

# Information Guide for IHI JU Contributing Partners

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## Disclaimer

This guide is designed to assist legal entities interested in becoming an **IHI JU contributing partner** in preparing and submitting their applications. It is based on the rules and conditions set out in the legal framework of IHI JU, the IHI JU Work Programme and the Horizon Europe Model Grant Agreement, which are accessible through the Funding & Tenders Portal and the IHI JU website.

This guide does not supersede those documents, which are legally binding.

This guide may be subject to modifications during the implementation of the IHI JU programme.

## History of changes

Version	Date	Change	Section
1.1	14 December 2022	First version	
1.2	I.220 July 2023-Update of language as to 'the constituent of affiliated entities of members other than the Union'		Entire document
		- Added a definition of 'associated partner'	Definitions
		- Minor language clarifications	1.2
		<ul> <li>Addition of a row '<i>eligibility to receive funding</i>' in Table 1</li> </ul>	1.3
		- Addition of further language in the row ' <i>what do they participate in</i> ' in Table 1	Table 1
		- Clarification of language on IKAA	1.4
		<ul> <li>Added further explanation on contributing partner's involvement in IHI JU</li> </ul>	2.2
		<ul> <li>Added text box 'Before applying to become a contributing partner to IHI JU"</li> </ul>	
		<ul> <li>Added a bullet point on confirmation of lack of membership in an IHI JU member other than the Union</li> </ul>	
		- Clarification of language on IKOP	2.3
		<ul> <li>Added explanation on eligibility criteria of contributions based on the Article 6.1 of the Horizon Europe Model Grant Agreement</li> </ul>	
		<ul> <li>Added new points 2.4.1; 2.4.2 and 2.4.3: explanation on participation of contributing partners in IHI JU projects as beneficiaries; affiliated entities; or associated partners</li> </ul>	2.4 Figure 1 Figure 2
		<ul> <li>Added new Figure 1 and new Figure 2</li> <li>Added new Table 2</li> </ul>	Table 2
		<ul> <li>Added further explanations on reporting contributions when the contributing partner participates in IHI JU project as a beneficiary</li> </ul>	2.5

Version	Date	Change	Section
		<ul> <li>Added a clarification on timing of applications; description of the contribution; and the lack of IHI JU members' affiliation</li> </ul>	3.1
		<ul> <li>Added a reference to the eligibility of the contributions of contributing partners</li> </ul>	3.2
		<ul> <li>Added a footnote on sending signed applications to the IHI JU Programme Office</li> </ul>	3.3
		<ul> <li>Added a footnote on alignment of contribution figures in the proposal's budget and application letters</li> </ul>	
		<ul> <li>Added a clarification on description of the contribution and on the lack of IHI JU members' affiliation</li> </ul>	4.2
		<ul> <li>Added a footnote on sending signed applications to the IHI JU Programme Office</li> </ul>	
		<ul> <li>Added a reference to the eligibility of the contributions of contributing partners</li> </ul>	4.3
		<ul> <li>Update of the template application letters by including a declaration on lack of industry association membership and compliance of contribution with Article 6.1 model grant agreement</li> </ul>	Annex 1 Annex 2
		- New Annex 4 - reference documents	Annex 4
		- New Annex 5 - IKOP and IKAA summary table	Annex 5
1.3	13 June 2024	<ul> <li>Removing Annex 1 and Annex 2 which contained the templates of the contributing partner application letters and replacing those Annexes with reference to the <u>IHI JU</u> <u>contributing partners website</u> where the most updated templates may be found</li> </ul>	Previous Annex 1 Previous Annex 2

## Main definitions

**Affiliated entities**: entities with a legal or capital link with the beneficiary, which is neither limited to the action nor established for the sole purpose of the action implementation. Affiliated entities implement parts of the action and are allowed to charge costs directly to the grant.

Associated countries: third countries associated to Horizon Europe. See list of countries: https://ec.europa.eu/info/funding-tenders/opportunities/docs/2021-2027/common/guidance/list-3rd-countryparticipation\_horizon-euratom\_en.pdf and the relevant updates here: https://ec.europa.eu/info/news/updatesassociation-third-countries-horizon-europe\_en

**Associated partners**: entities that do not sign the grant agreement but are identified therein. They implement action tasks and their tasks and contribution are identified in the project's DOA. Associated partners do not receive EU funding and participate at their own cost. Contributing partners that take the role of associated partners in a project may provide FC and IKOP to that project. Such contributions must satisfy the criteria for eligible costs as outlined in the grant agreement.

Applicant: legal entity applying for a call for proposals.

**Associated Members**: in accordance with Article 7 SBA the IHI JU may launch open and transparent calls for expression of interest with a view to selecting associated members with the potential to contribute to the achievement of the objectives of IHI JU. The call for expression of interest shall set out the key capacities needed in order to achieve the objectives of IHI JU and may request applicants to provide an indication of their potential contributions. The IHI JU Governing Board shall assess and approve or reject applications for membership as an associated member.

**Beneficiaries**: a legal person, other than the IHI JU, which is a signatory of the grant agreement (either directly or through an accession form).

**Call for proposals**: a procedure to invite applicants to submit project proposals with the objective of receiving funds from the European Union.

**Call publication**: the act of publishing calls for project proposals on the Funding and Tenders Portal.

**COCIR**: the European Coordination Committee of the Radiological, Electromedical and healthcare IT Industry; a European trade association representing the medical imaging, radiotherapy, health ICT and electromedical industries. See <a href="https://www.cocir.org/">https://www.cocir.org/</a>

**Consortium agreement**: an internal agreement between members of a consortium establishing their rights and obligations with respect to the implementation of an action in compliance with the grant agreement. For IHI JU projects, the consortium agreement should be finalised before the grant agreement signature.

**Constituent entities**: entities that constitute a member other than the Union, where that member is an association according to that member's statutes. In the context of the IHI JU, constituent entities are the members of the associations COCIR, EFPIA, EuropaBio, MedTech Europe, and Vaccines Europe.

**Contributing partner**: any country, international organisation, or legal entity (other than a member of the IHI JU, or a constituent entity of a member or an affiliated entity of either) that supports the IHI JU's objectives in its specific area of research and whose application to become a contributing partner has been approved by the IHI JU Governing Board.

**Council Regulation (EU) 2021/2085** or **Single Basic Act** or **SBA**: the act establishing the Joint Undertakings (including IHI JU) under the Horizon Europe programme.

EFPIA: the European Federation of Pharmaceutical Industries and Associations. See https://www.efpia.eu/

**EuropaBio**: the European association representing corporate and associate members across sectors, plus national and regional biotechnology associations which, in turn, represent over 2600 biotech companies, 2300 out of them are SMEs. See <a href="https://www.europabio.org/">https://www.europabio.org/</a>

**Eligibility criteria**: criteria used to determine whether a proposal meets the requirements to become eligible for a European Union grant.

**Grant agreement**: a contract concluded between the IHI JU and the beneficiaries under which the parties receive rights and obligations (e.g. the right to the Union's financial contribution and the obligation to carry out the research and development work). It consists of the basic text and annexes.

**Horizon Europe**: the EU's key funding programme for research and innovation. See <a href="https://ec.europa.eu/info/funding-tenders/find-funding/eu-funding-programmes/horizon-europe\_en">https://ec.europa.eu/info/funding-tenders/find-funding/eu-funding-programmes/horizon-europe\_en</a>

**In-kind contributions to operational activities** or **IKOP**: contributions by the constituent or affiliated entities of members other than the Union and by contributing partners, consisting of the eligible costs incurred by them for implementing the action, less the contribution of the IHI JU to those costs.

**In-kind contributions to additional activities** or **IKAA**: contributions incurred by the constituent or affiliated entities of members other than the Union consisting of costs for implementing additional activities.

**Legal entity**: any natural person, or any legal person created and recognised as such under national law, European Union law or international law, which has legal personality, and which may, acting in its own name, exercise rights and be subject to obligations.

**Legal representative**: a natural person who has been empowered (directly or indirectly) by a legal entity to enter into legal commitments on its behalf.

**MedTech Europe**: the European trade association for the medical technology industry including diagnostics, medical devices and digital health. See <u>https://www.medtecheurope.org/</u>

#### Members:

- 1. the European Union (EU), represented by the European Commission; and
- 2. members other than the Union.

