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**COUNCIL DECISION**

**of 29 April 2008**

**on the adoption of the Research Programme of the Research Fund for Coal and Steel and on the multiannual technical guidelines for this programme**

(2008/376/EC)

(OJ L 130, 20.5.2008, p. 7)

Amended by:

		Official Journal		
		No	page	date
► <b><u>M1</u></b>	Council Decision (EU) 2017/955 of 29 May 2017	L 144	17	7.6.2017
► <b><u>M2</u></b>	Council Decision (EU) 2021/1094 of 28 June 2021	L 236	69	5.7.2021

**▼B****COUNCIL DECISION****of 29 April 2008****on the adoption of the Research Programme of the Research Fund for Coal and Steel and on the multiannual technical guidelines for this programme****(2008/376/EC)**

## CHAPTER I

**GENERAL PROVISIONS***Article 1***Subject matter**

This Decision provides for the adoption of the Research Programme of the Research Fund for Coal and Steel and lays down the multiannual technical guidelines for the implementation of that programme.

## CHAPTER II

**RESEARCH PROGRAMME OF THE RESEARCH FUND FOR COAL AND STEEL***SECTION 1**Adoption of the Research Programme**Article 2***Adoption**

The Research Programme for the Research Fund for Coal and Steel (hereinafter referred to as ‘the Research Programme’) is hereby adopted.

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The Research Programme shall provide support for collaborative research in the coal and steel sectors. The Research Programme shall also provide support for clean steel breakthrough technologies leading to near-zero-carbon steel making projects and research projects for managing the just transition of formerly operating coal mines or coal mines in the process of closure and related infrastructure in line with the Just Transition Mechanism and in compliance with Article 4(2) of Decision 2003/76/EC. The Research Programme shall be consistent with the political, scientific, and technological objectives of the Union, and shall complement the activities carried out in the Member States and within the existing Union Framework Programme for research, technological development and demonstration activities (‘the Research Framework Programme’).

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Coordination, complementarity and synergy between these programmes shall be encouraged, as shall the exchange of information between projects financed under the Research Programme and those that are financed under the Research Framework Programme.

The Research Programme shall support research activities aimed at the objectives defined for coal in Section 3 and for steel in Section 4.

**▼B***SECTION 2**Definitions of coal and steel**Article 3***Definitions**

For the purposes of this Decision, the following definitions shall apply:

1. coal shall mean any of the following:

- (a) hard coal, including the high and medium-ranking 'A' coals (sub-bituminous coals) as defined in the international codification system of coal of the UN Economic Commission for Europe;
- (b) hard coal briquette;
- (c) coke and semi-coke derived from hard coal;
- (d) lignite, including the low-ranking 'C' coals (or ortho-lignites) and the low-ranking 'B' coals (or meta-lignites) as defined in the above codification;
- (e) lignite briquettes;
- (f) coke and semi-coke derived from lignite;
- (g) oil shales;

2. steel shall mean any of the following:

- (a) raw materials for iron and steel production, such as iron-ore, sponge iron and ferrous scrap;
- (b) pig iron (including hot metal) and ferro-alloys;
- (c) crude and semi-finished products of iron, ordinary steel or special steel (including products for reuse and re-rolling), such as liquid steel cast by continuous casting or otherwise, and semi-finished products such as blooms, billets, bars, slabs and strips;
- (d) hot-finished products of iron, ordinary steel or special steel (coated or uncoated products, excluding steel castings, forgings and powder metallurgy products), such as rails, sheet piling, structural shapes, bars, wire rods, plates and universal plates, strips and sheets, and tube rounds and squares;
- (e) end products of iron, ordinary steel or special steel (coated or uncoated), such as cold-rolled strips and sheets and electrical sheets;
- (f) products of the first-stage processing of steel that can enhance the competitive position of the above iron and steel products, such as tubular products, drawn and polished products, cold-rolled and cold-formed products.

