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► **B**

COUNCIL DECISION

of 29 April 2008

on the adoption of the Research Programme of the Research Fund for Coal and Steel and on the multiannual technical guidelines for this programme

(2008/376/EC)

(OJ L 130, 20.5.2008, p. 7)

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COUNCIL DECISION

of 29 April 2008

**on the adoption of the Research Programme of the Research Fund
for Coal and Steel and on the multiannual technical guidelines for
this programme**

(2008/376/EC)

CHAPTER I

GENERAL PROVISIONS

Article 1

Subject matter

This Decision provides for the adoption of the Research Programme of the Research Fund for Coal and Steel and lays down the multiannual technical guidelines for the implementation of that programme.

CHAPTER II

RESEARCH PROGRAMME OF THE RESEARCH FUND FOR COAL AND STEEL

SECTION 1

Adoption of the Research Programme

Article 2

Adoption

The Research Programme for the Research Fund for Coal and Steel (hereinafter referred to as 'the Research Programme') is hereby adopted.

The Research Programme shall support the competitiveness of the Community sectors related to the coal and steel industry. The Research Programme shall be consistent with the scientific, technological and political objectives of the Community, and shall complement the activities carried out in the Member States and within the existing Community research programmes, in particular the framework programme for research, technological development and demonstration activities (hereinafter referred to as 'the Research Framework Programme').

Coordination, complementarity and synergy between these programmes shall be encouraged, as shall the exchange of information between projects financed under the Research Programme and those that are financed under the Research Framework Programme.

The Research Programme shall support research activities aimed at the objectives defined for coal in Section 3 and for steel in Section 4.

▼B*SECTION 2**Definitions of coal and steel**Article 3***Definitions**

For the purposes of this Decision, the following definitions shall apply:

1. coal shall mean any of the following:

- (a) hard coal, including the high and medium-ranking 'A' coals (sub-bituminous coals) as defined in the international codification system of coal of the UN Economic Commission for Europe;
- (b) hard coal briquette;
- (c) coke and semi-coke derived from hard coal;
- (d) lignite, including the low-ranking 'C' coals (or ortho-lignites) and the low-ranking 'B' coals (or meta-lignites) as defined in the above codification;
- (e) lignite briquettes;
- (f) coke and semi-coke derived from lignite;
- (g) oil shales;

2. steel shall mean any of the following:

- (a) raw materials for iron and steel production, such as iron-ore, sponge iron and ferrous scrap;
- (b) pig iron (including hot metal) and ferro-alloys;
- (c) crude and semi-finished products of iron, ordinary steel or special steel (including products for reuse and re-rolling), such as liquid steel cast by continuous casting or otherwise, and semi-finished products such as blooms, billets, bars, slabs and strips;
- (d) hot-finished products of iron, ordinary steel or special steel (coated or uncoated products, excluding steel castings, forgings and powder metallurgy products), such as rails, sheet piling, structural shapes, bars, wire rods, plates and universal plates, strips and sheets, and tube rounds and squares;
- (e) end products of iron, ordinary steel or special steel (coated or uncoated), such as cold-rolled strips and sheets and electrical sheets;
- (f) products of the first-stage processing of steel that can enhance the competitive position of the above iron and steel products, such as tubular products, drawn and polished products, cold-rolled and cold-formed products.

*SECTION 3****Research objectives for coal****Article 4***Improving the competitive position of Community coal**

1. Research projects shall aim to reduce the total costs of mining production, improve the quality of the products and reduce the costs of using coal. Research projects shall encompass the entire coal production chain as follows:

- (a) modern techniques for surveying deposits;
- (b) integrated mine planning;
- (c) highly efficient, largely automated excavation and new and existing mining technologies corresponding to the geological characteristics of European hard coal deposits;
- (d) appropriate support technologies;
- (e) transport systems;
- (f) power supply services, communication and information, transmission, monitoring and process control systems;
- (g) coal preparation techniques, oriented to the needs of the consumer markets;
- (h) coal conversion;
- (i) coal combustion.

2. Research projects shall also aim to achieve scientific and technological progress with a view to gaining a better understanding of the behaviour and control of deposits in relation to rock pressure, gas emissions, the risk of explosion, ventilation and all other factors affecting mining operations. Research projects with these objectives shall present the prospect of results applicable in the short or medium term to a substantial part of Community production.

