

Presentation and discussion of the Consortium Agreement

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AGENDA

CA DEFINITION

AIM of the CA

MAIN TOPICS of 4PRIMA CA

STRUCTURE OF THE CA

CONCLUSION and TAKE AWAY



DEFINITION 1/2

The Consortium agreement is:

- a legal document that regulates the internal relations within the Consortium;
- mandatory for the majority of the European projects;
- to be worked out during GA preparation;
- built on the GA as legal basis;
- not allowed to contradict the Grant Agreement.

The EC is not a partner to the Consortium Agreement.

DEFINITION 2/2

Several CA models exist (DESCA-EUCAR-MCARD)

4PRIMA CA is based on the DESCA model:

The model provides recommendations, suggestions and a legal framework for the project implementation, but changes are allowed.

The rules laid out in the CA are helpful for your project.

AIM OF THE CA

Why do we need another agreement if we already have the GA?

GRANT AGREEMENT (GA):

- the GA is a standard agreement and sets the main frame.

CONSORTIUM AGREEMENT (CA):

- implementation and organisation of the action, in accordance with the Grant Agreement;
- the CA regulates all project specific aspects in detail, including IP, dissemination and management;
- the CA makes project management (decision making) quicker and easier;
- in case of conflict, the CA provides clear guidance.

MAIN TOPICS OF 4PRIMA CA

The main topics of the CA are:

1. internal organisation of the consortium;
2. the distribution of the EU financial contribution;
3. Intellectual Property Rights (IPR) and additional rules, exploitation and dissemination of results, and access rights;
4. the settlement of internal disputes;
5. liability and confidentiality arrangements.

STRUCTURE OF THE CA

The CA can be tailor-made for any specific project but it shall contain:

Preliminary Clauses	Central Clauses	Final Clauses
<p>Summary of project:</p> <ul style="list-style-type: none"> •title – Call; •list of Parties as identified in the GA; •duration: the CA shall have effect from the 1May 2016 and shall terminate at the end of the project. 	<p>Financial and administrative management:</p> <ul style="list-style-type: none"> •consortium Body; •decision-making procedures; •financial organisation. 	<p>Applicable law: laws of Belgium.</p> <p>Jurisdiction and Disputes resolution: the Party shall endeavour to settle their disputes amicably or through the use of mediation.</p>
<p>Responsibilities of Parties.</p> <p>Language: English.</p>	<p>Intellectual property issues</p>	<p>Dissemination: during the project, and for a period of 1 year after the end of the project, the dissemination of own Results, by one or several Parties, including but not restricted to publications and presentations, shall be governed by Article 29 of the GA.</p>
<p>Organization of meetings: the meetings will be held in different location chosen among the participating institutions.</p>		<p>Other: e.g confidentiality</p>

CONCLUSIONS AND TAKE AWAY

Three versions of 4PRIMA CA have been already issued.

The latest includes minor changes and can be consider the final.

Please encourage your legal offices to review it quickly, to speed up the signaturee procedure.