



Eligibility criteria – ENIAC Call 2009

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1. Context and scope

This document describes the "ENIAC Joint Undertaking" (**ENIAC JU**) eligibility criteria for proposals, the eligibility criteria for ENIAC JU funding of individual participants, and the eligibility criteria for national funding of individual participants from ENIAC member States.

These criteria are established in accordance with:

- ENIAC JU's own Financial Rules;
- Council Regulation (EC) No 72/2008 of 20 December 2007 setting up the ENIAC Joint Undertaking¹ (hereinafter the "**Council Regulation**");
- the national eligibility criteria for national funding communicated to the ENIAC Joint Undertaking by the ENIAC member States².

These criteria apply to proposals submitted in response to calls for proposals launched by the ENIAC JU and do not apply to any public procurement procedures.

2. Eligibility checks

The following eligibility checks will be carried out by the ENIAC Joint Undertaking:

1. Eligibility Criteria for Proposals (two-stage procedure)
2. Eligibility Criteria for ENIAC JU funding of individual participants
3. Eligibility Criteria for national funding of individual participants from ENIAC member States

2.1. *Eligibility Criteria for Proposals (Two-stage procedure)*

For ENIAC Call 2009, a two-stage procedure will be followed: applicants must submit Project Outlines (PO), followed by the submission of Full Project Proposals (FPP). The submission of an eligible Project Outline is mandatory for the submission of a Full Project Proposal.

2.1.1. **Eligibility of Project Outlines (PO)**

A PO will only be considered eligible if it meets all of the following conditions:

- It is submitted using the ENIAC Proposal Service (EPS)
- It is received by the ENIAC JU before the deadline given in the call text for POs.
- It involves at least 3 non-affiliated legal entities³ established in at least 3 ENIAC member States⁴

¹ OJ L 30, 04.02.2008, p. 21. corrected by OJ L 219, 14.08.2008, p. 72.

² The list of ENIAC member States is published in the Call for proposals

- It is complete (i.e. both the administrative forms and the proposal description as requested in the Guide for Applicants are present).
- It is submitted in English⁵.
- The content of the PO relates to the topic(s) described in the Annual Work Programme of the Call.

Only POs that satisfy the above eligibility criteria are receivable and will be assessed by the ENIAC Joint Undertaking. The assessment of the PO (or alternatively the non-compliance with the eligibility criteria) will be communicated to the applicants by the ENIAC Joint Undertaking.

If it becomes clear before, during or after this assessment phase that one or more of the PO eligibility criteria have not been fulfilled, the PO will be declared ineligible by the ENIAC JU and will be withdrawn from any further examination. Where there is a doubt on the eligibility of a PO, the ENIAC JU reserves the right to proceed with the assessment, pending a final decision on eligibility. The fact that a PO is assessed in such circumstances does not constitute proof of its eligibility. The results of such an assessment shall not be taken into consideration till a final decision on eligibility has been taken by the JU. In such a case the process of the PO will be suspended until a final decision has been taken.

2.1.2. Eligibility of Full Project Proposals (FPP)

A Full Project Proposal must satisfy all of the following eligibility criteria in order to be retained for evaluation:

- The corresponding Project Outline has been considered eligible by the ENIAC JU
- It is submitted using the ENIAC Proposal Service (EPS)
- It is received by the ENIAC JU before the deadline given in the call text for FPPs.
- It involves at least 3 non-affiliated legal entities established in at least 3 ENIAC Member States.
- It is complete (i.e. both the administrative forms and the proposal description as requested in the Guide for Applicants are present).
- It is submitted in English⁶.

³ 'affiliated entity' means an affiliated entity as defined in Article 2 of the Regulation (EC) No 1906/2006.

⁴ Currently: (Austria, Belgium, Czech Republic, Estonia, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Netherlands, Norway, Poland, Portugal, Slovak Republic, Spain, Sweden, United Kingdom)

⁵ Except for the additional information and forms that may be requested by ENIAC member States for the verification of eligibility of national funding that can be in their respective national languages

⁶ Except for the additional information and forms that may be requested by ENIAC member States for the verification of eligibility of national funding that can be in their respective national languages

- The content of the proposal relates to the topic(s) described in the Annual Work Programme of the Call.

Only FPPs that satisfy the above eligibility criteria are receivable and will be evaluated by the ENIAC Joint Undertaking. The evaluation of the FPP (or alternatively the non-compliance with the eligibility criteria) will be communicated to the applicants by the ENIAC Joint Undertaking.

If it becomes clear before, during or after the evaluation phase that one or more of the FPP eligibility criteria have not been fulfilled, the FPP will be declared ineligible by the ENIAC JU and will be withdrawn from any further examination. Where there is a doubt on the eligibility of a FPP, the ENIAC JU reserves the right to proceed with the evaluation, pending a final decision on eligibility. The fact that a FPP is evaluated in such circumstances does not constitute proof of its eligibility. The results of such an evaluation shall not be taken into consideration till a final decision on eligibility has been taken by the JU. In such a case the process of the FPP will be suspended until a final decision has been taken.

