



FUEL CELLS AND HYDROGEN
JOINT UNDERTAKING

Legal and financial aspects

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Legal officer

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OVERVIEW



1. LEGAL AND FINANCIAL FRAMEWORK

2. DRAFTING THE PROPOSAL

THIRD PARTIES

ETHICS

ADDITIONAL ACTIVITIES

3. FINANCIAL ASPECTS

FVC

IPR



LEGAL AND FINANCIAL FRAMEWORK



HORIZON 2020 REGULATIONS:

1. REGULATION OF ESTABLISHMENT
2. RULES FOR PARTICIPATION

FCH 2 JU ANNUAL WORK PLAN 2020

GENERAL ANNEXES TO THE MAIN WORK PROGRAMME (A -> L)

1. MODEL GRANT AGREEMENT;
2. ANNOTATED GRANT AGREEMENT;
3. CONSORTIUM AGREEMENT



DRAFTING THE PROPOSAL. THIRD PARTIES

Proposal: 2 parts. Technical Annex



PROPOSAL – TECHNICAL ANNEX

1. Excellence
2. Impact
3. Implementation
(3.4 Resources to be committed)
4. Members of the consortium
(4.2. Third parties involved in the project)
5. Ethics and Security

Plan for
Dissemination and
Exploitation



Drafting the proposal

Part B templates



Step 3

Create a Draft Proposal

Please enter the following information to create a draft proposal. Please note that fields marked with a star (*) are **mandatory**.

It is highly recommended to submit your proposal as early as possible and at least 48 hours prior to the deadline of this call. This will avoid being confronted with incompatible local IT configuration settings shortly before the call deadline, when insufficient time would be left to handle it. There is no reason in delaying the submission for confidentiality concerns as the system does not allow any access to the proposals before call deadline or cut-off (other than to selected data that is part of the Submission and Evaluation of Proposals Assent Disclaimer).
You can submit the proposal as many times as you wish up to the deadline. Every submitted version will replace the previously submitted one.

Your organisation

PIC* Short name*

Search for your organisation PIC

H2020-JTI-FCH-2020-1

USER NAME
Georgiana BUZNOIU

TOPIC
FCH-01-1-2020

TYPE OF ACTION
FCH2-RIA

DEADLINE (Brussels Local Time)
TUE 21 April 2020 17:00:00

89 days left until closure

Download Part B Templates

Visit our 'How to' user guide

Visit our 'H2020 Online Manual'

File Home Share View Compressed F... templates

Local > Temp > templates

Name

- RIA-IA PartB section1-3 H2020-JTI-FCH-2020-1 (ID 7529148)
- RIA-IA PartB section4-5 H2020-JTI-FCH-2020-1 (ID 7529149)
- RIA-IA-CSA PartB - Annex draft plan for dissem & expl of results -H2020-JTI-FCH-2020-1 (ID 75...

3 items

Short Summary (max. 2000 characters)*
Character count:



DRAFTING THE PROPOSAL. THIRD PARTIES



The beneficiaries must have the appropriate resources to implement the action

If it is necessary to implement the action, they may however:

- **Purchase** goods, works and services (Section 3.4)
- Use **Subcontracting** to implement action tasks (Section 4.2)
- Call upon **Linked Third Parties** to implement action tasks(Section 4.2)
- Use **In-kind contributions** provided by third parties against payment or free of charge (Section 4.2)
- Call upon **International Partners** to carry out work (Section 4.2)



DRAFTING THE PROPOSAL. THIRD PARTIES

Art. 6.2. and 10 of the MGA



Purchase goods, works or services

Where?

- in section 3.4 of Part B

What?

- **Travel** costs + subsistence allowances
- **Depreciation** costs of equipment, infrastructure or other assets (new or second-hand) / Costs of renting or leasing equipment, infrastructure or other assets if they do not exceed the depreciation costs.
- Costs of **other goods and services**: example - consumables and supplies, dissemination (including open access), IPR costs, certificates on the financial statements, certificates on the methodology, translations, publications etc

For all: **best value for money** and avoid any conflict of interests



Proposal template. Section 3.4.



