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*****I**

REPORT

on the proposal for a decision of the European Parliament and of the Council
on the participation of the Union in a European Metrology Programme for
Innovation and Research jointly undertaken by several Member States
(COM(2013)0497 – C7-0221/2013 – 2013/0242(COD))

Committee on Industry, Research and Energy

Rapporteur: Niki Tzavela

Symbols for procedures

| | |
|--------|---|
| * | Consultation procedure |
| *** | Consent procedure |
| ***I | Ordinary legislative procedure (first reading) |
| ***II | Ordinary legislative procedure (second reading) |
| ***III | Ordinary legislative procedure (third reading) |

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ■ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a decision of the European Parliament and of the Council on the participation of the Union in a European Metrology Programme for Innovation and Research jointly undertaken by several Member States
(COM(2013)0497 – C7-0221/2013 – 2013/0242(COD))**

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2013)0497),
 - having regard to Article 294(2) and Article 185 and the second paragraph of Article 188 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0221/2013),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of 10 December 2013¹,
 - having regard to Rule 55 of its Rules of Procedure,
 - having regard to the report of the Committee on Industry, Research and Energy (A7-0063/2014),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 1

Proposal for a decision

Recital 2

Text proposed by the Commission

(2) Horizon 2020 - The Framework Programme for Research and Innovation (2014-2020) established by Regulation

Amendment

(2) Horizon 2020 - The Framework Programme for Research and Innovation (2014-2020) established by Regulation

¹ Not yet published in the Official Journal.

(EU) *No .../2013* of the European Parliament and of the Council of ... 2013⁵ (hereinafter ‘Horizon 2020 Framework Programme’) aims at achieving a greater impact on research and innovation by ***contributing to the strengthening of public-public partnerships, including through Union participation in programmes undertaken by several Member States in accordance with Article 185 of the Treaty.***

⁵ OJ ... [H2020 FP]

(EU) No ***1291/2013*** of the European Parliament and of the Council⁵ (hereinafter ‘Horizon 2020 Framework Programme’) aims at achieving a greater impact on research and innovation by ***developing closer synergies, increasing coordination and avoiding unnecessary duplication with international, national and regional research programmes.*** Public-public partnerships, including Union participation in programmes undertaken by several Member States in accordance with Article 185 of the Treaty ***should achieve those goals, meet the conditions specified in that Regulation in particular those in Article 20 and fully respect the General Principles, in particular on open access and transparency.***

⁵ ***Regulation (EU) No 1291/2013 of the European Parliament and of the Council of 11 December 2013 establishing Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020) and repealing Decision No 1982/2006/EC (OJ L 347, 20.12.2013, p. 104)***

Justification

Additions in line with Horizon 2020 Framework Programme, in particular Recital 28 and Article 20.

Amendment 2

Proposal for a decision Recital 5

Text proposed by the Commission

(5) According to ***Council Decision ... /2013/EU of ... 2013 establishing the Specific Programme implementing Horizon 2020 - The Framework Programme for Research and Innovation***

Amendment

(5) According to ***Regulation (EU) No 1291/2013 and Council Decision 2013/743/EU***⁹ further support may be provided to the European Metrology Research Programme.

(2014-2020)⁹ further support may be provided to the European Metrology Research Programme.

⁹ OJ ... [H2020 SP]

⁹ *Council Decision 2013/743/EU of 3 December 2013 establishing the specific programme implementing Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020) and repealing Decisions 2006/971/EC, 2006/972/EC, 2006/973/EC, 2006/974/EC and 2006/975/EC (OJ L 347, 20.12.2013, p. 965).*

Justification

A reference not only to the Specific Programme but also to the Framework Programme should be included, which is important to evidence the compliance with Article 20 of the Framework Programme and the principles stated there.

Amendment 3

Proposal for a decision

Recital 7

Text proposed by the Commission

(7) The participating states intend to contribute to implement EMPIR during the period covered by EMPIR (2014-2024).