2.2. Eligibility Criteria for ENIAC JU funding of individual participants

For participants in proposals that have passed the eligibility criteria for proposals (section 2.1 above), the ENIAC Joint Undertaking will carry out the necessary verifications against the following eligibility criteria for ENIAC JU funding, on the basis of verifications carried out by the European Commission. The ENIAC JU eligibility criteria for funding are the following:

- The participant has its location in an EU Member State or in an Associated Country to the Seventh Framework Programme⁷.
- Grants may not be awarded to applicants who are, at the time of the grant award procedure, in one of the following situations⁸:
 - they are bankrupt or in the state of being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
 - they have been convicted of an offence concerning their professional conduct by a judgment which has the force of *res judicata*;

⁷ These are currently: Albania, Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, FYR Macedonia, Malta, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, United Kingdom. Please consult the most recent information on the list of Associated Countries to FP7 in ftp://ftp.cordis.europa.eu/pub/fp7/docs/third_country_agreements_en.pdf

⁸ At the negotiation stage, applicants should declare on their honour that they are not in one of these situations.

- they have been guilty of grave professional misconduct proven by any means which the Joint Undertaking can justify;
- they have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the Joint Undertaking or those of the country where the contract is to be performed;
- they have been the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organization or any other illegal activity detrimental to the Communities' financial interests;
- they are currently subject to an administrative penalty imposed by the Joint Undertaking or by the Community institutions as referred to in the general Financial Regulation.
- they are subject to a conflict of interest;
- they are guilty of misrepresentation in supplying the information required by the Joint Undertaking as a condition of participation in the grant award procedure or fail to supply this information;

2.2.1. Conclusion of national grant agreements

According to the Council Regulation, project participants established in ENIAC member States are eligible for funding from the ENIAC JU **after conclusion of a national grant agreement for such project with their corresponding national authority** following the award procedures of the ENIAC Joint Undertaking⁹ and provided that such national authority has signed an 'administrative agreement' with the ENIAC JU¹⁰. The ENIAC JU will not conclude a grant agreement with a national participant from an ENIAC member State if a corresponding national grant agreement is foreseen but has not been concluded.

For the following applicants, the condition described in the preceding paragraph (previous conclusion of a national grant agreement) does not apply:

- legal entities established in Member States or Associated Countries to the Seventh Framework Programme that are not ENIAC member States¹¹
- the Joint Research Center (JRC)¹²

⁹ According to the ENIAC Joint Undertaking selection and evaluation procedures related to Calls for proposals, ENIAC member States may decide to establish grant agreements and fund organisations that are full partners in projects from other EU Member or Associated States of the Framework Programme. In this case, these organisations can be considered as national participants from the ENIAC member States awarding the grant agreements.

¹⁰ According to the Council Regulation, the ENIAC JU and ENIAC member States will establish administrative arrangements in order to enable the implementation of projects and the granting of public funds

¹¹ Unless stipulated otherwise in 'administrative agreement' that national authorities of these countries that are not ENIAC member States may have signed with the ENIAC JU. Currently there are no countries in this situation.

¹² Unless the JRC applies in the proposal for national funding from an ENIAC member State.

- international organisations¹³ having a seat in EU Member States or Associated Countries to the Seventh Framework Programme

2.2.2. Verification of participants' legal status

At the negotiation stage and depending on their legal type, applicants may be requested to provide to the Joint Undertaking the following documents:

- a. Natural persons: (i) a legible photocopy of the valid identity card or passport and (ii) if applicable, an official VAT document.
- b. Public bodies: (i) a copy of the resolution, law, decree or decision establishing the entity in question or, failing that, any other official document attesting to the establishment of the entity as a public body and (ii) if applicable, an official VAT document.
- c. Other legal entities: (i) a copy of any official document (e.g. official gazette, register of companies etc.) showing the participant's legal name and address and the registration number given to it by the national authorities and (ii) a copy of the VAT registration document, if any, and only if the VAT number does not appear on the official document referred to above.

The requested supporting documents must be provided within the deadline specified by the ENIAC Joint Undertaking in the invitation and/or in the framework for negotiation.

2.2.3. Verification of participants' financial and operational capacity

Participants should have the financial and technical capacity to complete the project. For this reason, at the negotiation stage, each participant should provide a declaration on its honour that it has stable and sufficient sources of funding to maintain its activity throughout its participation in the project as well as that it has or will have the necessary resources as and when needed to carry out its involvement in the project.

Additionally, in compliance with the Joint Undertaking's financial rules, legal entities which are not exempted from a verification of their financial capacity¹⁴, may be required at the negotiation stage to provide the following:

- Legal persons: balance sheet and profit and loss account for the last year for which the accounts are closed and, if available¹⁵, statutory audit report on the two above financial statements.

¹³ Unless the international organisation applies in the proposal for national funding from an ENIAC member State

¹⁴ See articles 173 and 176 of Council Regulation (EC) No 2342/2002 laying down detailed rules for the implementation of the Financial Regulation.

¹⁵ The JU may require from the legal person a synthesis of the data of its balance sheet and profit and loss account in a specific format. The requirement on the statutory audit reports however can be waived for those legal entities which are exempted from audit under their national legislation.

