Instruments for Public-Private Partnerships

Conclusions of a European Commission internal analysis
PPP Features Analysed

- Governance (statutes, leadership, voting, core/founding members)
- Operational model (management, planning, decision making, staffing, reporting)
- Membership (nature and number of core participants, role of SMEs, associated members, openness, accession/cessation)
- Advisory groups (Scientific community, EU member countries, …)
- Conflict of Interest, confidentiality/transparency
- Coordination with ERA, FP, national programmes, …
- Work programme, calls for proposal, evaluation & criteria
- Legal entity, status, legal base, seat, legal commitments prior to set-up?
- Financial, funding (public funding model, rules, private funding model, funding of projects, funding of the organisation), relation to EIB, RSFF, financial regulation, VAT.
- Intellectual property, exploitation,
- Ethical issues (organisation/processes, research/proposals)
- Set-up phase & time-frame to become operational
Organisation Forms Analyzed

• **Framework Programme 7**
  – No legal status for FP7 projects, but Council regulations, decisions and EC decisions provide an effective, stable and known framework for European research cooperation
  – A PPP can be implemented using the legal and operational structures provided by FP7 (e.g. European Green Cars initiative, European Energy-efficient Buildings and Factories of the Future initiative)

• **European Research Infrastructures (ERI)**
  – Organisations set up to establish and operate a research infrastructure.
  – Legal framework provides only for the participation of countries and Intergovernmental Organisations, i.e. a public-public partnership with limitations in terms of membership and scope.

• **Joint Undertakings**
  – Legal base for today's Joint Technology Initiatives (JTI’s)
  – A PPP can be implemented with a dedicated legal and operational structure through a European Council regulation.
Conclusion

- Precise objective in work programme
- Expected impact
- Expected stakeholders and actors
- Size → Partnership, duration, funding
- Instrument for implementation
- Tailored eligibility & evaluation criteria

Dedicated Calls (FP7) → 2011-2013

JTI (FP8) → 2014 and beyond

- Project type of action or programme type of action?
- Detail of ambition and technical objectives
- Membership (European Commission, EU Member Countries, Associations, individual organisations (companies, universities)
- Funding Model (income side & spending side
- IPR Rules
Want to Know the full story?

- **The Report**
  (http://ec.europa.eu/information_society/activities/foi/library)
  - One stop-shop for:
    - PPP Option Analysis
    - Compilation of all relevant references

- **Further reading:**
  - SEC(2007) 692 - on JTI’s Background, State of play and Main Features
  - SEC(2005) 800 - report on Report on ETP and JTI’s to Boost Europe’s Industrial Competitiveness