3. Preference shall be given to projects that promote at least one of the following:

- (a) integration of individual techniques in systems and methods and the development of integrated mining methods;
- (b) substantial reduction of production costs;
- (c) benefits in terms of mine safety and the environment.

*Article 5***Health and safety in mines**

Issues concerning mine safety, including gas control, ventilation and air-conditioning with a view to improving underground working conditions and occupational health and safety as well as environmental issues shall also be taken into account in the projects covering the activities referred to in Article 4(1)(a) to (f).

▼B*Article 6***Efficient protection of the environment and improvement of the use of coal as a clean energy source**

1. Research projects shall seek to minimise the impact of mining operations and the use of coal in the Community on the atmosphere, water and the surface within the framework of an integrated management strategy with respect to pollution. As the Community coal industry is undergoing constant restructuring, the research shall also be geared towards minimising the environmental impact of underground mines destined for closure.

2. Preference shall be given to projects that envisage one or more of the following:

- (a) a reduction in emissions from coal utilisation, including capture and storage of CO₂;
- (b) a reduction in greenhouse gas emissions, in particular methane, from coal deposits;
- (c) the return to the mine of mining waste, fly ash and desulphurisation products, accompanied, where relevant, by other forms of waste;
- (d) the refurbishment of waste heaps and the industrial use of residues from coal production and consumption;
- (e) the protection of water tables and the purification of mine drainage water;
- (f) a reduction in the environmental impact of installations which mainly use Community coal and lignite;
- (g) the protection of surface installations against the effects of subsidence in the short and long term.

*Article 7***Management of external dependence on energy supply**

Research projects shall relate to the prospects for long-term energy supply and concern the upgrading, in economic, energy-related and environmental terms, of coal deposits which cannot be extracted economically by conventional mining techniques. Projects may include studies, the definition of strategies, fundamental and applied research and the testing of innovative techniques which offer prospects for the upgrading of Community coal resources.

Preference shall be given to projects integrating complementary techniques such as the adsorption of methane or carbon dioxide, coal bed methane extraction and underground coal gasification.



SECTION 4

Research objectives for steel

Article 8

New and improved steelmaking and finishing techniques

Research and technological development (RTD) shall aim to improve steel production processes with a view to enhancing product quality and increasing productivity. Reducing emissions, energy consumption and the environmental impact as well as enhancing the use of raw materials and the conservation of resources shall form an integral part of the improvements sought. Research projects shall address one or more of the following areas:

- (a) new and improved iron-ore reduction processes;
- (b) ironmaking processes and operations;
- (c) electric arc furnace processes;
- (d) steelmaking processes;
- (e) secondary metallurgy techniques;
- (f) continuous casting and near net shape-casting techniques with and without direct rolling;
- (g) rolling, finishing and coating techniques;
- (h) hot- and cold-rolling techniques, pickling and finishing processes;
- (i) process instrumentation, control and automation;
- (j) maintenance and reliability of production lines.

Article 9

RTD and the utilisation of steel

RTD shall be undertaken in respect of the utilisation of steel to meet the future requirements of steel users and to create new market opportunities. Research projects shall address one or more of the following areas:

- (a) new steel grades for demanding applications;
- (b) steel properties addressing mechanical properties at low and high temperatures such as strength and toughness, fatigue, wear, creep, corrosion and resistance against fracture;
- (c) prolonging service life, in particular by improving the resistance of steels and steel structures to heat and corrosion;
- (d) steel-containing composites and sandwich structures;
- (e) predictive simulation models on microstructures and mechanical properties;
- (f) structural safety and design methods, in particular with regard to resistance to fire and earthquakes;
- (g) technologies relating to the forming, welding and joining of steel and other materials;
- (h) standardisation of testing and evaluation methods.

▼B*Article 10***Conservation of resources and improvement of working conditions**

In both steel production and steel utilisation, the conservation of resources, the preservation of the ecosystem and safety issues shall form an integral part of the RTD work. Research projects shall address one or more of the following areas:

- (a) techniques for recycling obsolete steel from various sources and classification of steel scrap;
- (b) steel grades and design of assembled structures to facilitate the easy recovery of steel scrap and its reconversion into usable steels;
- (c) control and protection of the environment in and around the workplace;
- (d) restoration of steelworks sites;
- (e) improvement of working conditions and quality of life in the workplace;
- (f) ergonomic methods;
- (g) occupational health and safety;
- (h) reduction of exposure to occupational emissions.