- Natural persons: last income tax declaration, a certified declaration of their current patrimony and an exhaustive list of their debts, broken-down in short-term debts and medium/long term debts, as certified by their creditors

Each legal entity subject to a verification of its financial capacity requesting an estimated JU financial contribution exceeding EUR 500 000 should provide, in addition to the above, an audit report produced by an approved external auditor certifying the accounts of the last financial year available.

Further information shall be provided in the ENIAC Negotiation Guidelines.

2.3. Eligibility Criteria for national funding of participants from ENIAC member States

Participants from ENIAC member States will be verified by the ENIAC JU, on the basis of verifications carried out by the respective national authorities, against the national eligibility criteria for national funding that have been communicated to the ENIAC JU by ENIAC member States before the launch of the Call for proposals. These criteria are included in the following sections of this document. Some of these sections also indicate web pages; **national participants are requested to consult these web pages in order to have the complete information on the conditions they have to comply with in order to be eligible for national funding.** Where appropriate, national participants should provide in the proposal (at the Project Outline and/or the Full Project Proposal stage) the necessary information for the national funding authorities to verify the corresponding eligibility criteria.

2.3.1. Austria

Eligibility criteria for funding

PLEASE NOTE THAT THE FULL VERSION OF THIS DOCUMENT CAN BE FOUND AT: www.ffg.at/eniac

Austria requires the following eligibility criteria for Austrian participants (in national programmes, they are usually verified by means of an eligibility pre-check):

- timely submission as specified in the relevant call for proposals
- submission of a complete proposal
- submission of a complete Form C for Austrian Organisations
- faxed signatures are permissible for submission, but original signatures must then be delivered at the earliest convenience
- for companies, commercial register number and the balance sheets of the last three years
- at least one enterprise in the consortium of a co-operative project
- financial viability and business soundness is verified by means of an internal check - companies that are in danger of insolvency cannot be funded

1) Type/nature of participants

The following legal entities are eligible for funding:

- enterprises
- research organisations (universities and other non-profit research institutions)
- associations

Entities that are part of the Austrian federal administration are excluded from funding.

2) Legal/administrative/financial conditions

- For companies, commercial register number and balance sheets of the last three years will be verified.
- Financial viability and business soundness is verified by means of an internal check. Companies that are in danger of insolvency cannot be funded.

3) Consortium configuration

There must be at least one enterprise in the consortium of a co-operative project.

2.3.2. Belgium

Eligibility criteria for funding

Funding authority website: www.iwt.be

For further information please contact Francis Deprez (fd@iwt.be).

1) Legal/administrative/financial conditions

The beneficiary must be a company established in the Flemish region¹⁶, with a sustainable activity in this region, based upon a sound business model. They have received no other public funding for the same activities.

2) Consortium configuration

Projects should be introduced by companies and primarily executed to the benefit of these entities.

3) Conditions on exploitation/impact

- Have the (financial) means to execute the project and a potential to use the results.
- The project should foresee in socio-economic effects which can be quantified by activities or investments by the partner after the completion of the project, which equal at least 15 times the project funding.
- In case of potential military applications (including dual use), support can be restricted.

¹⁶ In case of a multinational company this should be the local branch or subsidiary.

2.3.3. Czech Republic

Eligibility criteria for funding

Principal legal rules and regulations and documents on research and development in the Czech Republic:

<http://www.vyzkum.cz/FrontClanek.aspx?idsekce=15607>

<http://www.vyzkum.cz/FrontClanek.aspx?idsekce=858>

<http://www.mvcr.cz/sbirka/2008/sb025-08.pdf>

1) Type/nature of participants

- Private enterprises
- Research institutions
- Universities

2) Legal/administrative/financial conditions:

The funding of R&D activities is provided pursuant to the R&D Act No. 130/2002 Coll., on the support of research and development from public funds and on the amendment to some related acts (the Act on the Support of Research and Development) as amended, Government Regulations No. 461/2002 Coll. As amended and No. 462/2002 Coll. As amended.

Public research institutes must be listed in the Registry of Public Research Institutes, operated by the Ministry of Education, Youth and Sports of the Czech Republic.

Private entities must be registered in the Czech Republic and provide its R&D&I activities in the Czech Republic.

The proof of applicant's capacity must be in conformity with section 18 of the R&D Act No. 130/2002 Coll.

3) Consortium configuration

Public research institutes and/or universities must be accompanied in the same project by at least one industrial company registered in the Czech Republic.

4) Conditions on the technical content/scope

Projects can be supported from public financial sources only if the following results can be expected: new/innovated technologies, higher degree of innovation, patents and/or other types of results relevant for industry (and listed in the Czech R&D Council Methodology of R&D Evaluation). Publications, articles or other scientific papers are not regarded as eligible result in this type of projects.

2.3.4. Estonia

Eligibility criteria for funding

No specific criteria.

2.3.5. France

Eligibility criteria for funding

Reference website : <http://www.telecom.gouv.fr/eniac>

1) Legal/administrative/financial conditions

- The work done by the partners must neither have already benefited from public funding (excluding generic fiscal aid) nor be redundant with similar projects already funded by French authorities.
- The financial situation of each private partner must be validated (financial structure, cash flow, operating accounts) and considered compatible (activity volume, workforce, financial capability) with the amount and the content of the eligible costs as well as with the amount of the demanded aid and of the already granted public aid.

