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**COMMISSION DECISION**

**of 20.12.2013**

**on delegating powers to the European Research Council Executive Agency with a view to performance of tasks linked to the implementation of Union programmes in the field of frontier research comprising, in particular, implementation of appropriations entered in the general budget of the Union**

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**on delegating powers to the European Research Council Executive Agency with a view to performance of tasks linked to the implementation of Union programmes in the field of frontier research comprising, in particular, implementation of appropriations entered in the general budget of the Union**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes<sup>1</sup> and in particular Article 6 thereof,

Having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union<sup>2</sup> and in particular Article 56(1) and Article 62 thereof,

Having regard to Regulation (EU) No 1291/2013 of the European Parliament and of the Council of 3 December 2013 establishing Horizon 2020 – The Framework Programme for Research and Innovation (2014-2020) and repealing Decision No 1982/2006/EC<sup>3</sup>,

Having regard to 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<sup>4</sup>, and in particular Article 8 thereof,

Having regard to Decision No 1982/2006/EC of the European Parliament and the Council of 18 December 2006 concerning the Seventh Framework Programme of the European Community for research, technological development and demonstration activities (2007-2013)<sup>5</sup>,

Having regard to Council Decision 2006/972/EC of 19 December 2006 concerning the specific programme: ‘Ideas’ implementing the Seventh Framework Programme of the European Community for research, technological development and demonstration activities (2007 to 2013)<sup>6</sup>,

Having regard that the measures provided for by this Decision are in accordance with the views of the Scientific Council of the European Research Council on the delegation of tasks and responsibilities to the dedicated implementation structure of the European Research Council,

Whereas:

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<sup>1</sup> OJ L 11, 16.1.2003, p.1.

<sup>2</sup> OJ L 298, 26.10.2012, p.1.

<sup>3</sup> OJ L 347, 20.12.2013.

<sup>4</sup> OJ L 347, 20.12.2013.

<sup>5</sup> OJ L 412, 30.12.2006, p.1.

<sup>6</sup> OJ L 54, 22.2.2007, p.81.

- (1) By Decision C(2013)8915<sup>7</sup>, the Commission established a European Research Council (hereinafter “the ERC”), which is the means of implementing the actions under the Part I “Excellent science” which relate to the specific objective “strengthening frontier research, through the activities of the European Research Council” of the Specific Programme implementing Horizon 2020 – The Framework Programme for Research and Innovation (2014-2020) (hereinafter “the Horizon 2020 Specific Programme”). The ERC succeeded the European Research Council set up by Decision 2007/134/EC. The ERC is composed of the independent Scientific Council (hereinafter the “ERC Scientific Council”) and the dedicated implementation structure as foreseen in Article 6 and provided for in Article 8 of the Horizon 2020 Specific Programme.
- (2) Taking account of the cost-benefit analysis for the delegation of certain tasks regarding the implementation of Union Programmes 2014-2020 to the executive agencies, Commission Implementing Decision C(2013)9048<sup>8</sup> established the European Research Council Executive Agency (hereinafter “the Agency”) until 31 December 2024, as the dedicated implementation structure of the ERC and made it responsible for implementing the following programmes or parts thereof:
  - The specific objective “strengthening frontier research through the activities of the European Research Council” of Part I “Excellent science” of the Horizon 2020 Specific Programme;
  - The specific programme: ‘Ideas’ implementing the Seventh Framework Programme of the European Community for research, technological development and demonstration activities (2007 to 2013) (hereinafter “the Specific Programme Ideas”).
- (3) The Specific Programme Ideas and the Horizon 2020 Specific Programme provide that the Commission is to act as the guarantor of the European Research Council’s autonomy and integrity. For that purpose the Commission should ensure that the implementation of the European Research Council actions is in accordance with the overall scientific strategy of the ERC Scientific Council and that the Agency follows strictly, efficiently and with the necessary flexibility the objectives and requirements of the European Research Council alone. The Commission should ensure that the programmes are implemented in accordance with the objectives set.
- (4) In accordance with Article 6(3) of Regulation (EC) No 58/2003, the Commission defines in an instrument of delegation the manner in which the executive agencies are to perform the tasks delegated to them by the Commission and the checks to be carried out by the Commission departments responsible for the Union programmes in the management of which an executive agency is involved.
- (5) Article 58(1)(a) of Regulation (EU, Euratom) No 966/2012, provides that the Commission may implement the general budget of the Union directly through executive agencies.
- (6) Article 62 of Regulation (EU, Euratom) No 966/2012 provides that the Commission may delegate powers to the executive agencies to implement all or part of a Union programme or project, on its behalf and under its responsibility, in accordance with Regulation (EC) No 58/2003, provided these powers do not involve a large measure

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<sup>7</sup> Commission Decision establishing the European Research Council.

<sup>8</sup> Commission Implementing Decision establishing the European Research Council Executive Agency and repealing Decision 2008/37/EC.

of discretion implying political choices. Those provisions define the executive agencies as legal persons created by means of a Commission Decision.

- (7) Articles 35 and 40 of Commission Delegated Regulation (EU, Euratom) No 1268/2012<sup>9</sup> fix, respectively, the conditions under which the executive agencies exercise the powers delegated to them by the Commission, and the minimum content requirements for the instrument of delegation to ensure the protection of financial interests of the Union and the transparency of operations carried out.
- (8) The instrument of delegation should set out in detail all the tasks entrusted to the Agency and the conditions under which the Agency is to exercise the delegated powers.
- (9) The instrument of delegation should lay down the minimum content requirements for the written agreement defining the practical modalities of interaction between the Agency and the Commission.
- (10) The instrument of delegation should define appropriate provisions for the strict demarcation of the tasks delegated to the Agency and the tasks remaining under the responsibility of the Commission and the administrative and logistical support services provided by the Research Executive Agency. It should also set out rules for the supervision of the Agency by the Commission and for the Agency's reporting obligations towards the Commission.
- (11) Adequate planning of the activities and annual reporting, including the submission of an annual activity report, should be provided in accordance with the provisions of Regulation (EC) No 58/2003 and Regulation (EU, Euratom) No 966/2012.
- (12) It is appropriate to lay down the administrative rules to be respected by the Agency in the area of security and human resources.
- (13) Officials seconded by the Commission to the executive agencies play a particular part in the organisational setting provided for in Regulation (EC) No 58/2003 as well as in the implementation of the agencies' mission. They are entrusted with positions of responsibility and are characterised by their twofold statutory link to both the Commission (as seconded officials) and the Agency (as temporary agents). As a result, they contribute to the transfer of know-how between the Commission and the Agency, which is particularly important in the period of phasing-in of newly delegated programmes. Their bridge-building role between the Agency and the Commission should be reinforced by synchronising their respective careers as Commission officials and as members of the Agency's temporary staff.
- (14) With an objective of administrative simplification and notably to avoid the administrative burden resulting from the payment of a salary differential pursuant to Article 38(d) of the Staff Regulations, as laid down in Council Regulation (EEC, Euratom, ECSC) No 259/68 of 29 February 1968 laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities<sup>10</sup>, the contract of temporary agents signed by the Commission officials

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<sup>9</sup> Commission Delegated Regulation (EU, Euratom) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (OJ L 362, 31.12.2012, p.1).