#### Members other than the Union:

- 1. the European life science industry, represented by COCIR, EFPIA (including its subgroup Vaccines Europe), EuropaBio and MedTech Europe; and
- 2. associated members if selected in accordance with Article 7 of SBA.

**Member State**: a state that is party to treaties of the European Union and thereby subject to the privileges and obligations of European Union membership.

**Model grant agreement**: the compulsory form of a grant agreement. It consists of a core text (determining the basics of a project) and several annexes.

**Participants:** entities participating in the action as beneficiaries, affiliated entities, associated partners, third parties giving in-kind contributions, subcontractors, or recipients of financial support to third parties.

Submission: the formal act of submitting a proposal to IHI JU.

**Single-stage submission scheme**: a scheme in which there is a single proposal submission and evaluation phase and there is no pre-defined industry consortium. The applicant consortium composition may include any legal entities, including the constituent or affiliated entities of members other than the Union, and/or contributing partners and their constituent and affiliated entities who will ensure the 45 % eligibility criterion is fulfilled.

Strategic Research and Innovation Agenda: a document approved by the IHI JU Governing Board which focuses on the specific objectives of IHI JU. See <u>https://www.ihi.europa.eu/about-ihi/research-and-innovation-agenda</u>

Third Country: any country outside the EU which is not associated to Horizon Europe.

**Topic**: IHI JU calls for proposals (as defined in the annual work programme) are subdivided into topics. A topic defines a specific research and innovation subject or area for which applicants are invited to submit proposals. The description of a topic comprises the specific scope and expected impact of the projects to be funded, and also the type of project, evaluation criteria and deadline for submission of proposals.

**Two-stage submission scheme**: a scheme in which applicants must submit a short proposal (SP) for the stage 1 evaluation. SPs must involve all applicant organisations requesting JU funding. At the end of the stage 1 evaluation, under each topic, only the applicant consortium of the first ranked SP will be invited to prepare and submit a full proposal (FP) for the stage 2 evaluation together with the pre-identified industry consortium for the topic.

**Work Programme**: a document adopted by IHI JU for the implementation of the IHI JU specific programme in accordance with Articles 23 and 25 of the SBA, and detailing call topics and associated modalities.

## Introduction

Innovative Health Initiative Joint Undertaking (IHI JU) is a public-private partnership (PPP<sup>1</sup>) between the European Union and the European life science industries.

IHI JU derives its legal basis, and much of its structure and modalities from the EU's Horizon Europe Research and Innovation funding programme<sup>2</sup> which runs until 2027.

IHI JU was formally established on 30 November 2021 by the Single Basic Act - Council Regulation (EU) 2021/2085<sup>3</sup> of 19 November 2021 establishing the Joint Undertakings under Horizon Europe wherein the IHI JU's form, objectives, and modalities are defined.

IHI JU works by bringing together diverse stakeholders public and private (universities, companies large and small, patient organisations and other health stakeholders) in collaborative projects that address disease areas where there is a high burden on patients and/or society. IHI JU's ambition is to support the delivery of timely and well-substantiated prevention, diagnosis, and treatment. IHI JU focuses on cross-sectoral projects involving the biopharmaceutical, biotechnology, and medical technology sectors, including companies active in the digital area to respond to unmet public health needs. For more information on the general and specific objectives of IHI JU, please consult the <u>Strategic Research and Innovation Agenda</u>.

The members of IHI JU are the European Union, represented by the European Commission, and the European life science industry, represented by the industry associations COCIR<sup>4</sup>, EFPIA (including Vaccines Europe)<sup>5</sup>, EuropaBio<sup>6</sup> and MedTech Europe<sup>7</sup>.

The 'contributing partner' category was created with the goal of opening up IHI JU to a wide range of stakeholders who may want to be involved in IHI JU and contribute to the achievement of its objectives without becoming IHI JU's members<sup>8</sup>.

IHI JU contributing partners invest their own resources (which can be researchers' time, laboratories, data) or cash in a specific IHI JU project or projects. Their contributions work in a similar way to contributions by the constituent or affiliated entities of members other than the Union.

This Guide aims to streamline and facilitate the discussions on becoming a contributing partner with interested entities.

<sup>&</sup>lt;sup>1</sup> According to Article 187 Treaty on the Functioning of the European Union, the Union may set up joint undertakings or any other structure necessary for the efficient execution of Union research, technological development, and demonstration programmes.

<sup>&</sup>lt;sup>2</sup> Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe, <u>https://eur-lex.europa.eu/eli/reg/2021/695/oj</u>

<sup>&</sup>lt;sup>3</sup> Council Regulation (EU) 2021/2085 of 19 November 2021 establishing the Joint Undertakings under Horizon Europe and repealing Regulations (EC) No 219/2007, (EU) No 557/2014, (EU) No 558/2014, (EU) No 559/2014, (EU) No 560/2014, (EU) No 561/2014 and (EU) No 642/2014, <u>https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32021R2085</u>

<sup>&</sup>lt;sup>4</sup> COCIR is the European Trade Association representing the medical imaging, radiotherapy, health ICT and electromedical industries. See <a href="https://www.cocir.org/">https://www.cocir.org/</a>

<sup>&</sup>lt;sup>5</sup> EFPIA is the European Federation of Pharmaceutical Industries and Associations. See <u>https://www.efpia.eu/</u>

<sup>&</sup>lt;sup>6</sup> EuropaBio is the European association representing corporate and associate members across sectors, plus national and regional biotechnology associations which, in turn, represent over 2600 biotech companies, 2300 out of them are SMEs. See <a href="https://www.europabio.org/">https://www.europabio.org/</a>

<sup>&</sup>lt;sup>7</sup> MedTech Europe is the European trade association for the medical technology industry including diagnostics, medical devices and digital health. See <u>https://www.medtecheurope.org/</u>

<sup>&</sup>lt;sup>8</sup> The IHI JU contributing partner category builds on the associated partner status created under the Innovative Medicines Initiative 2 (IMI2) programme, the forerunner to IHI JU. By the end of the IMI2 programme, there were over 30 IMI2 associated partners from around the world including philanthropic organisations, patient groups, and companies. They are contributing to IMI2 projects in diverse fields such as diabetes, infectious diseases (including tuberculosis and Ebola), digital health, autism, cancer, neurodegenerative diseases and more.

This Guide provides comprehensive and practical information on:

- the rules for participation in IHI JU: members vs contributing partners, funding model, basic information on IHI JU evaluation and selection process;
- legal framework applicable to contributing partners: entities authorised to apply, rules on contributions, engagement, and contractual obligations;
- how to join an IHI JU call as a contributing partner in single-stage and two-stage calls: legal framework, application process including template application letters, procedure for submission of application letters, assessment of the applications by the IHI JU programme Office and IHU JU Governing Board.

This Guide should be read in parallel with IHI JU Guide for Applicants which gives a comprehensive overview of the rules applicable to the IHI JU calls<sup>9</sup>.

For any questions, after having consulted this Guide, and if you are interested in becoming an IHI JU contributing partner, contact the <u>IHI JU Programme Office</u>.

<sup>&</sup>lt;sup>9</sup> Please visit: <u>https://www.ihi.europa.eu/sites/default/files/IHI\_Guide\_for\_Applicants.pdf</u>

## **1** Participating in IHI JU actions

## 1.1 Participation in IHI JU projects

Any legal entity carrying out activities relevant to the IHI JU and project's objectives may participate in IHI JU projects.

A distinction must be made between legal entities eligible to participate, and legal entities eligible to receive funding from IHI JU.

Any legal entity, regardless of its place of establishment, including legal entities from non-associated third countries or international organisations, **is eligible to participate** (whether it is eligible for funding or not)<sup>10</sup>.

In order for a proposal to be considered eligible, the applicant consortium should include:

- at least one independent legal entity established in a Member State; and
- at least two other independent legal entities, each established in different Member States or associated countries.

For the up-to-date information on the <u>current list of associated countries and low and middle income countries</u> see the list of participating countries in Horizon Europe.

<sup>10</sup> Please note that no legal entity established in Russia, Belarus or non-government controlled territories of Ukraine is eligible to participate in any capacity in any Horizon Europe grant or calls with deadline after 10 May 2022.

### 1.2 The IHI JU funding model

The total budget for IHI JU for the period 2021-2027 is up to €2.4 billion.