**▼ B***SECTION 3**Research objectives for coal***▼ M2***Article 4***Supporting the just transition of the coal sector and regions**

1. Research projects shall support the transition towards a climate-neutral Union economy by 2050, with the objective of supporting the phasing out of fossil fuels, developing alternative activities on former mine sites and avoiding or addressing the environmental damage from coal mines in the process of closure, formerly operating coal mines and their surroundings. Projects shall in particular focus on:

- (a) the development and testing of carbon dioxide capture, use and storage technologies;
- (b) the use of geothermal energy on former coal sites;
- (c) non-energetic uses and the production of raw materials from mining wastes and residues from formerly operating coal mines or those in the process of closure, while duly ensuring that their climate, environmental and health impact is minimised and lower than alternative solutions;
- (d) the repurposing of former coal and lignite mines as well as coal-related infrastructure, including power supply services, in line with a climate-neutral and environmentally friendly transition;
- (e) the promotion of the development of efficient reskilling and upskilling programmes for workers affected by a coal phase-out, including research on the training and reskilling of workers employed or previously employed in the coal sector.

2. Special attention shall be given to strengthening European leadership in managing the transition of formerly operating coal mines and coal-related infrastructure through technological and non-technological solutions, while supporting technology and non-technology transfer. Research activities with those objectives shall present tangible climate and environmental benefits in line with the objective of climate neutrality by 2050.

*Article 5***Improving health and safety**

1. Issues concerning safety in coal mines in the process of closure and formerly operating coal mines with a view to improving working conditions, occupational health and safety, as well as environmental issues deleterious to health, shall be taken into account in the projects covering the activities referred to in Articles 4 and 6.

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2. Research projects shall focus on diseases related to mining activities with the aim of improving the health of people living in coal regions in transition. Research projects shall also ensure protective measures during the closure of mines and in formerly operating mines.

*Article 6***Minimising the environmental impacts of coal mines in transition**

1. Research projects shall seek to minimise the impacts of coal mines in the process of closure and of formerly operating mines on the atmosphere, water and soils. Research shall be geared towards preserving and restoring natural resources for future generations and minimising the environmental impact of coal mines in the process of closure and in formerly operating mines.

2. Preference shall be given to projects that envisage one or more of the following:

- (a) new and improved technologies to avoid environmental pollution, including methane leakage, of coal mines in the process of closure, formerly operating mines and their surroundings (including the atmosphere, land, soils and water);
- (b) capturing, avoiding and minimising greenhouse gas emissions, in particular methane, from coal deposits in the process of closure;
- (c) managing and reusing mining waste, fly ash and desulphurisation products from coal mines in the process of closure and formerly operating coal mines, as well as, where relevant, other forms of waste;
- (d) refurbishing waste heaps and using industrially residues from coal production and consumption in coal regions in transition;
- (e) protecting water tables and purifying mine drainage water;
- (f) restoring the environment of former installations or installations that are in the process of closure that used coal, and their surroundings, in particular water, land, soils and biodiversity;
- (g) protecting surface infrastructure against the effects of subsidence and ground movements in the short and long term.

**▼ B***SECTION 4**Research objectives for steel***▼ M2***Article 8***New, sustainable and low-carbon steelmaking and finishing processes**

Research and technological development shall aim to develop, demonstrate and improve near-zero-carbon steel production processes with a view to raising product quality and increasing productivity. Substantially reducing emissions, energy consumption, the carbon footprint and other environmental impacts, as well as conserving resources, shall form an integral part of the activities sought. Research projects shall address one or more of the following areas:

- (a) new and improved breakthrough near-zero-carbon iron- and steel-making processes and operations, with particular attention to carbon direct avoidance or smart carbon usage, or both;
- (b) steel process and process chain optimisation (including the reduction and pre-reduction of iron-ore, iron- and steel-making, processes based on recycled scrap melting, secondary metallurgy, casting, rolling, finishing and coating operations) via instrumentation, detection of properties of intermediate and final products, modelling, control and automation, including digitalisation, application of big data, artificial intelligence and any other advanced technologies;
- (c) steel process integration and process efficiency in near-zero-carbon steel production;
- (d) maintenance and reliability of steel production tools;
- (e) techniques for increasing recyclability, recycling and reuse of steel and developing a circular economy;
- (f) techniques for increasing the energy efficiency of steel production by recovery of waste heat, prevention of energy losses, hybrid heating techniques and energy management solutions;
- (g) innovative technologies and solutions for the iron- and steel-making processes promoting cross-sector activities, demonstration projects integrating zero-carbon energy production or contributing to a clean hydrogen economy.

