement in the definition of 'results' is welcome. The definition should not exclude scientific publications from the definition of results, or try to limit their scope and nature, nor should it narrow their remit to 'direct result of Horizon 2020 funding'. A scientific publication builds on former research, on former publications and results from other experiences and projects and cannot write on knowledge that would only be a direct result of one specific funding (Horizon 2020).

Amendment 217

Luigi Berlinguer

Proposal for a regulation

Article 2 – paragraph 1 – point 15

Text proposed by the Commission

(15) 'results' means any data, knowledge and **information** whatever their form or nature, whether or not they can be protected, which are generated in the action as well as any attached rights, including intellectual property rights;

Amendment

(15) 'results' means any data, knowledge, **information** and **publication**, whatever their form or nature, whether or not they can be protected, which are generated in the action as well as any attached rights, including intellectual property rights;

Or. en

Amendment 218

Gunnar Hökmark

Proposal for a regulation

Article 2 – paragraph 1 – point 15

Text proposed by the Commission

(15) 'results' means any data, knowledge and information whatever their form or nature, whether or not they can be protected, which are generated in the action as well as any attached rights, including intellectual property rights;

Amendment

(15) 'results' means any **intangible or tangible results of the action, such as** data, knowledge and information whatever their form or nature, whether or not they can be protected, which are generated in the action as well as any attached rights, including intellectual property rights;

Or. en

Amendment 219
Teresa Riera Madurell

Proposal for a regulation
Article 2 – paragraph 1 – point 15

Text proposed by the Commission

(15) 'results' means any data, knowledge and information whatever their form or nature, whether or not they can be protected, which are generated in the action **as well as any attached rights**, including intellectual property rights;

Amendment

(15) 'results' means any data, knowledge and information whatever their form or nature, whether or not they can be protected, which are generated in the action, including intellectual property rights;

Or. en

Amendment 220
Lambert van Nistelrooij

Proposal for a regulation
Article 2 – paragraph 1 – point 15

Text proposed by the Commission

(15) 'results' means any data, knowledge and information whatever their form or nature, whether or not they can be protected, which are generated in the action as well as any attached rights, including intellectual property rights;

Amendment

(15a) 'results' means any data, knowledge, information, **objects and other tangible outputs**, whatever their form or nature, whether or not they can be protected, which are generated in the action as well as any attached rights, including intellectual property rights.

Or. en

(In reference to Amendment 23; PE489.632v01-00)

Justification

Both a positive and a negative clarification of results risks the creation of overlap between both definitions. In this way unnecessary legal confusion is avoided.

Amendment 221
Salvador Sedó i Alabart, Ramon Tremosa i Balcells

Proposal for a regulation
Article 2 – paragraph 1 – point 15 a (new)

Text proposed by the Commission

Amendment

(15a) 'usual accounting practices' means the accounting principles and conventions habitually and demonstrably employed by a participant for the purpose of participating in national or regional public research and innovation programmes analogous to Horizon 2020;

Or. en

Amendment 222
Vicky Ford

Proposal for a regulation
Article 2 – paragraph 1 – point 15 a (new)

Text proposed by the Commission

Amendment

(15a) 'use' means the direct or indirect utilisation of results in further research activities other than those covered by the indirect action concerned, or by exploitation, including, but not limited to, developing, creating and marketing a product or process, or for creating and providing a service;

Or. en

Justification

These changes have been suggested by DESCA coordinators.

Amendment 223
Antonio Cancian

Proposal for a regulation
Article 2 – paragraph 1 – point 15 a (new)

Text proposed by the Commission

Amendment

(15a) "SMEs" means micro, small and medium-sized enterprises within the meaning of Commission recommendation of 6 May 2003 2003/361/EC concerning the definition of micro, small and medium-sized enterprises¹;

¹ OJ L 124, 20.5.2003, p36

Or. en

Amendment 224
Vicky Ford

Proposal for a regulation
Article 2 – paragraph 1 – point 15 b (new)

Text proposed by the Commission

Amendment

(15b) 'sustainable open access' means that funds have been provided by Horizon 2020 grants or other funding or business models to cover the full publication cost of making free on the internet peer-reviewed scholarly articles which describe, interpret, or analyze data, knowledge or information that is generated from research funded by Horizon 2020, recognising also that the reputation of research publications themselves can sometimes be considered an endorsement of excellence and that participants in projects funded by Horizon 2020 should not be disadvantaged by being forced to publish in formats which may be considered of lesser quality.

Or. en

Amendment 225
Adam Gierek

Proposal for a regulation
Article 2 – paragraph 1 – point 17 a (new)

Text proposed by the Commission

Amendment

(17a) ‘Excellence’ is a quality assessment that refers to a research facility staffed by well trained research and scientific personnel and which ensures that the best practical solution is found to the research objective and that the maximum amount of new information is obtained at the minimum cost.

Or. pl

Justification

The concept of ‘excellence’ may be perceived in a subjective way; therefore, the evaluating expert should be provided with specific guidelines.

Amendment 226
Amalia Sartori, Antonio Cancian, Lara Comi, Gabriele Albertini, Aldo Patriciello

Proposal for a regulation
Article 2 – paragraph 3

Text proposed by the Commission

Amendment

3. For the purposes of this Regulation an entity which does not have legal personality under the applicable national law is assimilated to a legal entity provided that the conditions set out in Regulation (EU) No XX/2012 [the Financial Regulation] are complied with.

3. For the purposes of this Regulation an entity which does not have legal personality under the applicable national law is assimilated to a legal entity provided that the conditions set out in ***Article 114(2)(a) of*** Regulation (EU) No XX/2012 [the Financial Regulation] ***and Article 174a of the implementing rules therefore*** are complied with.

Or. it

Justification

With reference to the concept of legal personality, in view of the differences between the legal arrangements in place in the various Member States and in order to clarify the scope of paragraph 2.3 and avoid any interpretation problems, explicit reference should be made to Article 114(2)(a) of the current Financial Regulation and Article 174a of the implementing rules.

Amendment 227

Christian Ehler

Proposal for a regulation

Article 2 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. For the purposes of point (10), simplified rules shall apply for public authorities as regards legal personality.

Or. en

Amendment 228

Maria Da Graça Carvalho

Proposal for a regulation

Article 2 – paragraph 5a (new)

Text proposed by the Commission

Amendment

5a. The OECD definitions regarding Technological Readiness Level (TRL) will be taken into account in the classification of technological research, product development and demonstration activities.

Or. en

Amendment 229

Salvador Sedó i Alabart, Ramon Tremosa i Balcells

Proposal for a regulation
Article 3 – paragraph 1

Text proposed by the Commission

Subject to the conditions established in the implementing agreements, decisions or contracts, any data, knowledge and information communicated as confidential in the frame of an action shall be kept confidential, taking due account of any rules regarding the protection of classified information.

Amendment

Subject to the conditions established in the implementing agreements, decisions or contracts, any data, knowledge and information communicated as confidential in the frame of an action shall be kept confidential ***by the institutions and bodies and the participants taking part in an action***, taking due account of any rules regarding the protection of classified information.

Or. en

Amendment 230
Vicky Ford, Christian Ehler

Proposal for a regulation
Article 3 – paragraph 1

Text proposed by the Commission

Subject to the conditions established in the implementing agreements, decisions or contracts, any data, knowledge and information communicated as confidential in the frame of an action shall be kept confidential, taking due account of any rules regarding the protection of classified information.

Amendment

Subject to the conditions established in the implementing agreements, decisions or contracts, any data, knowledge and information communicated as confidential in the frame of an action shall be kept confidential ***by the Union institutions and bodies and the participants in an action***, taking due account of any rules regarding the protection of classified information.

Or. en

Amendment 231
Jean-Pierre Audy

Proposal for a regulation
Article 4 – paragraph 1 – subparagraph 1 – introductory part

Text proposed by the Commission

Without prejudice to Article 3, the Commission shall, upon request, make available to the Union institutions and bodies, any Member State or associated country, any useful information in its possession on results of a participant that has received Union funding, provided that both the following conditions are met:

Amendment

Without prejudice to Article 3, the Commission shall, upon request, make available to the Union institutions and bodies, any Member State or associated country, any useful information in its possession on results of a participant that has received Union funding **and before disseminating information, the Commission shall systematically ask the opinion of the participant concerned**, provided that both the following conditions are met:

Or. en

Justification

It is necessary to clarify the conditions of disseminating “useful information” because it could present difficulties in terms of confidentiality.

Amendment 232

Kent Johansson, Fiona Hall, Jens Rohde

Proposal for a regulation

Article 4 – paragraph 1 – subparagraph 1 – introductory part

Text proposed by the Commission

Without prejudice to Article 3, the Commission shall, upon request, make available to the Union institutions and bodies, any Member State **or** associated country, any useful information in its possession on results of a participant that has received Union funding, provided that both the following conditions are met:

Amendment

Without prejudice to Article 3, the Commission shall, upon request, make available to the Union institutions and bodies, any Member State, associated country **and Union citizens or their directly elected representative**, any useful information in its possession on results of a participant that has received Union funding, provided that both the following conditions are met:

Or. en

Amendment 233

Philippe Lamberts, Amelia Andersdotter
on behalf of the Verts/ALE Group

Proposal for a regulation

Article 4 – paragraph 1 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) the information concerned is relevant to public policy;

(a) the information concerned is relevant to public policy ***objectives and the promotion of public interest***;

Or. en

Amendment 234

Jean-Pierre Audy

Proposal for a regulation

Article 4 – paragraph 1 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) the participants have not provided sound and sufficient reasons for withholding the information concerned.

(b) ***upon prior notice of the intended communication by the Commission, the*** participants have not provided sound and sufficient reasons for withholding the information concerned.

Or. en

Justification

The disclosure of information by the Commission on the participants' results raises issues of not only confidentiality but also contractual certainty and intellectual property right protection. Participants should therefore have the opportunity to object to the disclosure of information in cases where this would harm them, whence the need for them to be given prior notice.

Amendment 235

Teresa Riera Madurell

Proposal for a regulation
Article 4 – paragraph 1 – subparagraph 2

Text proposed by the Commission

In actions under the **activity ‘Secure societies’ within the specific objective ‘Inclusive, innovative and secure societies’**, the Commission may make available to Union institutions and bodies or Member States' national authorities any useful information in its possession on results of a participant that has received Union funding.

Amendment

In actions under the specific objective **‘Protecting freedom and security in Europe’**, the Commission may make available to Union institutions and bodies or Member States' national authorities any useful information in its possession on results of a participant that has received Union funding. ***The Commission rules on security should be included in the relevant grant agreement.***

Or. en

Amendment 236
Philippe Lamberts, Amelia Andersdotter
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 4 – paragraph 1 – subparagraph 2

Text proposed by the Commission

In actions under the **activity ‘Secure societies’ within the specific objective ‘Inclusive, innovative and secure societies’**, the Commission may make available to Union institutions and bodies or Member States' national authorities any useful information in its possession on results of a participant that has received Union funding.

Amendment

In actions under the **activities of the Societal Challenges pillar** the Commission may make available to Union institutions and bodies or Member States' national authorities any useful information in its possession on results of a participant that has received Union funding.

Or. en

Amendment 237
Ioannis A. Tsoukalas

Proposal for a regulation
Article 4 – paragraph 1 – subparagraph 2

Text proposed by the Commission

In actions under the activity 'Secure societies' within the specific objective 'Inclusive, innovative and secure societies', the Commission may make available to Union institutions and bodies or Member States' national authorities any useful information in its possession on results of a participant that has received Union funding.

Amendment

In actions under the activity 'Secure societies' within the specific objective 'Inclusive, innovative and secure societies' **and the activity 'Health, demographic change and wellbeing' within the pillar 'Societal challenges'**, the Commission may make available to Union institutions and bodies or Member States' national authorities any useful information in its possession on results of a participant that has received Union funding.

Or. en

Justification

Public security, public policy and public health reasons constitute legitimate exceptions and justify derogations to the protection of intellectual property.

Amendment 238
Francisco Sosa Wagner

Proposal for a regulation
Article 4 – paragraph 1 – subparagraph 2

Text proposed by the Commission

In actions under the activity 'Secure societies' within the specific objective 'Inclusive, innovative and secure societies', the Commission may make available to Union institutions and bodies or Member States' national authorities any useful information in its possession on results of a participant that has received Union funding.

Amendment

In actions under the activity 'Secure societies' within the specific objective 'Inclusive, innovative and secure societies' **and the 'Health, demographic change and well-being' section of the 'Societal challenges' strand**, the Commission may make available to Union institutions and bodies or Member States' national authorities any useful information in its possession on results of a participant that has received Union funding.

Or. es

Justification

This amendment aims to facilitate the use of the results of EU-funded research conducted as part of the ‘Health, demographic change and well-being’ section of the ‘Societal challenges’ strand by EU bodies or the national authorities of Member States in defining projects or policies.

Amendment 239 **Antonio Cancian**

Proposal for a regulation **Article 4 – paragraph 1 – subparagraph 2**

Text proposed by the Commission

In actions under the activity ‘Secure societies’ within the specific objective ‘Inclusive, innovative and secure societies’, the Commission may make available to Union institutions and bodies or Member States' national authorities any useful information *in its possession* on results of a participant that has received Union funding.

