



## **WG3.1B Legal scope of declarations to be signed by the legal representatives – proposal stage**

### **a) Declarations made by Coordinators**

**Carmen Gascó, Universidad Politécnica de Madrid (UPM), Spain**

**Ljubljana, March 5, 2015**



## Declarations *(at proposal stage)*

**Proposal submission Part A**

### *Declarations*

1) The coordinator declares to have the explicit consent of all applicants on their participation and on the content of this proposal.	<input checked="" type="checkbox"/>
2) The information contained in this proposal is correct and complete.	<input checked="" type="checkbox"/>
3) This proposal complies with ethical principles (including the highest standards of research integrity — as set out, for instance, in the <a href="#">European Code of Conduct for Research Integrity</a> — and including, in particular, avoiding fabrication, falsification, plagiarism or other research misconduct).	<input checked="" type="checkbox"/>



## Declarations *(at proposal stage)*

### Proposal submission Part A

#### 4) The coordinator confirms:

- to have carried out the self-check of the financial capacity of the organisation on <a href="https://ec.europa.eu/research/participants/portal/desktop/en/organisations/lfv.html">https://ec.europa.eu/research/participants/portal/desktop/en/organisations/lfv.html</a> or to be covered by a financial viability check in an EU project for the last closed financial year. Where the result was "weak" or "insufficient", the coordinator confirms being aware of the measures that may be imposed in accordance with the H2020 Grants Manual (Chapter on Financial capacity check); or	<input type="radio"/>
- is exempt from the financial capacity check being a public body including international organisations, higher or secondary education establishment or a legal entity, whose viability is guaranteed by a Member State or associated country, as defined in the H2020 Grants Manual (Chapter on Financial capacity check); or	<input checked="" type="radio"/>
- as sole participant in the proposal is exempt from the financial capacity check.	<input type="radio"/>



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## Declarations *(at proposal stage)*

### Proposal submission Part A

5) The coordinator hereby declares that each applicant has confirmed:

- they are fully eligible in accordance with the criteria set out in the specific call for proposals; and	<input checked="" type="checkbox"/>
- they have the financial and operational capacity to carry out the proposed action.	<input checked="" type="checkbox"/>

The coordinator is only responsible for the correctness of the information relating to his/her own organisation. Each applicant remains responsible for the correctness of the information related to him and declared above. Where the proposal to be retained for EU funding, the coordinator and each beneficiary applicant will be required to present a formal declaration in this respect.



## Declarations *(at proposal stage)*

### Who?

- Type of partner (coordinator, beneficiaries, partner organisations- third parties)
- Partner's eligibility and financial viability check
- Person involved to submit/sign (legal representative, researcher, project manager)

### When?

- Before submission of the proposal



## Declarations *(at proposal stage)*

### To what extent? Content

- Explicit consent
- Ethical principles
- Engagement, risks, liabilities, confidentiality, competition clauses-restriction of participation

### How? Form

- Proposal submission Part A
- Email confirmation
- Paper signed (NDA, MoU, declaration, etc.)



## Examples of declarations

“The **signatory Party** gives its **explicit consent** to the **coordinator** of the Project, designated by all the partners (hereinafter the « Coordinator ») to its **participation** and **for submitting the Project proposal**”.

“The **signatory Party** confirms it is **fully eligible** in accordance with the criteria set out in the specific call for proposals and it has the **financial and operational capacity** to carry out the Project”. + **ethical issues** and information **accuracy compliance** etc.

“I **confirm with this email** that **we are willing to participate** in the project with title “*Title of the project*” and that we know the Rules for the Participations in H2020 proposals. In case the proposal is accepted by the European Commission, we further agree to participate in the project and we assure the fulfillment of our task in accordance with the terms and conditions of the contract to be signed by the EC and the project partners.”



## Examples of declarations

**“Declaration done by (*insert name of your institution*) as partner -beneficiary applicant- of proposal called (*insert Acronym of the project proposal*) submitted to call H2020-XXX-XX,**

- to provide the explicit consent to the coordinator (XXXXXXXXXX) on their participation and on the content of the above mentioned proposal;
- to be fully eligible in accordance with the criteria set out in the specific call for proposals above mentioned;
- to have the financial and operational capacity to carry out the proposed action.
- to remain responsible for the correctness of the information related to him and declared in the proposal above mentioned;

In case the proposal is retained for EU funding, (*insert name of your institution*) as beneficiary applicant will present a formal declaration including all the above mentioned points”





## Questionnaire

As <b>signatory Party (Beneficiary)</b>		
while <b>preparing</b> a project proposal (before submission)		
<b>A) Having the role of a Coordinator</b>	YES	NO
Do you <b>request signing a declaration of conformity by the consortium partners?</b>	<b>If yes, in what form?</b> - copy of a declaration from form A, - part of MoU/Lol, - other (what kind?)	
<b>B) Having the role of a Partner</b>	YES	NO
a) Do you sign a declaration of conformity?	<b>If YES, how often:</b> - always-- very often-- sometimes-- seldom	



# Questionnaire

If YES					If NO		
<b>Who signs the declaration?</b>	<i>Legal representative</i>	<i>Principal Investigator (scientist in charge)</i>	<i>Project manager</i>	<i>Other Who?</i>	<i>In absence of formal written declaration do you:</i>	<i>Submit an e-mail confirmation of conformity</i>	<i>Use other options - what kind?</i>
<b>b) Do you sign any other formal document?</b>	YES					NO	
	<i>NDA</i>	<i>MoU</i>	<i>Other declaration(s) What kind?</i>	<i>Other documents What kind?</i>	<i>In absence of listed formal written documents do you:</i>	<i>Make e-mail declarations on IPR, confident., competition etc.</i>	YES/NO