*Article 9***Advanced steel grades and applications**

Research and technological development shall focus on meeting the requirements of steel users to develop new near-zero-carbon products and on creating new market opportunities while reducing emissions and environmental impacts. In the context of the technologies referred to in Article 8, research projects shall address one or more of the following areas, with the objective of delivering near-zero-carbon and sustainable steel production processes in the Union:

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- (a) new advanced steel grades;
- (b) improvement of steel properties such as mechanical and physical properties, suitability for further processing, suitability for various applications and various working conditions;
- (c) prolonging service life, in particular by improving the resistance of steels and steel structures to heat and corrosion, mechanical and thermal fatigue and other deteriorating effects;
- (d) predictive simulation models on microstructures, mechanical properties and production processes;
- (e) technologies relating to the forming, welding and joining of steel and other materials;
- (f) standardisation of testing and evaluation methods;
- (g) high-performance steels for applications like mobility, including sustainability, eco-design methods, retrofitting, lightweight design and safety solutions.

*Article 10***Conservation of resources, protection of the environment and circular economy**

In both steel production and steel utilisation, the conservation of resources, the preservation of ecosystems, the transition to a circular economy and safety issues shall form an integral part of the research and technological development work. Research projects shall address one or more of the following areas:

- (a) techniques for recycling obsolete steel and by-product from various sources and improvement of the quality of steel scrap;
- (b) treatment of waste and recovery of valuable secondary raw materials, including slags, inside and outside the steel plant;
- (c) pollution control and protection of the environment in and around the workplace and the steel plant (gaseous, solid or liquid emissions, water management, noise, odours, dust, etc.);
- (d) design of steel grades and assembled structures to facilitate the easy recovery of steel for recycling or reuse;
- (e) utilisation of process gases and elimination of waste gases emissions from steel production;
- (f) life cycle assessment and life cycle thinking concerning steel production and use.

**▼ M2***Article 10a***Management of work force and working conditions**

Research projects shall address one or more of the following areas:

- (a) developing and disseminating competencies to keep pace with new near-zero-carbon steel production processes, such as digitalisation, and to reflect the principle of lifelong learning;
- (b) improving working conditions, including health, safety and ergonomics in and around the workplace.

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## CHAPTER III

## MULTIANNUAL TECHNICAL GUIDELINES

## SECTION 1

***Participation****Article 11***Member States**

Any undertaking, public body, research organisation or higher or secondary education establishment, or other legal entity, including natural persons, established within the territory of a Member State may participate in the Research Programme and apply for financial assistance, provided that they intend to carry out an RTD activity or can substantially contribute to such an activity.

*Article 12***Candidate countries**

Any undertaking, public body, research organisation or higher or secondary education establishment, or other legal entity, including natural persons, in candidate countries shall be entitled to participate without receiving any financial contribution under the Research Programme, unless otherwise provided under the relevant European Agreements and their additional Protocols, and in the decisions of the various Association Councils.

*Article 13***Third countries**

Any undertaking, public body, research organisation or higher or secondary education establishment, or other legal entity, including natural persons, from third countries shall be entitled to participate on the basis of individual projects without receiving any financial contribution under the Research Programme, provided that such participation is in the Community's interest.



**▼B***SECTION 2**Eligible activities**Article 14***Research projects**

A research project shall be intended to cover investigative or experimental work with the aim of acquiring further knowledge to facilitate the attainment of specific practical objectives such as the creation or development of products, production processes or services.

*Article 15***Pilot projects**

A pilot project shall be characterised by the construction, operation and development of an installation or a significant part of an installation on an appropriate scale and using suitably large components with a view to examining the potential for putting theoretical or laboratory results into practice and/or increasing the reliability of the technical and economic data needed to progress to the demonstration stage, and in certain cases to the industrial and/or commercial stage.