<sup>10</sup> Council Regulation (EEC, Euratom, ECSC) No 259/68 of 29 February 1968 laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities and instituting special measures temporarily applicable to officials of the Commission (OJ L 56, 4.3.1968, p.1).

seconded in the interest of the service should confer, to the extent possible, at least the same grade, step and seniority in the grade and step from which they benefit in their capacity as Commission officials.

- (15) The conditions for the payment of the Union contribution to the operating budget of the Agency should be set out in this Decision.
- (16) Commission Decision C(2008)5694 of 8 October 2008 delegating powers to the European Research Council Executive Agency with a view to performance of tasks linked to implementation of the specific programme Ideas in the field of research comprising in particular implementation of appropriations entered in the Community budget should therefore be repealed,

HAS ADOPTED THIS DECISION:

## **SECTION 1**

### **GENERAL PROVISIONS**

#### *Article 1*

##### *Subject matter*

1. This Decision lays down in detail the tasks delegated to the European Research Council Executive Agency (hereinafter “the Agency”) and provides the framework for its implementation and for the relations between the Commission and the Agency.
2. The delegation laid down in this Decision shall be effective when it has been formally accepted in writing by the Director of the Agency (hereinafter “the Director”) on behalf of the Agency, in accordance with Article 35(2) of Delegated Regulation (EU, Euratom) No 1268/2012. On a proposal by the Director, the Steering Committee of the Agency, in agreement with the Director-General of the parent Directorate-General referred to in Article 2, shall fix the dates on which the Director starts implementing the operational appropriations as authorising officer by delegation, on the basis of this Decision. Those dates may differ for the individual programmes and parts of programmes referred to in Article 4 and Annexes I and II.
3. The Commission may at any time suspend or terminate the delegation laid down in this Decision for one or more of the programmes or parts thereof entrusted to the Agency.

#### *Article 2*

##### *Parent Directorate-General*

The Directorate-General for “Research and Innovation” shall be the parent Directorate-General of the Agency.

In that capacity, it shall handle relations between the Commission and the Agency and shall be responsible for monitoring and supervising the Agency in accordance with Section 5.

#### *Article 3*

##### *Reference documents*

1. In performing its tasks the Agency shall comply with the rules in force, in particular:

- Council Regulation (EC) No 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain management tasks in the management of Community programmes;
- Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union;
- Commission Delegated Regulation (EU, Euratom) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union;
- Commission Decision C(2013)8915 establishing the European Research Council;
- Commission Implementing Decision C(2013)9048 establishing the European Research Council Executive Agency and repealing Decision 2008/37/EC;
- The basic acts establishing the programmes referred to in Article 4(1) and (2), the operational appropriations of which are to be managed in whole or in part by the Agency;
- Commission Decisions adopting or amending the work programme for the implementation of the actions under the specific objective “strengthening frontier research through the activities of the European Research Council” as established by the Scientific Council of the European Research Council (hereinafter “the ERC Scientific Council”) under Article 5(3) of the Horizon 2020 Specific Programme;
- Regulation (EU) No 1290/2013 of the European Parliament and of the Council of 3 December 2013 laying down the rules for participation and dissemination in "Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020)" and repealing Regulation (EC) No 1906/2006<sup>11</sup>;
- Commission implementing decision concerning the Rules for proposals submission, evaluation, and Guidelines on verification of legal status of participants<sup>12</sup>;
- Commission Decision C(2013)8698 on model grant agreements for Horizon 2020 – the Framework Programme for Research and Innovation of the European Union (2014-2020) and the Research and Training Programme of the European Atomic Energy Community (2014-2018);
- Regulation No 1906/2006/EC of the European Parliament and the Council of 18 December 2006 laying down the rules for the participation of undertakings, research centres and universities in actions under the Seventh Framework Programme and for the dissemination of research results (2007-2013)<sup>13</sup>;
- Commission Decisions adopting the work programme for the implementation of the actions under the Specific Programme Ideas, as established by the ERC Scientific Council;

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<sup>11</sup> OJ L 347, 20.12.2013.

<sup>12</sup> Based on the outcome of the interservice consultation “RTD A3(2013)3447161”.

<sup>13</sup> OJ L 391, 30.12.2006, p.1.

- Commission Decisions C(2007)2286 of 6 June 2007 and C(2007)4429 of 27 September 2007 on the ERC Rules for the submission of proposals and the related evaluation, selection and award procedures for indirect actions under the Specific Programme Ideas of the Seventh Framework Programme (2007-2013), as last modified by Commission Decision C(2010)8965 (hereinafter “the ERC Rules for submission for FP7”)<sup>14</sup>;
- Commission Decisions C(2012)6996 of 28 September 2012, C(2007)1625 of 16 April 2007 and C(2007)3598 of 31 July 2007 on the ERC model grant agreement, as last modified by Decision C(2012)9381;
- Commission Decision 2012/838/EU, Euratom of 18 December 2012 on the adoption of the rules to ensure consistent verification of the existence and legal status of participants, as well as their operational and financial capacities, in indirect actions supported through the form of a grant under the Seventh Framework Programme of the European Community for research, technological development and demonstration activities and under the Seventh Framework Programme of the European Atomic Energy Community for nuclear research and training activities<sup>15</sup>;
- Commission Decision C(2007)3571 of 30 July 2007 establishing a Guarantee Fund for participants in indirect actions in the form of a grant under the European Community’s Seventh Framework Programme for research, technological development and demonstration activities (2007-2013);
- Commission Decision C(2010)9271 on the adoption of the model appointment letters for the independent experts participating to the peer review evaluation of proposals submitted to the European Research Council (ERC) under the Specific Programme Ideas implementing the Seventh Framework Programme of the European Community for research, technological development and demonstration activities (2007-2013), as last amended by C(2011)7216;
- For implementation of its operating budget, Commission Regulation (EC) No 1653/2004 of 21 September 2004 on a Standard Financial Regulation for the Executive Agencies in application of the Framework Regulation<sup>16</sup>;
- The annual Commission Decision on the Internal Rules on the implementation of the general budget of the European Union (hereinafter “the Internal Rules”);
- Commission Decisions concerning the adoption of financing decisions in the meaning of Article 84 of Regulation (EU, Euratom) No 966/2012 which are to be managed in whole or in part by the Agency as per Implementing Decision C(2013)9048;
- Commission Decision 2008/969/EC, Euratom of 16 December 2008 on the Early Warning System for the use of authorising officers of the Commission and the executive agencies<sup>17</sup>;
- Commission Regulation (EC, Euratom) No 1302/2008 of 17 December 2008 on the central exclusion database<sup>18</sup>;