## Questionnaire

**Done from 26/2/2015 to 3/03/2015**

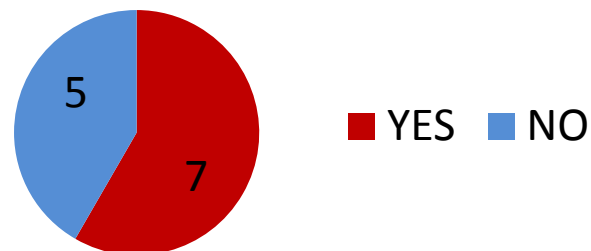
**By 13 institutions as members of Working Group 3**

**From 11 different countries**

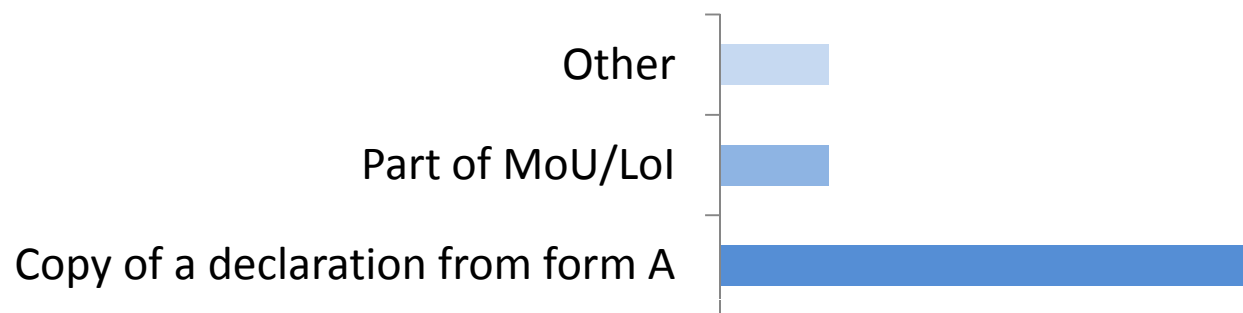
## Questionnaire

### A) Having the role of a Coordinator

Do you request signing a declaration of conformity by the consortium partners?



If YES, in what form?

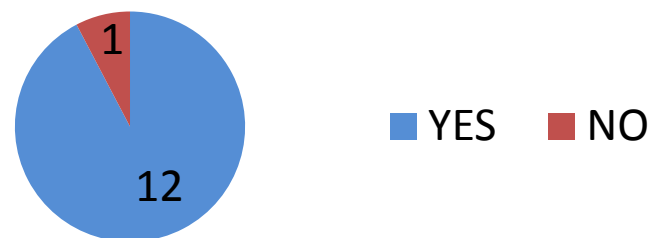




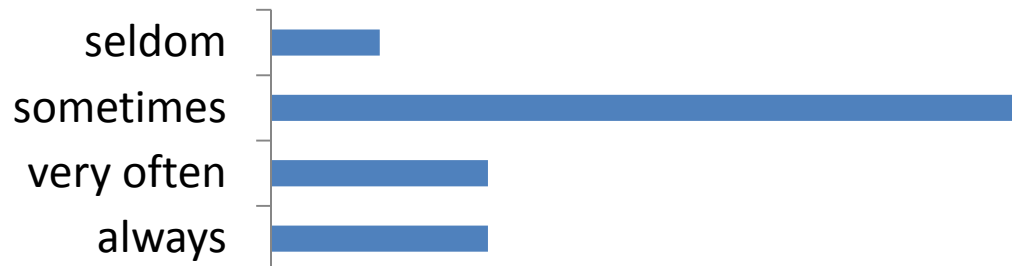
# Questionnaire

## B) Having the role of a Partner

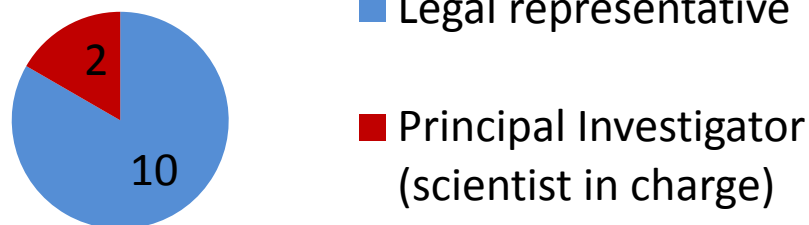
**Do you sign a declaration of conformity?**



**If YES, how often:**



**Who signs the declaration?**



**Do you sign any other formal document?**

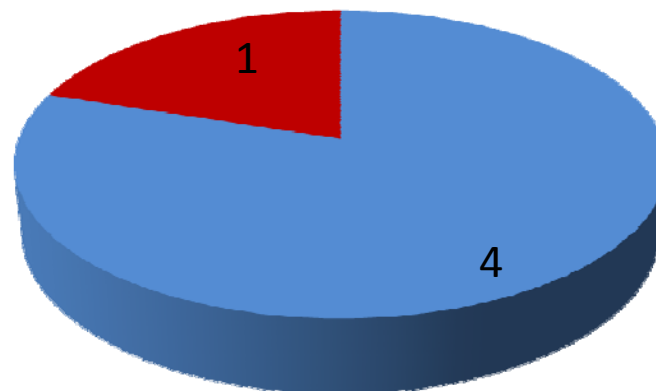




## Questionnaire

### If NO signing a declaration of conformity

In absence of formal written  
declartion do you:



- Submit an e-mail confirmation of conformity
- Use other options

In absence of listed formal  
written documents do you:

**4 Institutions**  
Make e-mail declarations on IPR,  
confident., competition etc.



**Thank you for your attention!**

Questions? – Time to discuss