*Article 16***Demonstration projects**

A demonstration project shall be characterised by the construction and/or operation of an industrial-scale installation or a significant part of an industrial-scale installation with the aim of bringing together all the technical and economic data in order to proceed with the industrial and/or commercial exploitation of the technology at minimum risk.

*Article 17***Accompanying measures**

Accompanying measures shall relate to the promotion of the use of knowledge gained or to the organisation of dedicated workshops or conferences in connection with projects or priorities of the Research Programme.

**▼M2***Article 17a***European Partnerships**

1. Part of the Research Programme, namely research on breakthrough technologies for the reduction of CO<sub>2</sub> emissions in the steel industrial sector, may be implemented through co-programmed European Partnerships established in accordance with the rules set out in Article 10 and Annex III to Regulation (EU) 2021/695 of the European Parliament and of the Council <sup>(1)</sup>.

<sup>(1)</sup> Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013 (OJ L 170, 12.5.2021, p. 1).

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2. For the purposes of this Article, a co-programmed European Partnership means an initiative prepared with early involvement of Member States, where the Union, together with private or public partners or both (such as: industry; universities; research organisations; bodies with a public-service mission at local, regional, national or international level; and civil society organisations, including foundations and NGOs), commit to jointly support the development and implementation of a programme of research activities. Co-programmed European Partnerships are set up on the basis of memoranda of understanding or contractual arrangements between the Commission and such private or public partners or both specifying the objectives of the partnership, related commitments for financial or in-kind contributions, or both, of the partners, key performance and impact indicators, and outputs to be delivered. They include the identification of complementary research activities that are implemented by the partners and by the Research Programme.

3. In the framework of co-programmed European Partnerships, the Research Programme may provide funding to activities eligible under this Section, in the form foreseen under Article 30. In addition, it may provide funding on the form of prizes.

4. Funding to activities under this Section shall follow the dedicated calls for proposals referred to in Article 25(2) and (3).

**▼ B***Article 18***Support and preparatory actions**

Support and preparatory actions shall be those appropriate to the sound and effective management of the Research Programme, such as the evaluation and selection of proposals as referred to in Articles 27 and 28, the periodic monitoring and assessment referred to in Article 38, studies, the clustering or the networking of related projects funded under the Research Programme.

The Commission may, where it deems appropriate, appoint independent and highly qualified experts to assist with support and preparatory actions.

*SECTION 3****Management of the research programme****Article 19***Management**

The Research Programme shall be managed by the Commission. It shall be assisted by the Coal and Steel Committee, the Coal and Steel Advisory Groups and the Coal and Steel Technical Groups.

**▼B***Article 20***Establishment of the Coal and Steel Advisory Groups**

The Coal and Steel Advisory Groups (hereinafter referred to as ‘the Advisory Groups’) shall be independent technical advisory groups.

**▼M1***Article 21***Tasks of the Advisory Groups**

For the coal- and steel-related RTD aspects respectively, each Advisory Group shall advise the Commission on the following:

- (a) the overall development of the Research Programme, the information package, as referred to in Article 25(3), and future guidelines;
- (b) the consistency and the possible duplication with other RTD programmes at Union and national level;
- (c) the setting-out of the guiding principles for monitoring RTD projects;
- (d) the relevance of the work being undertaken on specific projects;
- (e) the research objectives of the Research Programme listed in Sections 3 and 4 of Chapter II;
- (f) the annual priority objectives listed in the information package and, where appropriate, the priority objectives for dedicated calls for proposals, as referred to in Article 25(2);
- (g) the preparation of a manual for evaluating and selecting RTD actions, as referred to in Articles 27 and 28;
- (h) the rules, procedures and effectiveness concerning the evaluation of proposals for RTD actions;
- (i) the number, competence and organisation of the Technical Groups, as referred to in Article 24;
- (j) the drawing-up of dedicated calls for proposals, as referred to in Article 25(2);
- (k) other measures when requested to do so by the Commission.