Amendment

(7) The participating states intend to contribute to implement EMPIR during the period covered by EMPIR (2014-2024). ***In order to take into account the duration of the Horizon 2020 Framework Programme for Research and Innovation, calls for proposals under this Programme should be launched by 31 December 2020.***

Amendment 4

Proposal for a decision

Recital 11

Text proposed by the Commission

(11) The joint implementation of EMPIR requires an implementation structure. The participating states have agreed on the implementation structure for EMRP and set up in 2007 EURAMET e.V. (hereinafter "EURAMET"), the European Regional Metrology Organisation and a non-profit association under German law. EURAMET also has tasks and obligations related to the wider European and global harmonisation of metrology. Membership of EURAMET is open to all European National Metrology Institutes (NMI), as members, and to Designated Institutes (DI), as associates. Membership in EURAMET is not conditional upon existence of national metrology research programmes. Given that, according to the Report on Interim Evaluation of EMRP, the governance structure of EURAMET has proved to be efficient and of high quality for the implementation of the EMRP, EURAMET should also be used for the implementation of EMPIR. EURAMET should be the recipient of the Union's financial contribution.

Amendment

(11) The joint implementation of EMPIR requires an implementation structure. The participating states have agreed on the implementation structure for EMRP and set up in 2007 EURAMET e.V. (hereinafter "EURAMET"), the European Regional Metrology Organisation and a non-profit association under German law. EURAMET also has tasks and obligations related to the wider European and global harmonisation of metrology. Membership of EURAMET is open to all European National Metrology Institutes (NMI), as members, and to Designated Institutes (DI), as associates. Membership in EURAMET is not conditional upon existence of national metrology research programmes. Given that, according to the Report on Interim Evaluation of EMRP, the governance structure of EURAMET has proved to be efficient and of high quality for the implementation of the EMRP, EURAMET should also be used for the implementation of EMPIR. EURAMET should be the recipient of the Union's financial contribution. ***In staffing EURAMET, attention must be paid to gender equality under Article 15 of the 'Horizon 2020' Framework Programme.***

Amendment 5

Proposal for a decision

Recital 16

Text proposed by the Commission

(16) The contribution from participating states mainly represents institutional funding of the NMI and DI participating in the selected projects. The contribution from participating states should also include a cash contribution to the administrative costs of EMPIR. A

Amendment

(16) The contribution from participating states mainly represents institutional funding of the NMI and DI participating in the selected projects. The contribution from participating states should also include a cash contribution to the administrative costs of EMPIR. A

proportion of the Union's contribution should be allocated to entities other than NMI and DI participating in the selected projects. The calculation of the Union's financial contribution for NMI and DI participating in EMPIR projects should ensure that the Union's contribution to EMPIR does not exceed the contribution of the participating states. Considering that the institutional funding of the NMI and DI by participating states corresponds to the overheads allocated to the EMPIR projects and not reimbursed by the Union's contribution, the flat rate for the financing of the eligible indirect costs of the NMI and DI should be adapted compared to that set in the ***Regulation (EU) No ... /2013 [laying down the rules for the participation and dissemination in 'Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020)']***. This flat rate should be determined on the basis of the full indirect costs declared as eligible by NMI and DI participating in EMRP projects, which are stable and constitute a reliable approximation of the indirect costs to be incurred by NMI and DI participating in EMPIR projects. Since those indirect costs amount to 140% of the total direct eligible costs of NMI and DI, except those for subcontracting and in kind contributions free of charge not used on their premises, the flat rate for the financing of indirect costs of NMI and DI should be lowered from [20%] in accordance with Regulation (EU) No ... /2013 to 5%. It is thus appropriate to provide for derogation from Article 24 of that Regulation for NMI and DI. Other entities participating in EMPIR projects should be funded in accordance with that Regulation.

proportion of the Union's contribution should be allocated to entities other than NMI and DI participating in the selected projects. The calculation of the Union's financial contribution for NMI and DI participating in EMPIR projects should ensure that the Union's contribution to EMPIR does not exceed the contribution of the participating states. Considering that the institutional funding of the NMI and DI by participating states corresponds to the overheads allocated to the EMPIR projects and not reimbursed by the Union's contribution, the flat rate for the financing of the eligible indirect costs of the NMI and DI should be adapted compared to that set in the ***Regulation (EU) No 1290/2013 of the European Parliament and of the Council^{1a}***. This flat rate should be determined on the basis of the full indirect costs declared as eligible by NMI and DI participating in EMRP projects, which are stable and constitute a reliable approximation of the indirect costs to be incurred by NMI and DI participating in EMPIR projects. Since those indirect costs amount to 140% of the total direct eligible costs of NMI and DI, except those for subcontracting and in kind contributions free of charge not used on their premises, the flat rate for the financing of indirect costs of NMI and DI should be lowered from [25%] in accordance with Regulation (EU) No ... /2013 to 5%. It is thus appropriate to provide for derogation from Article 24 of that Regulation for NMI and DI. Other entities participating in EMPIR projects should be funded in accordance with that Regulation.