Tables for section 3.4

Table 3.4a: Summary of staff effort

Please indicate the number of person months over the whole duration of the planned work, for each work package, for each participant. Identify the work-package leader for each WP by showing the relevant person month figure in bold.

	WPn	WPn+1	WPn+2	Total Person Months per Participant
Participant Number/Short Name				
Participant Number/Short Name				
Participant Number/Short Name				
Total Person months				

Table 3.4b: 'Other direct cost' items (travel, equipment, other goods and services, large research infrastructure)

Please complete the table below for each participant if the sum of the costs for 'travel', 'equipment', and 'goods and services' exceeds 15% of the personnel costs for that participant (according to the budget table in section 3 of the proposal administrative forms).

Participant Number/Short Name	Cost (€)	Justification
Travel		
Equipment		
Other goods and services		
Total		

Please complete the table below for all participants that would like to declare costs of large research infrastructure under Article 18.2 of the General Model Agreement, irrespective of the percentage of personnel costs. Please indicate (in the justification) if the beneficiary's methodology for declaring the costs for large research infrastructure has already been positively assessed by the Commission.

Participant Number/Short Name	Cost (€)	Justification
Large research infrastructure		

³ Large research infrastructure means research infrastructure of a total value of at least EUR 20 million, for a beneficiary. More information and further guidance on the direct costing for the large research infrastructure is available in the [H2020 Online Manual](#) on the Participant Portal.



DRAFTING THE PROPOSAL. THIRD PARTIES

Art. 13 of the MGA / AGA



Subcontracts

Where?

- in section 4.2 of Part B

What?

- implementation of certain action tasks described in the Proposal.
- Subcontracting may cover only a **limited part** of the action
- **best value for money** and avoid any conflict of interests
- estimated costs and tasks must be identified
 - Subcontracting between beneficiaries — Is NOT allowed in the same GA
 - Subcontracting to affiliates — Is NOT allowed



DRAFTING THE PROPOSAL. THIRD PARTIES

Art. 14 of the MGA / AGA



Linked Third Parties

Where?

- in section 4.2 of Part B

What?

- = Affiliated entities / third parties with a legal link, carrying out the implementation of certain **action tasks**
- **same** cost eligibility **criteria** as beneficiaries
- an estimation of tasks should be identified in the Proposal
- an estimation of (total) costs should also be identified



DRAFTING THE PROPOSAL. THIRD PARTIES

Art. 11-12 of the MGA / AGA



In-kind Contributors

Where?

- in section 4.2 of Part B

What?

- The beneficiaries may declare costs related to the payment of in-kind contributions as eligible, up to the third parties' costs for:
 - the **seconded persons**,
 - **contributed equipment**, infrastructure or other assets or
 - **other** contributed **goods and services**.
- The third parties and their contributions must be set out in section 4.2 of the Proposal



DRAFTING THE PROPOSAL. THIRD PARTIES

Art. 14a) of the MGA / AGA



International Partners

Where?

- Part B :
 - Section 3**: indicate roles in the **work plan** + explain how the activities of the participant will be funded and from which sources, and include in **table 3.2b)** risk for implementation → convincing mitigation measure in case the funding for participation from other sources cannot be secured
 - Section 4.2**

What?

- ‘International partner’ = any legal entity established in a **non-associated third country** which is not eligible for funding
- They will be ‘administratively’ linked to a beneficiary for the project
- PIC number required (‘light’ validation)
- Not signatory of GA, **no EU funding**, own (non EU) budget
- Action tasks in the project, no financial reporting
- **Cannot be WP leader** or have **deliverables** assigned



Proposal template. Section 4.2

Subcontractors. Linked third parties. In kind contributors. International Partners .