Amendment

In actions under the activity ‘Secure societies’ within the specific objective ‘Inclusive, innovative and secure societies’, the Commission may make available to Union institutions and bodies or Member States' national authorities any useful information *at its disposal* on results of a participant that has received Union funding.

Or. en

Amendment 240 **Hermann Winkler**

Proposal for a regulation **Article 4 – paragraph 1 a (new)**

Text proposed by the Commission

Amendment

1a. The Commission shall provide potential participants with a manual explaining the details of the selection process. In addition to the weighting of the selection criteria, it shall indicate the most common reasons for the failure of applications, particularly those by SMEs, and ways of avoiding these errors. In so far as possible, this information shall also

already be supplied when the first work programme is published and shall be expanded in the light of the Commission's experience. To the extent that it is possible for the Commission to arrange this, given the relevant budget, these manuals should be published in all the official languages. At all events, Member States shall ensure that SMEs can receive a copy of the manual in their official language free of charge.

Or. de

Amendment 241
Jean-Pierre Audy

Proposal for a regulation
Article 4 – paragraph 2

Text proposed by the Commission

2. The provision of information pursuant to paragraph 1 shall not be deemed to transfer to the recipient any rights or obligations of the Commission or of the participants. **However**, the recipient shall treat any such information as confidential unless it becomes public or is made available publicly by the participants, or unless it was communicated to the Commission without restrictions concerning confidentiality. **The** Commission rules on security shall apply regarding classified information.

Amendment

2. The **Commission shall ensure the following:**

- (a) the provision of information pursuant to paragraph 1 shall not be deemed to transfer to the recipient any rights or obligations of the Commission or of the participants,
- (b) the recipient shall treat any such information as confidential unless it becomes public or is made available publicly by the participants, or unless it was communicated to the Commission without restrictions concerning

confidentiality, *and that*

(c) the Commission rules on security shall apply regarding classified information.

Or. en

Justification

Since the Commission provides the information, it should be its task to ensure that the information does not transfer any rights and to ensure that the recipient treats the information as confidential.

Amendment 242

Christian Ehler, Paul Rübiger, Kent Johansson

Proposal for a regulation

Article 4 a (new)

Text proposed by the Commission

Amendment

Article 4a

Guidance and information for potential participants

- 1. The Commission shall ensure that sufficient guidance and information is made available to all potential participants, in parallel with the publication of the first annual work programme of Horizon 2020.***
- 2. The following documents shall be drawn up in close cooperation with all relevant stakeholders and adopted by the Commission by means of implementing acts in accordance with the examination procedure referred to in Article 9(2):***
 - a) rules for submission, evaluation, selection and award;***
 - b) standard model grant agreement;***
 - c) rules on audit certification.***
- 3. Furthermore, the following guidance and information documents shall be drawn up in close cooperation with all***

relevant stakeholders and disseminated by the Commission appropriately:

a) guidance note on drafting proposals, including detailed information on the evaluation and selection process;

b) guidance note for beneficiaries;

c) guide to financial issues;

d) guide to intellectual property rights (IPR);

e) checklist for consortium agreement.

4. The stipulations the Commission adapts in the above mentioned documents, concerning the interpretation of the rules laid down in Regulation (EU) No XX/XX [Financial Regulation] and this Regulation, shall remain valid throughout the whole duration of the programme.

Or. en

Amendment 243

Romana Jordan

Proposal for a regulation

Article 5 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Activities close to market shall primarily be funded by means of financial instruments.

Or. en

Amendment 244

Paul Rübzig

Proposal for a regulation

Article 6 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. For the purpose of calculating the size of an undertaking, the participant in an action shall be defined solely as the legal or natural person making the application, to the exclusion of its parent company, subsidiaries or foreign holdings.

Or. de

Justification

This will facilitate applications for grants.

Amendment 245

Philippe Lamberts

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 6 – paragraph 2

Text proposed by the Commission

Amendment

2. The relevant work programme *may* restrict the participation in Horizon 2020 or parts thereof of ***legal entities established in third countries where conditions for the participation of legal entities from Member States in the third country's research and innovation programmes are considered prejudicial to the Union's interests.***

2. The relevant work programme ***shall*** restrict ***and exclude*** the participation in Horizon 2020 or parts thereof of:

Or. en

Amendment 246

Marita Ulvskog

Proposal for a regulation

Article 6 – paragraph 2

Text proposed by the Commission

2. The relevant work programme may restrict the participation in Horizon 2020 or parts thereof of legal entities established in third countries where conditions for the participation of legal entities from Member States in the third country's research and innovation programmes are considered prejudicial to the Union's interests.

Amendment

2. The relevant work programme may restrict the participation in Horizon 2020 or parts thereof of legal entities established in third countries where conditions for the participation of legal entities from Member States in the third country's research and innovation programmes are considered prejudicial to the Union's interests.

Additional rules on restricted access to Horizon 2020 for certain legal entities in third countries, or associated countries, are laid down in Article 6a (new)

Or. en

Amendment 247

Philippe Lamberts, Keith Taylor
on behalf of the Verts/ALE Group

Proposal for a regulation

Article 6 – paragraph 2 – point a (new)

Text proposed by the Commission

Amendment

(a) legal entities (including any affiliated entities) whose participation, by the objectives they pursue, their place of establishment, the nature or the location of their activities, would cause the European Union to recognize as lawful or render aid or assistance in maintaining a situation created by a serious breach of international law (including international humanitarian law), where such breach has been established by a resolution of the United Nations Security Council or by a judgment or advisory opinion of the International Court of Justice;

Or. en

Amendment 248
Philippe Lamberts
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 6 – paragraph 2 – point b (new)

Text proposed by the Commission

Amendment

(b) undertakings established in a third country which promotes itself as an off-shore financial centre or in which there are no or nominal taxes, there is a lack of effective exchange of information with foreign tax authorities, there is a lack of transparency in regard to legislative, judicial or administrative provisions, or there is no requirement for a substantive local presence;

Or. en

Amendment 249
Philippe Lamberts
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 6 – paragraph 2 – point c (new)

Text proposed by the Commission

Amendment

(c) legal entities established in third countries where conditions for the participation of legal entities from Member States in the third country's research and innovation programmes are considered prejudicial to the Union's interests.

Or. en

Amendment 250
Silvia-Adriana Țicău

Proposal for a regulation
Article 6 – paragraph 3

Text proposed by the Commission

3. The relevant work programme or work plan may exclude entities not able to provide satisfactory security guarantees, including as regards personnel security clearance if justified by security reasons.

Amendment

3. The relevant work programme or work plan may exclude entities not able to provide satisfactory security *or intellectual property protection* guarantees, including as regards personnel security clearance if justified by security reasons.

Or. ro

Amendment 251

Salvador Sedó i Alabart, Ramon Tremosa i Balcells, Marie-Thérèse Sanchez-Schmid

Proposal for a regulation

Article 6 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. An European Grouping of Territorial Cooperation (EGTC) or other legal body established under the laws of one of the participating countries, may participate in the action provided that it is set up by public authorities and bodies from at least two participating countries and provided that the conditions laid down in this regulation have been met, as well as any conditions laid down in the relevant work programme or work plan.

Or. en

Justification

According to article 7 of Regulation (EC) No 1082/2006, an EGTC may carry out other specific actions of territorial cooperation between its members in pursuit of the objective referred to in Article 1(2), with or without a financial contribution from the Community. According to Commission proposal amending regulation No 1082/2006 « An EGTC may carry out specific actions of territorial cooperation between its members in pursuit of the objective referred to in Article 1(2), with or without a financial support from the Union »

Amendment 252
Jean-Pierre Audy

Proposal for a regulation
Article 6 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Participation by legal entities established in third countries in the Horizon 2020 framework programme or parts thereof shall be subject to the principle of reciprocity, in accordance with which legal entities established in the EU may participate in research and innovation programmes initiated by those countries.

Or. fr

Amendment 253
Marita Ulvskog

Proposal for a regulation
Article 6 a (new)

Text proposed by the Commission

Amendment

Article 6a

Restricted access to Horizon 2020 for certain legal entities in third countries and certain associated countries

Participation and cooperation with legal entities in third countries, or associated countries, involved in military or territorial conflicts, or where there are reasonably grounded suspicions of human rights violations, or violation of international humanitarian law should be restricted. The participation of such entities or associated countries is only permitted provided the following criteria are met:

(a) the third country entity and the associated country shall present a report, prior to receiving funding and commencing indirect actions, detailing how funds and other support measures under Horizon 2020 does not contribute to, and are kept separate from, activities detailed in the previous paragraph. The Commission shall provide guidance with regards to the content and methodology of this report;

(b) funding cannot be dispersed and indirect actions cannot commence until the Commission approves of the report and its conclusions. If it is deemed necessary the commission may carry out its own investigation or request a third party audit;

(c) following the conclusion of indirect actions, or on a biannual basis with associated countries, the Commission should present an audit assessing whether funding and support measures has been properly managed;

(d) publications arising following the provisions of this article should be publically available.

Or. en

Amendment 254

Alejo Vidal-Quadras, Cristina Gutiérrez-Cortines, Pilar del Castillo Vera

Proposal for a regulation

Article 8 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) at least **three** legal entities shall participate in an action;

(a) at least **two** legal entities shall participate in an action;

Or. en

Amendment 255

Alejo Vidal-Quadras, Cristina Gutiérrez-Cortines, Pilar del Castillo Vera

Proposal for a regulation

Article 8 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) each of the **three** shall be established in a Member State or associated country;

(b) each of the **two** shall be established in a Member State or associated country;

Or. en

Amendment 256

Alejo Vidal-Quadras, Cristina Gutiérrez-Cortines, Pilar del Castillo Vera

Proposal for a regulation

Article 8 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) **no two of the three may** be established in the same Member State or associated country;

(c) **they shall not** be established in the same Member State or associated country;

Or. en

Amendment 257

Alejo Vidal-Quadras, Cristina Gutiérrez-Cortines, Pilar del Castillo Vera

Proposal for a regulation

Article 8 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) **all three legal entities** shall be independent of each other within the meaning of Article 7.

(d) **they** shall be independent of each other within the meaning of Article 7.

Or. en

Amendment 258
Francisco Sosa Wagner

Proposal for a regulation
Article 8 – paragraph 3

Text proposed by the Commission

3. By way of derogation from paragraph 1, in the case of European Research Council (ERC) frontier research actions, the SME instrument, programme co-fund actions and in justified cases provided for in the work programme or work plan, the minimum condition shall be the participation of one legal entity established in a Member State or associated country.

Amendment

3. By way of derogation from paragraph 1, in the case of European Research Council (ERC) frontier research actions, the SME instrument, programme co-fund actions and in justified cases provided for in the work programme or work plan, ***such as when geographical and cultural aspects of research conducted in the field of social sciences and the humanities are of particular interest to a given Member State or associated country and not others***, the minimum condition shall be the participation of one legal entity established in a Member State or associated country.

Or. es

Justification

This amendment aims to inform the Commission or the relevant funding body with a view to ensuring that the geographical and cultural component is taken into account in drawing up given programmes or work plans. The involvement of a legal entity may be required as a minimum condition.

Amendment 259
Silvia-Adriana Țicău

Proposal for a regulation
Article 8 – paragraph 3

Text proposed by the Commission

3. By way of derogation from paragraph 1, in the case of European Research Council (ERC) frontier research actions, the SME instrument, programme co-fund actions and in justified cases provided for in the

Amendment

3. By way of derogation from paragraph 1, in the case of European Research Council (ERC) frontier research actions, the SME instrument, ***actions in the area of primary agricultural production***, programme co-

work programme or work plan, the minimum condition shall be the participation of one legal entity established in a Member State or associated country.

fund actions and in justified cases provided for in the work programme or work plan, the minimum condition shall be the participation of one legal entity established in a Member State or associated country.

Or. en

Justification

Given that regions are different in terms of types of soil, climate, and farm infrastructure, it may be the case that many agricultural projects would be relevant only if they are tailored to the regional level. For example, if a pest emerges in an area, measures to combat that pest need to be developed for the area. However, the fact that the pest would be stopped would be of cross-border relevance because small research and innovative projects can impede the pest spreading across the continent. Therefore, it is necessary the agricultural sector is eligible for this derogation.

Amendment 260 **Adina-Ioana Vălean**

Proposal for a regulation **Article 8 – paragraph 3**

Text proposed by the Commission

3. By way of derogation from paragraph 1, in the case of European Research Council (ERC) frontier research actions, the SME instrument, programme co-fund actions and in justified cases provided for in the work programme or work plan, the minimum condition shall be the participation of one legal entity established in a Member State or associated country.

Amendment

3. By way of derogation from paragraph 1, in the case of European Research Council (ERC) frontier research actions, the SME instrument, ***actions in the area of primary agricultural production***, programme co-fund actions and in justified cases provided for in the work programme or work plan, the minimum condition shall be the participation of one legal entity established in a Member State or associated country.