*Article 22***Composition of the Advisory Groups**

1. Each Advisory Group shall be composed in accordance with the tables set out in the Annex. Members of the Advisory Groups shall be individuals appointed by the Commission to represent a common interest shared by stakeholders. They shall not represent an individual stakeholder, but shall express an opinion common to the different stakeholder organisations.

**▼ M1**

Appointments are made for a period of 42 months. Members who are no longer capable of contributing effectively to the group's deliberations, who resign or who, even after their duties have ceased, disclose information of the kind covered by the obligation of professional secrecy, in particular information about undertakings, their business relations or their cost components, shall no longer be invited to participate in any meetings of the Advisory Groups and may be replaced for the remainder of their term of office.

2. Members of the Advisory Groups shall be selected from experts with competence in the areas referred to in Sections 3 and 4 of Chapter II and who have responded to public calls for applications. Those experts may also be appointed on the basis of proposals put forward by the entities referred to in the tables of the Annex or by Member States.

They shall be active in the field concerned and be aware of the industrial priorities.

3. Within each Advisory Group, the Commission shall aim at ensuring a high level of expertise, as well as a balanced representation of relevant areas of expertise and areas of interest and, as far as possible, a balanced representation of gender and geographical origin, taking into account the specific tasks of the Advisory Groups, the type of expertise required and the outcome of the experts' selection procedure.

**▼ B***Article 23***Meetings of the Advisory Groups**

The meetings of the Advisory Groups shall be organised and chaired by the Commission, which shall also provide the secretariat.

If necessary, the Chairman may request members to vote. Every member shall have the right to one vote. The Chairman may invite visiting experts or observers to take part in meetings where appropriate. The visiting experts and the observers shall have no voting rights.

If necessary, such as to provide advice on matters of relevance for both the coal and steel sectors, the Advisory Groups shall convene in joint meetings.

**▼ M1***Article 24***Establishment and tasks of the Coal and Steel Technical Groups**

1. The Coal and Steel Technical Groups ('the Technical Groups') shall support the Commission on the monitoring of research and pilot or demonstration projects.

Members of the Technical Groups shall be appointed in their personal capacity by the Commission.

**▼ M1**

Members who are no longer capable of contributing effectively to the group's deliberations, who resign or who, even after their duties have ceased, disclose information of the kind covered by the obligation of professional secrecy, in particular information about undertakings, their business relations or their cost components, shall no longer be invited to participate in any meetings of the Technical Groups.

2. Members of the Technical Groups shall be selected from experts with competence in research strategy, management or production in the areas referred to in Sections 3 and 4 of Chapter II and who have responded to public call for applications.

They shall be active in the field concerned and have responsibility for research strategy, management or production in the related sectors.

3. Within each Technical Group, the Commission shall aim at ensuring a high level of professional expertise, a balanced representation of relevant areas of expertise and, as far as possible, a balanced representation of gender and geographical origin, taking into account the specific tasks of the Technical Groups, the type of expertise required and the outcome of the experts' selection procedure. Membership of a Technical Group shall not exclude eligibility as an evaluation expert.

The Commission shall ensure that rules and procedures are in place in order to properly avoid and manage conflicts of interests of members of the Technical Groups entrusted with the assessment of a specific project. Those procedures shall also ensure equal treatment and fairness throughout the whole monitoring process of projects.

Meetings of the Technical Groups shall, whenever possible, be held at venues chosen in such a way that project monitoring and results assessment are best ensured.

**▼ B***SECTION 4**Implementation of the research programme***▼ M1***Article 25***Call for proposals**

1. An annual call for proposals shall be published every year. The opening date for submission of proposals shall be published in the information package referred to in paragraph 3. Unless otherwise specified, 15 September of each year shall be the deadline for the submission of proposals for evaluation. Where the 15 September falls on a weekend or on a Friday or a Monday, the deadline shall be automatically shifted to the first working day following 15 September. The deadline shall be published in the information package referred to in paragraph 3.