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<sup>14</sup> OJ L 237, 11.12.2010, p.1.

<sup>15</sup> OJ L 359 of 29.12.2012, p.45.

<sup>16</sup> OJ L 297, 22.9.2004, p.6. Regulation as last amended by Commission Regulation (EC) No 651/2008 of 9 July 2008, OJ L 181, 10.07.2008, p.15.

<sup>17</sup> OJ L 344, 20.12.2008, p.125, as last amended by Commission Decision 2011/C180/06 of 17 June 2011, OJ C 180, 21.6.2011, p.11.

- Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data<sup>19</sup>;
- Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents<sup>20</sup>;
- Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities’ financial interests against fraud and other irregularities<sup>21</sup>;
- Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999<sup>22</sup>;
- Council Regulation (EEC, Euratom, ECSC) No 259/68 of 29 February 1968 laying down the Staff Regulations of Officials (hereinafter “the Staff Regulations”) and the Conditions of Employment of Other Servants of the European Communities (hereinafter “the CEOS”);
- Commission Decision C(94)2129 of 8 September 1994 on the tasks of the Security Office;
- Commission Decision 2001/844/EC, ECSC, Euratom of 29 November 2001 amending its internal Rules of Procedure;
- Commission Decision C(2006)3602 of 16 August 2006 concerning the security of information systems used by the European Commission;
- Commission Decision 2007/65/EC of 15 December 2006 establishing the Commission’s standard security measures and alert states and amending its Rules of Procedure as regards operational procedures for management of crisis situations;
- Commission Decision C(2006)1623 of 26 April 2006 establishing a Harmonised Policy for Health and Safety at Work for all Commission staff;
- Commission Decision 2011/833/EU of 12 December 2011 on the reuse of Commission documents<sup>23</sup>.

2. The Agency shall also apply the following:

- Commission Guidelines for the operation of executive agencies<sup>24</sup>;
- Annual Commission Standing Instructions for the Annual Activity Reports and related guidance material;

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<sup>18</sup> OJ L 344, 20.12.2008, p.12.

<sup>19</sup> OJ L 8, 12.1.2001, p.1, as last corrected in OJ L 164, 26.6.2007, p.36.

<sup>20</sup> OJ L 145, 31.5.2001, p.43.

<sup>21</sup> OJ L 292, 15.11.1996, p.2.

<sup>22</sup> OJ L 248, 18.9.2013, p. 1.

<sup>23</sup> OJ L 330, 14.12.2011, p.39.

<sup>24</sup> SEC(2006)662 final of 31 May 2006.



- Communication to the Commission on the Revision of the Internal Control Standards and Underlying Framework SEC(2007)1341;
- Communication to the Commission “Towards an effective and coherent risk management in the Commission services” (SEC(2005)1327);
- Annual Commission Standing Instructions for the Management Plans;
- Communication to the Commission on the conditions for the provision of the internal audit capability in each Commission service (SEC(2000)1803/2);
- Commission Communication on Organisation Charts of Commission DGs and Services (SEC(2006)1702/4).

## **SECTION 2**

### **DELEGATED TASKS**

#### *Article 4*

##### *Tasks delegated to the Agency*

1. Within the framework of implementation of Horizon 2020 – The Framework Programme for Research and Innovation (2014-2020)<sup>25</sup>, the Agency is hereby entrusted with the implementation of parts and tasks set out in Annex I to this Decision.
2. Within the framework of implementation of the legacy of the Seventh Framework Programme of the European Community for research, technological development and demonstration activities (2007-2013)<sup>26</sup>, the Agency is hereby entrusted with the parts and tasks set out in Annex II.
3. The Agency shall provide all the necessary support to the ERC Scientific Council in the conduct of all of its tasks, as set out in Annex III.
4. The Agency shall act in its own name for the purposes of the tasks it is assigned.
5. For the purpose of paragraphs 1, 2 and 3, the Agency shall be responsible for implementing the corresponding operational appropriations entered in the general budget of the Union. The budget lines concerned for the year 2014 are set out in Annex IV. For subsequent years, they shall be identified annually in the Internal Rules.
6. The Director of the Agency shall exercise the tasks delegated to the Agency by implementing the corresponding operational appropriations under direct management as authorising officer by delegation.

#### *Article 5*

##### *Tasks reserved for the Commission*

1. The Agency shall perform only the tasks attributed to it in accordance with Article 4.
2. The Agency shall not perform any tasks involving a large measure of discretion implying political choices. In particular it shall not:

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<sup>25</sup> The Specific Programme implementing Horizon 2020 – The Framework Programme for Research and Innovation (2014-2020).

<sup>26</sup> The specific programme: ‘Ideas’ implementing the Seventh Framework Programme of the European Community for research, technological development and demonstration activities (2007 to 2013).

- (a) adopt work programmes, as specified in Article 5(3) of the Horizon 2020 Specific Programme;
- (b) represent the Commission in the Committee for Executive Agencies or in any other committee where implementation of a Union programme or action requires, pursuant to its legal basis, the control by Member States of the Commission's exercise of implementing powers in accordance with Regulation (EU) No 182/2011 of the European Parliament and the Council<sup>27</sup>;
- (c) adopt award decisions submitted to the control by Member States of the Commission's exercise of implementing powers in accordance with Regulation (EU) No 182/2011;
- (d) launch interservice consultations within the Commission;
- (e) take enforceable recovery decisions within the meaning of Article 299 of the Treaty and Article 79(2) of Regulation (EU, Euratom) No 966/2012.

