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**FRAMEWORK OF ACCESS TO THE JOINT RESEARCH CENTRE
PHYSICAL RESEARCH INFRASTRUCTURES FOR THE PURPOSES OF
TRAINING AND CAPACITY BUILDING
FOR ENLARGEMENT AND INTEGRATION COUNTRIES**

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1. PURPOSE

The present document defines the principles and modalities under which the Joint Research Centre (JRC) will open its physical research infrastructures to external users for the purposes of training and capacity building.

Access to the research infrastructures of the JRC fosters innovative research and development, dissemination of knowledge, improves related methods and skills, training and fosters collaboration at European level. Moreover, it promotes interaction with a wide range of social and economic actors, including industry and public services, in order to maximise the return on the investment of the unique research infrastructures of the JRC in terms of the scarce experimental facilities and resources available in Europe.

The following legal instrument provides for accessing JRC facilities to third parties:

- Part VI.2 of Annex I of Regulation (EU) 1291/2013 of the European Parliament and of the Council¹: *"The JRC is an integral part of the ERA and will continue to actively support its functioning through close collaboration with peers and stakeholders, maximising access to its facilities and through the training of researchers and by close cooperation with Member States and international institutions that pursue similar objectives. This will also promote the integration of new Member States and associated countries for which the JRC will continue to provide dedicated training courses on the scientific-technical basis of the body of Union law."*

Aiming to support the EU enlargement process, the JRC has been carrying out since 1999 its Enlargement and Integration (E&I) Action, providing scientific and technical support to countries on the road towards EU membership and countries associated to the EU Framework Programme for Research and Innovation. Within this action the JRC opens its non-nuclear research infrastructures for the purposes of training and capacity building to countries associated to the EU Research and Innovation Programme. Users may have other nationalities, provided they belong to an organisation located in a country associate to the EU Research and Innovation Programme.

This Framework builds upon the scientific and technical support that the JRC is currently providing to accession countries. In particular, the JRC is focused on capacity building and the exchange of best practices in technology transfer, managing in cooperation with DG NEAR the project called 'Technology Transfer Capacity Building in the Western Balkans'.

2. APPLICABILITY

This document is applicable to all non-nuclear physical Research Infrastructures of the JRC delivering access at the sites of Ispra, Geel, Karlsruhe and Petten for the sole purposes of Training and Capacity Building. It is applicable only to User Institutions from countries associated to the Horizon 2020 Framework Programme for Research Innovation².

The following categories of users and / or institutions having the following agreements with the JRC are excluded from the application of this framework:

- Users from institutions on the basis of a Collaboration Instrument;

¹ Regulation (EU) 1291/2013 of the European Parliament and of the Council of 11 December 2013 establishing Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020)

² http://ec.europa.eu/research/participants/data/ref/h2020/grants_manual/hi/3cp/h2020-hi-list-ac_en.pdf

- Users from institutions on the basis of a Consortium Agreement (Grant Agreement);
- Trainees;
- Agreements which fulfil jointly the following two conditions: (1) the agreement includes provisions on the access to the JRC facilities; and (2) the provisions on access to the JRC facilities are subsidiary to the main objective of signing of that agreement;
- Licence, joint ownership or similar and technology transfer agreements which allow the contracting party to use the intellectual property of the JRC and contain subsidiary provisions on access to the JRC facilities.
- Users from institutions on the basis of the project 'Technology Transfer Capacity Building in the Western Balkans.

3. DEFINITIONS

a. Research Infrastructures

The 'Research Infrastructures' are physical facilities, resources and services that are used to conduct research and foster innovation in their fields through the use of major scientific equipment (or sets of instruments) complemented by knowledge-based resources (e.g. collections, archives and scientific data) that are essential to achieve excellence in research and innovation. All facilities of the JRC are 'single-sited' (i.e. physically located in one site).

b. User

'Users' of Research Infrastructures are individuals, either alone or in teams. They are engaged in receiving Training and Capacity Building from the concerned JRC Research Infrastructures. Users should be:

- a staff member of the User Institution or
- the recipient of a study or research grant at the User Institution.

c. User Institution

A 'User Institution' is a public or private legal entity representing the User. The User Institution must be a university, research or public institution, or a Small-Medium-Enterprise (SME).

d. Lead User Institution

The 'Lead User Institution' is the User Institution in charge of coordinating the User Access Project in close collaboration with the JRC Research Infrastructure concerned.

e. Lead User

The 'Lead User' is a User from the User Institution responsible for the preparation and submission of the proposal for access. The Lead User acts as main point of contact with the JRC.

f. User Access Project

A 'User Access Project' defines the objectives and the technical details concerning the scope and description of the access of Users to the JRC Research Infrastructure to which access is granted for the sole purposes of Training and Capacity Building. A User Access Project may be composed by one or more User Institutions. A User Access Project identifies a Lead User Institution and may include one or more User Institutions.

