

# EUROPEAN PARLIAMENT

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Committee on Industry, Research and Energy

6.11.2007

PE396.717v01-00

## AMENDMENTS 41-56

### Draft report

(PE396.506v01-00)

Nikolaos Vakalis

Setting up the "ENIAC Joint Undertaking"

Proposal for a regulation (COM(2007)0356 – C6-0275/2007 – 2007/0122(CNS))

Text proposed by the Commission

Amendments by Parliament

Amendment by Teresa Riera Madurell

Amendment 41

Recital 11

(11) The ambition and scope of the stated objectives of the JTI on Nanoelectronics, the scale of the financial and technical resources that need to be mobilised, and the need to achieve effective coordination and synergy of resources and funding, call for action to be taken by the Community. Therefore, it is necessary to set up a Joint Undertaking (hereinafter the "ENIAC Joint Undertaking") under Article 171 of the Treaty as a legal entity responsible for the implementation of the JTI on Nanoelectronics. ***To ensure the appropriate management of R&D activities initiated under the Seventh Framework Programme, the ENIAC Joint Undertaking should be set up for a period ending on 31 December 2017, which may be extended.***

(11) The ambition and scope of the stated objectives of the JTI on Nanoelectronics, the scale of the financial and technical resources that need to be mobilised, and the need to achieve effective coordination and synergy of resources and funding, call for action to be taken by the Community. Therefore, it is necessary to set up a Joint Undertaking (hereinafter the "ENIAC Joint Undertaking") under Article 171 of the Treaty as a legal entity responsible for the implementation of the JTI on Nanoelectronics.

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Amendment by Avril Doyle

Amendment 42  
Recital 12 a (new)

***(12a) All public stakeholders should recognise the opportunities presented by the Joint Technology Initiatives as new mechanisms for implementing public-private partnerships, and work alongside private stakeholders to find a more effective solution for the purpose of discharging the Community's budget.***

Or. en

*Justification*

*For PPPs, it is desirable to find a more expeditious way of concluding the Community's Budget Discharge. Exploring ways to work alongside the offices of our private sector partners should, therefore, be encouraged to avoid the duplication of audits.*

Amendment by Nikolaos Vakalis

Amendment 43  
Recital 14

(14) The objectives of the ENIAC Joint Undertaking should be pursued by pooling resources from the public and private sectors to support R&D activities in the form of projects. To that end, the ENIAC Joint Undertaking should be able to organise competitive calls for proposals for projects to implement parts of the Research Agenda. The R&D activities should respect fundamental ethical principles applicable in the Seventh Framework Programme.

(14) The objectives of the ENIAC Joint Undertaking should be pursued by pooling resources from the public and private sectors to support R&D ***and prototyping*** activities in the form of projects. To that end, the ENIAC Joint Undertaking should be able to organise competitive calls for proposals for projects to implement parts of the Research Agenda. The R&D activities should respect fundamental ethical principles applicable in the Seventh Framework Programme.

Or. en

### *Justification*

*European SMEs who are active in the equipment and materials segment of the nanoelectronics industry need to be supported in order to develop their novel tools and applications. They particularly need support in the creation of networks with European leading manufacturers of nanoelectronics devices. This hurdle can be lowered if SMEs are able to gain access to a prototype at low cost.*

Amendment by Teresa Riera Madurell

#### Amendment 44 Recital 22

(22) The need to ensure stable employment conditions and equal treatment of staff, and in order to attract specialised scientific and technical staff of the highest calibre, requires ***the application of the Staff Regulations of Officials of the European Communities and the Conditions of Employment of Other Servants of the European Communities, ("the Staff Regulation") to all staff recruited by the ENIAC Joint Undertaking.***

(22) The need to ensure stable employment conditions and equal treatment of staff, and in order to attract specialised scientific and technical staff of the highest calibre, requires ***the Commission and the participating Member States to be authorised to second as many officials as needed to the ENIAC Joint Undertaking. Remaining staff should be recruited by the Joint Undertaking in accordance with host country labour regulations.***

Or. en

Amendment by Nikolaos Vakalis

#### Amendment 45 Article 2, point (b)

(b) support the activities required for the implementation of the Research Agenda (hereinafter R&D activities), notably by awarding funding to participants in selected projects following competitive calls for proposals;

(b) support the activities required for the implementation of the Research Agenda (hereinafter R&D activities), notably by awarding funding to participants in selected projects following competitive calls for proposals ***for R&D and prototyping activities;***

Or. en

### *Justification*

*European SMEs who are active in the equipment and materials segment of the*

*nanoelectronics industry need to be supported in order to develop their novel tools and applications. They particularly need support in the creation of networks with European leading manufacturers of nanoelectronics devices. This hurdle can be lowered if SMEs are able to gain access to a prototype at low cost.*

Amendment by Nikolaos Vakalis

Amendment 46  
Article 2, point (c)

(c) promote a public-private partnership aiming at mobilising and pooling Community, national and private efforts, increasing overall R&D investments in the field of Nanoelectronics, **and** fostering collaboration between the public and private sectors;

(c) promote a public-private partnership aiming at mobilising and pooling Community, national and private efforts, increasing overall R&D investments in the field of Nanoelectronics, fostering collaboration between the public and private sectors **and creating synergies among the Nanoelectronics industry's stakeholders, including corporate players, SMEs and R&D institutes;**

Or. en

*Justification*

*European SMEs who are active in the equipment and materials segment of the nanoelectronics industry need to be supported in order to develop their novel tools and applications. SMEs should not be confined to their traditional sub-contractor role, but should be able to put forward their main competitive advantages by creating synergies with larger corporations and R&D institutes.*

Amendment by Teresa Riera Madurell

Amendment 47  
Article 4, paragraph 3, point (c)

(c) in-kind contributions by R&D organisations to bear their share of the necessary cost of carrying out the projects.