2) Consortium configuration

The part of the enterprises in the total eligible costs of the French participants must represent at least two thirds of this total amount.

3) Conditions on exploitation/impact

1. The partners must contribute to achieve one or several significant technological breakthroughs with a view of designing or improving products, services or processes that can be put by them on the market and that have a sufficient potential impact on their activity in the European Union and in particular in France, in terms of employment, competitiveness, value creation and growth at short- or medium-term.
2. The tasks assigned to partners must be well specified and should consist in « experimental development » or « industrial research » as defined in the R&D&I framework. « Fundamental research » will not be considered as eligible. In accordance with the R&D&I framework, the aid to each company must have an incentive effect on its R&D&I innovation.
3. Each partner has to provide to the Joint Undertaking, together with the project proposal submission, the documents specified in the reference website.

The application submitted must contain all elements which allow the French authorities to assess and justify the eligibility of the aid demanded by the partners. In particular the application must include, besides the documents required for application to the Joint Undertaking call and all documents listed in the reference website, information specifying for each partner the potential economical impact in the European Union in terms of employment, competitiveness, value creation and economic activity, as well as the positioning of the partner on the targeted markets and the timeframe of his impact.

2.3.6. Germany

Eligibility criteria for funding

Reference weblinks for German eligibility criteria for funding:

- Förderprogramm IKT 2020 des BMBF <http://www.bmbf.de/pub/ikt2020.pdf> (English version: http://www.bmbf.de/pub/ict_2020.pdf)
- Hightech-Strategie der Bundesrepublik Deutschland http://www.bmbf.de/pub/bmbf_hts_lang.pdf (English version: (http://www.bmbf.de/pub/bmbf_hts_lang_eng.pdf))
- Sachsen, FuE-Verbundprojektförderung: <http://www.sab.sachsen.de/de/foerderung/index.html>
- German ENIAC website: <http://www.pt-it.pt-dlr.de/de/eniac.php>

1) Type/nature of participants

- Commercial companies
- State and non-state institutions of higher education and non-university research establishments in projects with German commercial companies

2) Legal/administrative/financial conditions

- The Federal Ministry of Education and Research (BMBF) will provide up to 12 million EURO for German applicants, the Saxon State Ministry for Economic Affairs and Labour (SMWA) will provide up to 9 million EURO for Saxon applicants who meet the requirements for Saxon joint project funding.
- The work planned by the partners must neither have already benefited from public funding nor be redundant with similar projects already funded.
- R&D projects shall relate to societal relevant questions. An essential ambition of funding is to strengthen the position of German project partners and companies which aim to exploit research results in Germany and Europe as well as to accelerate the technology transfer from the prior to competition area into the practical application. Saxon project partners who apply for or receive Saxon joint project funding have to exploit research results in Saxony. Projects should illustrate the added value of R&D results on the basis of an appropriated application, e.g. a demonstrator.
- Within Saxon joint funding Saxon partners are committed to consider the terms of the European Regional Development Fund.

3) Conditions on the technical content/scope

- Subjects to be funded in the ICT sector are high-risk industrial research projects and development projects prior to competition which focus on cross-border technologies and an application oriented approach, meet a sufficiently high level of innovation and could not be accomplished without funding.
- Projects of pure basic research are excluded from ENIAC funding.

4) Conditions on exploitation/impact

Funding will be allocated to application oriented research projects which promise lasting benefit for Germany and Europe in terms of safeguarding and creating employment, maintaining competitiveness and increasing added value. It is requisite that the R&D projects contribute significantly to the “High-Tech Strategy for Germany” and the BMBF research programme “ICT 2020”. Project partners should, preferably, completely cover the value chain. The economic exploitation of project results should sufficiently benefit the “Standort” Germany resp. Saxony in case of Saxon joint funding.

2.3.7. Greece

Eligibility criteria for funding

National website describing the national eligibility criteria for funding: <http://www.gsrt.gr>

1) Type/nature of participants

Legal entities.

2) Legal/administrative/financial conditions

Eligible enterprises are those which have been operating for at least two (2) economic years and have published at least two (2) balance-sheets.

3) Consortium configuration

Private contribution covers at least 50% of the total budget of the project.

4) Financial conditions:

1. Subcontracting cannot exceed 30% of the budget for the specific part of the project undertaken by the Greek project partner.
Concerning the quotas of direct subcontracting and in order to ensure competition, the rules applied to all other European projects are also applied in this case.
2. For Enterprises and Private Companies, their own contribution covers at least 50% of their total budget, in the specific project.
3. Public contribution covers 100% (GSRT & JU) of the budget of the Public Research Institutes and Universities.
4. Activities already financed by public funds will not be financed by the Joint Technology Initiative ENIAC. (A formal declaration of the applicants not been so far financed or not going to be financed in the future for the same purpose, is absolutely demanded).

2.3.8. Hungary

Eligibility criteria for funding

National website describing the national eligibility criteria for funding:

The reference web link where the Hungarian partners can consult the national eligibility criteria for funding is: <http://www.nkth.gov.hu/eniac>

1) Type/nature of participants

Eligible applicants shall include:

- Business enterprises with legal entity and cooperatives registered in Hungary;
- Foreign-registered enterprises with branch office in Hungary;
- Non-profit organisations with legal entity;
- Public bodies or their institutes with legal entity.