CHAPTER III

MULTIANNUAL TECHNICAL GUIDELINES*SECTION 1****Participation****Article 11***Member States**

Any undertaking, public body, research organisation or higher or secondary education establishment, or other legal entity, including natural persons, established within the territory of a Member State may participate in the Research Programme and apply for financial assistance, provided that they intend to carry out an RTD activity or can substantially contribute to such an activity.

*Article 12***Candidate countries**

Any undertaking, public body, research organisation or higher or secondary education establishment, or other legal entity, including natural persons, in candidate countries shall be entitled to participate without receiving any financial contribution under the Research Programme, unless otherwise provided under the relevant European Agreements and their additional Protocols, and in the decisions of the various Association Councils.

▼B*Article 13***Third countries**

Any undertaking, public body, research organisation or higher or secondary education establishment, or other legal entity, including natural persons, from third countries shall be entitled to participate on the basis of individual projects without receiving any financial contribution under the Research Programme, provided that such participation is in the Community's interest.

*SECTION 2****Eligible activities****Article 14***Research projects**

A research project shall be intended to cover investigative or experimental work with the aim of acquiring further knowledge to facilitate the attainment of specific practical objectives such as the creation or development of products, production processes or services.

*Article 15***Pilot projects**

A pilot project shall be characterised by the construction, operation and development of an installation or a significant part of an installation on an appropriate scale and using suitably large components with a view to examining the potential for putting theoretical or laboratory results into practice and/or increasing the reliability of the technical and economic data needed to progress to the demonstration stage, and in certain cases to the industrial and/or commercial stage.

*Article 16***Demonstration projects**

A demonstration project shall be characterised by the construction and/or operation of an industrial-scale installation or a significant part of an industrial-scale installation with the aim of bringing together all the technical and economic data in order to proceed with the industrial and/or commercial exploitation of the technology at minimum risk.

*Article 17***Accompanying measures**

Accompanying measures shall relate to the promotion of the use of knowledge gained or to the organisation of dedicated workshops or conferences in connection with projects or priorities of the Research Programme.

▼B*Article 18***Support and preparatory actions**

Support and preparatory actions shall be those appropriate to the sound and effective management of the Research Programme, such as the evaluation and selection of proposals as referred to in Articles 27 and 28, the periodic monitoring and assessment referred to in Article 38, studies, the clustering or the networking of related projects funded under the Research Programme.

The Commission may, where it deems appropriate, appoint independent and highly qualified experts to assist with support and preparatory actions.

*SECTION 3****Management of the research programme****Article 19***Management**

The Research Programme shall be managed by the Commission. It shall be assisted by the Coal and Steel Committee, the Coal and Steel Advisory Groups and the Coal and Steel Technical Groups.

*Article 20***Establishment of the Coal and Steel Advisory Groups**

The Coal and Steel Advisory Groups (hereinafter referred to as ‘the Advisory Groups’) shall be independent technical advisory groups.

▼M1*Article 21***Tasks of the Advisory Groups**

For the coal- and steel-related RTD aspects respectively, each Advisory Group shall advise the Commission on the following:

- (a) the overall development of the Research Programme, the information package, as referred to in Article 25(3), and future guidelines;
- (b) the consistency and the possible duplication with other RTD programmes at Union and national level;
- (c) the setting-out of the guiding principles for monitoring RTD projects;
- (d) the relevance of the work being undertaken on specific projects;
- (e) the research objectives of the Research Programme listed in Sections 3 and 4 of Chapter II;

▼M1

- (f) the annual priority objectives listed in the information package and, where appropriate, the priority objectives for dedicated calls for proposals, as referred to in Article 25(2);
- (g) the preparation of a manual for evaluating and selecting RTD actions, as referred to in Articles 27 and 28;
- (h) the rules, procedures and effectiveness concerning the evaluation of proposals for RTD actions;
- (i) the number, competence and organisation of the Technical Groups, as referred to in Article 24;
- (j) the drawing-up of dedicated calls for proposals, as referred to in Article 25(2);
- (k) other measures when requested to do so by the Commission.