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2. Where the Commission, in accordance with points (d) and (e) of Article 41, decides to modify the deadline referred to in paragraph 1 of this Article for the submission of proposals, or to launch dedicated calls for proposals, it shall publish that information in the *Official Journal of the European Union*.

Dedicated calls for proposals shall indicate the dates and modalities for the submission, including whether it shall take place in one or two steps, and for the evaluation of the proposals, the priorities, the type of eligible projects as referred to in Articles 14 to 18, where necessary, and the envisaged funding.

3. The Commission shall ensure that sufficient guidance and information is made available to all potential participants at the time of publication of the call for proposals, in particular through an information package accessible on the Commission's website. A paper copy of that information package can also be obtained from the Commission on request.

The information package shall provide information on the detailed rules for participation, the methods of managing proposals and projects, application forms, rules for the submission of proposals, model grant agreements, eligible costs, the maximum financial contribution allowable, methods of payment and the annual priority objectives of the Research Programme.

Applications shall be submitted to the Commission in accordance with the rules laid down in the information package.

**▼B***Article 26***Content of proposals**

The proposals shall relate to the research objectives laid down in Sections 3 and 4 of Chapter II and, where applicable, to the priority objectives listed in the information package in accordance with Article 25(3) or to the priority objectives defined for the dedicated calls for proposals referred to in Article 25(2).

Each proposal shall include a detailed description of the proposed project and contain full information on objectives, partnerships, including the precise role of each partner, management structure, anticipated results, expected applications and an assessment of anticipated industrial, economic, social and environmental benefits.

The proposed total cost and its breakdown shall be realistic and effective, and the project shall be expected to produce a favourable cost/benefit ratio.

*Article 27***Evaluation of proposals**

The Commission shall ensure a confidential, fair and equitable evaluation of proposals.

**▼ M1**

The Commission shall ensure that a manual for the evaluation and selection of RTD actions is made available to all potential participants.

**▼ B***Article 28***Selection of proposals and monitoring of projects**

1. The Commission shall register the proposals received and shall verify their eligibility.

2. The Commission shall evaluate the proposals with the assistance of independent experts.

**▼ M1**

3. The Commission shall draw up a list of the proposals adopted in order of merit.

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4. The Commission shall decide on the choice of projects and the allocation of funds. Where the estimated amount of the Community contribution under the Research Programme is equal to or more than EUR 0,6 million Article 41(a) shall apply.

5. The Commission shall, with the assistance of the Technical Groups referred to in Article 24, monitor research projects and activities.

*Article 29***Grant agreements**

Projects based on selected proposals and measures and actions as specified under Articles 14 to 18 shall form the subject of a grant agreement. Grant agreements shall be based on relevant model grant agreements drawn up by the Commission, taking account, as appropriate, of the nature of the activities concerned.

Grant agreements shall define the financial contribution allocated under the Research Programme on the basis of the eligible costs, as well as the rules concerning cost reporting, the closure of accounts and certificates on financial statements. In addition, they shall provide for provisions on access rights and dissemination and use of knowledge.

**▼ M1***Article 29a***Implementation of actions**

1. Participants shall implement actions in compliance with all the conditions and obligations set out in this Decision, Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council <sup>(1)</sup> and Commission Delegated Regulation (EU) No 1268/2012 <sup>(2)</sup>, as well as in the call for proposals and the grant agreement.

<sup>(1)</sup> 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 and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p. 1);

<sup>(2)</sup> Commission Delegated Regulation (EU) 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).

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2. Participants shall make no commitments which are incompatible with this Decision or the grant agreement. Where a participant fails to comply with its obligations regarding the technical implementation of the action, the other participants shall comply with the obligations without any additional Union funding unless the Commission expressly relieves them of any of those obligations. Participants shall ensure that the Commission is informed in due time of any event which might significantly affect the implementation of the action or the interests of the Union.

3. Participants shall implement the action and shall take all necessary and reasonable measures to that end. They shall have the appropriate resources, as and when needed for carrying out the action. Where it is necessary for the implementation of the action, they may call upon third parties, including subcontractors, to carry out work under the action. Participants shall retain responsibility towards the Commission and towards the other participants for the work carried out.