^{1a} Regulation (EU) No 1290/2013 of the European Parliament and of the Council of 11 December 2013 laying down the rules for participation and dissemination in "Horizon 2020 - the Framework

Amendment 6

Proposal for a decision Article 2 – paragraph 1

Text proposed by the Commission

1. The maximum Union's financial contribution, including EFTA appropriations, to EMPIR shall be EUR **300** million. The contribution shall be paid from appropriations in the general budget of the Union allocated to the relevant parts of the Specific Programme, implementing Horizon 2020 Framework Programme, established by **Decision ... /2013/EU**, in accordance with Article 58(1)(c)(vi) and Articles 60 and 61 of Regulation (EU, Euratom) No 966/2012.

Amendment

1. The maximum Union's financial contribution, including EFTA appropriations, to EMPIR shall be EUR **285** million. The contribution shall be paid from appropriations in the general budget of the Union allocated to the relevant parts of the Specific Programme, implementing Horizon 2020 Framework Programme, established by **Council Decision 2013/743/EU**, in accordance with Article 58(1)(c)(vi) and Articles 60 and 61 of Regulation (EU, Euratom) No 966/2012, **and in particular appropriations allocated to the following challenges and themes: Leadership in nanotechnologies, advanced materials, biotechnology and advanced manufacturing and processing; Improving lifelong health and wellbeing; Improving food security, developing sustainable agriculture, marine and maritime research and the bio-economy; Making the transition to a reliable, sustainable and competitive energy system; Achieving a European transport system that is resource-efficient, environmentally friendly, safe and seamless; and Achieving a resource-efficient and climate-change resilient economy and a sustainable supply of raw materials.**

Justification

Additions in order to specify from which part of the Horizon 2020 budget the EU contribution comes from - see Financial Statement.

Amendment 7

Proposal for a decision

Article 3 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(aa) the demonstration by the Participating States that EMPIR is set up in accordance with the objectives and research priorities laid down in the Horizon 2020 Framework;

Justification

This addition stresses that there should be a strong coherence between the activities of the P2Ps and the research priorities defined in the Horizon 2020 Framework Programme.

Amendment 8

Proposal for a decision

Article 3 – paragraph 1 – point a b (new)

Text proposed by the Commission

Amendment

(ab) the demonstration by the Participating States that EMPIR is set up in accordance with the general principles governing the Horizon 2020 Framework;

Justification

This addition stresses the important adherence of the P2Ps to the general principles applying to the Horizon 2020 framework such as open access, gender equality and non-discrimination that have been agreed upon during the Horizon 2020 negotiations.

Amendment 9

Proposal for a decision

Article 3 – paragraph 1 – point a c (new)

Text proposed by the Commission

Amendment

(ac) the demonstration by the Participating States that EMPIR is set up in accordance with the conditions laid down in Article 20 of Regulation (EU) No 1291/2013;

Justification

This addition stresses the important principles that have been agreed upon during the Horizon 2020 negotiations regarding P2Ps and what they should deliver.

Amendment 10

Proposal for a decision

Article 5 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. In accordance with the principles of transparency and non-discrimination as laid out in Article 35, Article 60(1) and 128(1) of Regulation (EU, Euratom) No 966/2012, calls for proposals organised by EMPIR shall be published on the web-based Horizon 2020 Participant Portal.

Justification

During the Horizon 2020 trilogue negotiations the institutions agreed to promote a greater coherence of all call possibilities financed under Horizon 2020. To this effect, the Commission promised to promote the publication of CfPs organised by PPPs and P2Ps on the Horizon 2020 Participant Portal. This amendment aims to turn a self-obligation into a legal requirement, guaranteeing simple and accessible information for applicants.