Or. en

Amendment 261 **Claudiu Ciprian Tănăsescu**

Proposal for a regulation
Article 8 – paragraph 3

Text proposed by the Commission

3. By way of derogation from paragraph 1, in the case of European Research Council (ERC) frontier research actions, the SME instrument, programme co-fund actions and in justified cases provided for in the work programme or work plan, the minimum condition shall be the participation of one legal entity established in a Member State or associated country.

Amendment

3. By way of derogation from paragraph 1, in the case of European Research Council (ERC) frontier research actions, the SME instrument, ***actions in the area of agricultural production and rural development***, programme co-fund actions and in justified cases provided for in the work programme or work plan, the minimum condition shall be the participation of one legal entity established in a Member State or associated country.

Or. en

Amendment 262
Vasilica Viorica Dăncilă

Proposal for a regulation
Article 8 – paragraph 3

Text proposed by the Commission

3. By way of derogation from paragraph 1, in the case of European Research Council (ERC) frontier research actions, the SME instrument, programme co-fund actions and in justified cases provided for in the work programme or work plan, the minimum condition shall be the participation of one legal entity established in a Member State or associated country.

Amendment

3. By way of derogation from paragraph 1, in the case of European Research Council (ERC) frontier research actions, the SME instrument, ***actions in the area of primary agricultural production***, programme co-fund actions and in justified cases provided for in the work programme or work plan, the minimum condition shall be the participation of one legal entity established in a Member State or associated country.

Or. en

Amendment 263
Rareş-Lucian Niculescu

Proposal for a regulation
Article 8 – paragraph 3

Text proposed by the Commission

3. By way of derogation from paragraph 1, in the case of European Research Council (ERC) frontier research actions, the SME instrument, programme co-fund actions and in justified cases provided for in the work programme or work plan, the minimum condition shall be the participation of one legal entity established in a Member State or associated country.

Amendment

3. By way of derogation from paragraph 1, in the case of European Research Council (ERC) frontier research actions, the SME instrument, ***actions in the area of primary agricultural production***, programme co-fund actions and in justified cases provided for in the work programme or work plan, the minimum condition shall be the participation of one legal entity established in a Member State or associated country.

Or. en

Amendment 264
Marian-Jean Marinescu

Proposal for a regulation
Article 8 – paragraph 3

Text proposed by the Commission

3. By way of derogation from paragraph 1, in the case of European Research Council (ERC) frontier research actions, the SME instrument, programme co-fund actions and in justified cases provided for in the work programme or work plan, the minimum condition shall be the participation of one legal entity established in a Member State or associated country.

Amendment

3. By way of derogation from paragraph 1, in the case of European Research Council (ERC) frontier research actions, the SME instrument, ***actions in the area of primary agricultural production***, programme co-fund actions and in justified cases provided for in the work programme or work plan, the minimum condition shall be the participation of one legal entity established in a Member State or associated country.

Or. en

Amendment 265
Salvador Sedó i Alabart, Ramon Tremosa i Balcells, Marie-Thérèse Sanchez-Schmid

Proposal for a regulation
Article 8 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. By way of derogation from paragraph 1, an EGTC, within the meaning of article 6, may apply as sole beneficiary for an operation.

Or. en

Justification

Commission's proposal for a regulation on specific provisions from the ERDF to the territorial cooperation goal states that « an EGTC, or other legal body established under the laws of one of the participating countries may apply as sole beneficiary for an operation provided that it is set up by public authorities and bodies from at least two participating countries, for cross-border and transnational cooperation, and from at least three participating countries, for interregional cooperation »

Amendment 266

Salvador Sedó i Alabart, Ramon Tremosa i Balcells, Marie-Thérèse Sanchez-Schmid

Proposal for a regulation

Article 8 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. By way of derogation from paragraph 1, in the case of a project coordinated by a European Grouping for Territorial Cooperation, the minimum condition shall be the participation of two legal entities established in two different Member States or associated countries.

Or. en

Justification

We defend that there is nowadays a gap between the cross-border level (essentially limited to NUTS 3 zones around the border), transnational areas (close to the so-called « macro regional strategies ») and the interregional level. In addition, most EU sectorial programmes ask for wide European partnerships. Therefore there is no space for strategic cooperation between border regions. This is the case in the field of innovation and research where strategic partners might be located in neighbour regions. We agree with the Commission that

research and innovation projects should demonstrate a real added European value. However we believe that the European value should not only be evaluated on the basis of a wide European partnership. The critical mass and the systemic impact of the project should also be taken into account for example in the case of the Eurocampus Pyrenees-Mediterranean that gathers a community of 45 000 researchers.

Amendment 267

Andrzej Grzyb, Jerzy Buzek, Jolanta Emilia Hibner, Lena Kolarska-Bobińska, Bogdan Kazimierz Marcinkiewicz

Proposal for a regulation

Article 8 – paragraph 5

Text proposed by the Commission

5. **Work** programmes or work plans may provide for additional conditions according to specific policy requirements or to the nature and objectives of the action, including inter alia conditions regarding the number of participants, the type of participant and the place of establishment.

Amendment

5. ***If necessary and fully justified, work*** programmes or work plans may provide for additional conditions according to specific policy requirements or to the nature and objectives of the action, including inter alia conditions regarding the number of participants, the type of participant and the place of establishment.

Or. en

Justification

Horizon 2020 should apply general rules introduced by the rules for participation. Any additional rules and conditions should be exceptional and be applied in fully justified cases where absolutely necessary.

Amendment 268

Kent Johansson, Fiona Hall, Jürgen Creutzmann, Jens Rohde, Cristian Silviu Buşoi

Proposal for a regulation

Article 8 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. Flexibility in the conditions for participation shall be introduced in order to:

- *boost opportunity-seizing activities in sectors with short research and innovation cycles;*
- *aid the participation of SMEs and*
- *simplify procedures for activities directly building on funded research results.*

Or. en

Amendment 269
Jean-Pierre Audy

Proposal for a regulation
Article 9 – paragraph 2 – point a

Text proposed by the Commission

(a) the participation is deemed essential for carrying out the action by the Commission or the relevant funding body;

Amendment

(a) the participation is deemed essential for carrying out the action by the Commission or the relevant funding body, ***following consultation of the European Parliament and the Council;***

Or. fr

Amendment 270
Andrzej Grzyb, Jerzy Buzek, Jolanta Emilia Hibner, Lena Kolarska-Bobińska, Bogdan Kazimierz Marcinkiewicz, Krišjānis Kariņš

Proposal for a regulation
Article 9 – paragraph 2 – point b

Text proposed by the Commission

(b) such funding is provided for under a bilateral scientific and technological agreement or any other arrangement between the Union and the international organisation or, for entities established in third countries, the country in which the legal entity is established.

Amendment

(b) such funding is provided for under a bilateral scientific and technological agreement or any other arrangement between the Union and the international organisation or, for entities established in third countries, the country in which the legal entity is established. ***This agreement should ensure equal treatment of all Member States regardless their***

membership in the international organisation.

Or. en

Amendment 271

Andrzej Grzyb, Jerzy Buzek, Jolanta Emilia Hibner, Lena Kolarska-Bobińska, Bogdan Kazimierz Marcinkiewicz

Proposal for a regulation

Article 9 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The fulfilment of the conditions referred to in paragraph 1 should be subject to the strict control of the Commission.

Or. en

Amendment 272

Kent Johansson, Fiona Hall, Jürgen Creutzmann, Jens Rohde, Cristian Silviu Buşoi

Proposal for a regulation

Article 10 – paragraph 1

Text proposed by the Commission

Amendment

Without prejudice to the other cases provided for in Regulation (EU) No XX/2012 [Financial Regulation] and in Regulation (EU) No XX/2012 [Delegated Regulation], calls for proposals shall not be issued for coordination and support actions and programme co-fund actions to be carried out by legal entities identified in the work programmes provided that the action does not fall under the scope of a call for proposals.

Without prejudice to the other cases provided for in Regulation (EU) No XX/2012 [Financial Regulation] and in Regulation (EU) No XX/2012 [Delegated Regulation], calls for proposals shall not be issued for coordination and support actions and programme co-fund actions to be carried out by legal entities identified in the work programmes provided that the action does not fall under the scope of a call for proposals. ***Calls for proposals may take all forms, including open calls, which are necessary to ensure the level of flexibility imposed by the diversity of research and innovation sectors and activities, from***

*long-term projects to short-term
opportunity-seizing activities.*

Or. en

Amendment 273
Philippe Lamberts
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 10 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. All calls for proposals in the area of security research shall be subject to an ex-ante ethical and societal impact assessment. Calls that raise substantial ethical and/or societal impact concerns must be subject to enhanced scrutiny and control.

Or. en

Amendment 274
Teresa Riera Madurell

Proposal for a regulation
Article 10 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The number of actions funded under a call for proposals should be determined by the criterion of excellence.

Or. en

Amendment 275
Christian Ehler, Paul Rübzig, Maria Da Graça Carvalho, Kent Johansson

Proposal for a regulation
Article 10 a (new)

Text proposed by the Commission

Amendment

Article 10a

A simplified two-stage evaluation procedure may apply, if stated so in the work programme, provided that no prolongation of the overall evaluation period is entailed.

Or. en

Amendment 276
Jean-Pierre Audy

Proposal for a regulation
Article 11 – paragraph 2

Text proposed by the Commission

Amendment

2. Legal entities receiving funding from the Union shall conclude a grant agreement with the Union or the relevant funding body. That grant agreement shall include the description of work to be done by those participants and by the participating legal entities from the third countries involved.

2. Legal entities receiving funding from the Union shall conclude a grant agreement with the Union or the relevant funding body. That grant agreement shall include the description of work to be done by those participants and by the participating legal entities from the third countries involved ***and framework conditions notably on access rights, exploitation and dissemination.***

Or. en

Justification

Provision needs to be made for the possibility of indicating framework conditions for actions carried out on the basis of joint calls with third countries, in particular in relation to intellectual property rights.

Amendment 277
Vicky Ford

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**Proposal for a regulation
Article 11 a (new)**

Text proposed by the Commission

Amendment

Article 11a

Time to Bid

Shortening time periods for deciding on successful bids is a priority. However, depending on the nature of any specific call, due consideration shall also be given to the following:

(a) clear and transparent mechanisms to develop calls on specific topics will enable a level playing field and the inclusion and growth of participation. This should, where possible, be consistent across programmes and themes;

(b) reasonable advance notice of upcoming calls can allow potential participants to form bidding consortia in advance of publication of calls and thus result in higher quality bids;

(c) maintaining a reasonable time period between the publication of a call and the deadline for submitting bids can result in higher quality bids and a more level playing field between participants with different degrees of administrative capacity, experience of participation in Union funded programmes, different languages and varying levels of English language skills and

- call deadlines should be scheduled taking into account the full scope of Union calls and the academic and business calendar of potential participants.

Or. en

Amendment 278
Gunnar Hökmark

Proposal for a regulation
Article 11 a (new)

Text proposed by the Commission

Amendment

Article 11a

Synergies with cohesion funds

In order to create synergies and efficiency with the use of Cohesion policy funds dedicated to research purposes common rules for participation should be set. One single set of rules and entry point for all research funding from Union shall be established, including usage of same Participant Identification Code (PIC) and participant portal for all of Union calls and projects

Or. en

Amendment 279
Cristina Gutiérrez-Cortines

Proposal for a regulation
Article 12 – paragraph 1

Text proposed by the Commission

Amendment

1. Where appropriate, proposals shall include a draft plan for the exploitation and dissemination of the results.

1. Proposals shall examine whether responsible research and innovation dimensions as set out in article 14a of Regulation 2011/809 establishing Horizon 2020-The Framework Programme for Research and Innovation (2014-2020), are relevant and if they have to be taken into account.

Or. en

Justification

This amendment makes reference to amendment 12 of Cristina Gutiérrez-Cortines on the María Teresa Riera Madurell Draft Report on Horizon 2020 The Framework Programme where a new article 14a on responsible research is suggested.

Amendment 280

Philippe Lamberts, Amelia Andersdotter
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 12 – paragraph 1

Text proposed by the Commission

1. Where appropriate, proposals shall include a draft plan for the exploitation **and** dissemination of the results.

Amendment

1. Where appropriate, proposals shall include a draft plan for the exploitation **of the results, whenever exploitation is expected or required as part of the call, as well as a plan for dissemination, including a data management and sharing plan** of the results.

Or. en

Amendment 281

Jean-Pierre Audy

Proposal for a regulation
Article 12 – paragraph 1

Text proposed by the Commission

1. **Where appropriate, proposals** shall include a draft plan for the exploitation and dissemination of the results.

Amendment

1. **Proposals** shall include a draft plan for the exploitation and dissemination of the results. **Where appropriate, the work programme or work plan shall explicitly mention that no draft plan is needed.**

Or. en

Justification

Exploitation and dissemination plans should be submitted in all but exceptional cases.