4. The award of subcontracts for carrying out certain elements of the action shall be limited to the cases provided for in the grant agreement and to duly justified cases that could not be clearly foreseen at the time of entry into force of the grant agreement.

5. Third parties other than subcontractors may carry out work under the action under the conditions laid down in the grant agreement. The third party and the work to be carried out by it shall be identified in the grant agreement.

Costs incurred by those third parties may be deemed eligible if the third party meets all the following conditions:

- (a) it would be eligible for funding if it were a participant;
- (b) it is an affiliated entity or has a legal link to a participant implying a collaboration not limited to the action;
- (c) it is identified in the grant agreement; and
- (d) it abides by the rules applicable to the participant under the grant agreement with regard to eligibility of costs and control of expenditure.

6. Participants shall comply with national legislation, regulations and ethical rules in the countries where the action is carried out. Where appropriate, participants shall seek the approval of the relevant national or local ethics committees prior to the start of the action.



**▼B***Article 30***Financial contribution**

1. The Research Programme shall be based on cost-sharing RTD grant agreements. The total financial contribution including any other additional public funding shall conform to the applicable rules on State aid.

2. Public contracts shall be used for the supply of movable or immovable assets, the execution of works or the provision of services which are necessary for the implementation of the support and preparatory actions.

3. Without prejudice to paragraph 1 of this Article, the maximum total financial contribution, expressed as a percentage of the eligible costs defined in Articles 31 to 35, shall be:

- (a) for research projects up to 60 %;
- (b) for pilot and demonstration projects up to 50 %;
- (c) for accompanying measures, support and preparatory actions up to 100 %.

*Article 31***Eligible costs**

1. The eligible costs shall consist of the following:

- (a) equipment costs;
- (b) staff costs;
- (c) operating costs;
- (d) indirect costs.

2. The eligible costs shall cover only actual costs incurred for the execution of the project under the terms of the grant agreement. Beneficiaries, associated beneficiaries and sub-beneficiaries shall not be entitled to claim any budgeted or commercial rates.

*Article 32***Equipment costs**

The costs of purchasing or hiring equipment which are directly related to the execution of the project shall be chargeable as direct costs. The eligible costs for the leasing of equipment shall not exceed any eligible costs for its purchase.

**▼ M1***Article 33***Staff costs**

Eligible staff costs shall cover only the actual hours worked by the persons directly carrying out the work under the action.

Staff costs of owners of small and medium-sized enterprises and other natural persons not receiving a salary may be reimbursed on the basis of unit costs.

**▼ B***Article 34***Operating costs**

Operating costs directly related to the execution of the project shall be limited solely to the cost of:

- (a) raw materials;
- (b) consumables;
- (c) energy;
- (d) transportation of raw materials, consumables, equipment, products, feedstock or fuel;
- (e) the maintenance, repair, alteration or transformation of existing equipment;
- (f) IT and other specific services;
- (g) the rental of equipment;
- (h) analysis and tests;
- (i) dedicated workshop organisation;
- (j) certificate on financial statements and bank guarantee;
- (k) protection of knowledge;
- (l) assistance from third parties.

*Article 35***Indirect costs**

All other expenses, such as overhead costs or overheads, which may arise in connection with the project and which are not specifically identified in the preceding categories including travel and subsistence costs, shall be covered by a flat rate amounting to 35 % of the eligible staff costs as referred to in Article 33.

*SECTION 5**Evaluation and monitoring of the research activities**Article 36***Technical reports**

For research, pilot and demonstration projects referred to in Articles 14, 15 and 16 periodical reports shall be drawn up by the beneficiary or beneficiaries. Such reports shall be used to describe the technical progress made.

On completion of the work, a final report comprising an assessment of exploitation and impact shall be provided by the beneficiary or beneficiaries. That report shall be published by the Commission in full or in summarised form depending on the strategic relevance of the project and following consultation, if necessary, of the relevant Advisory Group.

The Commission may require the beneficiary or beneficiaries to provide final reports on the accompanying measures referred to in Article 17 as well as on the support and preparatory actions referred to in Article 18 and may decide to have them published.