Amendment 11

Proposal for a decision

Article 12 – paragraph 1

Text proposed by the Commission

1. By **31 December 2017** the Commission shall **conduct** an interim evaluation of EMPIR. The Commission shall prepare a report on that evaluation which includes conclusions of the evaluation and observations by the Commission. The Commission shall send that report to the European Parliament and to the Council by **30 June 2018**.

Amendment

1. By **30 June 2017** the Commission shall **organise** an **independent** interim evaluation of EMPIR. The Commission shall prepare a report on that evaluation which includes conclusions of the **independent** evaluation and observations by the Commission. The Commission shall send that report to the European Parliament and to the Council by **31 December 2017**. ***The result of the independent interim evaluation of EMPIR shall be taken into account in the interim evaluation of Horizon 2020.***

In order to respond to unforeseen situations or to new developments and needs the Commission may, following the interim evaluation of Horizon 2020 as referred to in Article 32(3) of the Regulation (EU) No 1291/2013 review, within the annual budgetary procedure, the budget of EMPIR.

Amendment 12

**Proposal for a decision
Annex II – point 1 – point 1.5**

Text proposed by the Commission

1.5. metrology capacity-building activities on different technological levels aiming to achieve a balanced and integrated metrology system in the participating states.

Amendment

1.5. metrology capacity-building activities on different technological levels aiming to achieve a balanced and integrated metrology system in the participating states ***and enabling them to develop their scientific and technical capabilities in metrology.***

EXPLANATORY STATEMENT

Metrology, the science of measurement, is a crucial element of our high tech world. The overarching objective of EMPIR are to provide metrology solutions supporting innovation and industrial competitiveness and measurement technologies to tackle societal challenges such as health, environment and energy including support to policy development and implementation. An important objective of the proposal is also to create an integrated European Metrology Research system with critical mass and active engagement at regional, nation, European and international level.

The Rapporteur welcomes the Commission proposal for a Decision of the European Parliament and of the Council on the participation of the Union in a European Metrology Programme for Innovation and Research jointly undertaken by several Member States as an important part of the Innovation Investment Package under Horizon 2020.

PROCEDURE

| | | | |
|---|--|-------------------|-------------------|
| Title | Participation of the Union in a European Metrology Programme for Innovation and Research jointly undertaken by several Member States | | |
| References | COM(2013)0497 – C7-0221/2013 – 2013/0242(COD) | | |
| Date submitted to Parliament | 10.7.2013 | | |
| Committee responsible Date announced in plenary | ITRE 10.9.2013 | | |
| Committee(s) asked for opinion(s) Date announced in plenary | BUDG 10.9.2013 | ENVI 10.9.2013 | REGI 10.9.2013 |
| Not delivering opinions Date of decision | BUDG 5.9.2013 | ENVI 5.9.2013 | REGI 24.9.2013 |
| Rapporteur(s) Date appointed | Niki Tzavela 24.10.2013 | | |
| Discussed in committee | 9.1.2014 | | |
| Date adopted | 23.1.2014 | | |
| Result of final vote | +: –: 0: | 41 0 0 | |
| Members present for the final vote | Amelia Andersdotter, Bendt Bendtsen, Jan Březina, Maria Da Graça Carvalho, Giles Chichester, Jürgen Creutzmann, Pilar del Castillo Vera, Christian Ehler, Vicky Ford, Norbert Glante, Edit Herczog, Kent Johansson, Romana Jordan, Krišjānis Kariņš, Angelika Niebler, Jaroslav Paška, Aldo Patriciello, Vittorio Prodi, Miloslav Ransdorf, Teresa Riera Madurell, Michèle Rivasi, Jens Rohde, Paul Rübig, Salvador Sedó i Alabart, Francisco Sosa Wagner, Konrad Szymański, Patrizia Toia, Evžen Tošenovský, Claude Turmes, Vladimir Urutchev, Kathleen Van Brempt, Alejo Vidal-Quadras, Zbigniew Zaleski | | |
| Substitute(s) present for the final vote | Maria Badia i Cutchet, Věra Flasarová, Elisabetta Gardini, Jolanta Emilia Hibner, Ivailo Kalfin, Vladko Todorov Panayotov, Lambert van Nistelrooij | | |
| Substitute(s) under Rule 187(2) present for the final vote | Jean-Paul Basset | | |
| Date tabled | 29.1.2014 | | |