



Legal aspects



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Content

- Legal Framework
- Implementation of BBI JU Work Plan
 - Rules for Participation
 - Grant Agreement
 - IPR management



Legal framework BBI JU

- Long-term Public-Private Partnerships.
- Council Regulation (EU) 560/2014 establishing the BBI JU => BBI initiative aims at increasing investment in the development of sustainable bio-based industry sector in Europe.
- Under H2020 BBI JU is an European body entrusted with the implementation of part of the programme.



Implementation of BBI JU WP

- BBI follows the general H2020 rules:
 - Specific details for each call can be found in the Guide for Applicants (GfA)
 - Derogation to Rules for Participation:
 - No funding for large industries in RIA or CSA



STANDARD AWARD CRITERIA

EXCELLENCE

IMPACT

QUALITY &
EFFICIENCY
OF THE ACTION

- In-kind contribution (declared in part A of the proposal)
- Additional activities(declared in part B of the proposal)



Chapter 1: General

- Single article: subject of the agreement

Chapter 2: Action

- Action, duration and budget

Chapter 3: Grant

- Amount, reimbursement rates, eligible costs

Chapter 4: Rights and obligations

- To implement the action: resources, in-kind contributions, subcontracts
- Grant administration: reporting, payments, audits
- Background and results: access rights, protection of results, exploitation, dissemination
- Others: gender equality, ethics, confidentiality

Chapter 5: Division of roles

- Roles and responsibilities, internal arrangements

Chapter 6: Rejection, reduction, penalties, termination, etc

- Rejection, reduction, recovery and penalties
- Suspension and termination of the action