4.2. Third parties involved in the project (including use of third party resources)

Please complete, for each participant, the following table (or simply state "No third parties involved", if applicable):

Does the participant plan to subcontract certain tasks (please note that core tasks of the project should not be sub-contracted)?	Y/N
<i>If yes, please describe and justify the tasks to be subcontracted</i>	
Does the participant envisage that <u>part of its work is performed by linked third parties</u> ² ?	Y/N
<i>If yes, please describe the third party, the link of the participant to the third party, and describe and justify the foreseen tasks to be performed by the third party</i>	
Does the participant envisage the use of contributions in kind provided by third parties (Articles 11 and 12 of the General Model Grant Agreement)?	Y/N
<i>If yes, please describe the third party and their contributions</i>	
Does the participant envisage that <u>part of the work is performed by International Partners</u> ³ (Article 14a of the General Model Grant Agreement)?	Y/N
<i>If yes, please describe the International Partner(s) and their contributions</i>	

² A third party that is an affiliated entity or has a legal link to a participant implying a collaboration not limited to the action. (Article 14 of the [Model Grant Agreement](#)).

³ 'International Partner' is any legal entity established in a non-associated third country which is not eligible for funding under Article 10 of the Rules for Participation Regulation No 1290/2013.



Validation necessary



At GAP stage – all:

- Beneficiaries
- Linked third parties
- Beneficiaries not receiving EU funding

will need to be **fully validated**

Anticipate this process!

A screenshot of a web form titled 'Your organisation'. The form contains two input fields: 'PIC*' and 'Short name*', both with question mark icons. Below the fields is a search button labeled 'search' and the text 'Search for your organisation PIC'.

Your organisation

PIC* Short name*

Search for your organisation PIC



DRAFTING THE PROPOSAL. ETHICS



Background

- “A proposal which contravenes ethical principles or any applicable legislation [...] **may be excluded** from the evaluation, selection and award procedures at any time.” Art. 13 – H2020 RfP

Ethics Self-Assessment

- All proposals must describe ethical issues raised & how they will be addressed
- Ethics part: **Part A in SEP + Part B section 5**
- Each applicant is responsible for:
 - identifying any potential ethical issues
 - handling ethical aspects of their proposal
 - detailing how they plan to address them in detail

Guidelines: [How to complete your ethics self-assessment guide](#)



DRAFTING THE PROPOSAL. ADDITIONAL ACTIVITIES



Additional Activities

Who?

- beneficiaries
- **Non-members** of the Hydrogen Europe /Hydrogen Europe Research

Where?

- Draft 'plan for the dissemination and exploitation of the project's results'
- As **part** of each participant **business plan**

What?

- **estimate** of any additional activities to be performed

(additional investment in FCH technologies and related activities **not** included in the project activities);

- use this to justify an increased impact of the project as a part of a bigger business plan of each participant



FINANCIAL ASPECTS - FVC



Financial Viability Check

Subject to FVC:

- All other LE: **if Coordinators** and the requested FCH funding for the project is **≥ 500.000 EUR**

Categories not subject to FVC:

- natural persons in receipt of scholarships
- public bodies
- international organisations (e.g. Red Cross)
- Higher and secondary education establishments
- LE guaranteed by a Member State or associated country

Financial Capacity Assessment

Before granting funding, the Commission may check your organisation's financial viability, depending on the type of organisation and various other criteria. You can check your organisation's financial viability yourself using this Financial self-check tool. The tool uses the ratios described in the section of legal entity validation of the H2020 Grants Manual.

Read First!

Disclaimer: The results of this simulation provide only non-binding indication. If a formal financial viability check by the Commission is required for a participation in a project, either the LEAR of your organisation will be invited to submit data via the Portal or the Commission will inform you about the exact steps to follow.

[Start self-check](#)

Other R&I related funding opportunities

What's new

Follow the latest progress and get involved:

if COO, be proactive: do the self-check!

<https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/programmes/h2020>





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FCH JU