



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 12 December 2012

17710/12

**Interinstitutional files:
2012/0321 (NLE)**

**RECH 468
COMPET 775
FISC 203**

"I" ITEM NOTE

from : General Secretariat
to : Permanent Representatives Committee

No. Cion prop. : 17561/12 RECH 461 COMPET 767 FISC 193 - COM(2012) 682final

Subject : Proposal for a Council Regulation amending Regulation (EC) No 723/2009 concerning the Community legal framework for a European Research Infrastructures Consortium (ERIC)
- Optional consultation of the Committee of Regions¹

1. On 3 December 2012 the Commission submitted to the Council a proposal for a Council Regulation amending Regulation (EC) No 723/2009 concerning the Community legal framework for a European Research Infrastructures Consortium (ERIC)².

¹ The sole purpose of this note is to decide on the consultation of another institution/body and not on the substance.

² Doc. 17561/12.

2. The ERIC Regulation³ was adopted by Council in 2009 to facilitate the establishment and operation of European research infrastructures on a non-economic basis. With the Regulation a new legal instrument was created at EU level for establishing European research infrastructures with a legal personality recognized in all Member States.

The objective of the proposed amendment of the ERIC Regulation is to avoid that associated countries would not be able to become host or member of an ERIC because in the current situation, their voting rights do not potentially reflect their financial support to ERIC projects.

3. The present proposal, which is based on Articles 187 and 188 of the Treaty on the functioning of the European Union, does not require the opinion of the Committee of Regions. However, it may be recalled that it was consulted on the original proposal and for the sake of consistency it therefore appears appropriate to consult the Committee of Regions in this case as well.
4. The Permanent Representatives Committee is therefore invited to decide, in accordance with Article 19(7)(h) of the Council's Rules of Procedure, to consult the Committee of regions on the above proposal and to request them to give is opinion as soon as possible.

³ Council Regulation (EC) No 723/2009 – Community Legal Framework for a European Research Infrastructure Consortium (ERIC)