- up to €1 billion will come from Horizon Europe, the EU's framework programme for research and innovation;
- up to €200 million will come from Horizon Europe, provided that that amount is matched by the additional contributions from contributing partners, or from their affiliated entities if they decide to contribute to IHI JU;
- up to €1 billion will come from the IHI JU members other than the Union. Entities which are part of the IHI JU members other than the Union contribute to the programme, primarily through in-kind contributions (IKOP) (e.g. their researchers' time, laboratories, data, compounds). They can also make cash (financial) contributions (FC) and in-kind contributions to additional activities (IKAA);
- up to €200 million will come from IHI JU contributing partners, or from their affiliated entities if they decide to contribute to IHI JU (through IKOP and/or FC)<sup>11</sup>.

At least 45% of each project's budget must come from the constituent or affiliated entities of members other than the Union and/or contributing partners. As a best practice the consortia should aim for at least 50% of the action's eligible costs and costs for the action's additional activities<sup>12</sup>.

In principle, any organisation established in the EU, or a country associated to Horizon Europe<sup>13</sup> is **eligible to receive IHI JU funding**. In practice, IHI JU funding primarily supports the participation in its projects of organisations like universities, research organisations, patient organisations, small and medium-sized enterprises (SMEs), and mid-sized companies. Depending on the type of call for proposals, larger companies may also be eligible to receive IHI JU funding. Details of who may receive funding are available in section *Rules for funding per type of call* in the IHI JU guide for applicants<sup>14</sup>.

<sup>11</sup> Please note that under Article11.5 SBA - the contributions from contributing partners shall consist of financial contributions and in-kind contributions to operational activities. Contributing partners do not contribute in-kind contributions to additional activities.

<sup>12</sup> Please consult IHI JU Guide for Applicants, <u>https://www.ihi.europa.eu/sites/default/files/IHI JU Guide for Applicants.pdf</u>

<sup>13</sup> For the list of countries associated to Horizon Europe please see: <u>https://ec.europa.eu/info/funding-tenders/opportunities/docs/2021-</u>2027/common/guidance/list-3rd-country-participation\_horizon-euratom\_en.pdf

<sup>&</sup>lt;sup>14</sup> Further, for Work Programmes and more information on IHI JU funding, please consult: <u>https://www.ihi.europa.eu/about-ihi/plans-reports-and-finances</u>

## 1.3 Members versus contributing partners

### Table 1

	Members	<b>Contributing partners</b>
Who are they?	(1) the European Union; (2) members other than the Union	Any country, international organisation or legal entity other than a member or a constituent entity of a member or an affiliated entity of either, which became an IHI JU contributing partner
What do they participate in?	IHI JU strategic vision, governance as well as administrative and operational activities	IHI JU operational activities they commit to support (via the involvement in specific calls and projects in specific areas of research)
How do they join IHI JU?	Established in the SBA	Approved by the IHI JU Governing Board based on their application letter
How do they contribute to IHI JU?	the constituent or affiliated entities of members other than the Union contribute: IKOP, IKAA, FC	Contributing partners contribute: IKOP, FC (but not IKAA)
Eligible to Receive IHI JU Funding	Subject to eligibility of the participating legal entity and particular call conditions	Subject to eligibility of the participating legal entity and particular call conditions (see: <b>Figure 1</b> and <b>Figure 2</b> in section 2.4 below)
Relevant sections of the SBA	Artcile 11; 117	Artcile 2; 9; 11; 28 <sup>15</sup>

<sup>15</sup> For overview of the legal basis please see **Annex 1** to this guide.

# 1.4 Contributions from the constituent or affiliated entities of members other than the Union

For details on membership in members other than the Union (COCIR, EFPIA (including Vaccines Europe), EuropaBio and MedTech Europe), those organisations may be contacted directly.

The constituent or affiliated entities of members other than the Union contribute to IHI JU projects mainly through in-kind contributions (which may under certain circumstances be matched by the IHI JU funds).

Contributions of the constituent or affiliated entities of the members other than the Union to IHI JU may take the following form<sup>16</sup>:

#### At level of a project (action):

- 1. In-kind contributions to operational activities (IKOP): eligible costs incurred in implementing the action (project tasks/activities).
- 2. In-kind contributions to additional activities (IKAA): costs incurred in implementing additional activities (that are not project tasks and therefore not IKOP), i.e.:
  - a. additional activities contributing towards the IHI JU project objectives;
  - b. additional activities contributing to the dissemination, the sustainability or the exploitation of IHI JU project results (beyond project duration).
- 3. Financial Contribution (FC) (cash contributions) by the constituent or affiliated entities of members other than the Union to:
  - a. project beneficiary(ies) supporting the eligible costs incurred in implementing the IHI JU projects, or;
  - b. the IHI JU directly (to increase a given project funding).
  - c. <u>At programme level:</u>
  - d. programme-specific IKAA (i.e. to foster uptake of results from IHI JU/IMI1/IMI2 projects).

<sup>&</sup>lt;sup>16</sup> Please note that under Article 11.5 Council Regulation (EU) 2021/2085 of 19 November 2021 establishing the Joint Undertakings under Horizon Europe - the contributions from contributing partners shall consist of financial contributions and in-kind contributions to operational activities. Contributing partners do not contribute in-kind contributions to additional activities.

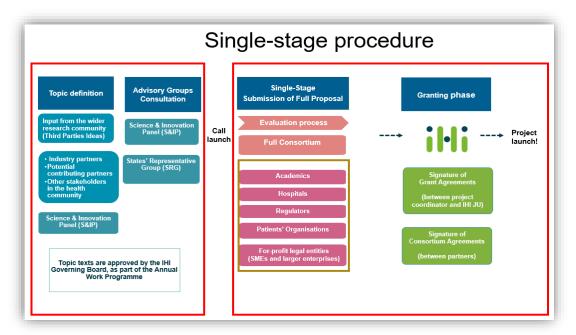
### 1.5 Summary of the IHI JU evaluation and selection process<sup>17</sup>

Every year IHI JU launches a number of calls for proposals. Proposals are then selected through these open and competitive calls for research proposals, based on independent peer review.

IHI JU uses two types of call structure: single-stage and two-stage calls:

For single-stage calls, applicant consortia may consist of different stakeholders such as academia, SMEs, large companies, regulators, etc. The proposals submitted by applicant consortia will be assessed on the basis of their quality and ability to fulfil the objectives of the specific call / topic, taking into consideration any specific requirement described in the call topic text, including the public-private partnership requirement. Therefore, applicants might need to involve participants from different health sectors to meet the specific objectives.

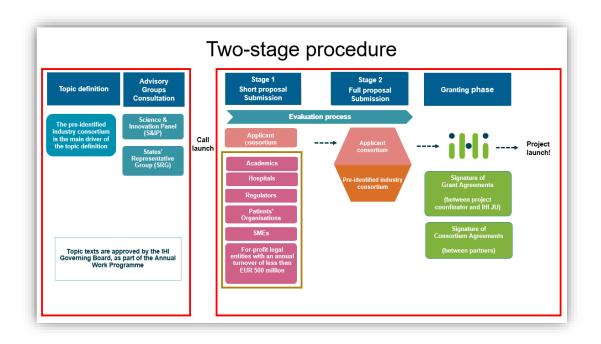
A single-stage submission implies a single submission and evaluation process, without a pre-defined industry consortium. Applicants must therefore submit a full proposal which includes one or several constituent or affiliated entities of members other than the Union and/or contributing partners. To meet the eligibility criteria, applicants must ensure already at proposal stage that the collective contribution to be provided by the constituent or affiliated entities of members other than the Union and/or contribution gartners amounts at least to 45 % of the proposal's eligible costs and the costs of any related additional activities. After the evaluation, proposals above threshold may be invited for grant preparation according to the ranked list and within the available budget.



<sup>&</sup>lt;sup>17</sup> For more information on the IHI JU evaluation and selection process please consult IHI JU Guide for Applicants <u>https://www.ihi.europa.eu/sites/default/files/IHI JU\_Guide\_for\_Applicants.pdf</u>

• Under a two-stage call, applicants must submit a short proposal for the stage 1 evaluation. All applicants requesting IHI JU funding must be part of the short proposal. At the end of the stage 1 evaluation, under each topic, only the applicant consortium of the first ranked short proposal is invited to prepare and submit a full proposal for the stage 2 evaluation together with the 'pre-identified industry consortium' (the main driver of the topic definition) for the relevant topic (see IHI JU two-stage procedure below) which includes one or several constituent or affiliated entities of members other than the Union and/or contributing partners. To fulfil the eligibility criteria, applicants must also ensure at the full proposal stage that the collective contributing partners amounts at least to 45 % of the proposal's eligible costs and the costs of any related additional activities.