g. Access

'Access' refers to the legitimate and authorised physical, remote and virtual admission to, interactions with and use of JRC Research Infrastructures by the Users. Such Access can be granted, amongst others, to machine time, computing resources, software, data, data-communication services, trust and authentication services, sample preparation, archives, collections, the set-up, execution and dismantling of experiments, education and training, expert support and analytical services. Access to research data will be in line with the JRC Data Policy³.

h. Training and Capacity Building

'Training and Capacity Building' means the activities carried out by the JRC Research Infrastructure enabling Users to strengthen their capabilities to obtain, develop, improve, and retain the skills, knowledge, tools, equipment and other resources needed to do their jobs competently or to a greater capacity within the running of similar Research Infrastructures. Training and Capacity Building does not include Access for the purposes of running experiments and generating data relevant for the generation of new knowledge or any foreground, patents or related intellectual property.

4. PRINCIPLES

This section defines the principles applicable to the Access of Users to the Research Infrastructures of the JRC. These principles are further defined in the "Access Policy" (Section 5).

a. Intellectual property rights

In no case the Access shall be treated as granting a licence, assignment or any other form of permission for the Users to use JRC's pre-existing intellectual property without a strict written consent of the JRC.

As a principle, during and in reference to the Access no registered or unregistered intellectual property rights; in particular but not limited to copyright, patent rights, trademarks or trade secrets will be generated by the Users. Nevertheless, in the event such intellectual property right is created, it belongs to the Party that generate it. A User who created an intellectual property asset during or in relation to the Access shall grant to the JRC a world-wide free of charge licence to use such intellectual property right and any rights related to it in all forms of exploitation known at present. In particular and non-restrictively, the licence includes the right of publication, reproduction and adaptation by all means and creating derivative works, distribution, translation, duplication, communication to the public in total or in part, in summary or with comments, but without the right to sub-license.

b. Health, safety, security and environment

The JRC together with the Lead User Institution shall undertake the necessary measures to ensure the health, security and safety of any User accessing its Research Infrastructures as well as to take the necessary actions to minimise the impact on the environment according to the legislation applicable to each site. Users must comply with security, health and safety and environmental rules and with procedures in force at the JRC sites, in particular concerning the notifications on introduction of material and instrumentation that could induce risks or ethical issues to the JRC Research Infrastructures and persons.

³ EUR 27163 EN – Scientific and Technical Research series – ISSN 1831-9424 (online)

c. Costs and fees

Access to JRC Research Infrastructures under the present Framework is free of charge. The costs of travel and subsistence related to the stay of Users at the JRC Research Infrastructure will be fully covered by the JRC.

d. Confidentiality and ethical conduct

Users shall comply with confidentiality requirements and should adhere to the code of conduct and standard ethical behaviour, as detailed in the European Code of Conduct for Research Integrity of the European Science Foundation⁴.

e. Implementation

Access to the JRC Research Infrastructures will be in accordance to the rules and procedures of the JRC. This applies in particular to the granting of Access and selection of User Access Projects, entrance permits, and length of stay, health and safety and security of Users at the JRC sites.

f. User instructions

The JRC will provide Users with instructions for the effective and efficient Access to its Research Infrastructures. Instructions relevant for the use of the Research Infrastructures will be provided by each Research Infrastructure delivering Access.

g. Protection of personal data

Any personal data relating to the Access shall be processed by the Commission pursuant to Regulation (EC) 2018/1725 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, office and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC.

5. ACCESS POLICY

The present policy for Access to the JRC Research Infrastructures defines Access for the purposes of Training and Capacity Building in terms of User Stay Days, states the conditions for Access, describes the processes and interactions involved in the Access and elaborates on the support measures facilitating the Access. Access to the Research Infrastructure will include all infrastructural, logistical, technical and scientific support that is necessary to carry out the User Access Project.

a. Access mode

Access to the JRC Research Infrastructures for the purposes of Training and Capacity Building is exclusively dependent on the quality of the User Institutions, the rationale of the proposal and the feasibility of an application evaluated through a review conducted by the JRC.

b. Access Unit

The Access Unit is defined as one day of stay⁵ of a User at the JRC Research Infrastructure for the purposes of Training and Capacity Building. The Access Unit will be the basis to allocate Access to Users when announcing the calls for access.

⁴ http://www.esf.org/fileadmin/Public_documents/Publications/Code_Conduct_ResearchIntegrity.pdf

c. Conditions for Access

The final decision on the granting of Access will remain with the relevant JRC Directorate.

The JRC Research Infrastructure will issue calls for proposals announced on a yearly basis, at six month intervals, or depending on the availability of the Research Infrastructure, through a dedicated JRC portal. The call for proposals will include the following information:

- Eligibility criteria
- Estimated total number of Access Units allocated to the call
- Average number of Access Units allocated to each proposal
- List of Training and Capacity Building topics

Proposals shall be submitted through the JRC portal using a specific template; the Lead User is encouraged to contact the Research Infrastructure during preparation of the proposals, in order to assess feasibility aspects related to the capacity of the Research Infrastructure. The detailed procedure for submission and evaluation of the proposals is described in detail in Annex 1.