Amendment 282
Ioannis A. Tsoukalas

Proposal for a regulation
Article 12 – paragraph 1

Text proposed by the Commission

1. Where appropriate, proposals shall include a draft plan for the exploitation and dissemination of the results.

Amendment

1. Where appropriate, proposals shall include a draft plan for the exploitation and dissemination of the results, ***including a plan for data management and sharing.***

Or. en

Amendment 283
Vicky Ford, Christian Ehler

Proposal for a regulation
Article 12 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Where appropriate, e.g. if it is expected that there will be a high volume of applications, the Commission may decide to use a two stage application procedure, provided that the evaluation is undertaken thoroughly in the first stage (objectives, scientific approach, competences of participants, added value of scientific collaboration and overall budget) and provided that it is not at the expense of materially longer time-to-contract or grant periods;

Or. en

Amendment 284
Philippe Lamberts, Amelia Andersdotter
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 12 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Any proposal for research with the potential for further development into a novel medical technology (e.g. drugs, vaccines, medical diagnostics) shall include a draft plan specifying a strategy to guarantee the immediate and widest possible access to this technology, where lack of access to the technology would pose a threat to the protection of public health.

Or. en

Justification

Access to drugs, vaccines and other medical technologies is a key element of functioning health systems and ensuring access to health. As documented in several reports by the WHO, considering access strategies as early as during the R&D process can contribute later to a functioning health supply. Sources WHO: Report of the Commission on IPR, Innovation and Public Health. (2006); R&D to Meet Health Needs in Developing Countries: Strengthening Global Financing and Coordination (2012)

Amendment 285
Philippe Lamberts
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 12 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. Proposals shall examine the way responsible research and innovation dimensions as set out in Article 14a of Regulation (EU) No XX/XX [Horizon 2020] are relevant and taken into account.

Or. en

Amendment 286
Philippe Lamberts
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 12 – paragraph 2

Text proposed by the Commission

2. Any proposal for research on human embryonic stem cells shall include, as appropriate, details of **licensing and** control measures that will be taken by the competent authorities of the Member States as well as details of the ethical approvals that will be provided. As regards the derivation of human embryonic stem cells, institutions, organisations and researchers shall be subject to strict **licensing and** control in accordance with the legal framework of the Member States involved.

Amendment

2. Any proposal for research on human embryonic stem cells shall include, as appropriate, details of control measures that will be taken by the competent authorities of the Member States as well as details of the ethical approvals that will be provided. As regards the derivation of human embryonic stem cells, institutions, organisations and researchers shall be subject to strict control in accordance with the legal framework of the Member States involved.

Or. en

Amendment 287
Vicky Ford, Christian Ehler

Proposal for a regulation
Article 12 – paragraph 2

Text proposed by the Commission

2. Any proposal for research on human embryonic stem cells shall include, **as appropriate**, details of licensing and control measures that will be taken by the competent authorities of the Member States as well as details of the ethical approvals that will be provided. As regards the derivation of human embryonic stem cells, institutions, organisations and researchers shall be subject to strict licensing and control in accordance with the legal framework of the Member States involved.

Amendment

2. Any proposal for research on human embryonic stem cells shall include details of licensing and control measures that will be taken by the competent authorities of the Member States as well as details of the ethical approvals that will be provided, **as appropriate**. As regards the derivation of human embryonic stem cells, institutions, organisations and researchers shall be subject to strict licensing and control in accordance with the legal framework of the Member States involved.

Or. en

Amendment 288
Silvia-Adriana Țicău

Proposal for a regulation
Article 12 – paragraph 2

Text proposed by the Commission

2. Any proposal for research on human embryonic stem cells shall include, **as appropriate**, details of licensing and control measures that will be taken by the competent authorities of the Member States as well as details of the ethical approvals that will be provided. As regards the derivation of human embryonic stem cells, institutions, organisations and researchers shall be subject to strict licensing and control in accordance with the legal framework of the Member States involved.

Amendment

2. Any proposal for research on human embryonic stem cells shall include details of licensing and control measures that will be taken by the competent authorities of the Member States as well as details of the ethical approvals that will be provided. As regards the derivation of human embryonic stem cells, institutions, organisations and researchers shall be subject to strict licensing and control in accordance with the legal framework of the Member States involved.

Or. ro

Amendment 289
Kent Johansson, Fiona Hall, Jens Rohde

Proposal for a regulation
Article 12 – paragraph 3

Text proposed by the Commission

3. A proposal which contravenes ethical principles or any applicable legislation, or which does not fulfil the conditions set out in Decision No XX/XX/EU [specific programme], the work programme or work plan or in the call for proposals may be excluded from the evaluation, selection and award procedures at any time.

Amendment

3. A proposal which contravenes ethical principles, **fundamental rights** or any applicable legislation, or which does not fulfil the conditions set out in Decision No XX/XX/EU [specific programme], the work programme or work plan or in the call for proposals may be excluded from the evaluation, selection and award procedures at any time.

Or. en

Amendment 290
Cristina Gutiérrez-Cortines

Proposal for a regulation
Article 12 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Any proposal for research with the potential for further development into a novel medical technology (e.g. drugs, vaccines, medical diagnostics) shall include a draft plan specifying a strategy to guarantee the immediate and widest possible access to this technology, where lack of access to the technology would pose a threat to the protection of public health.

Or. en

Justification

Access to drugs, vaccines and other medical technologies is a key element of functioning health systems and it guarantees the access of citizens to health, as thoroughly documented in several reports by the World Health Organization WHO. Considering access strategies as early as during the Research and Development process can contribute to a functioning later health supply. Many different tools to fulfil this need exist (e.g. provisions for dealing with intellectual property, access programmes).

Amendment 291
Marisa Matias

Proposal for a regulation
Article 12 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Any proposal for research with the potential for further development into a novel medical technology (e.g. drugs, vaccines, medical diagnostics) shall include a draft plan specifying a strategy to guarantee the immediate and widest possible access to this technology, where

lack of access to the technology would pose a threat to the protection of public health.

Or. en

Amendment 292
Kent Johansson, Fiona Hall

Proposal for a regulation
Article 12 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Any proposal for research with the potential for further development into a novel medical technology (e.g. drugs, vaccines, medical diagnostics) shall include a draft plan specifying a strategy to guarantee the immediate and widest possible access to this technology, where lack of access to the technology would pose a threat to the protection of public health.

Or. en

Justification

Access to drugs, vaccines and other medical technologies is a key element of functioning health systems and ensuring citizen's access to health.

Amendment 293
Jean-Pierre Audy

Proposal for a regulation
Article 12 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. When relevant, proposals should explain how and to what extent sex and gender analysis is relevant to the intended

project, and use appropriate methods as developed by cutting edge research in the field.

Or. en

Justification

In certain areas, proposals should indicate how relevant gender is.

Amendment 294
Jean-Pierre Audy

Proposal for a regulation
Article 13 – title

Text proposed by the Commission

Amendment

Ethics review

Ethics *and gender* review

Or. en

Justification

In some cases, proposals should be subjected to a gender review.

Amendment 295
Kent Johansson, Fiona Hall, Jens Rohde

Proposal for a regulation
Article 13 – paragraph 1

Text proposed by the Commission

Amendment

The Commission shall **systematically carry out ethics reviews for proposals raising ethical issues. This review shall** verify the respect of ethical principles **and legislation and, in the case of research carried out outside the Union,** that the same research would have been allowed in a Member State.

In the case of research carried out outside the Union, the Commission shall verify the respect of ethical principles, ***as appropriate, and ensure*** that the same research would have been allowed in a Member State.

Amendment 296
Jean-Pierre Audy

Proposal for a regulation
Article 13 – paragraph 1

Text proposed by the Commission

The Commission shall systematically carry out ethics reviews for proposals raising ethical issues. This review shall verify the respect of ethical principles and legislation and, in the case of research carried out outside the Union, that the same research would have been allowed in a Member State.

Amendment

The Commission shall systematically carry out ethics reviews for proposals raising ethical issues. This review shall verify the respect of ethical principles and legislation and, in the case of research carried out outside the Union, that the same research would have been allowed in a Member State. ***When relevant, the Commission should also systematically carry out gender reviews for proposals, using a template with a check list, particularly for those dealing with human beings as either subjects or users.***

Justification

In some cases, proposals should be subjected to a gender review.

Amendment 297
Francisco Sosa Wagner

Proposal for a regulation
Article 13 – paragraph 1

Text proposed by the Commission

The Commission shall systematically carry out ethics reviews for proposals raising ethical issues. This review shall verify the respect of ethical principles and legislation and, in the case of research carried out outside the Union, that the same research

Amendment

The Commission shall systematically carry out ethics reviews for proposals raising ethical issues. This review shall verify the respect of ethical principles and ***EU*** legislation and, in the case of research carried out outside the Union, ***shall verify***

would have been allowed in a Member State.

whether the same research would have been allowed in a Member State.

Or. es

Justification

This is to ensure that ethics reviews are conducted in accordance with EU legislation and principles.

Amendment 298

Philippe Lamberts

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 13 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. All calls for proposals in the area of security research shall be subject to an ex-ante ethical impact assessment. This review must extend beyond the narrow confines of privacy and data protection take into account the broader societal impacts of the underlying security R&D agenda. Calls that raise substantial ethical and/or societal impact concerns must be subject to enhanced scrutiny and control. In particular each project under that call will be subject to ethical review.

Or. en

Amendment 299

Vicky Ford, Christian Ehler

Proposal for a regulation

Article 13 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The Commission shall make the

process of ethics review as transparent as possible to the project officers and to participants.

Or. en

Amendment 300
Vicky Ford, Christian Ehler

Proposal for a regulation
Article 13 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. The Commission shall try to ensure that ethics reviews do not, where possible, result in undue delay in the start, continuation or completion of projects.

Or. en

Amendment 301
Marita Ulvskog

Proposal for a regulation
Article 13 a (new)

Text proposed by the Commission

Amendment

Article 13a

Gender Review

The Commission shall systematically carry out gender reviews for proposals, using a template with a check list.

Or. en

Amendment 302
Andrzej Grzyb, Jerzy Buzek, Jolanta Emilia Hibner, Lena Kolarska-Bobińska, Bogdan Kazimierz Marcinkiewicz, Krišjānis Kariņš, Konrad Szymański

Proposal for a regulation
Article 14 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Impact shall be weighted against the full estimated financial costs of the project, which shall determine the cost-impact ratio as the award criteria.

Or. en

Justification

As Horizon 2020 is a programme for the distribution of public funds, the cost-benefit of a proposal should also be taken into account when ranking and selecting the proposals for funding.

Amendment 303
Adam Gierek

Proposal for a regulation
Article 14 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. The proposals submitted shall be evaluated on the basis of ***the following*** award criteria:

1. The proposals submitted shall be evaluated on the basis of award criteria ***such as the following***:

Or. pl

Justification

Amendments 4, 5, 6, 7 and 8 specify the criteria that should be used to define the uniform assessment scale for evaluations submitted by the evaluating reviewers.

Amendment 304
Adam Gierek

Proposal for a regulation
Article 14 – paragraph 1 – point a

Text proposed by the Commission

Amendment

a) excellence;

a) excellence, ***on the basis of an evaluation of the research facilities in accordance with Article 2(1) point 17a (new)***;

Or. pl

Justification

Amendments 4, 5, 6, 7 and 8 specify the criteria that should be used to define the uniform assessment scale for evaluations submitted by the evaluating reviewers.

Amendment 305

Adam Gierek

Proposal for a regulation

Article 14 – paragraph 1 – point b

Text proposed by the Commission

Amendment

b) ***impact***;

b) ***the research achievements of the team members***;

Or. pl

Justification

Amendments 4, 5, 6, 7 and 8 specify the criteria that should be used to define the uniform assessment scale for evaluations submitted by the evaluating reviewers.

Amendment 306

Adam Gierek

Proposal for a regulation

Article 14 – paragraph 1 – point c

Text proposed by the Commission

Amendment

c) ***quality and efficiency of the***

c) ***cost of implementation***.

implementation.

Or. pl

Justification

Amendments 4, 5, 6, 7 and 8 specify the criteria that should be used to define the uniform assessment scale for evaluations submitted by the evaluating reviewers.

Amendment 307

Adam Gierek

Proposal for a regulation

Article 14 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

ca) likelihood of success.

Or. pl

Justification

Amendments 4, 5, 6, 7 and 8 specify the criteria that should be used to define the uniform assessment scale for evaluations submitted by the evaluating reviewers.

Amendment 308

Amalia Sartori, Antonio Cancian

Proposal for a regulation

Article 14 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) synergies with other public funding at national, regional and local level.

Or. en

Justification

In order to facilitate a real synergy with funding programmes enabled by the Member States

and regions, in the context of a real smart specialization and concentration of resources, it is considered appropriate to provide the possibility to award the projects also on the basis of the potential to make these synergies.

Amendment 309

Salvador Sedó i Alabart, Ramon Tremosa i Balcells

Proposal for a regulation

Article 14 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Each criterion listed in paragraph 1 will be scored out of 5. Half marks can be given. The scores indicate the following with respect to the criterion under examination:

(a) 0 - The proposal fails to address the criterion under examination or cannot be judged due to missing or incomplete information

(b) 1 - Poor. The criterion is addressed in an inadequate manner, or there are serious inherent weaknesses.