*Article 22***Composition of the Advisory Groups**

1. Each Advisory Group shall be composed in accordance with the tables set out in the Annex. Members of the Advisory Groups shall be individuals appointed by the Commission to represent a common interest shared by stakeholders. They shall not represent an individual stakeholder, but shall express an opinion common to the different stakeholder organisations.

Appointments are made for a period of 42 months. Members who are no longer capable of contributing effectively to the group's deliberations, who resign or who, even after their duties have ceased, disclose information of the kind covered by the obligation of professional secrecy, in particular information about undertakings, their business relations or their cost components, shall no longer be invited to participate in any meetings of the Advisory Groups and may be replaced for the remainder of their term of office.

2. Members of the Advisory Groups shall be selected from experts with competence in the areas referred to in Sections 3 and 4 of Chapter II and who have responded to public calls for applications. Those experts may also be appointed on the basis of proposals put forward by the entities referred to in the tables of the Annex or by Member States.

They shall be active in the field concerned and be aware of the industrial priorities.

3. Within each Advisory Group, the Commission shall aim at ensuring a high level of expertise, as well as a balanced representation of relevant areas of expertise and areas of interest and, as far as possible, a balanced representation of gender and geographical origin, taking into account the specific tasks of the Advisory Groups, the type of expertise required and the outcome of the experts' selection procedure.

▼B*Article 23***Meetings of the Advisory Groups**

The meetings of the Advisory Groups shall be organised and chaired by the Commission, which shall also provide the secretariat.

If necessary, the Chairman may request members to vote. Every member shall have the right to one vote. The Chairman may invite visiting experts or observers to take part in meetings where appropriate. The visiting experts and the observers shall have no voting rights.

If necessary, such as to provide advice on matters of relevance for both the coal and steel sectors, the Advisory Groups shall convene in joint meetings.

▼M1*Article 24***Establishment and tasks of the Coal and Steel Technical Groups**

1. The Coal and Steel Technical Groups ('the Technical Groups') shall support the Commission on the monitoring of research and pilot or demonstration projects.

Members of the Technical Groups shall be appointed in their personal capacity by the Commission.

Members who are no longer capable of contributing effectively to the group's deliberations, who resign or who, even after their duties have ceased, disclose information of the kind covered by the obligation of professional secrecy, in particular information about undertakings, their business relations or their cost components, shall no longer be invited to participate in any meetings of the Technical Groups.

2. Members of the Technical Groups shall be selected from experts with competence in research strategy, management or production in the areas referred to in Sections 3 and 4 of Chapter II and who have responded to public call for applications.

They shall be active in the field concerned and have responsibility for research strategy, management or production in the related sectors.

3. Within each Technical Group, the Commission shall aim at ensuring a high level of professional expertise, a balanced representation of relevant areas of expertise and, as far as possible, a balanced representation of gender and geographical origin, taking into account the specific tasks of the Technical Groups, the type of expertise required and the outcome of the experts' selection procedure. Membership of a Technical Group shall not exclude eligibility as an evaluation expert.

The Commission shall ensure that rules and procedures are in place in order to properly avoid and manage conflicts of interests of members of the Technical Groups entrusted with the assessment of a specific project. Those procedures shall also ensure equal treatment and fairness throughout the whole monitoring process of projects.

▼ M1

Meetings of the Technical Groups shall, whenever possible, be held at venues chosen in such a way that project monitoring and results assessment are best ensured.

▼ B*SECTION 4****Implementation of the research programme*****▼ M1***Article 25***Call for proposals**

1. An annual call for proposals shall be published every year. The opening date for submission of proposals shall be published in the information package referred to in paragraph 3. Unless otherwise specified, 15 September of each year shall be the deadline for the submission of proposals for evaluation. Where the 15 September falls on a weekend or on a Friday or a Monday, the deadline shall be automatically shifted to the first working day following 15 September. The deadline shall be published in the information package referred to in paragraph 3.

2. Where the Commission, in accordance with points (d) and (e) of Article 41, decides to modify the deadline referred to in paragraph 1 of this Article for the submission of proposals, or to launch dedicated calls for proposals, it shall publish that information in the *Official Journal of the European Union*.