Proposals will be evaluated by a Selection Committee. To this purpose, the JRC Research Infrastructure concerned will convene a meeting for the evaluation of proposals no later than four weeks after the deadline for submission of proposals. The Committee will be composed of three staff from the JRC, of which:

- two from the JRC Research Infrastructure concerned
- one from the JRC Directorate to which the Research Infrastructure belongs to.

Following an eligibility criteria check by the JRC with respect to ethics, completeness of the proposal and the nature and country of location of the User Institutions, the selection of projects will be made with regard to selection criteria grouped in the following two categories:

Quality of the ensemble of User Institutions putting together the proposal:

- CVs of Users
- Number of countries
- Number of User Institutions
- User Institutions with Research Infrastructures complementary or similar to those of the JRC⁶

Rationale:

- Justification
- Synergies with ongoing research and future plans
- Added value

Proposals are graded by the Selection Committee. The grading of each criterion is averaged over the grades of all the members of the Selection Committee, and summed up to obtain the total average grading. Proposals that do not meet the minimum passing threshold for the average grading of each criterion, with the exception of the 'Number of countries' and the 'Number of User Institutions', are rejected. The maximum grading and passing threshold of each criterion is given in Annex 1.

In addition, the feasibility of the proposal is evaluated by the concerned JRC Research Infrastructure. Proposals that are not feasible are rejected.

The Selection Committee establishes a shortlist, composed of the selected proposals, ranked according to their final grade.

⁵ During working hours and depending on the specificities of each JRC site and Research Infrastructure

⁶ User Institutions with Research Infrastructures being planned for upgrading or under construction are also considered

Starting with the highest ranking, the JRC Research Infrastructure will contact the Lead User having submitted the ranked proposal to delineate the details of the Training and Capacity Building project. The discussions will take into account the schedule of the JRC Research Infrastructure, the available resources as a function of the available Access Units for the call and the technical feasibility of the project.

A final list of the Users and corresponding User Institutions participating in the User Access Project will be agreed between the JRC and the Lead User Institution, together with the topics and the preliminary schedule of the User Access Project.

The Lead User Institution whose proposal was rejected or was not selected following the discussions may resubmit the proposal in the next call for proposals. A list of the successful proposals will be published at the JRC Science Hub.

d. Travel and subsistence

The JRC will arrange to pay the travel and subsistence eligible costs of the Users directly to a supplier (e.g., to issue the tickets or settle a hotel bill) up to a certain ceiling set out in the call, depending on the number of days spent at the JRC.

For eligible costs that cannot be paid directly by the JRC in accordance with the first paragraph, the JRC will reimburse to the Users the travel and subsistence costs concerned in accordance with the rules in place at the JRC, up to the ceiling set out in the call.

In both cases, only one return travel ticket will be covered by the JRC for each User for the duration of each project.

e. Assistance measures facilitating Access

When appropriate, the JRC may offer assistance to Users concerning accommodation, transport and any other logistics needed for the access and stay of Users during their stay at the JRC sites.

f. User Training and Capacity Building Access Agreement

Physical access of Users to the JRC will be regulated by the User Training and Capacity Building Access Agreement, signed by the User.

The User Training and Capacity Building Access Agreement will cover:

- Legal aspects including confidentiality, insurances, the documents to be provided by the User and the rules on the JRC sites.
- Technical aspects, including the technical description (User Access Project Description and Schedule) and possible in-kind contributions of the User Access Project. This description may differ from the description of the project in the proposal phase, as it will reflect the results from the feasibility assessment of the JRC Research Infrastructure undertaken in agreement with the Lead User Institution.

g. Transparency

The JRC Science Hub will provide clear and transparent information on the Access policy, data management policy and the terms and conditions of access of Users. Each JRC Research Infrastructure delivering access will have a dedicated contact point providing technical information related to the use of the facility, in particular in what concerns the reimbursement of travel and subsistence and feasibility of the Access Project proposal.

h. Limitations

Access to JRC Research Infrastructures may be limited or refused, amongst others, by the following:

- Ethical considerations in accordance with EU Law, in particular Art. 19 of Regulation (EU) 1291/2013, and applicable laws and regulations in the EU Member States;
- Limited capacity;
- Security and safety considerations;
- Breach by the User of the rules applicable in the Framework.

6. ASSESSMENT

The JRC will regularly assess the relevance and applicability of this Framework for Access to the JRC Research Infrastructures for the purposes of Training and Capacity Building, based on its experience on the implementation of delivering Access. To this end, the Lead User will be requested to complete a "User Questionnaire" upon completion of the User Access Project.

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