The full proposal must be consistent with the short proposal, taking into account the stage 1 evaluation outcome, and may not differ substantially apart from adaptation of the workplan to integrate the 'pre-defined industry consortium' contributions.



## 2 Introducing contributing partners

### 2.1 Why become a contributing partner?

There are several benefits of becoming an IHI JU contributing partner:

- leverage funding: in many cases, contributions from contributing partners can be matched by EU contributions. In total, the EU can match up to EUR 200 million from contributing partners. Becoming an IHI JU contributing partner is an excellent way to make your resources stretch further while sharing risks;
- influence research: as a contributing partner in a project, you will be able to influence it from the earliest stages;
- networking: as a contributing partner, you will be part of the wider collaborative health innovation ecosystem of IHI JU. You will engage in a neutral, pre-competitive space alongside experts from industry, universities, patient groups, regulators and others, giving you unprecedented opportunities for cross-learning;
- benefits of scale: IHI JU expects to launch ambitious, large-scale, cross-sector projects addressing major challenges in health research. Working at scale in this way increases the likelihood of the projects having a real impact.

## 2.2 Who can apply?

Any country, international organisation or legal entity other than a member of IHI JU, or a constituent entity of a member or an affiliated entity of either may apply to become a contributing partner provided that:

- they contribute to the strategic and specific objectives of IHI JU in its specific area of research;
- they accept the legal framework of IHI JU by submitting a letter of application, that details the scope of their engagement in terms of contribution (in-kind and/or cash), activities and duration;
- they submit this application letter to the IHI JU Programme Office;
- the application is assessed by the IHI JU Governing Board.

Therefore, both public and private organisations of various nature may consider becoming an IHI JU contributing partner. Examples of contributing partners may include philanthropic organisations and charities that run their own research programmes, as well as legal entities and private companies working in sectors related to IHI JU such as ICT, MedTech, imaging, diagnostics, animal health, etc.

Importantly, as the contributing partner's involvement must support IHI JU in its specific area of research, each potential applicant shall duly consider the public-private component of the partnership, the strategic and specific objectives of IHI JU and the nature of its contributions to a call or project. Participating in IHI JU activities should reflect a strategic engagement from the potential contributing partner.

On a more specific level a contributing partner must also consider the obligations resulting from the participation in the consortium implementing an IHI JU project.

**Before applying to become a contributing partner to IHI JU** – please check that your legal entity is not affiliated directly or via a regional or local organisation to an IHI JU member, that is COCIR, EFPIA (including Vaccines Europe), EuropaBio and MedTech Europe. IHI JU members other than the Union, their constituent and affiliated entities <u>may not apply to become</u> IHI JU contributing partners.

The <u>websites of IHI JU members</u> include the lists of their corporate members, national associations and other entities which are their constituent and affiliated entities.

Any candidate contributing partner must submit an application letter to the IHI JU Office which later will be transmitted to the IHI JU Governing Board. A letter of application should confirm the organisation's willingness to observe the IHI JU legal framework and detail the scope of application in terms of:

- the IHI JU call and topic the applicant contributing partner would like to join;
- how the applicant contributing partner wishes to contribute to IHI JU;
- what relevance and potential added value does the proposed contribution present for the achievement of the objectives of IHI JU;
- the projected duration of the contribution to IHI JU;
- the amount of the contribution (in-kind and/or cash) in EUR;
- how much of the overall contribution will be considered as non-EU (according to the best projections of the applicant);
- manner and specifics of proposed contribution to the call and topic, for example: project areas, work packages, deliverables, and description of in-kind and/or in cash total equivalent amount;
- a confirmation that the candidate contributing partner is not affiliated to an IHI JU member, that is COCIR, EFPIA (including Vaccines Europe), EuropaBio and MedTech Europe and neither is their constituent nor affiliated entity; and
- in case of two-stage calls acceptance of the confidentiality obligation.

The most updated template application letters in single-stage and two-stage calls may be found on <u>IHI JU</u> <u>contributing partners website</u>.

### 2.3 Contributions from contributing partners<sup>18</sup>

Contributing partners (and their affiliated entities if any) contribute to topics/ projects mainly through financial and in-kind contributions and generally do not receive any funding from IHI JU<sup>19</sup>. The contributions from contributing partners must correspond to the amounts they have committed in the application letter when becoming a contributing partner.

The contribution of a contributing partner may take the following forms:

1. In-kind contributions to operational activities (IKOP): eligible costs incurred in implementing the action.

In-kind contributions are contributions by the contributing partners and their affiliated entity(ies) if any, consisting of the costs incurred by them (and as such recorded in their accounting system) in implementing the project activities<sup>20</sup>. The costs should be also compatible with the eligibility criteria set of in Article 6 of the Horizon Europe Model Grant Agreement<sup>21</sup>.

Costs for project activities incurred in the Union or in one of the countries associated to Horizon Europe shall be considered 'EU IKOP' while costs for project activities incurred outside the Union or outside countries associated to Horizon Europe shall be considered 'non-EU IKOP'. Non-EU contributions cannot exceed 20% of the overall IKOP at programme level<sup>22</sup>.

<sup>&</sup>lt;sup>18</sup> Article 11 of Council Regulation (EU) 2021/2085 of 19 November 2021 establishing the Joint Undertakings under Horizon Europe.

<sup>&</sup>lt;sup>19</sup> Contributing partners can potentially receive funding in IHI JU single-stage calls and depending on additional factors in two-stage calls. Please refer to sections 2.3 on eligibility for funding in the IHI JU Guide for Applicants and explanatory **Figure 1** and **Figure 2**.

<sup>&</sup>lt;sup>20</sup> In single-stage calls, CPs may in addition to contributing, also request funding, if eligible for funding. Their net contribution will be counted as their final contribution.

<sup>&</sup>lt;sup>21</sup> Please consult Model Horizon Europe Grant Agreement (<u>https://ec.europa.eu/info/funding-tenders/opportunities/docs/2021-2027/horizon/agr-contr/unit-mga\_he\_en.pdf</u>

<sup>&</sup>lt;sup>22</sup> For further information on the definition of 'non-EU' please see the <u>Guide for Applicants</u>.

IKOP can take the form of different eligible cost types, e.g.:

- personnel the time of staff employed by a contributing partner directly working on IHI JU projects. This is
  important because IHI JU's success is based on the way it brings together the expertise of people working in
  the relevant partner organisations with the expertise found in other organisations, like universities, SMEs,
  and patient groups;
- other direct costs consumables, equipment depreciation, samples, compounds;
- subcontracting e.g. for clinical trials, subcontracting to Clinical Research Organisations, subcontracting to data management companies, lab services, communication, project management support, etc.;
- indirect cost which is calculated automatically as 25% of the direct costs (excluding subcontracting costs and internally invoices goods and services).

#### 2. Financial Contribution (FC):

Financial transfer (cash contributions) to project beneficiary(ies) supporting their eligible costs incurred in implementing the IHI JU project.

**Important note:** contributing partners may <u>not</u> contribute in-kind contributions to additional activities (IKAA).

#### Eligibility of contributions (IKOP and FC)

When establishing the value of in-kind and financial contributions to the IHI JU projects, contributing partners must comply with:

- the usual cost accounting practices of their entity;
- the applicable accounting standards of the country where their entity is established; and
- the applicable International Accounting Standards and International Financial Reporting Standards.

As mentioned above, resources contributed to a project may be matched by IHI JU funds, making this a good way of leveraging precious resources.

**Important note**: It is essential that the costs incurred by contributing partners in implementing IHI JU projects <u>fulfil the eligibility criteria</u> as specified in the Article 6.1 of the Horizon Europe model grant agreement to be valorised and accepted as their in-kind contribution to operational activities (IKOP).

These general eligibility criteria clearly specify, among others,

- that cost should be actual, i.e. should not include any profit margin;
- that cost should be recorded in the accounting system of the concerned contributing partner;
- that cost should be identifiable and verifiable (e.g. the auditor needs to be able to reconcile figures that are reported to IHI JU and costs that are recorded in the accounts of the contributing partner);
- that cost must be incurred during project implementation (i.e.; between the start date and the end date of the project).