(c) 2 - Fair. While the proposal broadly addresses the criterion, there are significant weaknesses.

(d) 3 - Good. The proposal addresses the criterion well, although improvements would be necessary.

(e) 4 - Very good. The proposal addresses the criterion very well, although certain improvements are still possible.

(f) 5 - Excellent. The proposal successfully addresses all relevant aspects of the criterion in question. Any shortcomings are minor.

Or. en

Amendment 310

Jean-Pierre Audy

Proposal for a regulation
Article 14 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Selection criteria and their weight shall be defined in the work programme or work plan and their use shall be adapted to Horizon 2020 priorities.

Or. en

Amendment 311
Romana Jordan

Proposal for a regulation
Article 14 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Impact shall be weighted against the full estimated financial costs of the project, which shall determine the cost-impact ratio as the award criteria.

Or. en

Amendment 312
Silvia-Adriana Țicău

Proposal for a regulation
Article 14 – paragraph 2

Text proposed by the Commission

Amendment

2. The sole criterion of excellence shall apply for proposals for ERC frontier research actions.

deleted

Or. ro

Amendment 313
Adam Gierek

Proposal for a regulation
Article 14 – paragraph 2

Text proposed by the Commission

2. The sole criterion of excellence shall apply for proposals for ERC frontier research actions.

Amendment

2. The sole criterion of excellence shall apply ***in the selection of the research team*** for proposals for ERC frontier research actions, ***i.e., it shall be based on the evaluation of the researchers' access to modern research facilities, in accordance with Article 2(1) point 17a (new).***

Or. pl

Justification

The criterion of excellence requires clarification.

Amendment 314
Marita Ulvskog

Proposal for a regulation
Article 14 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Selection and award criteria should be applied without gender bias. An incentive system in support of projects with a gender and gender equality perspective should be established. The commission shall establish processes to monitor the implementation of this provision and publically disseminate its conclusions.

Or. en

Amendment 315
Philippe Lamberts, Amelia Andersdotter

on behalf of the Verts/ALE Group

Proposal for a regulation
Article 14 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The criterion of impact shall include the potential extent of dissemination and public availability of research results and data, assigning priority to projects potentially entailing a wider dissemination and exploitation of results.

Or. en

Amendment 316
Jean-Pierre Audy

Proposal for a regulation
Article 14 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The criterion of impact shall be given the highest weighting for proposals under priority « Industrial Leadership ».

Or. en

Amendment 317
Marita Ulvskog

Proposal for a regulation
Article 14 – paragraph 3

Text proposed by the Commission

Amendment

3. The work programme or work plan shall lay down further details of the application of the award criteria laid down in paragraph 1, and specify weightings and thresholds.

3. The work programme or work plan shall lay down further details of the application of the award criteria laid down in paragraph 1, and specify weightings and thresholds. ***Gender balance shall furthermore be established as one***

criterion of the work programmes.

Or. en

Amendment 318
Jean-Pierre Audy

Proposal for a regulation
Article 14 – paragraph 3

Text proposed by the Commission

3. The work programme or work plan shall lay down further details of the application of the award criteria laid down in paragraph 1, and specify weightings and thresholds.

Amendment

3. The work programme or work plan shall lay down further details of the application of the award criteria laid down in paragraph 1, and specify ***sub-criteria***, weightings and thresholds. ***Evaluation shall ensure gender equality and non-discrimination.***

Or. en

Amendment 319
Norbert Glante

Proposal for a regulation
Article 14 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The Commission shall adopt and publish rules governing the procedure for the submission of proposals, as well as the related evaluation, selection and award procedures, and publish guides for applicants including guidelines for evaluators. In particular, it shall lay down detailed rules for the two-stage submission procedure – including as regards the scope and nature of the first-stage proposal as well as those of the complete second-stage proposal – and rules for the two-step evaluation procedure.

Justification

The requisite documents should already be defined as comprehensively as possible in the rules governing participation.

Amendment 320
Teresa Riera Madurell

Proposal for a regulation
Article 14 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The Commission shall draw up a guide to the selection process, explaining the application of the award criteria and defining the implications of specific weightings and thresholds for the selection process. This guide shall be published in parallel with the first work programme. The content of the guide shall be binding for the Commission services.

Amendment 321
Alyn Smith

Proposal for a regulation
Article 14 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The Commission shall draw up a guide to the selection process, explaining the application of the award criteria and defining the implications of specific weightings and thresholds for the selection process. This guide shall be published in parallel with the first work

programme.

Or. en

Amendment 322

Kent Johansson, Fiona Hall, Jens Rohde

Proposal for a regulation

Article 14 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Where appropriate, the potential of a proposal to foster international cooperation on key topics such as standardization shall be taken into account in the evaluation procedure.

Or. en

Amendment 323

Hermann Winkler

Proposal for a regulation

Article 14 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Submission in a language other than English must not place applicants at a disadvantage in the evaluation procedure.

Or. de

Amendment 324

Adam Gierek

Proposal for a regulation

Article 14 – paragraph 4

Text proposed by the Commission

4. Proposals shall be ranked according to the evaluation results. ***The selection shall be made*** on the basis of ***this ranking***.

Amendment

4. Proposals shall be ranked according to the evaluation results on the basis of ***the proposed numerical assessment scale. The same topic (problem to be solved) or a similar one may be given independently to two different research teams in order to enhance competitiveness.***

Or. pl

Justification

Competitiveness should be a factor both during the grant application process and during the implementation of the grant(s).

Amendment 325
Konrad Szymański

Proposal for a regulation
Article 14 – paragraph 4

Text proposed by the Commission

4. Proposals shall be ranked according to the evaluation results. The selection shall be made on the basis of this ranking.

Amendment

4. Proposals shall be ranked according to the evaluation results. The selection shall be made on the basis of this ranking.
Where two or more proposals are deemed to be equal based on the criteria set out in paragraphs 1 and 2, the Commission shall take into account value for money as a further criterion.

Or. en

Amendment 326
Romana Jordan

Proposal for a regulation
Article 14 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Calls for proposals shall primarily implement a two-stage submission procedure, in accordance with the provisions of Regulation (EU) No XX/2012 [the Financial Regulation] and its Implementing Rules.

Or. en

Amendment 327

Vicky Ford

Proposal for a regulation

Article 14 – paragraph 5

Text proposed by the Commission

Amendment

5. **The** Commission or the relevant funding body shall verify the financial capacity in advance only for coordinators when the requested funding from the Union for the action is equal or superior to EUR **500** 000, unless where, on the basis of available information, there are grounds to doubt the financial capacity of the coordinator or other participants.

5. **By means that are compatible with national law, the** Commission or the relevant funding body shall verify the financial capacity in advance only for coordinators when the requested funding from the Union for the action is equal or superior to EUR **100** 000, unless where, on the basis of available information, there are grounds to doubt the financial capacity of the coordinator or other participants. **The Commission shall provide a simple, user-friendly electronic tool to applicants to carry out their financial viability check.**

Or. en

Justification

The pre-eminence of national law must be recognised and will be an important step forward in simplifying procedures for participants.

Amendment 328

Salvador Sedó i Alabart, Ramon Tremosa i Balcells

Proposal for a regulation
Article 14 – paragraph 5

Text proposed by the Commission

5. The Commission or the relevant funding body shall verify the financial capacity in advance only for coordinators when the requested funding from the Union for the action is equal or superior to EUR **500 000**, unless where, on the basis of available information, there are grounds to doubt the financial capacity of the coordinator or other participants.

Amendment

5. The Commission or the relevant funding body shall verify the financial capacity in advance only for coordinators **or other participants** when the requested funding from the Union for the action is equal or superior to EUR **650 000**, **as in Seventh Framework Programme**, unless where, on the basis of available information, there are grounds to doubt the financial capacity of the coordinator or other participants.

Or. en

Amendment 329
Jean-Pierre Audy

Proposal for a regulation
Article 14 – paragraph 5

Text proposed by the Commission

5. The Commission or the relevant funding body shall verify the financial capacity in advance **only for coordinators** when the requested funding from the Union for the **action** is equal or superior to EUR 500 000, unless where, on the basis of available information, there are grounds to doubt the financial capacity of the coordinator or other participants.

Amendment

5. The Commission or the relevant funding body shall verify the financial capacity in advance when the requested funding from the Union for the **participant** is equal or superior to EUR 500 000, unless where, on the basis of available information, there are grounds to doubt the financial capacity of the coordinator or other participants.

Or. en

Justification

Verifying the financial capability of the coordinator gives no indication on the financial capability of those participants requesting significant amount of contribution. The verification should be on participants and not on coordinator's action.

Amendment 330
Vicky Ford

Proposal for a regulation
Article 14 – paragraph 5 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

Where the potential SME coordinator does not meet all financial criteria the Participant Guarantee Fund as outlined in Article 32 of this Regulation may cover the risk.

Or. en

Amendment 331
Marian-Jean Marinescu, Jean-Pierre Audy

Proposal for a regulation
Article 14 – paragraph 6

Text proposed by the Commission

Amendment

6. The financial capacity shall not be verified for legal entities whose viability is guaranteed by a Member State or an associated country and for higher and secondary education establishments.

6. The financial capacity shall not be verified for legal entities whose viability is guaranteed by a Member State or an associated country and for higher and secondary education establishments.
Similarly, the financial and coordination capacity of under-capitalized subsidiaries or start-ups shall not be verified where their viability is guaranteed by their shareholders as far as this is renewed on a yearly basis.

Or. en

Amendment 332
Pilar del Castillo Vera, Alejo Vidal-Quadras, Maria Da Graça Carvalho

Proposal for a regulation
Article 14 – paragraph 6

Text proposed by the Commission

6. The financial capacity shall not be verified for legal entities whose viability is guaranteed by a Member State or an associated country and for higher and secondary education establishments.

Amendment

6. The financial capacity shall not be verified for legal entities whose viability is guaranteed by a Member State or an associated country and for higher and secondary education establishments.
Similarly, the financial and coordination capacity of under-capitalized subsidiaries or start-ups shall not be verified where their viability is guaranteed by their shareholders as far as this is renewed on a yearly basis.

Or. en

Amendment 333
Peter Skinner

Proposal for a regulation
Article 14 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. In the financial validation stage of the procedure, SMEs in certain sectors focussed on research rather than profit generation should not have to produce evidence of operational turnover in previous years in order to qualify for funding.

Or. en

Justification

Many SMEs, particularly those in the biotech sector are focussed on R&D rather than on profit generation.

Amendment 334

Andrzej Grzyb, Jerzy Buzek, Jolanta Emilia Hibner, Lena Kolarska-Bobińska, Bogdan Kazimierz Marcinkiewicz, Krišjānis Kariņš

Proposal for a regulation

Article 14 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. Calls for proposals shall in principle contain a two-stage submission procedure, in accordance with the provisions of Regulation (EU) No XX/2012 [the Financial Regulation] and its Implementing Rules.

Or. en

Amendment 335

Jean-Pierre Audy

Proposal for a regulation

Article 14 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. Financial capacity can be guaranteed by any other legal entity, whose financial capacity shall then be verified according to Article 14 (5)

Or. en

Amendment 336

Kent Johansson, Fiona Hall, Jens Rohde

Proposal for a regulation

Article 15 – paragraph 1

Text proposed by the Commission

Amendment

1. The Commission or the relevant funding body shall provide ***an*** evaluation review procedure for applicants who consider that

1. The Commission or the relevant funding body shall provide ***a fully transparent*** evaluation review procedure for applicants

the evaluation of their proposal has not been carried out in accordance with the procedures set out in these rules, the relevant work programme or work plan and the call for proposals.

who consider that the evaluation of their proposal has not been carried out in accordance with the procedures set out in these rules, the relevant work programme or work plan and the call for proposals.

Or. en

Amendment 337
Kent Johansson, Fiona Hall, Jens Rohde

Proposal for a regulation
Article 15 – paragraph 3

Text proposed by the Commission

3. The Commission or the relevant funding body shall be responsible for the examination of this request. ***This examination shall only cover the procedural aspects of the evaluation, and not the merit of the proposal.***

Amendment

3. The Commission or the relevant funding body shall be responsible for the examination of this request.

Or. en

Amendment 338
Francisco Sosa Wagner

Proposal for a regulation
Article 15 – paragraph 3

Text proposed by the Commission

3. The Commission or the relevant funding body shall be responsible for the examination of this request. This examination shall only cover the procedural aspects of the evaluation, and ***not*** the merit of the proposal.

Amendment

3. The Commission or the relevant funding body shall be responsible for the examination of this request. This examination shall only cover the procedural aspects of the evaluation, and ***where appropriate, and in accordance with the previous paragraph,*** the merit of the proposal.

Or. es

Justification

This amendment paves the way for consideration of the merits of the proposals submitted.

Amendment 339
Judith A. Merkies

Proposal for a regulation
Article 15 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Where Horizon 2020 subsidy projects are resubmitted, the Commission, before the evaluation, shall make available to the new evaluation panel the project application previously submitted and the accompanying Evaluation Summary Report (ESR). The Commission – with due regard for technical and scientific developments – shall ensure that there is no inconsistency between the findings in the old and new project ESRs.

