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Marie Curie Research Training Networks: Contract Implementation

Content:

- Ø Structure of Contract
- Ø Contract Boundaries and Amendments
- Ø Implementation of Project (Annex I)
- Ø Other Useful References



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Structure of Contract

- Ø **Core contract** (composition, duration, start date, Community contribution, special clauses, etc.)
- Ø **Annex I** (Description of Work, the *project*)
- Ø **Annex II** (General Conditions covering legal, administrative & financial provisions, IPR)
- Ø **Annex III** (Specific Provisions covering obligations of contractors, appointments, eligible costs)

plus

- Ø **Form A** (Each contractor, accession to contract)
- Ø **Form B** (Accession of *new* contractor to contract)
- Ø **Form C** (Financial Statement aka Cost Statement)



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Additional Documents

Ø Declaration of Conformity (Annex III.4)

- F to *agreement* between contractor and researcher
- F to Commission within 20 days via co-ordinator
- F model text provided by Project Officer

Ø Consortium Agreement (Article 1.4 Core)

- F not mandatory for MCRTNs and not approved by Commission
- F internal organisation, provisions for any disputes, IPR arrangements if *not* already in Annex I
- F must not contradict contractual conditions
- F Checklist at:
http://europa.eu.int/comm/research/fp6/working-groups/model-contract/index_en.html



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Intellectual Property Rights (Annex II.29 to 33 & III.9/10)

- Ø Contractors must agree amongst themselves allocation and ownership of joint *knowledge*, in accordance with contract.
- Ø 60 days notice required for any transfer of knowledge, e.g. to third parties.
- Ø Commission/other contractors may object within 30 days.
- Ø More Info.: http://europa.eu.int/comm/research/era/ipr_en.html
- Ø IPR Helpdesk: <http://www.ipr-helpdesk.org/index.htm>



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Contract Boundaries

- Ø At least 65% on costs related to appointed researcher and their activities in project (Annex III.2.1d).
- Ø No more than 40% of Community contribution to one country, unless IEIO (Annex III.2.1c).
- Ø Special Clause of Core Contract gives upper limit of Management and Audit costs, e.g. 5% of total budget.
- Ø Overheads are 10% of direct eligible costs, excluding any sub-contracts (Annex III.8.3).



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Contract Boundaries

- Ø Aim to select at least 40% women (Annex III.2.1b).
- Ø Maximum 30% of total person-months provided by researchers from Third Countries, higher in *exceptional* cases only (Annex III.2.1a).
- Ø Visits/secondments to other contractors of appointed researchers to within 30% of their total appointment time, otherwise new appointment (Annex III.3.2i).



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Contract Boundaries

- Ø Transfer of person-months between categories (Part C, Annex I) at any contractor within 35% (Annex III.2.2o).
- Ø Transfer of person-months between contractors within 35% of Annex I amount (Annex III.2.1f).

If change of more than these limits is desired then prior agreement of the Commission is required.



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Contract Amendments (Article 10, Core Contract)

- Ø Any changes to project which may require contract amendment must first be discussed with Project Officer.
- Ø Generally undertaken through Exchange of Letters, with, in most cases, Consortium sending first.
- Ø Commission undertakes to respond within 45 days but, if not, this does not mean approval of request.
- Ø Amendment Guidelines available at http://europa.eu.int/comm/research/fp6/working-groups/model-contract/pdf/amend_guide_en.pdf.



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Implementation of Project (Annex I)

- Ø Annex I is reference document to assess successful implementation of project.
- Ø All contractors are collectively responsible for implementation of Annex I and use of Community funds.
- Ø Keep Project Officer fully informed of developments, possible changes, Ethical Issues*, etc.
- Ø Project Officer's role is to assist, advise and monitor.
- Ø Important deliverable is both Quantity and Quality of Training to/ToK with appointed researchers.

* See http://europa.eu.int/comm/research/science-society/ethics/ethics_en.html for more information.



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Other Useful References

- Ø Annex II.3 & III.2 – Performance Obligations
- Ø Annex III.3 & 4 – Selection & appointment of researcher
- Ø Annex II.7/8 & III.5 – Reports and Deliverables
- Ø Annex II.18 - 21 & III.8 - Eligible Costs
- Ø Article 8, Core & Annex II.22 – Financial contribution
- Ø Annex II.6 – Sub-contracts (only in exceptional cases)

