

MEMORANDUM

To: Department Heads

Cc: CSO, CFO, SG, FI-EU service, FI-PI, DSU-LS, DSU-AU, DSU-EU, DSU-TT, DSU-HEP

From: R. Aymar 

Subject: Procedures for new EU projects with the participation of CERN

1. In December 2006 the Council and Parliament of the European Union (EU) formally adopted the EU 7th Framework Programme for research, technological development, and demonstration activities (FP7). FP7 will cover the period from 2007 to 2013. The first FP7 Calls for Proposals were launched by the EU Commission on 22 December 2006.
2. CERN has participated in a number of EU co-funded projects (EU Projects) under the previous Framework Programmes and it is expected that the Organisation will be actively involved in the FP7 as well.
3. Each participation by CERN in an EU Project constitutes a strategic commitment of the Organization with consequences from a legal, financial and human resources point of view. It is thus important that such participation is approved at the appropriate level and that the different CERN Departments and Services involved in the implementation of EU Projects are duly consulted in a timely manner.

To this end, I have decided that the following procedures be followed for every EU Project in which CERN intends to participate, independently of its size, the importance of the resources to be committed, and whether CERN is the Coordinator or not ¹.

You are invited to take all necessary measures to ensure that the described procedure is followed by all CERN members of personnel concerned.

Approval of the participation of CERN in EU Project proposals

4. The participation of CERN in any EU Project proposal must first be agreed to by the Department Head(s) concerned. After receiving a short proposal from the Department Head(s), which shall contain a description of both the required and the available resources for the project, the Director-General shall take a decision regarding CERN's participation in that EU Project proposal. In case the decision is positive, it shall include the designation of the member of personnel responsible for the coordination of the EU Project concerned (the Project Leader).
5. The complete EU Project proposals (both in case when CERN is Coordinator or not) shall be reviewed *prior to their submission* to the EU Commission by the Director-General or by the Chief Scientific Officer (for research projects) or by another person designated by the Director-General (for all other projects). The CERN-EU Office may assist in reviewing the proposal.

¹ The procedures concerning Marie Curie projects will be defined in a separate Memorandum.

6. The CERN-EU Office shall be informed of the intention to submit an EU Project proposal following the agreement of the Department Head(s). It shall receive by the Project Leader a copy of any EU Project proposal submitted to the EU Commission.

Preparation, approval and signature of contractual documents

7. In case an EU Project is approved for funding by the EU Commission, the following steps shall be followed regarding the preparation, approval and signature of the contractual documents related to that EU Project:

a) If CERN is the Coordinator of the EU Project:

In this case, the EU Contract (Grant Agreement) including the description of work and other annexes shall be negotiated in consultation with the EU Office and, if appropriate, with other Departments or Services concerned, in particular the Finance Department and the Legal Service. The EU Contract (Grant Agreement) proposal shall be reviewed prior to its signature by the Legal Service, the Finance Department, and if appropriate, by the Technology Transfer Group. The review process shall be initiated by the Project Leader through the EU Office which shall be responsible for coordinating the review.

The Consortium Agreements shall be drafted by the Legal Service in consultation with all Departments and Services concerned.

b) If CERN is not the Coordinator:

All drafts of the EU Contract (Grant Agreement) including the description of work and other annexes, and of the Consortium Agreement shall be reviewed by the Legal Service, the Finance Department, and if appropriate, by the Technology Transfer Group. The review process shall be initiated by the Project Leader through the EU Office which shall be responsible for coordinating the review.

8. Upon completion of the internal review, the EU Contract (Grant Agreement) or the Accession Form and the related Consortium Agreement shall be submitted by the EU Office to the Director-General or to the person designated by him, for signature.
9. Subsequent amendments (insofar as they do not substantially modify CERN's commitments in terms of financial or human resources) shall be signed by the Head of the Finance Department, except for Marie Curie Projects which will be dealt with separately.
10. Prior to their signature the Purchasing Service shall give a *k*-number to all EU Contracts (Grant Agreements) and Consortium Agreements. The Purchasing Service shall be responsible for archiving the originals of all EU Project related documents, which will be forwarded to it by the EU Office. Copies of the signed originals shall be provided by the EU Office to the Finance Department, Legal Service, Internal Audit, and the Project Leader.

Financial procedures and follow-up of approved Projects

11. Once the maximum EU contribution for CERN's participation in an EU Project has been agreed by the Project Consortium, the CERN Project Leader shall ask FI – EU service for the estimated CHF equivalent, which should be used as a basis for any preliminary budget planning. When the first payment from the EU Commission is received, FI – EU service will fix the exchange rate, which shall be used for budget planning for the full duration of the EU Project, unless significant changes occur. Consequently, the Project Leader will provide FI – EU service with a budget breakdown in CHF by year and by nature (Materials/ Personnel) for the full duration of the EU Project concerned.
 12. In collaboration with the DPO(s) concerned, the Project Leader ensures the creation of EU Project structure and communicates it to FI. Once the EU Project structure is created, the DPO(s) initiates the creation of the necessary budget codes in collaboration with FI.
 13. Cost Statements for EU Projects shall be prepared by the Project Leaders, and afterwards verified and signed by the Finance Department.
 14. Audit Certificates shall be issued and signed by Internal Audit.
 15. Periodically, the Finance Department will follow up the financial situation of the EU funded projects and will provide the Project Leaders with a status report on the projects' overall financial situation.
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