Or. nl

Amendment 340
Francisco Sosa Wagner

Proposal for a regulation
Article 15 – paragraph 4 – introductory part

Text proposed by the Commission

Amendment

4. An evaluation review committee composed of Commission staff or of the relevant funding body staff shall provide an opinion on the procedural aspects of the evaluation process. It shall be chaired by an official of the Commission or of the relevant funding body, from a department other than the one responsible for the call for proposals. The committee may recommend one of the following:

4. An evaluation review committee composed of Commission staff or of the relevant funding body staff shall provide an opinion on the procedural aspects of the evaluation process. It shall be chaired by an official of the Commission or of the relevant funding body, from a department other than the one responsible for the call for proposals; ***the committee shall select an independent expert from the database referred to in Article 37 of this regulation;***

the expert shall give an opinion on whether to examine the proposal under consideration on its merits, the final decision shall, however, be taken by the committee Chair. The committee may recommend one of the following:

Or. es

Justification

This amendment introduces a system for bringing in a third-party expert from outside to ascertain whether to examine the merits of a proposal, although the final word shall go to the Chair of the committee.

Amendment 341

Kent Johansson, Fiona Hall, Jens Rohde

Proposal for a regulation

Article 15 – paragraph 4 – introductory part

Text proposed by the Commission

4. An evaluation review committee composed of Commission staff or of the relevant funding body staff shall provide *an* opinion on *the procedural aspects of* the evaluation process. It shall be chaired by an official of the Commission or of the relevant funding body, from a department other than the one responsible for the call for proposals. The committee may recommend one of the following:

Amendment

4. An evaluation review committee composed of Commission staff or of the relevant funding body staff shall provide *a transparent and objective* opinion on the evaluation process. It shall be chaired by an official of the Commission or of the relevant funding body, from a department other than the one responsible for the call for proposals. The committee may recommend one of the following:

Or. en

Amendment 342

Andrzej Grzyb, Jerzy Buzek, Jolanta Emilia Hibner, Lena Kolarska-Bobińska, Bogdan Kazimierz Marcinkiewicz, Krišjānis Kariņš

Proposal for a regulation

Article 15 – paragraph 4 – point a

Text proposed by the Commission

Amendment

(a) re-evaluation of the proposal;

(a) re-evaluation of the proposal **by evaluators not involved in the previous evaluation**;

Or. en

Amendment 343
András Gyürk

Proposal for a regulation
Article 15 – paragraph 5

Text proposed by the Commission

Amendment

5. On the basis of that recommendation a decision shall be taken by the Commission or the relevant funding body and notified to the coordinator of the proposal.

5. On the basis of that recommendation a decision shall be taken by the Commission or the relevant funding body and notified to the coordinator of the proposal **within 30 days of the date when the Commission or the relevant funding body receives the request for the review**.

Or. en

Amendment 344
Andrzej Grzyb, Jerzy Buzek, Jolanta Emilia Hibner, Lena Kolarska-Bobińska, Bogdan Kazimierz Marcinkiewicz

Proposal for a regulation
Article 15 – paragraph 5

Text proposed by the Commission

Amendment

5. On the basis of that recommendation a decision shall be taken by the Commission or the relevant funding body and notified to the coordinator of the proposal.

5. On the basis of that recommendation a decision shall be taken by the Commission or the relevant funding body and notified to the coordinator of the proposal **within 30 days of the submission of a request for review**.

Or. en

Justification

In order to achieve smooth implementation of the programme and reduce uncertainty for real and potential participants, it is very important to manage redress procedure in the most efficient and effective manner and avoid unnecessary delays. The proposed time limit allows sufficient time to finalise the redress procedure.

Amendment 345

Vicky Ford

Proposal for a regulation

Article 15 a (new)

Text proposed by the Commission

Amendment

Article 15a

Redress

The Commission shall set up a formal complaints procedure for participants, which may include appointing an ombudsman specifically dedicated to research and innovation projects under Horizon 2020. The Commission shall ensure that participants are aware of all complaints/redress procedures available to them by publishing details of the redress/complaints procedures on all correspondence with participants or applicants. The procedure shall be transparent and the results and decision-making process shall be made available to participants.

Participants shall be allowed to register complaints concerning any area of their involvement in Horizon 2020. The complaints procedure shall not be limited to procedural aspects of the evaluation of proposals.

The Commission shall respond to complaints within 30 days of receiving them with a preliminary decision.

In line with Directive 2008/52/EC of the European Parliament and of the Council of 21 May 2008 on certain aspects of

mediation in civil and commercial matters and European Parliament resolution of 13 September 2011 on the implementation of the directive on mediation in the Member States, its impact on mediation and its take-up by the courts¹, when a complaint cannot satisfactorily be solved through the Commission's internal formal complaint handling procedure (the ombudsman or equivalent body), the European Commission and the participants may agree to attempt to resolve the dispute through a mediation process in accordance with the rules of a Mediation Centre procedure. The Mediation Centre shall be agreed beforehand by the Commission and the participant(s) or with a list of mediation centres accepted by the Commission.

The Commission shall set aside 0.5% of the Horizon 2020 budget for projects which are initially unsuccessful and which, following the redress procedure, are positively evaluated.

¹ *Texts adopted, P7_TA(2011)0361.*

Or. en

Amendment 346
Jean-Pierre Audy

Proposal for a regulation
Article 16 – paragraph -1 (new)

Text proposed by the Commission

Amendment

-1. The Commission or the relevant funding body shall draw up, in close cooperation with the Member States, model grant agreements between the Commission or the relevant funding body and the participants in accordance with this Regulation, taking into account the characteristics of the funding scheme

concerned.

Or. en

Justification

Unlike in the rules governing participation in the 7th Framework Programme (Article 19(8)), the Commission has not expressly provided for the drawing up of model grant agreements in this proposal. Such agreements will afford participants greater legal certainty, as they lay down the terms and obligations to which they will be subject in connection with the project.

Amendment 347

Jean-Pierre Audy

Proposal for a regulation

Article 16 – paragraph -1 a (new)

Text proposed by the Commission

Amendment

-1a. At the latest at the publication of the call for proposals, the Commission or the relevant funding body shall make available the grant agreement for the action concerned.

Or. en

Justification

The participants need to have certainty about the rules which will apply to an action. Therefore, model agreements should be used to the largest extent possible. Also, the terms of the grant agreement need to be available in time for the calls.

Amendment 348

Hermann Winkler

Proposal for a regulation

Article 16 – paragraph 1

Text proposed by the Commission

Amendment

1. The Commission or the relevant funding body shall enter into a grant agreement with the participants.

1. The Commission or the relevant funding body shall enter into a grant agreement with the participants. ***The Commission shall draw up, in close consultation with***

the Member States, a model agreement in accordance with this Regulation.

Or. de

Amendment 349

Norbert Glante

Proposal for a regulation

Article 16 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The Commission or the funding body concerned shall ensure that the period between the deadline for submission of proposals and the signature of the grant agreement or the taking of the grant decision is limited to a maximum of six months. The period may be extended in justified exceptional cases. Together with its acknowledgement of receipt of project proposals, the Commission should communicate an indicative timetable for the main stages of the procedure until signature of the agreement.

Or. de

Justification

As a result of the necessary reduction of the time to grant, designed to make the programme more attractive, there will be greater pressure of time on both sides. Thanks to having a timetable, participants may prepare for the relevant stages in good time. Moreover, the timetable will increase the transparency of the procedure.

Amendment 350

Teresa Riera Madurell

Proposal for a regulation

Article 16 – paragraph 2

Text proposed by the Commission

2. The grant agreement shall establish the rights and obligations of the participants, of the Commission or the relevant funding bodies. It shall also establish the rights and obligations of legal entities which become participants during the implementation of the action.

Amendment

2. The grant agreement shall establish the rights and obligations of the participants, of the Commission or the relevant funding bodies. It shall also establish the rights and obligations of legal entities which become participants during the implementation of the action. ***It shall comply with this Regulation and the provisions of Regulation (EU) No XX/XX [the Financial Regulation] and Regulation (EU) No XX/XX [the Delegated Regulation].***

Or. en

Amendment 351
Jean-Pierre Audy

Proposal for a regulation
Article 16 – paragraph 2

Text proposed by the Commission

2. ***The*** grant agreement shall establish the rights and obligations of the participants, of the Commission or the relevant funding bodies. It shall also establish the rights and obligations of legal entities which become participants during the implementation of the action.

Amendment

2. ***Considering and complying with the stipulations of this Regulation,*** the grant agreement shall establish the rights and obligations of the participants, of the Commission or the relevant funding bodies. It shall also establish the rights and obligations of legal entities which become participants during the implementation of the action.

Or. en

Justification

This amendment should ensure that the grant agreement entirely considers this regulation and no new interpretations are integrated into the grant agreement.

Amendment 352

Andrzej Grzyb, Jerzy Buzek, Jolanta Emilia Hibner, Lena Kolarska-Bobińska, Bogdan Kazimierz Marcinkiewicz

**Proposal for a regulation
Article 16 – paragraph 2**

Text proposed by the Commission

2. The grant agreement shall establish the rights and obligations of the participants, of the Commission or the relevant funding bodies. It shall also establish the rights and obligations of legal entities which become participants during the implementation of the action.

Amendment

2. The grant agreement shall establish the rights and obligations of the participants ***and either*** of the Commission or the relevant funding bodies. It shall also establish the rights and obligations of legal entities which become participants during the implementation of the action ***as well as the role and tasks of a consortium coordinator.***

Or. en

Justification

To ensure that the grant agreement entirely considers this regulation and no new interpretations are integrated into the grant agreement.

Amendment 353

Vicky Ford, Christian Ehler

**Proposal for a regulation
Article 16 – paragraph 2**

Text proposed by the Commission

2. The grant agreement shall establish the rights and obligations of the participants, of the Commission or the relevant funding bodies. It shall also establish the rights and obligations of legal entities which become participants during the implementation of the action.

Amendment

2. The grant agreement shall establish the rights and obligations of the participants ***and either*** of the Commission or the relevant funding bodies. It shall also establish the rights and obligations of legal entities which become participants during the implementation of the action.

Or. en

Amendment 354
Jean-Pierre Audy

Proposal for a regulation
Article 16 – paragraph 3

Text proposed by the Commission

3. *The* grant agreement may establish rights and obligations of the participants with regard to access rights, exploitation and dissemination, additional to those laid down in this Regulation.

Amendment

3. ***On the basis of a work programme requirement, the*** grant agreement may establish rights and obligations of the participants with regard to access rights, exploitation and dissemination, additional to those laid down in this Regulation.

Or. en

Amendment 355
Marisa Matias

Proposal for a regulation
Article 16 – paragraph 3 a (new)

Text proposed by the Commission

3a. When research is conducted in a field relevant to the preservation of public health, the grant agreement shall contain provisions that foster accessibility of the results to Union and non-Union residents through socially responsible licensing strategies.

Amendment

Or. en

Amendment 356
Britta Thomsen

Proposal for a regulation
Article 16 – paragraph 4

Text proposed by the Commission

4. The grant agreement shall, where

Amendment

4. The grant agreement shall, where

appropriate, *reflect* the *general* principles laid down in Commission Recommendation on the European Charter for Researchers and the Code of Conduct for the Recruitment of Researchers¹⁸.

appropriate, *contain provisions ensuring* the *respect of ethical* principles and *principles of research integrity, including the establishment of an independent ethics board and the right of the Commission to carry out an ethics audit as well as the establishment of an independent research integrity board* and the *right* of the *Commission to carry out a research integrity audit*.

Or. en

Amendment 357
Marita Ulvskog

Proposal for a regulation
Article 16 – paragraph 4

Text proposed by the Commission

4. The grant agreement shall, where appropriate, reflect the general principles laid down in Commission Recommendation on the European Charter for Researchers and the Code of Conduct for the Recruitment of Researchers.

Amendment

4. The grant agreement shall, where appropriate, reflect the general principles laid down in Commission Recommendation on the European Charter for Researchers and the Code of Conduct for the Recruitment of Researchers. *It will in particular include activities to promote the balanced representation of men and women in research teams and to ensure an adequate integration of the gender perspective in research content.*

Or. en

Amendment 358
Jean-Pierre Audy

Proposal for a regulation
Article 16 – paragraph 4

Text proposed by the Commission

4. The grant agreement shall, where

Amendment

4. The grant agreement shall, where

appropriate, reflect the general principles laid down in Commission Recommendation on the European Charter for Researchers and the Code of Conduct for the Recruitment of Researchers.

appropriate, reflect the general principles laid down in Commission Recommendation on the European Charter for Researchers and the Code of Conduct for the Recruitment of Researchers *as well as gender equality principle laid down in Article 15 of Regulation (EU) N° XX/XX [Horizon 2020]*.

Or. en

Amendment 359

Bendt Bendtsen, Jürgen Creutzmann, Reinhard Bütikofer, Paul Rübig, Edit Herczog, Patrizia Toia, Othmar Karas

Proposal for a regulation

Article 16 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The Commission or the relevant funding body shall ensure that for grant agreements resulting from calls under the dedicated SME instrument the time between the deadline for proposals as established by the individual calls for proposals and the signature of the grant agreement, or where applicable the grant decision, shall be limited to a maximum period of five months.