Dedicated calls for proposals shall indicate the dates and modalities for the submission, including whether it shall take place in one or two steps, and for the evaluation of the proposals, the priorities, the type of eligible projects as referred to in Articles 14 to 18, where necessary, and the envisaged funding.

3. The Commission shall ensure that sufficient guidance and information is made available to all potential participants at the time of publication of the call for proposals, in particular through an information package accessible on the Commission's website. A paper copy of that information package can also be obtained from the Commission on request.

The information package shall provide information on the detailed rules for participation, the methods of managing proposals and projects, application forms, rules for the submission of proposals, model grant agreements, eligible costs, the maximum financial contribution allowable, methods of payment and the annual priority objectives of the Research Programme.

Applications shall be submitted to the Commission in accordance with the rules laid down in the information package.

▼ B*Article 26***Content of proposals**

The proposals shall relate to the research objectives laid down in Sections 3 and 4 of Chapter II and, where applicable, to the priority objectives listed in the information package in accordance with Article 25(3) or to the priority objectives defined for the dedicated calls for proposals referred to in Article 25(2).

Each proposal shall include a detailed description of the proposed project and contain full information on objectives, partnerships, including the precise role of each partner, management structure, anticipated results, expected applications and an assessment of anticipated industrial, economic, social and environmental benefits.

The proposed total cost and its breakdown shall be realistic and effective, and the project shall be expected to produce a favourable cost/benefit ratio.

*Article 27***Evaluation of proposals**

The Commission shall ensure a confidential, fair and equitable evaluation of proposals.

▼ M1

The Commission shall ensure that a manual for the evaluation and selection of RTD actions is made available to all potential participants.

▼ B*Article 28***Selection of proposals and monitoring of projects**

1. The Commission shall register the proposals received and shall verify their eligibility.

2. The Commission shall evaluate the proposals with the assistance of independent experts.

▼ M1

3. The Commission shall draw up a list of the proposals adopted in order of merit.

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4. The Commission shall decide on the choice of projects and the allocation of funds. Where the estimated amount of the Community contribution under the Research Programme is equal to or more than EUR 0,6 million Article 41(a) shall apply.

5. The Commission shall, with the assistance of the Technical Groups referred to in Article 24, monitor research projects and activities.

▼B*Article 29***Grant agreements**

Projects based on selected proposals and measures and actions as specified under Articles 14 to 18 shall form the subject of a grant agreement. Grant agreements shall be based on relevant model grant agreements drawn up by the Commission, taking account, as appropriate, of the nature of the activities concerned.

Grant agreements shall define the financial contribution allocated under the Research Programme on the basis of the eligible costs, as well as the rules concerning cost reporting, the closure of accounts and certificates on financial statements. In addition, they shall provide for provisions on access rights and dissemination and use of knowledge.

▼M1*Article 29a***Implementation of actions**

1. Participants shall implement actions in compliance with all the conditions and obligations set out in this Decision, Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council ⁽¹⁾ and Commission Delegated Regulation (EU) No 1268/2012 ⁽²⁾, as well as in the call for proposals and the grant agreement.

2. Participants shall make no commitments which are incompatible with this Decision or the grant agreement. Where a participant fails to comply with its obligations regarding the technical implementation of the action, the other participants shall comply with the obligations without any additional Union funding unless the Commission expressly relieves them of any of those obligations. Participants shall ensure that the Commission is informed in due time of any event which might significantly affect the implementation of the action or the interests of the Union.

3. Participants shall implement the action and shall take all necessary and reasonable measures to that end. They shall have the appropriate resources, as and when needed for carrying out the action. Where it is necessary for the implementation of the action, they may call upon third parties, including subcontractors, to carry out work under the action. Participants shall retain responsibility towards the Commission and towards the other participants for the work carried out.

4. The award of subcontracts for carrying out certain elements of the action shall be limited to the cases provided for in the grant agreement and to duly justified cases that could not be clearly foreseen at the time of entry into force of the grant agreement.

⁽¹⁾ Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p. 1);

⁽²⁾ Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (OJ L 362, 31.12.2012, p. 1).