In some cases, unit costs<sup>23</sup> can be used (e.g., average personnel costs, unit personnel costs for SME owners, internally invoiced goods and services).

The Single Basic Act does not allow IHI JU to deviate from the eligibility criteria above.

Examples of non-eligible costs (i.e. not IKOP):

- Data: data that are pre-existing the start of the project and for which the entity does not incur costs anymore during the project implementation are not eligible. Only actual costs incurred during project implementation for those data (e.g., harmonisation costs, transfer costs) can be valorised as IKOP.
- Software licence fees: software developed by the entity before the start of the project and for which the entity does not incur costs anymore during the project implementation are not eligible. Valorising the use of this software by the consortium with licence fees is not acceptable as licence fees are not actual costs for the entity and are not recorded in the accounting system of the entity.

In case of specific questions on eligible contributions please contact the IHI JU office directly via email.

### 2.4 Scope of the engagement and contractual obligations of a contributing partner

The contributing partner's engagement with IHI JU has to be compatible with IHI JU's strategic objectives and those programmatic goals determined by the IHI JU Strategic Research and Innovation Agenda. Contributing partners are not involved in the governance structure of IHI JU and do not have voting rights in the Governing Board.

There is no limitation on the number of topics / projects that interested contributing partners may contribute to. However, participation in multiple topics / projects requires a contributing partner to prepare a separate topic / project specific application to the IHI JU Governing Board.

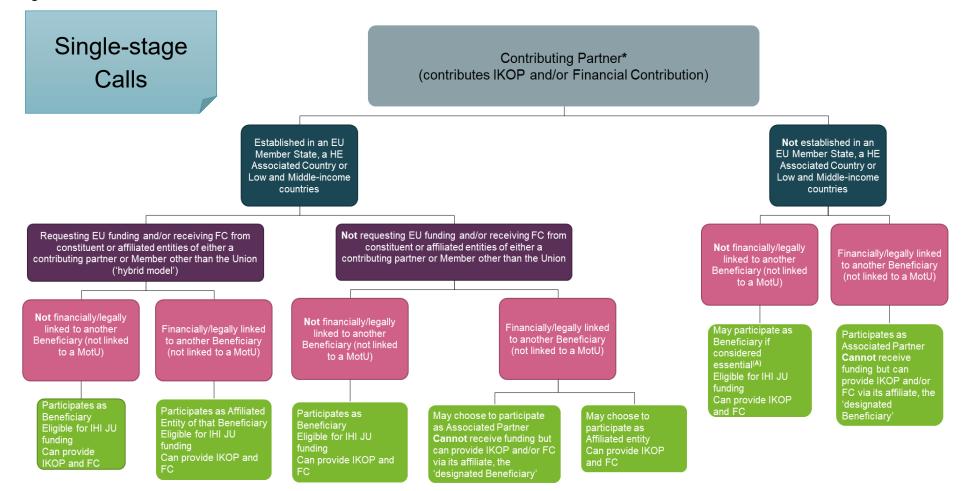
Contributing partners become a part of the applicant consortium and may participate in a project, as appropriate as:

- Beneficiaries;
- Affiliated entities in the meaning of Article 8 of the Horizon Europe model grant agreement; or
- Associated Partners in the meaning of Article 9.1 of the Horizon Europe model grant agreement.

Figure 1 illustrates participation of contributing partners in single-stage calls.

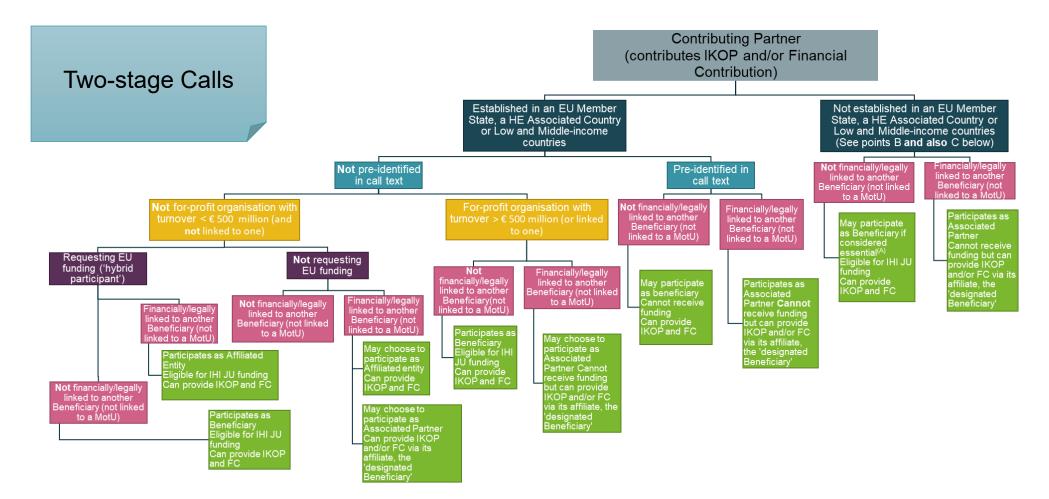
Figure 2 illustrates participation of contributing partners in two-stage calls.

#### Figure 1



- \* To qualify as a CP to IHI JU, the CP must not be affiliated to any Constituent or Affiliated Entities of a Member other than the Union (Beneficiaries, Affiliated Entities or Associated Partners)
- (A) CP may be eligible to receive funding providing a) their participation is assessed and judged essential by the IHI programme office; b) their application letter for CP status is reviewed and approved by the IHI JU Governing Board, c) that provision of IHI JU funding to the CP is merited to address the needs of the project/call topic. MotU may be eligible to receive funding providing their participation is assessed and judged essential by the independent external experts evaluating the proposal

#### Figure 2



(A) CP may be eligible to receive funding providing a) their participation is assessed and judged essential by the IHI programme office; b) their application letter for CP status is reviewed and approved by the IHI JU Governing Board, c) that provision of IHI JU funding to the CP is merited to address the needs of the project/call topic. MotU may be eligible to receive funding providing their participation is assessed and judged essential by the independent external experts evaluating the proposal.

(B) CPs established in non-EU Member States and non-associated/non LMIC countries who are identified in the call topic text may participate as Beneficiaries (providing they are considered essential) or, if they are financially or legally linked to another beneficiary in the project as an associated partner. Such CPs **may not** receive funding.

(C) CPs established in non-EU Member States and non-associated/non LMIC countries who are NOT identified in the call topic text may participate as Beneficiaries (providing they are considered essential) or, if they are financially or legally linked to another beneficiary in the project, as an associated partner. Those CPs that participate as Beneficiaries may, under certain conditions, **can** receive funding.

### 2.4.1 Participation of contributing partners in IHI JU projects as beneficiaries

It is expected that the contributing partners not established in an EU Member State, a country associated to Horizon Europe or low- and middle-income countries will take up the role of beneficiaries in the project<sup>24</sup>.

Where the contributing partners participate as beneficiaries, they sign the grant agreement for each project they contribute to.

Specifically, contributing partners (and where relevant their constituent or affiliated entities) shall:

- sign the IHI JU grant agreement<sup>25</sup>. Therefore, contributing partners shall notably comply with the entirety of the legal rules of the Horizon Europe framework as they pertain to the IHI JU, and in particular the Articles of: Regulation on the Rules for Participation in Horizon Europe (EU) No 2021/695; Council Regulation (EU) No 2085/2021 establishing the Joint Undertakings under Horizon Europe; the Model Grant Agreement for Horizon Europe and the Horizon Europe Work Programme General Annexes;
- sign the consortium agreement. All project beneficiaries and potentially affiliated entities and associated
  partners shall sign a consortium agreement that sets out participants' rights and obligations and addresses
  issues like governance, liability and intellectual property rights. The agreement should be adapted to the
  needs of each project. Several available templates show what a consortium agreement might look like;
  including a template prepared by the IHI JU members other than the Union that is available on the websites
  of COCIR and EFPIA<sup>26</sup>.

For rules on reporting contributions of contributing partners participating in a project as a beneficiary see point 2.5 and Annex 5 of this Guide below.

#### 2.4.2 Participation of contributing partners in IHI JU projects as affiliated entities

Affiliated entities are defined in Article 8 of the grant agreement as entities with a legal or capital link with the beneficiary, which is neither limited to the action nor established for the sole purpose of the action implementation.