Or. en

Amendment 360

Philippe Lamberts, Amelia Andersdotter
on behalf of the Verts/ALE Group

Proposal for a regulation

Article 16 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. When research is conducted in a field relevant to the preservation of public

health, the grant agreement shall contain provisions that foster accessibility of the results through socially responsible licensing strategies.

Or. en

Amendment 361
Philippe Lamberts
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 16 – paragraph 5

Text proposed by the Commission

5. The grant agreement shall, where appropriate, contain provisions ensuring the respect of ethical principles, including the establishment of an independent ethics board and the right of the Commission to carry out an ethics audit.

Amendment

5. The grant agreement shall, where appropriate ***and in any case for all projects in the area of security research***, contain provisions ensuring the respect of ethical principles, including the establishment of an independent ethics board and the right of the Commission to carry out an ethics audit.

Or. en

Amendment 362
Kent Johansson, Fiona Hall, Jens Rohde

Proposal for a regulation
Article 16 – paragraph 5

Text proposed by the Commission

5. The grant agreement shall, where appropriate, contain provisions ensuring the respect of ethical principles, including the establishment of an independent ethics board and the right of the Commission to ***carry out*** an ethics audit.

Amendment

5. The grant agreement shall, where appropriate, contain provisions ensuring the respect of ethical principles ***and fundamental rights***, including the establishment of an independent ethics board and the right of the Commission to ***delegate*** an ***independent*** ethics audit.

Or. en

Amendment 363
Teresa Riera Madurell

Proposal for a regulation
Article 16 – paragraph 6

Text proposed by the Commission

6. Specific grants for actions may form part of a framework partnership according to the provisions of Regulation (EU) No XX/2012 [the Financial Regulation] and Regulation (EU) No [the Delegated Regulation].

Amendment

6. *In exceptional and duly justified cases* specific grants for actions may form part of a framework partnership according to the provisions of Regulation (EU) No XX/XX [the Financial Regulation] and Regulation (EU) No XX/XX [the Delegated Regulation].

Or. en

Amendment 364
Gunnar Hökmark

Proposal for a regulation
Article 16 a (new)

Text proposed by the Commission

Amendment

Article 16a

Time to grant

The Commission or the relevant funding body shall ensure that the time between the deadline for proposals as established by the individual calls for proposals and the signature of the grant agreement, or where applicable the grant decision, shall as a general rule be limited to four months, with a possibility to extend the time to signature of the grant agreement up to maximum period of six months

Or. en

Amendment 365
Bernd Lange

Proposal for a regulation
Article 16 a (new)

Text proposed by the Commission

Amendment

Article 16a

If the research is performed in a field relevant to public health, the grant agreement shall include provisions to promote access to the research results for both citizens and non-citizens of the Union by means of socially responsible technology transfer strategies.

Or. de

Justification

Research results obtained with the aid of public funding should be accessible to all. The rules governing European research should therefore be concerned not only with scientific excellence but also with social utility. One aspect of this is ensuring worldwide access to medicaments vital to life.

Amendment 366
Kent Johansson, Fiona Hall, Cristian Silviu Buşoi, Jens Rohde

Proposal for a regulation
Article 17 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The Commission or the relevant funding body shall ensure that the time between the deadline for proposals as established by the individual calls for proposals and the signature of the grant agreement, or where applicable the grant decision, shall be limited to a maximum period of six months. Due to the complexity of certain consortia, at least four months of this period should be given to participants to accept the grant offer.

The period may be extended by one month in exceptional cases.

Or. en

Amendment 367
Vicky Ford

Proposal for a regulation
Article 17 a (new)

Text proposed by the Commission

Amendment

Article 17a

Time to Grant

1. The average time to grant shall be six months from the date of the negotiation offer. The cumulative time taken by the Commission to complete their internal process including preparation of all relevant information and documentation, evaluation and signature of grant agreements shall be no more than 60 working days. Participants shall be given no less than 60 working days cumulatively to prepare all relevant information and documentation required.

2. Where appropriate to the nature of any specific call, due consideration should be given to a two stage evaluation procedure in order to reduce the costs of preparing proposals which are unsuccessful. For two stage procedures the average time to grant shall be nine months. There should be consistency in the format of the outline of proposals where a two stage process is used and applicants must have sufficient time to prepare stage two of the bid.

3. The Commission shall endeavour to make decisions or requests for information as promptly as reasonably practical. The Commission shall avoid obliging participants to re-draft or re-negotiate parts of an initial successful bid,

unless there is a reasonable and justified reason for doing so.

4. Participants shall be given reasonable amounts of time to prepare information and documentation required for projects.

5. When designing the application documents and setting time limits, the Commission shall be sensitive to the fact that SMEs and university academics in particular typically have little, if any, specific capacity to deal with the preparation of administrative documents. Repetitive elements of the application, grant agreement or supporting documents should be avoided. The Commission shall refrain from asking participants for information which is already available within the administration, unless it needs to be updated. In this respect, the Commission shall apply the "only once" principle whereby information submitted once to the administration should not be asked for again by another service of the administration i.e. enterprises should not be obliged to provide information all over again that authorities have already received by another route.

6. The Commission shall seek, where possible, to avoid timing calls such that they will require potential participants to submit documentation during standard academic and business vacation periods.

7. The Commission shall aim to limit the time it takes to prepare the necessary paperwork once a grant agreement has been made to 15 working days.

8. In appropriate cases, such as for SMEs, the Commission may usefully be allowed to waive the obligation for participants to submit part or all of the documentary evidence required if such evidence has already been submitted to them recently for another procedure and provided the relevant documents were issued within a fixed reasonable time period and are still valid. In such cases, the participant

concerned could be invited to declare on his honour that the documentary evidence has already been provided in a previous procedure - to be specified - and to confirm that there has been no change in the situation.

9. The Commission shall not be allowed to request participants to provide facts or data which the Commission can verify easily and free of charge in an authenticated, electronically accessible database (e.g. company data).

10. The Commission shall not set targets on the level of subscription for individual calls.

Or. en

Amendment 368
Luigi Berlinguer

Proposal for a regulation
Article 17 a (new)

Text proposed by the Commission

Amendment

Article 17a

Time to Grant

The Commission or the relevant funding body shall ensure that the time between the deadline for proposals as established by the individual calls for proposals and the signature of the grant agreement, or where applicable the grant decision, shall be limited to a maximum period of six months. A prolongation by one additional month may be applied in exceptional cases. Consequences for both the Commission and participants should be provided. For example after the period of six months the Commission will be obliged to stipulate the grant agreement and the participant in good faith will be able to start the implementation of the

research.

Or. en

Amendment 369
Vicky Ford

Proposal for a regulation
Article 17 b (new)

Text proposed by the Commission

Amendment

Article 17b

Time to Pay

- 1. Participants who have delivered the work which they were contracted to do, should be paid in a timely fashion.*
- 2. The Commission shall ensure that participants receive money owed to them within 30 days of the necessary paperwork being submitted to the Commission. The Commission shall notify the project coordinator and participants of any irregularities or additional paperwork within 2 weeks of information being submitted to the Commission. If no such notification is received the Commission shall be liable to the pay amounts owed.*
- 3. The Commission shall put in place measures to ensure that project coordinators distribute project money promptly as well as fairly and proportionally in accordance with the grant agreement and that money is shared among partners in proportion to what is owed to each partner. Unless agreed between all participants, project coordinators shall not withhold or phase pre-financing payments without the approval of the project officer, in particular for SMEs. Such arrangements should be made clear in consortium agreements and have the approval of the project officer.*

4. Once a payment has been made to the project coordinator, the Commission shall notify the participants of the amount that has been paid and the date on which the payment was made.

5. If one or more partner(s) have not completed the work they have been contracted to do or they have not submitted the required information or documentation to the project Coordinator or the Commission, it shall not prevent the project coordinator from submitting documentation to the Commission on behalf of other partner(s) or the Commission from issuing payment to other partner(s).

6. In cases where new partners enter into a project after the grant agreement has been negotiated, this shall not alter the amount of funding allocated to the original partners unless agreed by the original partners or unless the amount of work required by them will be significantly different.

7. The Commission shall implement a hierarchical auditing process where they will ensure the beneficiaries' auditors are to an approved standard and comply to the auditing requirements of Horizon 2020. This will avoid the need for multiple audits, making the administrative process clearer and easier for participants. The Commission shall refrain from asking for extra information once an audit has already been submitted.

8. The EU will be required to report on its payment performance by producing bi-annual statistics that present payment times for completed work pieces. Payment times shall be defined as the time from final sign-off of the completed project by both the project coordinator and project officer (this time period itself to be no longer than one month from project completion date) to the availability of cleared funds in the participant's bank

account.

9. At the request of the participant, grant agreements shall respect the academic and business calendar. For example, this will especially apply to projects which need to recruit PhD students and who are not likely to be available during the middle of the academic calendar.

Or. en

Amendment 370
Vicky Ford, Christian Ehler

Proposal for a regulation
Article 17 c (new)

Text proposed by the Commission

Amendment

Article 17c

Communications

1. The ethics approval process shall be transparent to participants and to applicants, especially when this process is the source of a delay in the initiation of projects. Information that has already been submitted in the bid should not need to be re-drafted for the ethical approval. Where possible, the Commission shall use all the information that has already been submitted by the applicant(s) in the bid in order to make its approval and shall only ask for additional information where it can prove that this information is absolutely necessary.

2. Participants shall be able to communicate directly with project officers in cases where they have repeated concerns regarding the management of a project or the actions of the project coordinator. If the project officer is absent, he/she shall ensure that participants have the contact details for his/her deputy, who should be able to

make decisions in the project officer's absence. Contact details for the relevant Commission officials must be made available and made known to participants.

3. At the request of participants, and to enable them to prepare for future bids, the Commission shall give feedback to applicants on unsuccessful bids including the strengths and weaknesses as considered by the independent experts referred to in Article 37 of the Regulation.

Or. en

Amendment 371

Kent Johansson, Fiona Hall, Jens Rohde, Hannu Takkula

Proposal for a regulation Article 18 – paragraph 1

Text proposed by the Commission

The Commission or the relevant funding body *may* establish a secure electronic system for exchanges with the participants. A document submitted by means of this system, including grant agreements, shall be deemed to be the original of that document where the user identification and password of the participant's representative have been used. Such identification shall constitute the signature of the document concerned.

Amendment

The Commission or the relevant funding body *shall* establish a secure electronic *application* system for exchanges with the participants, *that shall inform applicants of the details and timeline of their application, in an easily accessible format. This system shall provide feedback to applicants so they know when they are likely to receive a decision from the Commission or relevant funding body.* A document submitted by means of this system, including grant agreements, shall be deemed to be the original of that document where the user identification and password of the participant's representative have been used. Such identification shall constitute the signature of the document concerned.

Or. en

Amendment 372
Norbert Glante

Proposal for a regulation
Article 18 – paragraph 1

Text proposed by the Commission

The Commission *or the relevant funding body may* establish a secure electronic system for exchanges with the participants. A document submitted by means of this system, including grant agreements, shall be deemed to be the original of that document where the user identification and password of the participant's representative have been used. Such identification shall constitute the signature of the document concerned.

Amendment

The Commission *shall* establish a secure electronic system *as the single entry point* for exchanges with the participants. A document submitted by means of this system, including grant agreements, shall be deemed to be the original of that document where the user identification and password of the participant's representative have been used. Such identification shall constitute the signature of the document concerned.

Or. de

Justification

A uniform secure database system managed by the Commission for all project participants for the purpose of administering projects from the submission stage to final completion can greatly increase transparency and simplify matters.

Amendment 373
Alyn Smith

Proposal for a regulation
Article 18 – paragraph 1

Text proposed by the Commission

The Commission *or the relevant funding body may* establish a secure electronic system for exchanges with the participants. A document submitted by means of this system, including grant agreements, shall be deemed to be the original of that document where the user identification and password of the participant's representative have been used. Such identification shall

Amendment

The Commission *shall* establish a secure electronic system for exchanges with the participants. A document submitted by means of this system, including grant agreements, shall be deemed to be the original of that document where the user identification and password of the participant's representative have been used. Such identification shall constitute the

constitute the signature of the document concerned.

signature of the document concerned.

Or. en

Amendment 374
Ioannis A. Tsoukalas

Proposal for a regulation
Article 18 – paragraph 1

Text proposed by the Commission

The Commission or the relevant funding body *may* establish a secure electronic system for exchanges with the participants. A document submitted by means of this system, including grant agreements, shall be deemed to be the original of that document where the user identification and password of the participant's representative have been used. Such identification shall constitute the signature of the document concerned.

Amendment

The Commission or the relevant funding body *shall* establish a secure electronic system for exchanges with the participants. A document submitted by means of this system, including grant agreements, shall be deemed to be the original of that document where the user identification and password of the participant's representative have been used. Such identification shall constitute the signature of the document concerned.