2) Legal/administrative/financial conditions:

Any applicant who:

- Is subject to bankruptcy or liquidation proceedings, or dissolution procedure;
- Has been guilty of making false declarations during earlier calls under the Research and Technology Innovation Fund or under the targeted allocations provided by paragraph (2) of section 16. of Act XC. of 2003 on the Research and Technology Innovation Fund, or has been breached its obligations arising from an earlier funding contract;
- Has had expired public dues for more than 60 days;
- Has been expired liabilities to the Fund or to the Fund or to the targeted allocations provided by paragraph (2) of section 16. of Act XC. of 2003 on the Research and Technology Innovation Fund more than 60 days.

Shall be ineligible, shall be excluded from the evaluation and shall not receive financial contribution.

Applicants are expected to contribute their own financial resources to the project costs – this amount depends on the project activities and the applicant's organization form. The own financial resources shall determined by prevailing law. Please visit the reference website for additional information and for the prevailing Hungarian law!.

2.3.9. Ireland

Eligibility criteria for funding

www.enterprise-ireland.com/JTIs

1) Type/nature of participants

- Companies that are eligible to receive R&D funding from one of the following agencies will be considered for national funding; Enterprise Ireland, IDA Ireland, Udaras na Gaeltachta, Shannon Development.
- Irish third level research performing organisations will be eligible for national funding.

2) Legal/administrative/financial conditions:

The relevant national funding agency should be satisfied that a company seeking national funding has the potential to derive a benefit, proportionate to the national funding being sought, through the exploitation of the results of the proposed project or otherwise.

3) Consortium configuration

Projects should be introduced by companies and primarily executed to the benefit of these entities.

Note that Irish companies must clearly state in the proposal the following points:

1. From which of the four Irish agencies (Enterprise Ireland, IDA Ireland, Udaras na Gaeltachta or Shannon Development) it is eligible to receive national R&D funding
2. Explain how it has the potential to derive a benefit, proportionate to the national funding being sought, through the exploitation of the results of the proposed project or other wise.

2.3.10. Italy

Eligibility criteria for funding

National website describing the national eligibility criteria for funding:

The Italian laws applicable to ARTEMIS / ENIAC projects are the following:

- Decreto Legislativo n. 297 of 27/07/1999
- Decreto Ministeriale n. 593 of 8/08/2000
- Decreto Ministeriale n. 4 of 2/01/2008 e relativa nota esplicativa del 15/05/08
- Procedure operative per la valutazione ed il finanziamento dei progetti selezionati dalle JTI ARTEMIS ed ENIAC e dagli art. 169 AAL ed Eurostars (28/08/2008)

The only version legally valid is the Italian text published on the Italian Official Journal.

These laws and procedures can be found on the web sites:

http://www.miur.it/0003Ricerca/0139FAR_-_index_cf3.htm

http://www.miur.it/0003Ricerca/0142Ricerca/index_cf3.htm

1) Type/nature of participants

- a. companies which do industrial activities aimed at production of goods and/or services.
- b. companies which do activities in the field of transportation.
- c. artisan companies as of law n. 443 of 8/08/1985.
- d. research centres promoted by one or more of the organizations mentioned on the previous points a, b and c.
- e. any kind of consortium, providing that the partners falling in the above mentioned points a, b, c and d owns more than 50% of the financial share. In case the consortium is located in underdeveloped areas of the country this threshold is lowered to 30%.
- f. The “Parchi scientifici e tecnologici” listed in the resolution MURST of 25/03/1994.
- g. Universities, public research organizations (art. 8 of DPCM n. 593 of 30/12/1993), ENEA, ASI and other research organisations can send an application only jointly with one or more partners falling in one of the above mentioned points a, b, c, d and e. These latter partners, however, must have a financial share of the cost of the Italian part of the project higher than 50%. In case the Italian part of the project is entirely performed in the underdeveloped areas of the country this threshold is lowered to 30%.

Any organisation, to be eligible, must be steadily located in Italy.

2) Legal/administrative/financial conditions:

- The participant must not be defaulting with regard to other funding received by the Ministry.
- The participant must not have requested/got any other funding for the same project.

- The participant must respect the Italian law against "mafia".

3) Consortium configuration

Projects should be introduced by companies and primarily executed to the benefit of these entities (see point 1.g).

4) Conditions on exploitation/impact

- Companies must have the financial means to execute the project and a potential to use the results.
- The participant should foresee, after the end of the project, the exploitation of the results of the project so to guarantee the return of the investment.

5) Financial conditions

The following financial criteria, calculated using the data reported in the last approved balance sheet, must be fulfilled

a. $CN > (CP - I)/2$

Where:

CN = net assets (Capitale netto)

CP = sum of the costs of all the projects for which public funding has been requested by the participant during the year

I = sum of the contributions received, approved or requested for the same projects

b. $OF/F < 8\%$

Where:

OF = financial charges (Oneri finanziari)

F = turnover (Fatturato)

2.3.11. Latvia

Eligibility criteria for funding

No specific criteria (no national funding will be available for this Call).

2.3.12. Netherlands

Eligibility criteria for funding

Background documents and other information can be downloaded from the website of SenterNovem: <http://www.senternovem.nl/pointone/> . The Dutch text on this web-site takes precedence over the English text below.

