



**COUNCIL OF
THE EUROPEAN UNION**

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**RECH 567
COMPET 861
FISC 224**

"I/A" ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 1)/Council
No. Cion doc.:	17561/12 RECH 461 COMPET 767 FISC 193 - COM(2012) 682 final
Subject:	Proposal for a Council Regulation amending Regulation (EC) No 723/2009 concerning the Community legal framework for a European Research Infrastructures Consortium (ERIC) - Adoption

1. On 10 December 2012, the Commission submitted to the Council the Proposal for a Council Regulation amending Regulation (EC) No 723/2009 concerning the Community legal framework for a European Research Infrastructures Consortium (ERIC) on the basis of Articles 187 and 188 of the TFEU.

The ERIC Regulation 723/2009 was adopted by Council 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. Many of the projects included in the European Strategy Forum on Research Infrastructures (ESFRI) Roadmap, are planning to use the ERIC as the legal instrument to implement and operate the research infrastructure.

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.

2. The Working Party discussed the proposal during the Irish Presidency and an agreement in principle was found on the text.
3. The European Parliament, in its opinion of 19 November 2013, approved the Commission proposal as submitted.
4. As the Working Party did not make any substantial changes to the Commission's proposal and the European Parliament has expressed its approval, it is suggested that the Permanent Representatives' Committee recommends that the Council adopt, as an "A" item, the Council Regulation amending Regulation (EC) No 723/2009 concerning the Community legal framework for a European Research Infrastructures Consortium (ERIC), as finalised by the legal linguists and set out in document 15660/13 RECH 496 COMPET 765 FISC 213.