The legal link covers for example: permanent legal structures, and contractual cooperation not limited to the action (e.g. an existing collaboration agreement for activities in a field relevant to the action).

Capital link includes direct or indirect control of the beneficiary, being under the same direct or indirect control as the beneficiary or directly or indirectly controlling the beneficiary.

Legal supporting documentation as evidence of the existence of a capital or legal link between the project participant to whom the contributing partner is affiliated will be requested by IHI JU in all cases.

#### <sup>24</sup> Compare Figure 2.

<sup>26</sup> The links to the template prepared by the IHI JU members other than the Union are available on IHI JU website <u>https://www.ihi.europa.eu/apply-funding/call-documents</u>

<sup>&</sup>lt;sup>25</sup> Please consult the HE Model Grant Agreement <u>https://ec.europa.eu/info/funding-tenders/opportunities/docs/2021-2027/horizon/agr-contr/unit-mga\_he\_en.pdf</u>

Affiliated entities27:

- don't sign the grant agreement, but are identified therein;
- implement parts of the action and are allowed to charge costs directly to the grant;
- sign the consortium agreement.

### 2.4.3 Participation of contributing partners in IHI JU projects as associated partners

Contributing Partners may take the role of associated partners in a project. While there are two types of associated partners – case A<sup>28</sup> and B, contributing partners however may only use case B for their participation in the project.

#### 'Case B' associated partners are:

- a contributing partner to IHI JU; or
- a constituent or affiliated entity of a contributing partner to IHI JU.

Such case B associated partners participate at their own cost, but their contribution can be counted as financial contributions and/or in-kind (IKOP and IKAA<sup>29</sup>) towards IHI JU projects as set out in the Single Basic Act.

Example of case B associated partner: a non-EU based legal entity that is an affiliate of an IHI JU contributing partner.

Associated partners of case B that are constituent entities or affiliated entities of either members other than the Union or contributing partners; or contributing partners to IHI JU must specify their contributions<sup>30</sup> in compliance with the budget rules<sup>31</sup>.

#### Characteristics of implementation by ALL associated partners in IHI JU:

- 1. They implement action tasks but without receiving EU funding;
- 2. They do not sign the grant agreement (as they are not beneficiaries);
- 3. They are, however, identified in the grant agreement; they must be listed in Article 9.1 grant agreement, and their tasks must be mentioned in the proposal Part B and subsequent project DOA;
- 4. The grant agreement defines their role, but since there is no direct contractual link between the associated partner and IHI JU, the associated partner's obligations will always be enforced through the responsible beneficiaries. The associated partner's rights and obligations may be expanded upon within the specific project's consortium agreement;
- 5. They are not required to have a legal/capital link to a beneficiary such as is required for affiliated entities<sup>32</sup>;
- 6. They participate at their own costs;
- 7. They have no direct obligations regarding the reporting of their contributions unless they fulfil conditions for point '11' below;
- 8. Because associated partners perform those project tasks attributed to them in the project DOA, the consortium collectively (or a *designated beneficiary* with whom the associated partner is cooperating see point 11 and '*Responsibility of the consortium/designated beneficiary for the associated partner*, point 'a'' below) takes responsibility for the associated partner's work in the project;

<sup>&</sup>lt;sup>27</sup> For more information on rights and obligations of affiliated entities please see Article 8 of the Annotated Horizon Europe model grant agreement: <u>https://ec.europa.eu/info/funding-tenders/opportunities/docs/2021-2027/common/guidance/aga\_en.pdf</u>

<sup>&</sup>lt;sup>28</sup> For more information on case A associated partners please see IHI JU Guide for Applicants.

<sup>&</sup>lt;sup>29</sup> Please note contributing partners or their affiliated entities do not contribute IKAA.

<sup>&</sup>lt;sup>30</sup> Only associated partners that are constituent entities or affiliated entities of members other than the Union can report their IKAA. Contributing partners and their constituent and affiliated entities cannot contribute or report IKAA.

<sup>&</sup>lt;sup>31</sup> For exact rules please see 'Associated Partners in proposal and project estimated budget' in the Guide for Applicants.

<sup>&</sup>lt;sup>32</sup> See point 2.4.2 'Participation of contributing partners in IHI JU projects as affiliated entities' above.

- 9. Associated partners may sign the consortium agreement wherein those rights and responsibilities that accrue to beneficiaries and affiliated entities under the grant agreement (e.g., access rights) may also be conferred on the associated partner as long as not contrary to grant agreement;
- 10. The associated partner should be connected to a *designated* beneficiary who will take responsibility for the associated partner's proper implementation of tasks in the project, (see point '8' above and '*Responsibility of the consortium/designated beneficiary for the associated partner,* point 'a'' below).

#### Additional characteristics for case B associated partners:

They may provide financial contributions and/or in-kind contributions. Please note contributing partners or their affiliated entities do not contribute IKAA.

#### Responsibility of the consortium or the designated beneficiary for the associated partner:

- a. The consortium is responsible for the proper implementation of the tasks performed by associated partners (proper quality, timely delivery, etc.) unless it is agreed and reflected in the consortium agreement that such responsibility should instead be taken by a designated beneficiary in the consortium who is a constituent or affiliated entity of an IHI JU member other than the Union, a contributing partner to IHI JU, or a constituent entity or affiliated entity thereof. The relationship, responsibilities, and issues of liability should be reflected in the consortium agreement and, where appropriate, an ancillary agreement between the parties, so long as the provisions therein are not contrary to the grant agreement. However, in case the respective beneficiary fails to implement the tasks of its associated partner and leaves the action (irrespective of the reason), the remaining beneficiaries must carry out the action as set out in the description of the action (DoA; Annex 1) including the part of the defaulting beneficiary and the third parties linked to it (e.g., affiliated entities, associated partner(s)). They will have to do this without any additional funding. The grant agreement will have to be amended to redistribute the tasks, terminate the beneficiary's participation, and/or add a new beneficiary (see Article 39 of the Horizon Europe model grant agreement).
- b. The beneficiaries must ensure that their contractual obligations under Articles of the Horizon Europe model grant agreement: 11 (proper implementation), 12 (conflict of interests), 13 (confidentiality and security), 14 (ethics), 17.2 (visibility), 18 (specific rules for carrying out action), 19 (information) and 20 (record keeping) also apply to the associated partners. The beneficiaries must ensure that the bodies mentioned in article 25 Horizon Europe model grant agreement (e.g., granting authority, OLAF, Court of Auditors (ECA), etc.) can exercise their rights also towards the associated partners. The abovementioned obligations as well as any relevant obligations further mentioned in the call conditions and/or Annex 5, e.g. (additional) obligations regarding results, open access to peer-reviewed scientific publications etc., must be respected. It is advisable to embed these either in a side agreement between the beneficiaries and the associated partners or in the consortium agreement.

Type of participant	Do they sign the grant agreement	Do they sign the consortium agreement
Contributing partner as a <b>beneficiary</b> (point 2.4.1 above)	YES	YES
Contributing partner as an <b>affliated entity</b> (point 2.4.2 above)	NO	YES
Contributing partner as an <b>associated partner</b> (point 2.4.3 above)	NO	YES

### 2.5 Reporting contributions from contributing partners

The following rules apply when the **contributing partner participates in IHI JU project as a beneficiary**, as described in point **2.4.1** this Guide above.

#### **Periodic reporting**

Costs incurred by contributing partners in IHI JU projects need to be reported the same way as any other beneficiary signing the grant agreement.

In-kind contributions to operational activities (IKOP) and/or financial contributions coming from contributing partners, and where relevant their affiliated entities, are reported within the scope of the grant agreement, i.e. for activities and costs which constitute IKOP - eligible costs in implementing project tasks, as specified in Annex 1-DoA of the grant agreement.

The same applies to financial contributions - cash transfers to project beneficiary(ies) supporting the eligible costs incurred in implementing the IHI JU projects.