1) Admission conditions

The Netherlands will support the Dutch partners in projects selected by the ENIAC Joint Undertaking when:

- the project concerns industrial research, experimental development or a combination of these;
- in the project one or more Dutch partners are involved which include minimal one industrial partner. In the case of only one Dutch partner it has to be a SME;
- the entrepreneurs of the Dutch consortium provide the major contribution to the Dutch part of the project;
- the objectives of the Dutch part of the project fit within the Phase2 Multi-annual Roadmap and the Phase2 Annual Plan 2009 of the Innovation Programme Point One (see the above mentioned web-site);
- the project complies with the “Algemene wet bestuursrecht” and the “Kaderwet EZ-subsidies”;

The Dutch consortium in a proposal must include in the Project Outline (PO) and in the Full Project Proposal (FPP) sent to the Joint Undertaking the following information:

- Authorisation form
- Model overview of the costs
- Explanation of the contribution to the objectives of the Innovation Programme Point One
- SME check (when applicable)

Note that when there are several Dutch partners in the proposal, the Dutch partner coordinating them (the so-called "Dutch coordinator") will be in charge of submitting the above information on their behalf. The required forms can be downloaded from the website of SenterNovem:

www.senternovem.nl/pointone/artemis_en_eniac_aanvraag/formulieren.asp

The above information and forms will be submitted as Part C of the PO/FPP, as indicated in the Guide for Applicants in the section for The Netherlands.

2) Rejection conditions

An application for support of the share of Dutch participants of a project is rejected when:

- in the case of more than one Dutch partner, the partner that submits the application on behalf of all Dutch partners (the so-called "Dutch coordinator") is not an enterprise;
- it is not credible the Dutch partners can finance their share in the project;
- it is not credible that the project can be completed within 4 years;

- it is credible that the project without subsidy would have been finished without substantial delays;
- there is insufficient trust that Dutch partners have the necessary capacities to fulfil the project as submitted;
- the project has insufficient positive effects on the Dutch economy;
- the Dutch part of the project contributes insufficiently to the objectives of the Phase2 Multi-annual Roadmap and the Phase2 Annual Plan 2009 of the Innovation Programme Point One (development of the eco-system and business cases R&D, ect.).

3) Subsidy maxima, percentages, eligible costs for subsidy

- The **eligible costs for subsidy** are in compliance with the RTD State Aid Rules
- The subsidy percentages are indicated in the Guide for Applicants
- In case another Dutch administrative body has already granted a subsidy for the eligible costs of the Dutch part of an ENIAC project or part of such project, the contribution will be granted so that the total amount of subsidy will not exceed the above-mentioned percentages.
- In case that a contribution has been already granted for the eligible costs for subsidy to the Dutch part of an ENIAC project or part of it on the basis of a subsidy scheme of the Ministry of Economic Affairs, no subsidy will be granted for the already subsidized part.
- Per individual Dutch partner the subsidy percentages will be applied according to the activities (research; development). The project eligible costs per partner will be defined and the corresponding percentages will be applied. The Dutch consortium is responsible for the distribution of the subsidy amongst the Dutch partners.

2.3.13. Norway

Eligibility criteria for funding

National website describing the national eligibility criteria for funding:

<http://www.forskningsradet.no/ictjti>

1) Type/nature of participants

- Enterprises (companies)
- Industry associations
- Universities and & Higher Education Institutions
- Public research institutes and similar research organisations

2) Legal/administrative/financial conditions

- Enterprises must be established in Norway and perform RTD activities in Norway.
- General eligibility criteria and conditions for receiving project funding from the Research Council of Norway will apply (i.e. the recipient must be a registered legal entity, demonstrate financial viability, and provide transparency as to funding requested or received from other sources)

3) Consortium configuration

If there is no Norwegian enterprise or industry association involved as a partner in the project, the industrial relevance of the involvement of a research organisation must be justified by declarations from some eligible (according to criteria 2 above) Norwegian enterprise(s).

4) Conditions on exploitation/impact

- Enterprises (companies) must provide specific information on the possible industrial impact and justify that they have the necessary means to exploit the project results.
- Universities and other research organisations must specify national industrial impact in terms of exploitation opportunities for Norwegian companies.

2.3.14. Poland

Funding authority website: www.nacbir.gov.pl/jueniac

This web address will be active only when the call will be open.

1) Type/nature of participants

Entities allowed to apply for funding under the ENIAC call for proposals are scientific entities. According to Polish law scientific entities are organizations engaged in continuous scientific research or experimental development:

- basic organizational units of institutions of higher education or vocational colleges within the meaning of their respective statutes,
- scientific units of the Polish Academy of Sciences,
- research and development units,
- international scientific institutes established on the basis of separate provisions,
- organizational entities given the research and development entities' status,
- Polish Academy of Arts and Sciences,
- other organizational entities, except those listed in letters a-f, having legal personality and seated in Poland, including business enterprises having the status of a research and development centre granted under the law on certain forms of supporting innovation activity (Act of law of 29 July 2005).