*Article 37***Annual review**

The Commission shall conduct an annual review of activities under the Research Programme and the progress of the RTD work. The report containing the review shall be forwarded to the Coal and Steel Committee.

The Commission may appoint independent experts and highly qualified experts to assist with this annual review.

*Article 38***Monitoring and assessment of the Research Programme**

1. The Commission shall carry out a monitoring exercise of the Research Programme, including an assessment of the expected benefits. A report on that exercise shall be issued by the end of 2013, and thereafter every seven years. These reports shall be made public on the Community Research and Development Information Service (CORDIS) or corresponding website.

2. The Commission shall assess the Research Programme on completion of the projects financed during every period of seven years. The benefits of the RTD to society and to the relevant sectors shall also be assessed. The assessment report shall be published.

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3. In carrying out the monitoring and assessment referred to in paragraphs 1 and 2, the Commission shall be assisted by panels of highly qualified experts appointed by the Commission.

**▼M2***Article 39***Appointment of independent and highly qualified experts**

For the appointment of independent and highly qualified experts referred to in Article 18, Article 28(2) and Article 38, the provisions set out in Article 237 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council <sup>(1)</sup> shall apply.

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## CHAPTER IV

## FINAL PROVISIONS

*Article 40***Review of the multiannual technical guidelines**

The multiannual technical guidelines laid down in Chapter III shall be reviewed every seven years, first period ending on 31 December 2014. To this end, and at the latest in the first six months of the last year of each seven-year period, the Commission shall reassess the operation and the effectiveness of the multiannual technical guidelines and, where appropriate, propose any amendment.

If it sees fit, the Commission may carry out such reassessment and shall submit proposals for any appropriate amendments to the Council before the expiry of the seven-year period.

*Article 41***Implementing measures**

The Commission shall, in accordance with the procedure referred to in Article 42(2), adopt the following implementing measures:

- (a) the approval of the funding actions where the estimated amount of the Community contribution under the Research Programme is equal to or more than EUR 0,6 million;
- (b) the drawing-up of terms of reference for the monitoring and assessment of the Research Programme referred to in Article 38;

<sup>(1)</sup> Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).

▼ M2

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▼ M1

(d) changes to the deadline referred to in Article 25;

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(e) the drawing-up of dedicated calls for proposals.

*Article 42***Committee**

1. The Commission shall be assisted by the Coal and Steel Committee.

▼ M1

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 of the European Parliament and of the Council <sup>(1)</sup> shall apply.

▼ B*Article 43***Repeal and transitional measures**

Decision 2003/78/EC shall be repealed. However, Decision 2003/78/EC shall continue to apply until 31 December 2008 to the financing of actions resulting from proposals submitted by 15 September 2007.

*Article 44***Applicability**

This Decision shall take effect on the day following its publication in the *Official Journal of the European Union*.

It shall apply from 16 September 2007.

*Article 45***Addressees**

This Decision is addressed to the Member States.

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<sup>(1)</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).



## ANNEX

The composition of the Coal Advisory Group referred to in Article 22:

Members	Maximum total
a) From coal producers/national federations or related research centres	8
b) From organisations representing coal producers at European level	2
c) From coal users or related research centres	8
d) From organisations representing coal users at European level	2
e) From organisations representing workers	2
f) From organisations representing equipment suppliers	2
	24

Members must have a wide background knowledge and individual expertise in one or more of the following areas: coalmining and utilisation, environment and social issues, including safety aspects.

The composition of the Steel Advisory Group referred to in Article 22:

Members	Maximum total
a) From steel industries/national federations or related research centres	21
b) From organisation representing producers at European level	2
c) From organisations representing workers	2
d) From organisations representing downstream processing industries or steel users	5
	30

Members must have a wide background knowledge and individual expertise in one or more of the following areas: raw materials; iron-making; steelmaking; continuous casting; hot- and/or cold-rolling; steel-finishing and/or surface treatment; development of steel grades and/or products; steel applications and properties; environmental and social issues, including safety aspects.