- Eligible period: eligible IKOP incurred during project implementation and financial contribution paid, (from project start date to project end date);
- Reporting deadline for the reporting: the reporting is due 60 days after the end of each reporting period, for the costs incurred between the start date and the end date of each reporting period;
- Means of reporting: in the project Periodic Report, via the Funding and tenders Portal, which is the same tool for all beneficiaries;

#### Final report and certification

- Certification: when reported in kind and financial contribution (IKOP + FC) are >=EUR 430 000, a Certificate
  on the statements of contributions (CCS) is required at the end of the project. The certification must be
  done by an independent external auditor appointed by the respective organisation and submitted to the IHI
  JU 60 days after the end date of the project.
- Only if receiving IHI JU funding: Certificate on the financial statements (CFS) required at the end of the project if requested IHI JU funding ≥ EUR 430 000 (irrespectively of the amount of IKOP and FC provided to the project).
- For further details please see <u>Annex 5</u> of this Guide.

## 3 Applying to become a contributing partner in single-stage calls

## 3.1 Preliminary assessment of the application by the IHI JU Programme Office

Applicant contributing partners are obliged to follow in detail **the most updated template of the application letter** for single-stage calls posted on <u>IHI JU contributing partners website</u> when drafting their contributing partner application. The website also contains **a checklist for preparing an application letter** in a single-stage calls designed to help the applicants write their application.

A draft letter of application should be submitted via email to <u>the IHI JU Programme Office</u>, preferably in MS Word format.

**Important note:** Applicant contributing partners are advised to make sure that the draft letter is submitted to the IHI JU Programme Office sufficiently ahead of deadline for submission of proposals to allow the review. Submitting the application last minute will prevent the IHI JU Programme Office from conducting its review and may result in an invalid application.

Upon receipt of the letter of application, the IHI JU Programme Office will conduct a preliminary review and provide the applicant with feedback before it may be submitted to the IHI JU Governing Board. This review is limited only as to the completeness of the application, its format and editing.

The IHI JU Programme Office will assess the letter to ensure that the draft application details all the necessary elements included in the application template, in particular:

- a clear description of the applying entity;
- a clear indication of the call and topic applied for;
- the scope of the application in terms of amount of contribution (in-kind or cash) in EUR and a detailed description of the contribution which allows assessing its eligibility, in particular by providing a breakdown of the costs;
- activities;
- duration; and
- a confirmation that the candidate contributing partner is not affiliated to an IHI JU member, that is COCIR, EFPIA (including Vaccines Europe), EuropaBio and MedTech Europe, neither directly or via a regional or local organisation, and neither is their constituent nor affiliated entity.

The IHI JU Programme Office will ask the applicant contributing partner to revise the letter in case it significantly departs from the template or is missing the compulsory elements mentioned above.

The preliminary assessment by the IHI JU Programme Office does not consider the merits of the application. The final decision as to acceptance or rejection of a new contributing partner rests with the IHI JU Governing Board.

### 3.2 Assessment of the application by the IHI JU Governing Board

If the proposal of the applicant contributing partner's consortium is selected for funding, following the assessment of the application by IHI JU Programme Office, the application to become a contributing partner will be transmitted to the IHI JU Governing Board who will, upon consideration, accept or reject the application<sup>33</sup>.

The IHI JU Governing Board will assess the application taking into account the relevance towards the objectives of IHI JU but also for the topic concerned.

The IHI JU Governing Board will also assess the committed contribution in the light of its eligibility<sup>34</sup>, the IHI JU's aims and the objectives of the project that the applicant is intending to contribute.

The IHI JU Governing Board will then issue a written decision. This result will be promptly communicated to the applicant.

# 3.3 Timeline for applications and calculation of in-kind contributions towards a proposal's eligibility<sup>35</sup>

In order for a proposal to be eligible, applicant consortia should ensure that at least 45% of the action's eligible costs and costs for additional activities related to the action are provided by contributions (IKOP, FC, IKAA) from the constituent or affiliated entities of members other than the Union and/or from contributing partners.

In order for the in-kind contributions from a contributing partner to be counted towards the 45% threshold, all of the following conditions need to be met by the deadline for submission of proposals:

- 1. an application letter has been submitted via email and received by IHI JU Programme Office within the proposals' submission deadline;
- the application letter bears a Blue-ink signature or a valid electronic signature of a legal representative of the applying legal entity<sup>36</sup>;
- 3. the application letter states clearly enough what the amount and the scope of the contribution to the topic and IHI JU is; and
- 4. the contribution envisaged in the application letter is not in any way provisional or conditional in nature;
- 5. the contribution envisaged in the application letter is eligible<sup>37</sup> in accordance with Article 6 of the Horizon Europe Model Grant Agreement;
- 6. includes a confirmation that the candidate contributing partner is not affiliated to an IHI JU member, and neither is their constituent nor affiliated entity;

- in such case IHI JU Programme Office considers it is a 'final application' submitted within the deadline<sup>38</sup>.

<sup>33</sup> Article 17.2 (c) Council Regulation (EU) 2021/2085 of 19 November 2021 establishing the Joint Undertakings under Horizon Europe
 <sup>34</sup> For more details on eligibility of contributing partners' contributions, please consult point 2.3 of this Guide.

<sup>35</sup> For more details on eligibility of proposals please consult IHI JU Guide for Applicants <u>https://www.ihi.europa.eu/sites/default/files/IHI</u> <u>JU Guide for Applicants.pdf</u>

<sup>36</sup> Following submission of the application letter the IHI JU Programme office will request the applicant contributing partner to send to the Office's official address the original signed copy of the application via post. In case of applications signed via a valid electronic signature, a copy by post will not be requested.

<sup>37</sup> For more details on eligibility of contributing partners' contributions, please consult point 2.3 of this Guide.

<sup>38</sup> **Important note**: it's advisable that the in-kind contribution amounts in EUR (i.e. IKOP, FC, non-EU IKOP) provided by the candidate contributing partner(s) spelled out in the application letters <u>are equivalent</u> to the ones provided in the proposal's budget. Therefore, remember to always keep the proposal's coordinator informed about the financial figures and any change thereof. This will support the IHI JU office in the overall evaluation process.

It is also possible to apply to become a contributing partner after the submission of the proposal by the consortium. However, if the application to become a contributing partner is submitted after the deadline for the submission of a proposal, at the evaluation stage, its contribution will not be counted towards satisfying the 45% in-kind eligibility criterion for the proposal in question.

If the consortium proposal is selected for funding and an applicant contributing partner successfully applies after the evaluation but before grant agreement signature, such contribution can be counted towards the 45% check during grant agreement preparation.

## 4 Applying to become a contributing partner in two-stage calls

### 4.1 Timeline for applications

The IHI JU two-stage call topics are built upon identified scientific challenges agreed by the members.

The pre-identified industry consortium described in the call text will contribute to the cross-sectoral IHI JU project. This pre-identified industry consortium is composed of the pharmaceutical and medical technology industry partners.

The call text may also specify contributing partner(s) that will participate in the IHI JU project.

If so, the contributing partner/s are part of the pre-identified industry consortia, they support a particular IHI JU topic and not a particular proposal.

The call text therefore may include:

- the name of the contributing partner/s;
- indicative budget, including the indicative in-kind and financial contribution from IHI JU contributing partners.

**Important Note:** If the contributing partner intents to have their contribution matched by the IHI JU, the IHI JU should receive their application letter prior to the publication of the two-stage call text. Therefore, contributing partner needs to submit their application letter prior to the finalisation of the call text to be included in such call text. The IHI JU may decide to match such contribution.

If the contributing partner wants to join the pre-identified industry consortium after the call topic text has been published, it may send its application letter to IHI JU. In such case:

- the fact of joining should be agreed with the pre-identified industry consortium; and
- IHI JU cannot at this point match the applying contributing partner's contribution anymore.

### 4.2 Preliminary assessment of the application by the IHI JU Programme Office

Applicant contributing partners are obliged to follow the most updated template of the application letter for twostage calls posted on IHI JU contributing partners website when drafting their contributing partners applications. A draft letter of application should be submitted via email to <u>the IHI JU Programme Office</u>, preferably in MS Word format.

Upon receipt of the letter of application, the IHI JU Programme Office will conduct a preliminary review and provide the applicant with feedback before it may be submitted to the IHI JU Governing Board. This review is limited only as to the completeness of the application, its format and editing.

The IHI JU Programme Office will assess the letter<sup>39</sup> to ensure that the draft application details all the necessary elements included in the application template, in particular:

- a clear description of the applying entity;
- a clear indication of the call and topic applied for;

<sup>39</sup> Following submission of the application letter the IHI JU Programme office will request the applicant contributing partner to send to the Office's official address the original signed copy of the application via post. In case of applications signed via a valid electronic signature, a copy by post will not be requested.

