

The European Research Council

Third parties in ERC grants

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European Research Council

Established by the European Commission

Host Institution & Additional Beneficiary versus “Third parties”

The **Host Institution** & any additional **Beneficiary/ies**:

- **sign** the Grant Agreement
and remain responsible towards the Agency
- must have **the resources to implement the action**

however:

if necessary, the participation of **third parties** is allowed

⇒ those entities **do not sign** the Grant Agreement



Agenda



Entities implementing action tasks (Art. 8 - 9 HE GA)

**Affiliated entities – Art. 8 HE
(H2020 linked third parties)**

Subcontractors - Art. 9.3 HE

Associated partners – Art. 9.1 HE

Implementing action tasks: **Affiliated entities** (1/2)

- **Entities with a legal or capital link** to the beneficiary:
 - ✓ **legal link** (not specific to ERC project)
 - ⇒ a legal structure, e.g. foundation & its members
 - ⇒ a collaboration agreement, e.g. research laboratories such as JRU/UMR
 - ✓ **capital link** (e.g. parent companies or holdings and their daughter companies or subsidiaries)
- Must fulfil the **same conditions for participation and funding** as beneficiaries
- Play an important role in implementing the action – treated like beneficiaries

Implementing action tasks: **Affiliated entities** (2/2)

- Listed in Art. 8 MGA
- **Tasks** described in **Annex 1** (DoA)
- **Costs** budgeted in GA - **Annex 2** (estimated budget) in **own budget table**
- Declare their costs in their **own financial statement** (+ submit **own CFS**)
- No simplified approval: if added during implementation ⇒ amendment

Examples

The research takes place at the University of Strasbourg who is also employing the PI. 2 professors from the University Reims will participate as senior researchers in the project.
What would be the set-up for this project? (no JRU/UMR involved)

University of Strasbourg is the host institution
University of Reims will be additional beneficiary

The research takes place at a UMR between CNRS, INSERM and University of Toulouse. CNRS employs the PI and part of the team and Uni Toulouse employs the students and will purchase the equipment. INSERM will have no involvement in the project.
What would be the set-up for this project?

CNRS is the host institution
University of Toulouse could be either additional beneficiary or affiliated entity (via the UMR)
INSERM is not part of the grant



Implementing action tasks: **Subcontractors**

- Implement **limited part** of action tasks
 - ✓ E.g., one of the tasks in the DoA is a study of water quality in a natural reserve outsourced to another legal entity
- **Tasks** described in **Annex 1** (DoA)
- **Costs** budgeted in **Annex 2** (estimated budget)
- HI's selection procedure ensuring **best value for money & no conflict of interest**
- Subcontracting between beneficiaries and affiliated entities is NOT allowed
- If added during implementation ⇒ amendment *or* simplified approval procedure

Examples

The PI needs to contract a company that will take pictures of the landscape with drones and send them to the PI for analysis. What would be the set-up?

The company will probably be a service supplier (purchase costs).

What if the PI needs to purchase flight time with a company that will take the pictures from a plane and provide landscape analysis and data collection for the PI?

The company might be a subcontractor given the nature of the task (action task).

- ✓ In both cases, HI's selection procedure (ensuring best value for money and no conflict of interest) must be followed.



Implementing action tasks: **Associated partners**

- Participate at **own costs** (do not receive EU funding)
- Listed in Art.9.1 MGA
- **Tasks** described in **Annex 1** (DoA) – no budget in Annex 2 (estimated budget)
- Can be established in any country – no need for a specific link with beneficiary
- No simplified approval: if added during implementation ⇒ amendment

Agenda



Entities **NOT** implementing action tasks

**Contracts for purchase of goods, works and services
(Art.6.2.C HE)**

**Third party providing in-kind contribution for free
(Art. 6.1 and 9.2 HE)**

**Third party providing in-kind contribution against payment
(No Art. in HE)**

Entities NOT implementing action tasks: Contracts for purchase of goods, works and services

- **Provide goods or support services** to the beneficiary
 - ⇒ audit certificate, catering for a conference, consumables, etc.
- **Short description** of goods and services in Annex 1 (DoA) ⇒ changes usually do not require an amendment
- Costs budgeted in **Annex 2** (estimated budget) under “Purchase costs”
- HI’s selection procedure ensuring **best value for money & no conflict of interest**

▼C. Purchase costs
(c1) C.1 Travel and subsistence
(c2) C.2 Equipment
(c3) C.3 Other goods, works and services

Examples

The research takes place at CNRS who is also employing the PI. Data from the Institute of statistics are needed.

What would be the set-up?

CNRS is the host institution

The Institute of statistics might be a supplier (purchase costs) if the institute only provides data.

The PI is employed by INRAE and needs to purchase specific genetically modified plants for the project. The plants must be designed and produced by a company (no internal know-how within the Host institution).