(c) in-kind contributions by R&D organisations to bear their share of the necessary cost of carrying out the projects, **evaluated in accordance with practices established under the Seventh Framework Programme.**

Or. en

Amendment by Teresa Riera Madurell

Amendment 48

Article 8, paragraph 2 a (new)

***2a. The Commission and the Member States shall second a number of officials to the ENIAC Joint Undertaking.***

Or. en

Amendment by Teresa Riera Madurell

Amendment 49

Article 8, paragraph 3

3. The Governing Board shall, in agreement with the Commission, adopt the necessary implementing measures, ***in accordance with provisions provided for in article 110 of the Staff Regulations of Officials*** of the European Communities, and ***the Conditions of Employment of Other Servants of the European Communities.***

3. The Governing Board shall, in agreement with the Commission, adopt the necessary implementing measures ***regarding the secondment of officials*** of the European Communities and ***participant Member States.***

Or. en

Amendment by Teresa Riera Madurell

Amendment 50

Article 12, paragraph 2

2. No later than 31 December ***2010 and 31 December 2015***, the Commission shall ***conduct interim evaluations*** of the ENIAC Joint Undertaking with the assistance of independent experts. This evaluation shall cover the quality and efficiency of the ENIAC Joint Undertaking and progress towards the objectives set. The Commission shall communicate the conclusions thereof, accompanied by its observations to the European Parliament and the Council.

2. No later than 31 December ***2011*** the Commission shall ***present an evaluation*** of the ENIAC Joint Undertaking with the assistance of independent experts. This evaluation shall cover the quality and efficiency of the ENIAC Joint Undertaking and progress towards the objectives set. The Commission shall communicate the conclusions thereof, accompanied by its observations to the European Parliament and the Council. ***The results of the evaluation***

***shall be binding.***

Or. en

Amendment by Teresa Riera Madurell

Amendment 51

Article 18, paragraph 1 a (new)

***It shall expire on 31 December 2017.***

Or. en

Amendment by Nikolaos Vakalis

Amendment 52

Annex, Article 2, point 1, point (c)

(c) promote a public-private partnership aiming at mobilising and pooling Community, national and private efforts, increasing overall R&D investments in the field of Nanoelectronics, ***and*** fostering collaboration between the public and private sectors;

(c) promote a public-private partnership aiming at mobilising and pooling Community, national and private efforts, increasing overall R&D investments in the field of Nanoelectronics, fostering collaboration between the public and private sectors ***and creating synergies among all the Nanoelectronics industry's stakeholders, including corporate players, SMEs and R&D institutes;***

Or. en

*Justification*

*European SMEs who are active in the equipment and materials segment of the nanoelectronics industry need to be supported in order to develop their novel tools and applications. SMEs should not be confined to their traditional sub-contractor role, but should be able to put forward their main competitive advantages by creating synergies with larger corporations and R&D institutes.*

Amendment by Teresa Riera Madurell

Amendment 53

Annex, Article 2, point 2, point (e a) (new)

*(ea) to ensure the participation of SMEs in order to enable at least 15% of available funding to go to them.*

Or. en

Amendment by Teresa Riera Madurell

Amendment 54

Annex, Article 2, point 2, point (h)

(h) to publish information on the Projects, including the name of the participants and the amount of the financial contribution of the ENIAC Joint Undertaking;

(h) to publish information on the Projects, including the name of the participants and the amount of the financial contribution *per participant* of the ENIAC Joint Undertaking. *In this information a particular mention will be given to the participation of SMEs;*

Or. en

Amendment by Teresa Riera Madurell

Amendment 55

Annex, Article 7, point 3, point (b)

(b) The Public Authorities Board shall elect its Chairperson.

(b) The Public Authorities Board shall elect its Chairperson *every two years*.

Or. en

Amendment by Teresa Riera Madurell

Amendment 56

Annex, Article 10, point 5, point (c)

(c) *in-kind* contributions *by R&D organisations participating in Projects which shall bear their share of the necessary cost of carrying out the Projects.*

(c) *Except for the running costs of the ENIAC Joint Undertaking, contributions in kind shall be subject to an evaluation of their value and relevance to the activities of*

*Their overall contribution over the duration of the ENIAC Joint Undertaking shall be equal to or greater than the contribution of public authorities.*

*the ENIAC Joint Undertaking, and to acceptance by the Governing Board. The procedure for evaluation of contributions in kind will be adopted by the Governing Board and be based on the following principles:*

- *The overall approach will be based on the Seventh Framework Programme modus operandi, where contributions in kind to projects are assessed at review level.*
- *The implementing rules for the Financial Regulation will be used as a guideline.*
- *Additional items will be covered by International Accounting Standards.*
- *Assessment of contributions will be carried out in accordance with the costs generally accepted on the market in question (Article 172(2)(b) of the implementing rules for the Financial Regulation).*

*Verification will be carried out by an independent auditor.*

Or. en