### **SECTION 3**

#### **CONDITIONS OF PERFORMANCE OF TASKS**

##### *Article 6*

##### *General conditions*

1. The Agency shall perform the tasks assigned to it under this Decision in accordance with the principle of sound financial management within the meaning of Article 30 of Regulation (EU, Euratom) No 966/2012.
2. In the performance of its tasks, the Agency shall apply the instructions contained in the operational manuals approved by the Commission and shall use the guidance or model documents with any adjustments to its specific needs as agreed by the parent Directorate-General.
3. In the performance of its tasks, the Agency shall follow harmonised interpretations of the rules governing the implementation of the programme, notably by the parent Directorate-General and by horizontal services, such as the Secretariat General, DG Budget and the Legal Service.
4. In case of litigation, the Agency shall, where appropriate, ensure coordination with the parent Directorate-General and the Legal Service.

##### *Article 7*

##### *Written Agreement with the parent Directorate-General*

1. The modalities and procedures of interaction between the Agency and the parent Directorate-General in accomplishing the tasks entrusted to it shall be further defined in a written agreement signed by the Agency and the parent Directorate-General.
2. The written agreement shall further define the administrative and operational modalities and procedures of cost-effective interaction and cooperation between the Agency, the Commission and the other bodies entrusted with programme implementation.

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<sup>27</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p.13).

3. The parent Directorate-General shall define a dedicated supervision strategy in the written agreement. This strategy shall ensure no duplication of tasks between the Commission and the Agency and an appropriate monitoring of activities.

#### *Article 8*

##### *Use of common support services and tools*

1. For the performance of the tasks set out in Article 4(1) and Annex I, the Agency shall use the following common support services and tools provided by the Commission:
  - (a) common legal support service tasked in particular with providing a harmonised interpretation of the rules governing the implementation of Horizon 2020;
  - (b) common audit service tasked in particular with carrying-out ex-post controls relating to Horizon 2020 management;
  - (c) common service for business processes relating to Horizon 2020 management;
  - (d) common IT service which will provide IT tools and support for Horizon 2020 implementation;
  - (e) common service for Horizon 2020 information and data.
2. For the performance of the tasks detailed in Article 4(3), the Agency may complement, as necessary, the services set out in paragraph 1 of this Article, in order to carry out its tasks defined in Annex III.
3. Where appropriate, the Commission shall make available to the Agency other common support services and tools on the basis of service level agreements, notably IT tools for daily management of the Agency, in order to integrate the Agency as much as possible within the IT environment of the Commission.

#### *Article 9*

##### *Use of logistical and administrative support services*

For the performance of the tasks set out in Article 4(1) and (2) and Annexes I and II, the Agency shall make use the following logistical and administrative support services provided by the Research Executive Agency<sup>28</sup>:

- (a) planning for calls for proposals and contests;
- (b) support for publication of calls and contests for prizes;
- (c) validation of legal entities;
- (d) preparation of legal entities financial viability assessment.

#### *Article 10*

##### *Annual work programme*

The Agency's annual work programme shall be drawn up taking into account the Commission Standing Instructions for the Management Plans. It shall be submitted to the Commission for approval before being adopted by the Steering Committee.

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<sup>28</sup> Commission Implementing Decision C(2013)8909 establishing the Research Executive Agency and repealing Decision 2008/46/EC.

*Article 11*  
*Management and internal control systems*

1. The management and internal control systems put in place by the Director in accordance with Article 11(7) of Regulation (EC) No 58/2003 shall cover the implementation of both the operational appropriations charged to the general budget of the Union and the operating appropriations in the Agency's budget.
2. The Agency shall implement the internal control standards annexed to the Internal Rules.

For the implementation of the operational appropriations, the Charter of tasks and responsibilities of authorising officers by delegation, adopted by the Commission, shall be binding on the Agency. The Charter of tasks and responsibilities of authorising officers shall be signed by the Director of the Agency, who shall assume responsibility in connection with this function. The authorising officers by sub-delegation shall sign the Charter of tasks and responsibilities of authorising officers by sub-delegation and they shall assume responsibility in connection with that function.

3. The Agency shall define a management system for human resources, which ensures the implementation of the tasks delegated to it and complies with the CEOS.

*Article 12*  
*Early warning system*

In connection with public procurement, grants and prizes, whether linked to the operational appropriations managed by the Agency or the implementation of its operating budget, the Agency shall have access to the Early Warning System of the Commission and shall request introduction of the relevant information into that system in accordance with the provisions of Decision 2008/969/EC/Euratom.

*Article 13*  
*Visibility of Union action*

In order to ensure the visibility of Union action in the acts it adopts, the Agency shall always specify in its contracts, grant agreements, grant decisions, prizes, documents and relations with third parties that it is acting under powers delegated to it by the Commission.

The Agency shall comply with the guidelines of the Commission concerning the information and visibility of programmes and actions, in particular concerning the use of the graphical images defined by the Commission without prejudice to the use of the logo for the European Research Council.

*Article 14*  
*Access to documents*

1. The Steering Committee shall adopt the practical arrangements for implementing Regulation (EC) No 1049/2001 of the European Parliament and of the Council.
2. Complaints may be made to the European Ombudsman or proceedings instituted before the Court of Justice of the European Union as laid down in Articles 228 and 263 of the Treaty in respect of decisions taken by the Agency under Article 8 of Regulation (EC) No 1049/2001.

*Article 15*  
*Confidentiality*

1. The Agency shall preserve the confidentiality of information supplied to it by the Commission, in accordance with the Commission's instructions, and it shall not disclose any information which could harm the Commission, the other institutions of the Union or third parties.
2. The confidentiality obligation provided for in paragraph 1 of this Article shall be without prejudice to Article 14.
3. The confidentiality obligation provided for in paragraph 1 shall apply to the members of the Steering Committee, all Agency staff, whatever their status, and to any outside service providers used by the Agency. An appropriate confidentiality clause shall be included in contractual documents governing their relations with the Agency.