Chapter 7: Final provisions

- Accession, entry into force, amendments, applicable law



Annex 1: Description of the action

Annex 2: Estimated budget

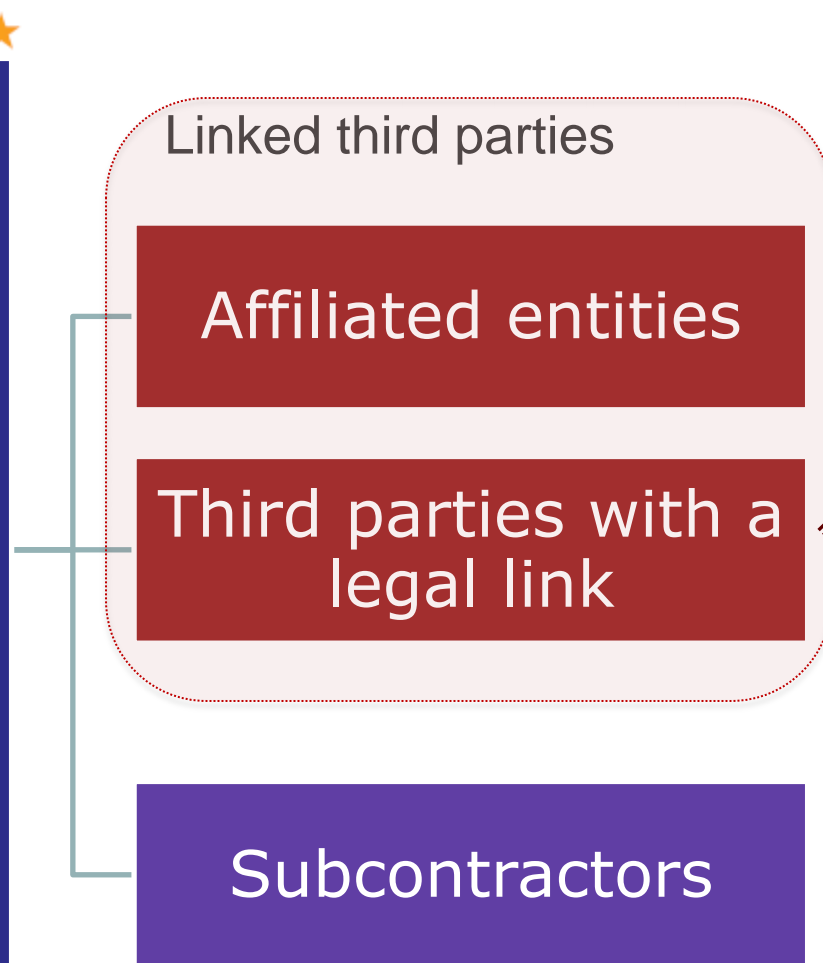
Annex 3: Accession Forms, 3a & 3b

Annex 4: Financial statements

Annex 5: Certificate on the financial statements

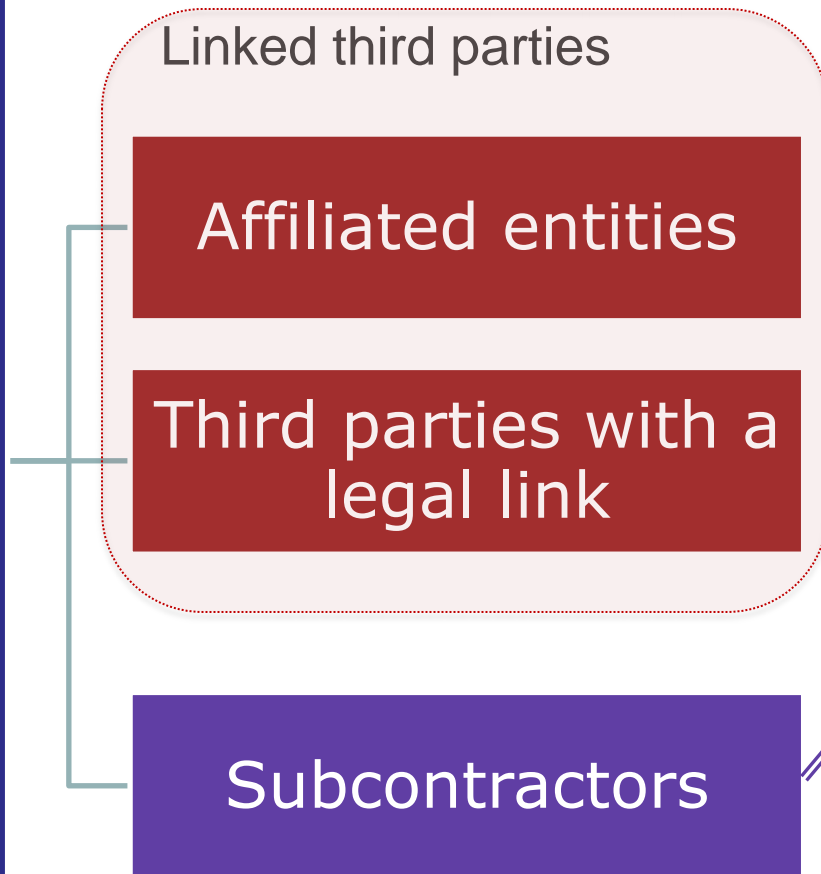
Annex 6: Certificate on the methodology

Third Parties: carrying out work in the action



- Equivalent to FP7 Special Clause 10
- Must be identified in the GA
- Same cost eligibility criteria than beneficiaries
- **!** **NEW:** BBI JU may request to accept joint and several liability for their BBI JU contribution
- **Article 14** MGA

Third Parties: carrying out work in the action



- Ensure best value for money and avoid any conflict of interests
- Estimated costs and tasks must be identified in the budget and Annex 1
- **!** **NEW:** if not identified in Annex 1, BBI JU may still approve them (beneficiary bears the risk of rejection)
- **Article 13** MGA₉



Intellectual Property Rights (IPR)

Results: any tangible or intangible output of the project, including any attached rights

Background: any data, know-how or information, whatever its form, including any rights:

- held by beneficiaries prior to their accession to the grant agreement,
- needed to implement the project or to exploit its results,
- identified by beneficiaries



ACCESS RIGHTS

Within a project	A participant must grant access to its background	A participant must grant access to its results
If needed by another participant to implement the project	Royalty-free	Royalty-free
If needed by another participant to exploit own results *		

*Unless otherwise agreed in the consortium agreement, an affiliate entity established in a MS or AC has access rights under the same conditions if needed to exploit results generated by the participant to which it is affiliated.



ACCESS RIGHTS

Within a project	A participant must grant access to its background	A participant must grant access to its results
If needed by another participant to implement the project	Royalty-free Unless otherwise agreed before accession to the grant agreement	Royalty-free
If needed by another participant to exploit own results *	Fair and reasonable conditions (to be agreed and may be royalty-free)	



Transfer of licensing

- **BBi Policy: To introduce in all GA article 30.3**
 - BBI may up to four years after the conclusion of the project object to a transfer of ownership or the exclusive licensing results if;
 - To a third party established in a non-EU country
 - Transfer or license is not in line with EU interests
 - BBI has to be notified in advance of any transfer or licence (60 days for reaction).



And now: financial aspects