Or. en

Amendment 375
Jean-Pierre Audy, Christian Ehler, Maria Da Graça Carvalho

Proposal for a regulation
Article 19 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Participants may submit to the Commission clarifications or interpretations relating to the application of the rules governing participation in the Horizon 2020 framework programme. In such cases, if the Commission does not reply within two months, the participant's position shall be deemed to have been endorsed.

Justification

Many participants complain that the Commission takes a long time to reply, if it replies at all, to requests for clarifications or interpretations regarding the application of the rules governing participation. This arrangement will make for a more balanced relationship between the Commission and beneficiaries.

Amendment 376
Jean-Pierre Audy

Proposal for a regulation
Article 19 – paragraph 2

Text proposed by the Commission

2. Participants shall make no commitments which are incompatible with the grant agreement. Where a participant fails to comply with its obligations regarding the technical implementation of the action, the other participants shall comply with the obligations without any additional Union funding unless the Commission or funding body expressly relieves them of that obligation. The financial responsibility of each participant shall be limited to its own debt, subject to the provisions relating to the Fund. The participants shall ensure that the Commission or funding body is informed of any event which might affect the implementation of the action or the interests of the Union.

Amendment

2. Participants shall make no commitments which are incompatible with ***this regulation and*** the grant agreement. Where a participant fails to comply with its obligations regarding the technical implementation of the action, the other participants shall comply with the obligations without any additional Union funding unless the Commission or funding body expressly relieves them of that obligation. The financial responsibility ***relevant to the technical development of activities of the action of*** each participant shall be limited to its own debt, subject to the provisions relating to the Fund. ***The financial responsibility of each participant relevant to the breach of confidential agreements set by the grant agreement and/or the consortium agreement is not limited by the own debt of the participants.*** The participants shall ensure that the Commission or funding body is informed of any event which might affect the implementation of the action or the interests of the Union.

Justification

The liability of any participant in an action can not be limited to own debt in case that a breach of the confidential agreement's provision relevant either to the background and/or to the foreground.

Amendment 377

Lambert van Nistelrooij

Proposal for a regulation

Article 19 – paragraph 2

Text proposed by the Commission

2. Participants shall make no commitments which are incompatible with the grant agreement. Where a participant fails to comply with its obligations regarding the technical implementation of the action, the other participants shall comply with the obligations without any additional Union funding unless the Commission or funding body expressly relieves them of that obligation. The financial responsibility of each participant shall be limited to ***its own debt***, subject to the provisions relating to the Fund. The participants shall ensure that the Commission or funding body is informed of any event which might affect the implementation of the action or the interests of the Union.

Amendment

2. Participants shall make no commitments which are incompatible with the grant agreement. Where a participant fails to comply with its obligations regarding the technical implementation of the action, the other participants shall comply with the obligations without any additional Union funding unless the Commission or funding body expressly relieves them of that obligation. The financial responsibility of each participant shall be limited to ***the funding that it has directly received***, subject to the provisions relating to the Fund. The participants shall ensure that the Commission or funding body is informed of any event which might affect the implementation of the action or the interests of the Union.

Or. en

Justification

Further specification as to what “own debt” means is required. Given that participants in a project have joint/several liabilities for the technical implementation of the project, “own debt” could also be extended to the debt that is incurred for reason of not performing the obligations from another participant under the joint/several technical liabilities. A participant should not be financially liable for funding that it has not directly received itself.

Amendment 378

Kathleen Van Brempt, Ivo Belet, Philippe De Backer

Proposal for a regulation

Article 19 – paragraph 2

Text proposed by the Commission

2. Participants shall make no commitments which are incompatible with the grant agreement. Where a participant fails to comply with its obligations regarding the technical implementation of the action, the other participants shall comply with the obligations without any additional Union funding unless the Commission or funding body expressly relieves them of that obligation. The financial responsibility of each participant shall be limited to ***its own debt***, subject to the provisions relating to the Fund. The participants shall ensure that the Commission or funding body is informed of any event which might affect the implementation of the action or the interests of the Union.

Amendment

2. Participants shall make no commitments which are incompatible with the grant agreement. Where a participant fails to comply with its obligations regarding the technical implementation of the action, the other participants shall comply with the obligations without any additional Union funding unless the Commission or funding body expressly relieves them of that obligation. The financial responsibility of each participant shall be limited to ***the funding which was directly received***, subject to the provisions relating to the Fund. The participants shall ensure that the Commission or funding body is informed of any event which might affect the implementation of the action or the interests of the Union.

Or. en

Justification

The principle of “own debt” needs to be clarified. In projects, participants have joint liabilities. It needs to be avoided that “own debt” is extended to one participant, when another participant is not performing as it should. A participant should never be financially liable for funding that it has not directly received itself.

Amendment 379

Salvador Sedó i Alabart, Ramon Tremosa i Balcells

Proposal for a regulation

Article 19 – paragraph 2

Text proposed by the Commission

2. Participants shall make no commitments

Amendment

2. Participants shall make no commitments

which are incompatible with the grant agreement. Where a participant fails to comply with its obligations regarding the technical implementation of the action, the other participants shall comply with the obligations without any additional Union funding unless the Commission or funding body expressly relieves them of that obligation. The financial responsibility of each participant shall be limited to its own debt, subject to the provisions relating to the Fund. The participants shall ensure that the Commission or funding body is informed of any event which might affect the implementation of the action or the interests of the Union.

which are incompatible with the grant agreement. Where a participant fails to comply with its obligations regarding the technical implementation of the action, the other participants shall comply with the obligations without any additional Union funding unless the Commission or funding body expressly relieves them of that obligation. The financial responsibility of each participant shall be limited to its own debt, subject to the provisions relating to the Fund. The participants shall ensure that the Commission or funding body is informed of any *serious* event which might affect the implementation of the action or the interests of the Union.

Or. en

Amendment 380

Salvador Sedó i Alabart, Ramon Tremosa i Balcells

Proposal for a regulation

Article 19 – paragraph 3

Text proposed by the Commission

3. The participants shall implement the action and shall take all necessary and reasonable measures to that end. They shall have the appropriate resources as and when needed for carrying out the action. Where it is necessary for the implementation of the action, they may call upon third parties, including subcontractors, to carry out certain elements of the action or may use resources made available by third parties by means of contributions in kind according to the conditions set out in the grant agreement. The participant shall retain sole responsibility towards the Commission or the relevant funding body and towards the other participants for the work carried out.

Amendment

3. The participants shall implement the action and shall take all necessary and reasonable measures to that end. They shall have the appropriate resources as and when needed for carrying out the action. Where it is necessary for the implementation of the action, they may call upon third parties, including subcontractors, to carry out certain elements of the action or may use resources made available by third parties by means of contributions in kind according to the conditions set out in the grant agreement. The participant shall retain sole responsibility towards the Commission or the relevant funding body and towards the other participants for the work carried out.

Or. en

Amendment 381
Jean-Pierre Audy, Antonio Cancian

Proposal for a regulation
Article 19 – paragraph 4

Text proposed by the Commission

4. The award of subcontracts for carrying out certain elements of the action shall be limited to the cases provided for in the grant agreement.

Amendment

4. The award of subcontracts for carrying out certain elements of the action shall be limited to the cases provided for in the grant agreement ***except for those that can not be clearly foreseen at the time of its entry into force. A previous approval of the Commission shall be requested; such an approval can not be unreasonably denied.***

Or. en

Justification

A certain degree of flexibility is needed as a strict application of the rule can jeopardize the result of the action. Over the duration of the action and development of the research activity it could happen that a certain degree of flexibility concerning the subcontracting of some activity is needed and that was not foreseeable at the time of the entry into force.

Amendment 382
Pilar del Castillo Vera, Alejo Vidal-Quadras, Maria Da Graça Carvalho

Proposal for a regulation
Article 19 – paragraph 4

Text proposed by the Commission

4. The award of subcontracts for carrying out certain elements of the action shall be limited to the cases provided for in the grant agreement.

Amendment

4. The award of subcontracts for carrying out certain elements of the action shall be limited to the cases provided for in the grant agreement ***except for those that can not be clearly foreseen at the time of its entry into force. A previous approval of the Commission shall be requested; such an approval can not be unreasonably***

denied.

Or. en

Amendment 383

Salvador Sedó i Alabart, Ramon Tremosa i Balcells

Proposal for a regulation

Article 19 – paragraph 4

Text proposed by the Commission

4. The award of subcontracts for carrying out certain elements of the action shall be limited to the cases provided for in the grant agreement.

Amendment

4. The award of subcontracts for carrying out certain elements of the action shall be limited to the cases provided for in the **model** grant agreement.

Or. en

Amendment 384

Adam Gierek

Proposal for a regulation

Article 19 – paragraph 5 – subparagraph 1

Text proposed by the Commission

Third parties ***other than*** subcontractors may carry out part of ***a participant's*** work ***under the action, provided that the third party and the work to be carried out by it are*** identified in the grant agreement.

Amendment

Budgeting for a potential (undisclosed) number of third parties (***not including project*** subcontractors) ***who*** may carry out part of ***the research*** work ***requires that their involvement be*** identified in the grant agreement.

Or. pl

Justification

The project coordinator is unable to foresee the implementation requirements in their entirety, especially as regards services of no scientific significance.

Amendment 385
Salvador Sedó i Alabart, Ramon Tremosa i Balcells

Proposal for a regulation
Article 19 – paragraph 9

Text proposed by the Commission

9. Participants shall comply with national legislation, regulations and ethical rules in the countries where the action will be carried out. Where appropriate, participants shall seek the approval of the relevant national or local ethics committees prior to the start of the action.

Amendment

9. Participants shall comply with national legislation, regulations and ethical rules in the ***Union and associated*** countries where the action will be carried out. Where appropriate, participants shall seek the approval of the relevant national or local ethics committees prior to the start of the action. ***Actions which are carried out by third countries and funded by the Commission shall comply with the Union legislation.***

Or. en

Amendment 386
Britta Thomsen

Proposal for a regulation
Article 19 – paragraph 9

Text proposed by the Commission

9. Participants shall comply with national legislation, regulations ***and*** ethical rules in the countries where the action will be carried out. Where appropriate, participants shall seek the approval of the relevant national or local ethics committees prior to the start of the action.

Amendment

9. Participants shall comply with national legislation, regulations, ethical rules ***and principles of research integrity*** in the countries where the action will be carried out. Where appropriate, participants shall seek the approval of the relevant national or local ethics committees prior to the start of the action.

Or. en

Amendment 387
Luigi Berlinguer

Proposal for a regulation
Article 20 – paragraph 1

Text proposed by the Commission

1. The members of any consortium wishing to participate in an action shall appoint one of them to act as coordinator which shall be identified in the grant agreement.

Amendment

1. The members of any consortium wishing to participate in an action shall appoint one of them to act as coordinator which shall be identified in the grant agreement.

The coordinator shall be the mandatory contact between the members of consortium, represent the consortium in relations with the Commission or the relevant funding body and monitor the compliance by members of consortium with their obligations under the grant agreement.

Or. en

Amendment 388
Silvia-Adriana Țicău

Proposal for a regulation
Article 20 – paragraph 1

Text proposed by the Commission

1. The members of any consortium wishing to participate in an action shall appoint one of them to act as coordinator which shall be identified in the grant agreement.

Amendment

1. The members of any consortium wishing to participate in an action shall appoint one of them to act as coordinator which shall be identified in the grant agreement.

The coordinator shall be the principal point of contact between members of the consortium, represent the consortium in its dealings with the Commission or the financial bodies concerned and monitor compliance by members of the consortium with their obligations under the grant agreement.

Or. ro

Amendment 389
Vicky Ford, Christian Ehler

Proposal for a regulation
Article 20 – paragraph 2

Text proposed by the Commission

2. The members of a consortium participating in an action shall conclude an internal agreement (the consortium agreement), *except in duly justified cases provided for in the work programme or work plan or call for proposals.*

Amendment

2. The members of a consortium participating in an action shall conclude an internal agreement *that establishes the rights and obligations of the members in the consortium* (the consortium agreement). *This however shall not prevent individual members of the consortium from being able to enter into direct dialogue with the Commission or the relevant funding body, in particular when they have concerns over the actions of the coordinator.*

Or. en

Amendment 390
Norbert Glante

Proposal for a regulation
Article 20 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The Commission shall publish, together with the invitation to submit project proposals, guidelines concerning the principal issues which participants can deal with in their consortium agreements.

Or. de

Justification

During the current period, guidelines and a model consortium agreement are already often used, and this approach has shown itself to be of value; they should therefore be included as standard in the rules on participation under Horizon 2020.

Amendment 391
Luigi Berlinguer

Proposal for a regulation
Article 20 – paragraph 3

Text proposed by the Commission

3. The consortium may propose to add or remove a participant in accordance with the respective provisions of the grant agreement, provided that this change is in conformity with the *conditions for* participation, does not adversely affect the implementation of the action and is not contrary to the principle of equal treatment.

Amendment

3. The consortium may propose to add or remove a participant *or change a coordinator* in accordance with the respective provisions of the grant agreement *and the consortium agreement*, provided that this change is in conformity with the *rules for* participation, does not adversely affect the implementation of the action and is not contrary to the principle of equal treatment.

Or. en