*Article 16*  
*Security of information and information systems*

1. The Agency shall apply relevant Commission legal framework regarding the security of persons, assets and information, as laid down in the relevant Commission Decisions and their implementing rules.
2. In accordance with Article 15, the Agency shall apply the basic principles, minimum standards and procedures:
  - (a) for protecting European Union Classified Information ("EUCI") as laid down in the Commission's security rules for protecting EUCI;
  - (b) for protecting sensitive non-classified information as laid down in the Commission's security rules;
  - (c) regarding security of information systems, as set out in Commission Decision C(2006)3602<sup>29</sup>, its implementing rules and corresponding standards.
3. EUCI may be handled and exchanged by the Agency only where an administrative arrangement regarding the exchange and protection of EUCI has been concluded by the Agency with the Directorate-General for Human Resources and Security of the Commission and an assessment visit conducted by the Directorate-General for Human Resources and Security has allowed it to determine that the Agency applies levels of protection of EUCI which are at least equivalent to those of the Commission.
4. Where appropriate, the Agency shall conclude practical arrangements for implementing this Article or service-level agreements for providing services under paragraphs 1, 2 and 3 with the Directorate-General for Human Resources and Security.

*Article 17*  
*Conflict of interests*

The Agency shall take all appropriate precautions to prevent any risk of conflict of interests within the meaning of Article 57(2) of Regulation (EU, Euratom) No 966/2012 and shall

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<sup>29</sup> Commission Decision C(2006)3602 of 16 August 2006 concerning the security of information systems used by the European Commission.

without delay inform the parent Directorate-General of any situation which may constitute a conflict of interest or may give rise to one, including those relating to persons who may be involved in the processing and award of contracts, grants and prizes. The Agency shall adopt rules for the prevention and management of conflicts of interests in respect of its staff.

*Article 18*  
*Duty of information*

1. The Agency shall immediately inform the Director-General of the parent Directorate-General, providing him or her with all relevant details, of any event which may
  - (a) harm the Agency, the Commission or the other institutions of the Union,
  - (b) delay or jeopardise performance of the tasks assigned to it by this Decision.
2. Without prejudice to its obligations to inform OLAF in accordance with the specific rules applicable, the Agency shall without delay inform the Director-General of the parent Directorate-General of any fraud or irregularity which comes to its attention and of any situation which may give rise to such cases.
3. The Director of the Agency shall designate a contact point which shall have the appropriate powers to cooperate directly with OLAF in order to facilitate the latter's operational activities.

**SECTION 4**  
**IMPLEMENTATION REPORTS**

*Article 19*  
*Annual activity report*

1. Each year the Director of the Agency shall submit to the Steering Committee by no later than 1 March an Annual Activity Report (hereinafter "the AAR"), prepared in compliance with the AAR standards laid down by the Commission, which shall cover the following:
  - (a) the contribution to the achievement of specific objectives measured by result and indicators linked to implementation of the programmes' activities which the Agency is managing as set out in the work programme adopted by the Commission, and the related operational appropriations for which the Agency is the authorising officer by delegation from the Commission broken down per delegated programme;
  - (b) the Agency's performance regarding the key performance indicators laid down in its annual work programme;
  - (c) the operation of the Agency itself, and implementation of its operating budget.
  - (d) the necessary control-related information to support a declaration of assurance accompanied by, if necessary, reservations.
2. No later than 31 March, the Steering Committee shall adopt the final report and submit it to the Commission.
3. The report and the declaration shall be signed by the Director of the Agency. The Director of the Agency retains the full responsibility and ownership of the declaration.

4. The report shall be attached to the Annual Activity Report of the Director-General of the parent Directorate-General.

*Article 20*  
*Other reports*

1. The Agency shall submit a report to the Director-General of the parent Directorate-General and to the Steering Committee on the performance of the tasks assigned to it. The content, the format and the frequency of the submission shall be set out in the written agreement referred to in Article 7. The report shall contain at least the following data and information, where appropriate, broken down per delegated programme and task as defined in Article 4, paragraphs 1, 2 and 3 and Annexes I, II and III:
  - (a) performance achieved for each of the Horizon 2020 specific indicators set out under the Horizon 2020 Specific Programme;
  - (b) calls for tender and calls for proposals, contracts concluded, grants, contests and prizes awarded, compliance with the Rules for Participation under Horizon 2020, Regulation (EU, Euratom) No 966/2012 and Regulation (EC) No 1653/2004 and in particular time to award, time to grant and time to pay, number and amount of negotiated procedures and grants to named beneficiaries;
  - (c) number of on-going projects, their state of play, monitoring of deadlines and evaluation review results;
  - (d) figures, aggregated at least to chapter level, on implementation of the operating budget, as regards both revenue and all expenditure appropriations and including information on the use of human resources, infrastructures and service level agreements. The figures shall also contain information on the use of appropriations carried over;
  - (e) figures on implementation of the operational appropriations;
  - (f) figures on outstanding payments and payment delays;
  - (g) figures on outstanding commitments (RAL);
  - (h) information on the operation of the internal control and financial circuits of the Agency, including an assessment of the entries in the registers for exceptions, non-compliance events and internal control weaknesses reported;
  - (i) number and results of ex-post controls carried out in relation to the Seventh Framework Programme, accompanied, where appropriate, by detailed information on the measures taken to remedy any problems detected;
  - (j) summary of the number and type of audits conducted by the IAC, the Internal Audit Service and the European Court of Auditors, the recommendations made and the status of the actions;
  - (k) information meetings and activities carried out;
  - (l) list of alleged irregularities or fraud, OLAF investigations, cases referred to the European Ombudsman, actions brought against the acts of the Agency, including administrative proceedings referred to the Commission in accordance with Article 22 of Regulation (EC) No 58/2003, requests for documents and parliamentary questions about the Agency.

2. The Agency shall put in place a reporting system which, through the use of distribution keys, an analytical accounting system or other appropriate method, permits the Director-General of the parent Directorate-General and other services of the Commission to make the link between the administrative expenditure and the respective programme managed by the Agency. This reporting system, as well as any changes to it, shall be approved by the Agency's Steering Committee.
3. The Agency shall gather, monitor the quality, analyse and communicate to the parent Directorate-General all the information needed to follow the implementation of the programmes entrusted to the Agency. Specific arrangements will be detailed in the written agreement.
4. The Director-General of the parent Directorate-General may ask the Agency for any other report referred to in Article 11(5) of Regulation (EC) No 58/2003 which the Director-General considers necessary for performance of the tasks assigned in accordance with Article 4.