What would be the set-up?

INRAE is the host institution

Plants provider might be a service supplier (purchase costs) OR a subcontractor if the production of those modified plant is a task of the project (action task).



Entities NOT implementing action tasks

Third party providing in-kind contribution

Definition:

- The third party does not carry out tasks
- **Provides non-financial resources** to the beneficiary
 - ⇒ seconded personnel, equipment, access to infrastructure, etc.
- **New in HE:** no distinction between in-kind contributions used on the HI's premises or not (HI always entitled to the 25% overheads)

Entities NOT implementing action tasks

Third party providing in-kind contribution FREE OF CHARGE

Specific provisions (Art 6(1) & Art 9(2)) HE MGA

- The beneficiary **does not reimburse the third party** but the cost can be declared under the relevant cost category (i.e. as if they were costs incurred by the beneficiary)
 - ✓ Professor paid by Government budgeted under personnel costs
- The third party and the resources must be **mentioned in Annex 1**
- Only **direct costs of the third party** can be claimed
- Access to third party's costs should be ensured (for audit purposes)

Entities NOT implementing action tasks

Third party providing in-kind contribution AGAINST PAYMENT

No article in HE GA

- The beneficiary **reimburses the third party** and the costs must be declared as: Personnel costs (seconded persons), Purchase of goods, works or services (other contributions), Renting costs for equipment
- No mention of the third party in the Annex 1 (except when PI is seconded to HI)
 - ✓ **Seconded persons: only direct costs of the third party** can be claimed. Access to third party's costs should be ensured (for audit purposes)
 - ✓ **Purchase costs:** eligibility conditions of the costs category



Examples

The research takes place at University of Bordeaux - the PI is employed by the University of Montpellier and is seconded to the University of Bordeaux for 5 years. University of Montpellier does not have any involvement in the project. Which institution will be the host institution? under which conditions?

University of Bordeaux is the host institution

The PI is seconded personnel (seconded by the University of Montpellier)

University of Bordeaux reimburse the costs of University of Montpellier in compliance with the provisions of the grant agreement for seconded personnel

⇒ tripartite supplementary agreement - mention in the DoA (ONLY for the PI).



Agenda



SPECIFIC CASE

The PI reaches the age of retirement during the project implementation. Is there any impact on the ERC project?

The PI must be employed by the host institution **for the whole duration of the project.**

If the PI retires during the implementation, the HI must conclude a contract where some minimum requirements are met: there must still be an 'engagement' relationship (see AGA).

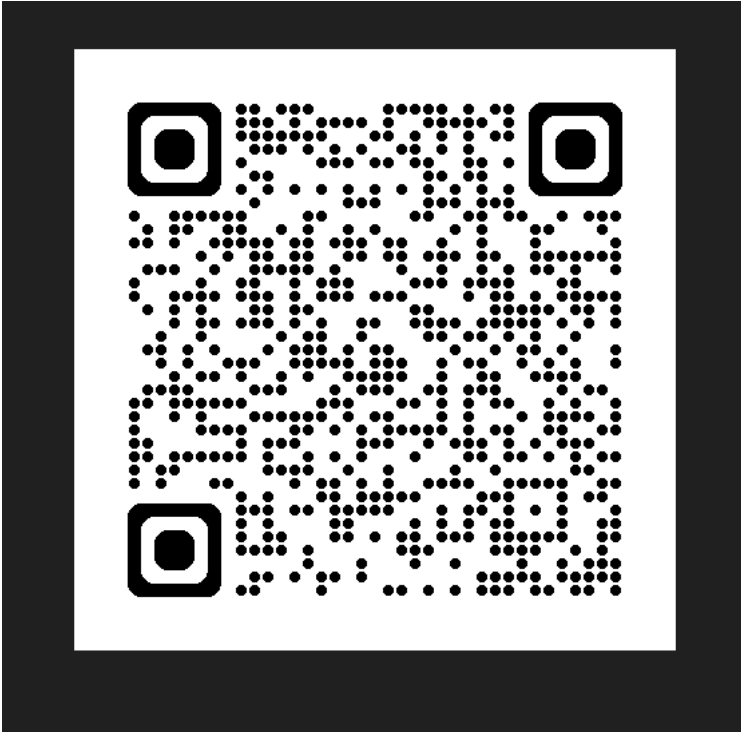
- Status of emeritus does not always comply
- Explore change of HI option (portability)
- Case by case analysis



Final advice

- At GAP: take advantage of the **online meeting with the project officer**
- Better to **fix the set-up at GAP** to avoid amendments or ineligibility of costs
- **Assist the PI** in those matters
- **During implementation**, in case of doubt, contact the project officer – the sooner the better!

Evaluation QR code



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