- the scope of the application in terms of amount of contribution (in-kind and/or cash) in EUR; and a detailed description of the contribution which allows assessing its eligibility, in particular by providing a breakdown of the costs;
- activities;
- duration;
- an obligation of confidentiality applicable in particular to the areas of IHI JU call topic preparation and publication, proposal submission and evaluation, and consortium formation; and
- a confirmation that the candidate contributing partner is not affiliated to an IHI JU member, that is COCIR, EFPIA (including Vaccines Europe), EuropaBio and MedTech Europe, neither directly or via a regional organisation, and neither is their constituent nor affiliated entity.

The IHI JU Programme Office will ask the applicant to revise the application letter in case it significantly derives from the template or is missing the compulsory elements mentioned above.

The preliminary assessment by the IHI JU Programme Office does not consider the merits of the application. The final decision as to acceptance or rejection of a new contributing partner rests with the Governing Board.

### 4.3 Assessment of the application by the IHI JU Governing Board

The applications of contributing partners constituting members of the pre-identified industry consortium will be transmitted to the Governing Board. The IHI JU Governing Board shall assess and accept or reject the applications<sup>40</sup>.

The IHI JU Governing Board shall assess the application taking into account the relevance towards the objectives of IHI JU but also for the topic concerned.

The IHI JU Governing Board will also assess the committed contribution in the light of its eligibility<sup>41</sup>, the IHI JU's aims and the objectives of the project that the applicant is intending to contribute to.

The IHI JU Governing Board will then issue a written decision. This result will be promptly communicated to the applicant.

 <sup>&</sup>lt;sup>40</sup> Article 17.2 (c) Council Regulation (EU) 2021/2085 of 19 November 2021 establishing the Joint Undertakings under Horizon Europe
 <sup>41</sup> For more details on eligibility of contributing partners' contributions, please consult point 2.3 of this Guide.

## Annex 1 Legal basis

### Contributing partner to IHI JU – legal basis

<u>Council Regulation (EU) 2021/2085</u> establishing IHI JU defines what is meant by the term 'contributing partner' and outlines the process for becoming a contributing partner, among other things.

Article 2 Council Regulation (EU) 2021/2085 - Definitions

7. 'contributing partner' means any country, international organisation or legal entity other than a member of a joint undertaking, or a constituent entity of a member or an affiliated entity of either, that supports the objectives of a joint undertaking in its specific area of research and whose application has been approved in accordance with Article 9.

Article 9 Council Regulation (EU) 2021/2085 - Contributing partners

1. Any candidate contributing partner as defined in Article 2, point (7), shall submit a letter of endorsement to the governing board. The letter of endorsement shall specify the scope of the partnership in terms of subject matter, activities and their duration and detail the applicant's contribution to the joint undertaking.

2. The governing board shall assess the letter of endorsement and shall approve or reject the application.

3. Contributing partners shall not have voting rights in the governing board of a joint undertaking.

Article 11 Council Regulation (EU) 2021/2085 - Contributions from contributing partners

[...] 5. The contributions from contributing partners shall correspond to the amounts they have committed in the letter of endorsement when becoming a contributing partner and shall consist of financial contributions and inkind contributions to operational activities. [...]

Article 28 - Council Regulation (EU) 2021/2085 - Sources of financing

1. Each joint undertaking shall be jointly funded by the Union, the members other than the Union and the contributing partners through financial contributions and in-kind contributions to operational activities.

[...]

3. The operational costs of a joint undertaking shall be covered by means of the:

(a) financial contribution by the Union;

(b) financial contributions by the private members or their constituent or affiliated entities, by contributing partners or by an international organisation that is a member of a joint undertaking;

(c) where applicable, financial contributions by the participating states;

(d) in-kind contributions defined in Article 2, point (8).

4. In accordance with Articles 10 and 11, the resources of a joint undertaking entered in its budget shall be composed of the following contributions:

(a) members' financial contributions to the joint undertaking for the administrative costs, divided equally on an annual basis between the Union and the members other than the Union, unless specified otherwise in Part Two due to the specific membership nature of a joint undertaking;

(b) members' or contributing partners' financial contributions to the joint undertaking for the operational costs;

(c) any revenue generated by the joint undertaking;

(d) any other financial contributions, resources and revenues.

[...]

5. Any unused part of the contribution for administrative costs may be made available to cover the operational costs of the joint undertaking concerned.

[...]

7. The resources of the joint undertaking and its activities shall be used for the fulfilment of its objectives and tasks.

[...]

## **Annex 2 Reference documents**

#### Guide for applicants

IHI JU Guidelines for in-kind contribution to additional activities (IKAA)

IHI JU contributing partner website: https://www.ihi.europa.eu/shape-our-future-research/become-contributing-partner

List of countries associated to Horizon Europe https://ec.europa.eu/info/funding-tenders/opportunities/docs/2021-2027/common/guidance/list-3rd-countryparticipation\_horizon-euratom\_en.pdf

Work Programmes and more information on IHI JU funding https://www.ihi.europa.eu/about-ihi/plans-reports-and-finances

## Annex 3 IKOP and IKAA summary table

	<b>IKOP</b> IN KIND CONTRIBUTIONS TO OPERATIONAL ACTIVITIES (when the contributing partner participates as a beneficiary)	IN KIND CON	<b>(AA</b> ITRIBUTIONS TO AL ACTIVITIES
CONTRIBUTORS	Applicable to constituent or affiliated entities of members other than the Union AND <u>contributing partners</u>	only constituent or affiliated entities of members other than the Union not applicable to contributing partners	
		PROJECT SPECIFIC IKAA	PROGRAMME- SPECIFIC IKAA
SCOPE	Eligible costs in implementing project tasks (as specified in Annex 1-DoA of the Grant Agreement)	Costs in imple activities that a tasks	menting additional are not project
TIMEFRAME	Costs incurred during project implementation (from project start date to project end date)	Costs incurred from (full) proposal submission date and up to 2 years after project end date.	Costs incurred during IHI JU Programme implementation. Costs must be incurred during the year foreseen in the annual IKAA Plan annexed to the IHI JU WP of the concerned year.
EU/ NON-EU	EU and non-EU: project activities can be carried out in the Union, in associated countries to Horizon Europe or in third countries	Only EU: addit must be carrie or in associate Horizon Europ	d out in the Union d countries to
AFFILIATES	Separate Reporting and separate Certification for the main Beneficiary and for its affiliate(s)	One Reporting and one Certification for both the main Beneficiary and its affiliate(s) (together)	
COST VALUATION	IKOP is subject to Horizon Europe model grant agreement eligibility rules and costs calculation methods (e.g.; specific formula for personnel cost, 25% indirect cost flat rate)	Constituent or affiliated entities of members other than the Union should follow their usual cost accounting practices to value IKAA (IKAA is not subject to Horizon Europe model grant agreement rules).	

## IKOP

IN KIND CONTRIBUTIONS TO OPERATIONAL ACTIVITIES (when the contributing partner participates as a beneficiary) **IKAA** IN KIND CONTRIBUTIONS TO ADDITIONAL ACTIVITIES

		However constituent or affiliated entities of members other than the Union can choose to apply Horizon Europe model grant agreement eligibility rules and costs calculation methods for IKAA if specifically justified and applied consistently across projects (if applicable) and cost types.
REPORTING DEADLINE	Reporting due 60 days after the end of each project reporting period	Reporting due annually by 31 May of year N+1
REPORTING SCOPE	Eligible costs incurred between the <b>start date</b> and the <b>end date</b> of each (interim or final) project period	Costs for additional activities incurred during the last calendar year (1 January - 31 December of year N)
REPORTING TOOL	Activities and costs reported in the project Periodic Report, via the Funding and tenders Portal	Activities and costs <u>not</u> reported in the project Periodic Report but in a separate IKAA reporting module accessible via the Funding and tenders Portal
AUDIT CERTIFICATION	Certificate on the statements of contributions (CCS) required at the end of the project if zero IHI funding requested and IKOP+FC ≥ EUR 430 000 (per beneficiary or affiliated entity) Certificate on the financial statements (CFS) required at the end of the project only if requested IHI funding ≥ EUR 430 000 (irrespectively of the amount of IKOP and FC provided to the project)	All IKAA should be certified to count for the matching. No minimum threshold. Certification due each year by 31 May.