## **SECTION 5**

### **COMMISSION SCRUTINY OF THE AGENCY**

#### *Article 21*

##### *Monitoring and supervision of the Agency's systems and procedures*

1. The parent Directorate-General shall be responsible for monitoring and supervising the Agency.
2. The Director-General of the parent Directorate-General shall ensure that before the Agency begins implementing the newly delegated tasks, the existing systems and procedures in the Agency are adapted to those tasks. Those systems and procedures shall include an effective and efficient internal control system, where appropriate, local accounting systems and appropriate IT tools.
3. The Director-General of the parent Directorate-General shall review the situation whenever there is any substantial change in procedures or systems of the Agency.  
  
For that purpose, the Agency shall supply the necessary information at least thirty days prior to the adoption of any substantial change in its procedures or systems, and shall communicate the reasons for such change.
4. The Director-General of the parent Directorate-General and other persons authorised by them shall be entitled to carry out documentary and on-the-spot checks at the Agency to ensure:
  - (a) that its management and internal control system exists and operates properly in such a way as to ensure total compliance with the principle of sound financial management;
  - (b) that the acts performed by the Agency are lawful and comply with the rules.

#### *Article 22*

##### *On-the-spot checks by the Commission, the Court of Auditors and OLAF*

1. The Agency shall grant the Director-General of the parent Directorate-General, the Commission's Internal Audit Service and other persons authorised by them, as well as the Court of Auditors, access to its sites and premises and to all the information, including information in electronic format, needed in order to conduct their audits.



2. The Director-General of the parent Directorate-General, the Commission's Internal Audit Service and other persons authorised by them may carry out ex ante and ex post documentary and on-the-spot checks on recipients of Union funds. The contracts, grant agreements and grand decisions signed by the Agency shall state expressly that the recipients of Union funds undertake to accept these checks as well as those of the Court of Auditors.
3. By virtue of Regulation (Euratom, EC) No 2185/96 and Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council, OLAF may also carry out on-the-spot checks and inspections in accordance with the procedures laid down by Union law for the protection of the financial interests of the Union against fraud and other irregularities.

## **SECTION 6**

### **INTERNAL AUDITOR**

#### *Article 23*

#### *Appointment and powers and duties of the internal auditor*

1. The Agency shall have an internal auditing function which shall be performed in compliance with the relevant international standards.
2. The internal audit function shall be performed by the Commission's Internal Auditor. The Internal Auditor may be neither authorising officer nor accounting officer neither of the Agency nor of the Commission.
3. The internal auditor shall advise the Agency on dealing with risks, by issuing independent opinions on the quality of management and control systems and by issuing recommendations for improving the conditions of implementation of operations and promoting sound financial management.

The internal auditor shall be responsible, in particular, for:

- (a) assessing the suitability and effectiveness of internal management systems and the performance of departments in implementing programmes and actions by reference to the risks associated with them;
  - (b) assessing the efficiency and effectiveness of the internal control and audit systems applicable to each operation for implementation of the budget of the Agency.
4. The internal auditor shall perform his or her duties in relation to all the Agency's activities and departments. The internal auditor shall enjoy full and unlimited access to all information required to perform his or her duties.
  5. The internal auditor shall take note of the annual activity report of the authorising officer and any other pieces of information identified.
  6. The internal auditor shall report to the Steering Committee and the Director of the Agency on his or her findings and recommendations.  
The Steering Committee and the Director of the Agency shall ensure regular monitoring of the implementation of audit recommendations.
  7. The Agency shall make available the contact details of the internal auditor to any natural or legal person involved in expenditure operations, for the purposes of confidentially contacting the internal auditor.

8. The reports and findings of the internal auditor shall be accessible to the public only after validation by the internal auditor of the action taken for their implementation.

*Article 24*  
*Independence of the internal auditor*

The independence of the internal auditor, his or her liability for action taken in the performance of his or her duties and the right for the internal auditor to bring action before the Court of Justice of the European Union shall be determined in accordance with Article 100 of Regulation (EU, Euratom) No 966/2012.

*Article 25*  
*Establishment of the Internal audit capability*

1. On a proposal by the Director of the Agency, the Steering Committee may establish, with due regard to cost effectiveness and added value, an internal audit capability (hereinafter “the IAC”) which shall perform its duties in compliance with the relevant international standards and shall be functionally independent.

The purpose, authority and responsibility of the IAC shall be provided for in the audit charter and shall be subject to the approval of the Steering Committee. The annual audit plan of the IAC shall be drawn up by the Head of IAC taking into consideration inter alia the Director’s assessment of risk in the Agency. It shall be reviewed and approved by the Steering Committee. The IAC shall report to the Steering Committee and the Director of the Agency on its findings and recommendations.

2. The responsibility of the IAC for action taken in the performance of its duties shall be determined in accordance with Article 100 of Regulation (EU, Euratom) No 966/2012 which shall apply *mutatis mutandis*.
3. The Steering Committee may decide, on a proposal by the Director of the Agency, to share an IAC with other executive agencies, in particular if a separate IAC for the Agency would not be cost-effective. In such cases, the Steering Committees of the respective executive agencies shall agree on the practical modalities of the shared IAC.
4. The internal audit actors shall cooperate efficiently through exchanging information and audit reports and, where appropriate, establishing a joint risk assessments and carrying out joint audits. The Steering Committee and the Director of the Agency shall ensure regular monitoring of the implementation of the IAC’s recommendations.

**SECTION 7**  
**FINANCIAL RESOURCES MADE AVAILABLE TO THE AGENCY FOR THE**  
**PERFORMANCE OF ITS TASKS**

*Article 26*  
*Union financial contribution to the operating budget of the Agency*

1. The amount of the Union contribution for the operation of the Agency shall be entered each year in the Commission’s section of the general budget of the Union.

2. The authorising officers by delegation for implementation of these appropriations shall inform the Agency of the amount of the contribution as soon as it is adopted by the budgetary authority.

*Article 27*

*Payment of the Union contribution and recovery of the budget result*

1. The Commission shall pay the Union contribution to the Agency annually in no more than four instalments, taking into account the real cash needs of the Agency.
2. If the budget result is positive, it shall be the subject of a recovery order issued by the Commission at the annual closure of the Agency's accounts. The amounts recovered shall be considered as general revenue.