▼ M1

5. Third parties other than subcontractors may carry out work under the action under the conditions laid down in the grant agreement. The third party and the work to be carried out by it shall be identified in the grant agreement.

Costs incurred by those third parties may be deemed eligible if the third party meets all the following conditions:

- (a) it would be eligible for funding if it were a participant;
- (b) it is an affiliated entity or has a legal link to a participant implying a collaboration not limited to the action;
- (c) it is identified in the grant agreement; and
- (d) it abides by the rules applicable to the participant under the grant agreement with regard to eligibility of costs and control of expenditure.

6. Participants shall comply with national legislation, regulations and ethical rules in the countries where the action is carried out. Where appropriate, participants shall seek the approval of the relevant national or local ethics committees prior to the start of the action.

▼ B*Article 30***Financial contribution**

1. The Research Programme shall be based on cost-sharing RTD grant agreements. The total financial contribution including any other additional public funding shall conform to the applicable rules on State aid.

2. Public contracts shall be used for the supply of movable or immovable assets, the execution of works or the provision of services which are necessary for the implementation of the support and preparatory actions.

3. Without prejudice to paragraph 1 of this Article, the maximum total financial contribution, expressed as a percentage of the eligible costs defined in Articles 31 to 35, shall be:

- (a) for research projects up to 60 %;
- (b) for pilot and demonstration projects up to 50 %;
- (c) for accompanying measures, support and preparatory actions up to 100 %.

*Article 31***Eligible costs**

1. The eligible costs shall consist of the following:

- (a) equipment costs;
- (b) staff costs;
- (c) operating costs;
- (d) indirect costs.

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2. The eligible costs shall cover only actual costs incurred for the execution of the project under the terms of the grant agreement. Beneficiaries, associated beneficiaries and sub-beneficiaries shall not be entitled to claim any budgeted or commercial rates.

*Article 32***Equipment costs**

The costs of purchasing or hiring equipment which are directly related to the execution of the project shall be chargeable as direct costs. The eligible costs for the leasing of equipment shall not exceed any eligible costs for its purchase.

▼M1*Article 33***Staff costs**

Eligible staff costs shall cover only the actual hours worked by the persons directly carrying out the work under the action.

Staff costs of owners of small and medium-sized enterprises and other natural persons not receiving a salary may be reimbursed on the basis of unit costs.

▼B*Article 34***Operating costs**

Operating costs directly related to the execution of the project shall be limited solely to the cost of:

- (a) raw materials;
- (b) consumables;
- (c) energy;
- (d) transportation of raw materials, consumables, equipment, products, feedstock or fuel;
- (e) the maintenance, repair, alteration or transformation of existing equipment;
- (f) IT and other specific services;
- (g) the rental of equipment;
- (h) analysis and tests;
- (i) dedicated workshop organisation;
- (j) certificate on financial statements and bank guarantee;
- (k) protection of knowledge;
- (l) assistance from third parties.

▼B*Article 35***Indirect costs**

All other expenses, such as overhead costs or overheads, which may arise in connection with the project and which are not specifically identified in the preceding categories including travel and subsistence costs, shall be covered by a flat rate amounting to 35 % of the eligible staff costs as referred to in Article 33.

*SECTION 5****Evaluation and monitoring of the research activities****Article 36***Technical reports**

For research, pilot and demonstration projects referred to in Articles 14, 15 and 16 periodical reports shall be drawn up by the beneficiary or beneficiaries. Such reports shall be used to describe the technical progress made.

On completion of the work, a final report comprising an assessment of exploitation and impact shall be provided by the beneficiary or beneficiaries. That report shall be published by the Commission in full or in summarised form depending on the strategic relevance of the project and following consultation, if necessary, of the relevant Advisory Group.

The Commission may require the beneficiary or beneficiaries to provide final reports on the accompanying measures referred to in Article 17 as well as on the support and preparatory actions referred to in Article 18 and may decide to have them published.

*Article 37***Annual review**

The Commission shall conduct an annual review of activities under the Research Programme and the progress of the RTD work. The report containing the review shall be forwarded to the Coal and Steel Committee.

The Commission may appoint independent experts and highly qualified experts to assist with this annual review.