Entities mentioned in the latter group may be especially those which during the last financial year:

1. earmarked at least 10% of their revenue on R&D activity or
2. at least 10% of their full-time equivalent employees carried out intramural R&D activity

2) Other conditions items considered for funding

Subcontracting may not exceed 70% of the whole budget, and no more than 30% to one subcontractor.

2.3.15. Portugal

Eligibility criteria for funding

<http://alfa.fct.mctes.pt/jti/eniac/>

1) Type/nature of participants

- Institutions of higher education, their institutes and R&D centres;
- State Laboratories;
- Associated Laboratories;
- Non-profit private institutions which the main purpose is to undertake R&D activities;
- Companies, when they form part of consortia with R&D institutions or are involved in integrated R&D programs;
- Other public or private institutions with S&T activities.

2) Legal/administrative/financial conditions

The Principal Investigator of a Portuguese Partner must dedicate at least 25% of time to the Project. The total time dedicated to FCT-funded projects must not exceed 100%.

2.3.16. Slovak Republic

Eligibility criteria for funding

The national co-funding of ENIAC projects is provided according to:

- the Act No 172/2005 Coll. on the Organization of State Research and Development Support and Supplementation of Certain Acts
- Community Framework for State Aid for Research and Development and Innovation (2006/C 323/01)

Eligible to ask for national co-funding is an R&D organization from every sector according to §7 of Act No 172/2005 Coll. and legal entity according to §2 art. 2 of the Slovak Code of Commerce.

To be eligible, every Slovak participant has to be registered in the Slovak Republic.

2.3.17. Spain

Eligibility criteria for funding

Information and documents related to this call for Spanish applicants can be found at: <http://www.mec.es/planidi/eniac>

1) Type/nature of participants

1. To be eligible, every Spanish participant has to be registered in Spain.
2. Spanish participants will belong to any of the following categories:
 - a) Research organisations:
 - Public R&D Centres, including Public Universities¹⁷.
 - Private Academic R&D Centres, including Private Universities.
 - “Technological Centres” according to Spanish Royal Decree 2609/1996 of December 20th, 1997.
 - Non Profit R&D Private Centres.
 - b) Enterprises (large, medium, small and micro)

2) Legal/administrative/financial conditions

2.1. Legal Conditions:

The Spanish Legal framework in force applies. For information purposes, the most relevant regulations are the following:

- a) General Law on Grants Royal Decree 887/2006 of 21 July 2006.
In particular, note the requirements stated in article 13, among others, to comply with the obligations related to the payment of social security contributions or the payment of taxes.
- b) National Plan for Scientific Research, Development and Technological Innovation (2008-2011): <http://www.plannacionalidi.es>

¹⁷The aids granted to the public research organisations regulated by the Law 13/1986 of Promotion and General Co-ordination of Scientific and Technical Research, and to the public universities regulated by Universities Organic Law 6/2001, modified by Organic Law 4/2007, will be used to finance the marginal costs of the project, that is, without taking into account ordinary operating expenses of the centre (permanent staff statutory or contractually bound to them, overhead costs and so on) already covered by the ordinary public budget of the centre, but only those additional expenses needed to carry out the project, not covered by the referred system. The eligible marginal costs will be funded 100%, when the beneficiaries do not carry out any economic activities, in the terms established by the Community Framework for state aid for research and development and innovation (2006/C 323/01)

2.2. Project characteristics

- a) Spanish entities subcontracted by non-Spanish consortium members will not be considered eligible by Spain.
- b) Spanish participants doing the same or very similar tasks to the having been already funded at national level will not be considered eligible.
- c) The Project Description will describe in detail the work to be done by the Spanish participants.
- d) The Project Description will include a short CV of all key persons of the Spanish participants.
- e) The Project Description will include, for each Spanish participant, a break-down per cost categories and per year (see C.2.3 below).

2.3. Requirements to be checked by the Spanish Administration:

- a) For any ENIAC approved project with Spanish participation, a submission of the same proposal will be necessary for starting the payment process. Detailed instructions for this submission will be described in the Spanish ENIAC web site. It could become compulsory the electronic submission and the original signature of the proper Application form. The electronic signature must be the electronic signature of the applicant's legal representative.
- b) The proposal submitted to the Spanish Administration must be complete and corresponding to the same information provided to ENIAC for evaluation
- c) To be eligible, every national participant must include the Spanish "Entity Identification Code" (CIF) in the European proposal, and in the tables provided to the Spanish Public Authorities, this field, CIF, must be included. Also, the JU can request all participants to provide the "Tax Identification Code for the VAT", which is standardized. For Spain TIC-VAT is "ES"+"CIF".

For more information, please check the following link:

http://www.aeat.es/wps/portal/Informacion?channel=5656b9deec34c010VgnVCM1000004ef01e0a___&ver=L&site=56d8237c0bc1ff00VgnVCM100000d7005a80___&idioma=es_ES&menu=4&img=5.

- d) Every Spanish participant should fill in the corresponding columns of the following cost break down table, depending on if the institution applies for marginal costs (only the three first columns) or for total costs (the last six columns).