**SECTION 8**

**PROVISIONS RELATED TO STAFF**

*Article 28*

*Grading of seconded officials*

1. In accordance with Article 18 of Regulation (EC) No 58/2003, when the Agency accepts the secondment of an official in the interest of the service, the official concerned shall be granted a contract of indefinite duration under point (a) of Article 2 of the CEOS. Within the limits of posts available in the establishment plan, this contract shall offer the same grade, step and seniority within the grade and step as the official's situation in his or her Institution of origin. The applicable statutory framework permitting and without prejudice to any amendment decided autonomously by the Agency, such contract shall be amended to reflect any change in the career of the official at the Institution of origin.
2. The contracts of officials seconded in the interest of the service by virtue of Article 18 of Regulation (EC) No 58/2003, on the date of entry into force of this Decision, shall be amended to implement paragraph 1 of this Article.

*Article 29*

*Repeal*

Commission Decision C(2008)5694 is repealed with effect from the date of formal acceptance of the delegation by the Director of the Agency in accordance with Article 1(2).

*Article 30*  
*Addressee*

This Decision is addressed to the European Research Council Executive Agency.

Done at Brussels, 20.12.2013

*For the Commission*  
*Máire GEORHEGAN-QUINN*  
*Member of the Commission*





Brussels, 20.12.2013  
C(2013) 9428 final

ANNEXES 1 to 4

**ANNEX**

*to the*

**COMMISSION DECISION**

**on delegating powers to the European Research Council Executive Agency with a view to performance of tasks linked to the implementation of Union programmes in the field of frontier research comprising, in particular, implementation of appropriations entered in the general budget of the Union**

## Annex I: Description of the parts of the programme and the tasks delegated to the Agency in the framework the Horizon 2020 Specific Programme

### **A. Parts of the programme which are delegated**

The Agency is entrusted with the implementation of the specific objective “strengthening frontier research through the activities of the European Research Council” of Part I “Excellent science” of the Horizon 2020 Specific Programme.

### **B. Tasks which are delegated**

On the basis of the powers delegated by the Commission and within the framework of the relevant work programme adopted by the Commission, the Agency shall perform the following programme and project implementation tasks:

- (a) manage some or all of the stages in the lifetime of projects in the frame of the Horizon 2020 Specific Programme. In this connection, it shall be responsible for monitoring the projects, making the necessary checks<sup>28</sup> and recovery procedures, and for performing budget implementation tasks covering revenue and expenditure within the meaning of the Regulation (EU, Euratom) No 966/2012, and in particular:
- (1) perform eligibility check of the proposals;
  - (2) implement the evaluation of the proposals;
  - (3) conduct an ethics pre-screening on shortlisted proposals and, where appropriate, conduct a first ethics screening, where necessary, with the help of external experts; perform the ethics assessments (except for projects considered sensitive by the parent Directorate-General) with the assistance of independent experts; invite, contract and pay the independent experts within the framework of implementation of the ethics review process;
  - (4) prepare grant agreements on the basis of the standard ERC models adopted by the Commission, and in accordance with the established mandate ensuring tracking and report of major deviations;
  - (5) adopt award/rejection decisions for projects for which, in accordance with Article 5(7)(a) of the Horizon 2020 Specific Programme, the decision on the approval of the funding is not subject of the examination procedure within the meaning of Regulation (EU) No 182/2011;
  - (6) provide general logistical support for the award decisions submitted to the control by Member States of the Commission’s exercise of implementing powers in accordance with Regulation (EU) No 182/2011;
  - (7) inform applicants of the award or rejection of their proposals;
  - (8) ensure that there is a procedure in place for participants to make enquiries or complaints about their involvement in the specific

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<sup>28</sup> With the exception of carrying out ex-post audits which are carried out by the Commission as per Article 8.

objective “strengthening frontier research through the activities of the European Research Council” and that information on how to register concerns, questions or complaints is made available to all participants and published on-line;

- (9) manage requests for an evaluation review procedure;
  - (10) process the operations required to conclude grant award procedures;
  - (11) sign grant agreements in accordance with the conditions laid down in this Commission Decision;
  - (12) monitor the performance of the grant agreements, including acceptance of reports and other deliverables;
  - (13) manage the ethics monitoring of the projects, where necessary, including the invitation, contracting and payment of independent experts;
  - (14) ensure appropriate information to the Commission and to the public on relevant projects’ achievements and outcomes;
  - (15) organise the review of projects, including the invitation, contracting and payment of the expert reviewers;
  - (16) manage grant agreements amendments, payments and not enforced recoveries;
  - (17) manage adequate execution of the different financial operations in relation to the Guarantee Fund;
  - (18) cooperate with the Commission in the performance of its ex-post audits and take any corrective actions following up the audit findings;
  - (19) perform ex-post publicity and dissemination of results in accordance with the strategy for dissemination and exploitation of research results of the Commission;
  - (20) ensure the application of sanctions within the meaning of Article 131(5) of Regulation (EU, Euratom) No 966/2012 in agreement with the parent Directorate-General;
- (b) perform all operations required to launch contests and award prizes in accordance with Regulation (EU, Euratom) No 966/2012;
- (c) conclude public procurement procedures and manage the ensuing contracts, including the operations required to launch and conclude public procurement procedures, in particular:
- (1) ensure ex ante and ex post advertising;
  - (2) prepare the set of invitation to tender documents, such as specifications and model contracts, prepared on the basis of the models drawn up by the Commission;
  - (3) evaluate the requests to participate and the tenders;
  - (4) conclude signature of contracts in accordance with the conditions of this Decision;
  - (5) monitor the performance of the contracting parties, including acceptance of reports and other deliverables;

- (6) manage payments, addenda and not enforced recoveries of debts on the Union budget;
  - (7) ensure the application of penalties within the meaning of Article 109 of Regulation (EU, Euratom) No 966/2012 in agreement with the parent Directorate-General;
- (d) provide support in programme implementation, in particular:
- (1) prepare and plan publication of the calls for proposals defined in the work programmes;
  - (2) prepare information documents for potential beneficiaries;
  - (3) prepare the evaluation of the proposals, including invitation, contracting and payment of the expert evaluators and observers;
  - (4) manage and direct the relevant ERC network of National Contact Points;
  - (5) establish an information and communication strategy in line with the strategy and objectives of the ERC and within the general framework of Horizon 2020;
  - (6) plan and implement communication and information activities, including meetings, seminars or talks and trainings;
  - (7) collect, process and distribute data, and in particular compile, analyse and transmit to the Commission all necessary information required to guide implementation of the programme through regular reporting, as well as policy development in the field of frontier research and promoting coordination with other Union programmes, the Member States or international organisations;
  - (8) prepare recommendations for the Commission on the implementation of the programme and on possible developments;
  - (9) contribute to the monitoring and the evaluation of the implementation of the programme and of the ensuing follow up actions;
  - (10) contribute to the evaluation of the programme and to the monitoring of actual effects of its activities on the market.