*Article 38***Monitoring and assessment of the Research Programme**

1. The Commission shall carry out a monitoring exercise of the Research Programme, including an assessment of the expected benefits. A report on that exercise shall be issued by the end of 2013, and thereafter every seven years. These reports shall be made public on the Community Research and Development Information Service (CORDIS) or corresponding website.

▼B

2. The Commission shall assess the Research Programme on completion of the projects financed during every period of seven years. The benefits of the RTD to society and to the relevant sectors shall also be assessed. The assessment report shall be published.

3. In carrying out the monitoring and assessment referred to in paragraphs 1 and 2, the Commission shall be assisted by panels of highly qualified experts appointed by the Commission.

▼M1*Article 39***Appointment of independent and highly qualified experts**

For the appointment of independent and highly qualified experts referred to in Article 18, Article 28(2) and Article 38, the provisions set out in Article 40 of Regulation (EU) No 1290/2013 of the European Parliament and of the Council ⁽¹⁾ shall apply *mutatis mutandis*.

▼B

CHAPTER IV

FINAL PROVISIONS

*Article 40***Review of the multiannual technical guidelines**

The multiannual technical guidelines laid down in Chapter III shall be reviewed every seven years, first period ending on 31 December 2014. To this end, and at the latest in the first six months of the last year of each seven-year period, the Commission shall reassess the operation and the effectiveness of the multiannual technical guidelines and, where appropriate, propose any amendment.

If it sees fit, the Commission may carry out such reassessment and shall submit proposals for any appropriate amendments to the Council before the expiry of the seven-year period.

*Article 41***Implementing measures**

The Commission shall, in accordance with the procedure referred to in Article 42(2), adopt the following implementing measures:

- (a) the approval of the funding actions where the estimated amount of the Community contribution under the Research Programme is equal to or more than EUR 0,6 million;

⁽¹⁾ Regulation (EU) No 1290/2013 of the European Parliament and of the Council of 11 December 2013 laying down the rules for participation and dissemination in 'Horizon 2020 — the Framework Programme for Research and Innovation (2014-2020)' and repealing Regulation (EC) No 1906/2006 (OJ L 347, 20.12.2013, p. 81).

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- (b) the drawing-up of terms of reference for the monitoring and assessment of the Research Programme referred to in Article 38;
- (c) amendments to Sections 3 and 4 of Chapter II;

▼ M1

- (d) changes to the deadline referred to in Article 25;

▼ B

- (e) the drawing-up of dedicated calls for proposals.

*Article 42***Committee**

1. The Commission shall be assisted by the Coal and Steel Committee.

▼ M1

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 of the European Parliament and of the Council ⁽¹⁾ shall apply.

▼ B*Article 43***Repeal and transitional measures**

Decision 2003/78/EC shall be repealed. However, Decision 2003/78/EC shall continue to apply until 31 December 2008 to the financing of actions resulting from proposals submitted by 15 September 2007.

*Article 44***Applicability**

This Decision shall take effect on the day following its publication in the *Official Journal of the European Union*.

It shall apply from 16 September 2007.

*Article 45***Addressees**

This Decision is addressed to the Member States.

⁽¹⁾ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).



ANNEX

The composition of the Coal Advisory Group referred to in Article 22:

| Members | Maximum total |
|---|---------------|
| a) From coal producers/national federations or related research centres | 8 |
| b) From organisations representing coal producers at European level | 2 |
| c) From coal users or related research centres | 8 |
| d) From organisations representing coal users at European level | 2 |
| e) From organisations representing workers | 2 |
| f) From organisations representing equipment suppliers | 2 |
| | 24 |

Members must have a wide background knowledge and individual expertise in one or more of the following areas: coalmining and utilisation, environment and social issues, including safety aspects.

The composition of the Steel Advisory Group referred to in Article 22:

| Members | Maximum total |
|--|---------------|
| a) From steel industries/national federations or related research centres | 21 |
| b) From organisation representing producers at European level | 2 |
| c) From organisations representing workers | 2 |
| d) From organisations representing downstream processing industries or steel users | 5 |
| | 30 |

Members must have a wide background knowledge and individual expertise in one or more of the following areas: raw materials; iron-making; steelmaking; continuous casting; hot- and/or cold-rolling; steel-finishing and/or surface treatment; development of steel grades and/or products; steel applications and properties; environmental and social issues, including safety aspects.