		Marginal Costs Case			Total Costs Case						
		Grant Requested			Total Budget			Grant Requested			
		Euro			Euro			Euro			
		Year 1	Year 2	Year 3	Year 1	Year 2	Year 3	Year 1	Year 2	Year 3	
Personnel Costs											
Execution Costs	Equipment										
	Consumables										
	Travel										
	Other direct costs										
Total Direct Costs (A)											
Indirect Costs											
Total Project Costs (B)											

- e) In the case that one institution proposes to perform technical work of different nature (fundamental/basic research, industrial/applied research or experimental development) within the same proposal, then the table above will have to be repeated and filled-in for each nature of research and with the corresponding different percentages of grant

requested, according to the table of percentages given in the Spanish document for national subsidy rules to the beneficiaries.

2.4. Conditions for Subcontracting:

Article 31 of the Spanish General Law of Grants:

- a) The cost of subcontracting of the Spanish part of the international project must not exceed 50% of the total cost of the Spanish part of the project, unless for the exceptions foreseen in the legislation.
- b) Subcontracting is not allowed with persons or entities related to the circumstances set out in paragraph 7 of Article 29 of the Spanish General Law of Grants.
- c) Any Spanish participant in a project will not subcontract another participant in the same project. This cost will not be eligible.

2.5. Conditions to be met prior to the grant agreement:

- a) The Spanish Administration will check the financial feasibility of the selected entities to carry out the project, and may request to them to provide their last two balance sheets and the income account (profit and loss account).
- b) Funding list shall be binding for the participating Member States, but in order to proceed to the payment of Spanish entities selected, it is mandatory to fulfil legal requirements to obtain the beneficiary status according to article 13 of the Spanish General Law of Grants: among others, to be up to date in payments of social security contributions and taxes. This requirement must only be fulfilled just before starting the payment procedure.

3) Consortium configuration

a) Spanish Co-ordinator

- When there is more than one Spanish participant in a project, one of them will act as Spanish Co-ordinator. The Spanish Co-ordinator will sign an Agreement with the other Spanish participants in the same project, which must be approved by the Spanish Administration. The Agreement will establish the role of each Spanish participant in the project and the distribution of the funding.
- The Spanish Coordinator shall be a Public Research Organisation or a Public University
- The Spanish Administration will make all payments to the Spanish Co-ordinator.
- The Spanish Coordinator will then distribute the funding among the other Spanish participants in the project according to the terms of the Agreement.
- The Spanish Co-ordinator will be responsible for the financial reporting with respect to the Spanish Administration of all Spanish participants in the project.

b) Nature of the participants:

- At least one Spanish Partner must be a Public Research Organisation or a Public University.

- The other participants may be any other legal entity as described in C.1 above

4) Conditions on exploitation/impact

The proposal must clearly describe the anticipated socio-economic impacts of the research done by each Spanish participant, particularly those more likely to have a beneficial influence in the Spanish context.

2.3.18. Sweden

Eligibility criteria for funding

The eligibility criteria specific to Sweden's national funding is based on the general terms of funding at VINNOVA as described on VINNOVA's Web-portal: <http://www.vinnova.se/finansiering>

To be considered for funding, VINNOVA requires the following general eligibility criteria for Swedish participants to be fulfilled:

- Submission to the relevant call for proposals is received before the due time specified in the call
- The submitted proposal is complete with all information and descriptions required

1) Type/nature of participants, and consortium configuration

Calls are open for public and private companies of all sizes as well as for universities and research institutes in Sweden fulfilling the following conditions:

- Only legal persons are eligible to participate. Natural persons are not allowed.
- A participating company is registered in Sweden, as a joint-stock (*aktiebolag*), and has a considerable business along with a recognisable record of R&D and industrial activities in Sweden
- A participating company has a stable financial status and is able to cover its own expenses for the duration of the project
- A participating company is required to provide a credible proof for the positive impacts of the project outcome on the participant's growth and future assets
- A participating academic organisation (from university or public research institute) will be considered only if there are at least two eligible Swedish companies participating in the same project consortium.
- The work volume to be performed by the academic participant will not exceed the sum of the work volume performed by the participating Swedish companies.

2) Legal/administrative/financial conditions

2.1) Funding Criteria and Rates

Total national funding of a project consortium is limited to **33,3%** of the *total cost* for all Swedish participants (one or more) in the project consortium. This limitation is based on the principle of equal share of funding between private industry and public authorities (VINNOVA and European Commission)

2.2) Subcontracting

Subcontracting of project work is permissible within the following limitations:

- Cross-linked subcontracting between participants in the same project is not permitted

- Subcontracting to foreign companies/organisations or to companies' foreign units is not permitted
- Subcontracting to companies, with a declaration of interest in project work, must be for non-profit and audited
- A participant, with public funding exceeding 50% of total cost, is responsible for complying with the financial regulations of the European Commission

2.3.19. United Kingdom

Eligibility criteria for funding

National website describing the national eligibility criteria for funding:
www.technologyprogramme.org.uk

1) Type/nature of participants

Projects are open to UK businesses of all sizes, small, medium and large, as defined under EU definitions, as well as UK academic institutes providing there is also a UK industrial partner within the consortium.

2) Legal/administrative/financial conditions

Specific rules applying to Research Technology Organisations (RTOs) and to Micro companies can be found at the website above.

3) Conditions on exploitation/impact

The aims of the project must align with the UK Government's Innovation Strategy and with the Technology Strategy Board's criteria for support.