## **Annex II: Description of the parts of the programme and tasks delegated to the Agency in the framework of the legacy of the Specific Programme Ideas**

On the basis of the powers delegated by the Commission and within the framework of the relevant annual work programme adopted by the Commission, the Agency shall perform the following programme and project implementation tasks:

- (a) manage some or all of the stages in the lifetime of projects in the frame of the Specific Programme Ideas. In this connection, it shall be responsible for monitoring the projects, making the necessary checks<sup>29</sup> and recovery procedures, and for performing budget implementation tasks covering revenue and expenditure within the meaning of Regulation (EU, Euratom) No 966/2012, and in particular:
- (1) prepare the evaluation of the proposals, including invitation, contracting and payment of the expert evaluators and observers;
  - (2) implement the evaluation of the proposals;
  - (3) conduct an ethics pre-screening on shortlisted proposals and, where appropriate, conduct a first ethics screening with the help of external experts; perform the ethics review (except for projects considered sensitive by the parent Directorate-General) with the assistance of independent experts; invite, contract and pay the independent experts within the framework of implementation of the ethics review process, as laid down in the ERC Rules for submission of FP7;
  - (4) process the operations required to award grants;
  - (5) prepare grant agreements on the basis of the standard ERC models adopted by the Commission, and in accordance with the established mandate ensuring tracking and report of major deviations;
  - (6) process the operations required to conclude grant award procedures;
  - (7) inform applicants of the award or rejection of their proposals;
  - (8) manage requests for an evaluation review procedure;
  - (9) sign grant agreements in accordance with the conditions laid down in this Commission Decision;
  - (10) monitor the performance of the grant agreements, including acceptance of reports and other deliverables;
  - (11) manage the ethics monitoring of the projects, where necessary, including the invitation, contracting and payment of independent experts;
  - (12) ensure appropriate information to the Commission and to the public on relevant projects' achievements and outcomes;
  - (13) organise the review of projects, including the invitation, contracting and payment of the expert reviewers;
  - (14) manage grant agreements amendments, payments, addenda and not enforced recoveries of debts on the Union budget;

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<sup>29</sup> Including carrying out ex-post audits.

- (15) manage adequate execution of the different financial operations in relation to the Guarantee Fund;
  - (16) perform ex-post publicity and dissemination of results;
  - (17) ensure the application of penalties within the meaning of Article 131(5) of Regulation (EU, Euratom) No 966/2012 in agreement with the parent Directorate-General;
- (b) provide support in programme implementation, in particular:
- (1) establish an information and communication strategy in line with the strategy and objectives of the ERC and within the general framework of the Seventh Framework Programme;
  - (2) plan and implement communication and information activities, including meetings, seminars or talks and trainings;
  - (3) manage and direct the relevant ERC network of National Contact Points;
  - (4) collect, process and distribute data, and in particular compile, analyse and transmit to ERC Scientific Council and the Commission all the necessary information required to guide implementation of the programme through regular reporting, as well as policy development in the field of frontier research and promoting coordination with other Union programmes, the Member States or international organisations;
  - (5) prepare recommendations for the Commission on the implementation of the programme and on possible developments;
  - (6) contribute to the monitoring and the evaluation of the implementation of the programme and of the ensuing follow up actions;
  - (7) contribute to the evaluation of the programme and to the monitoring of actual effects of its activities on the market.

### **Annex III: Support to the ERC Scientific Council**

On the basis of the powers delegated by the Commission, the Agency shall support the ERC Scientific Council in all its tasks, as foreseen by Article 8(1) of the Horizon 2020 Specific Programme. The Agency will perform, inter alia, the following tasks:

- (a) support the Scientific Council in the establishment of the ERC work programme and any necessary modification, to serve as the financing decisions for the programme implementation;
- (b) support the Scientific Council in the drafting of recommendations on implementation of the programme and its future development;
- (c) support the Scientific Council in tasks related to the Communication and Dissemination of the ERC activities and achievements tasks;
- (d) support the Scientific Council in the monitoring of programme implementation and the establishment of follow-up actions;
- (e) support the Scientific Council in the evaluation of the programme's impact;
- (f) support the Scientific Council in the carrying out of studies and evaluations to prepare for, in particular for the ERC Scientific Council annual report on the ERC operations and realisation of its objectives;
- (g) support the Scientific Council in the identification and appointment of evaluation experts and observers, and independent experts to advise on or assist with the implementation of the programme;
- (h) support the Scientific Council with the collection, processing and distribution of data, and in particular compilation, analysis and transmission to the ERC Scientific Council of data relevant to the implementation of the ERC activities as well as in support of its own strategic studies, its close contacts with the scientific community and other stakeholders and in the monitoring of the complementarity of its activities with research conducted at other levels;
- (i) support the Scientific Council in order to gain access to the necessary documentation in its possession;
- (j) provide information of the Agency's activities.

**Annex IV Budget lines for 2014 of which part of the appropriations corresponding to the tasks entrusted to the Agency shall be implemented by the Agency**<sup>30</sup>

**Horizon 2020 Specific Programme**

08.020500 “Horizontal activities”

**Part I “Excellence Science”**

- 08.020101 “Excellence Science - strengthening frontier research through the activities of the European Research Council”

**Appropriations accruing from contributions from (non-European Economic Area) third parties to research and technological development (2014-2020)**

- 08.025001 “Appropriations accruing from contributions from (non-European Economic Area) third parties to research and technological development (2014-2020)”

**FP7 Legacy**

- 08.0251 “Completion of previous research framework programme – Seventh Framework Programme EC indirect action (2007-2013)”

**Appropriations accruing from contributions from (non-European Economic Area) third parties to research and technological development (prior to 2014)**

- 08.025002 “Appropriations accruing from contributions from (non-European Economic Area) third parties to research and technological development (prior to 2014)”

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<sup>30</sup> The Director of the Agency acting as authorising officer by delegation.