

Decision No 742/2008/EC of the European Parliament and of the Council of 9 July 2008 on the Community's participation in a research and development programme undertaken by several Member States aimed at enhancing the quality of life of older people through the use of new information and communication technologies (Text with EEA relevance)

DECISION No 742/2008/EC OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL

of 9 July 2008

on the Community's participation in a research and development programme undertaken by several Member States aimed at enhancing the quality of life of older people through the use of new information and communication technologies

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 169 and 172, second paragraph, thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Economic and Social Committee,

Acting in accordance with the procedure laid down in Article 251 of the Treaty⁽¹⁾,

Whereas:

- (1) Decision No 1982/2006/EC of the European Parliament and of the Council of 18 December 2006 concerning the Seventh Framework Programme of the European Community for research, technological development and demonstration activities (2007 to 2013)⁽²⁾ (hereinafter referred to as the Seventh Framework Programme) provides for Community participation in research and development programmes undertaken by several Member States, including participation in the structures created for the execution of those programmes, within the meaning of Article 169 of the Treaty.
- (2) The Seventh Framework Programme has defined a series of criteria for the identification of areas for such Article 169 initiatives: the relevance to Community objectives, the clear definition of the objective to be pursued and its relevance to the objectives of the Seventh Framework Programme, the presence of a pre-existing basis (existing or envisaged national research programmes), European added value, a critical mass with regard to the size and number of programmes involved and the similarity of activities they cover, and the efficiency of Article 169 as the most appropriate means for achieving the objectives.
- (3) Council Decision 2006/971/EC of 19 December 2006 concerning the Specific Programme 'Cooperation' implementing the Seventh Framework programme of the European Community for research, technological development and demonstration

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are currently no known outstanding effects for the Decision No 742/2008/EC of the European Parliament and of the Council, Introductory Text. (See end of Document for details)

activities (2007 to 2013)⁽³⁾ (hereinafter referred to as the Specific Programme ‘Cooperation’) identifies an Article 169 initiative in the field of ambient assisted living as one of the fields suitable for Community participation in national research programmes jointly implemented on the basis of Article 169 of the Treaty.

- (4) In its Communication of 1 June 2005 entitled ‘i2010 — A European information society for growth and employment’, the Commission proposed to launch a flagship initiative on caring for people in an ageing society.
- (5) In its Communication of 12 October 2006 entitled ‘The demographic future of Europe — from challenge to opportunity’, the Commission underlined the fact that demographic ageing is one of the main challenges facing all countries in the European Union and that increased use of new technologies could help to control costs, improve well-being and promote the active participation in society of elderly people, as well as improving the competitiveness of the European economy, in support of the revised Lisbon Strategy for growth and jobs.
- (6) In the field of information and communication technologies (ICT) in particular, the fact of an ageing population can be seen as an opportunity for an emerging market for new goods and services which respond to the needs of the elderly. However, the rapid development and use of new ICT should not lead to social exclusion or a widening of the digital divide; however, digital literacy is a precondition for inclusion and participation in the information society.
- (7) The present initiative in the field of ambient assisted living should take into account the reality of the ageing population in Europe, where the percentage of women is higher than that of men due to the longer average life expectancy of women.
- (8) Active ageing is a core element in the renewed employment guidelines. The EU approach to ageing aims at mobilising the full potential of people of all ages — the lifecycle approach — and stresses the need to shift from fragmented to comprehensive ageing strategies.
- (9) At present, a number of research and development programmes or activities undertaken by Member States individually at national level in the field of ICT for ageing well are not sufficiently coordinated at European level and do not allow a coherent approach at European level for research and development of innovative ICT-based products and services for ageing well.
- (10) Wishing to have a coherent approach at European level in the field of ICT for ageing well and to act effectively, several Member States have taken the initiative in setting up a joint research and development programme entitled ‘Ambient Assisted Living’ (hereinafter referred to as the AAL Joint Programme) in the field of ICT for ageing well in the information society, in order to obtain synergies in terms of management and financial resources by ensuring a single common evaluation mechanism with the assistance of independent experts, on the basis of established practice as set out in Regulation (EC) No 1906/2006 of the European Parliament and of the Council of 18 December 2006 laying down the rules for the participation of undertakings, research centres and universities in actions under the Seventh Framework

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Programme and for the dissemination of research results (2007-2013)⁽⁴⁾, and the combination of additional expertise and resources available in various countries across Europe.

- (11) The AAL Joint Programme aims at addressing the challenge of demographic ageing by providing the necessary legal and organisational framework for large-scale European cooperation between Member States in applied research and innovation in the area of ICT for ageing well in an ageing society. Belgium, Denmark, Germany, Ireland, Greece, Spain, France, Italy, Cyprus, Luxembourg, Hungary, the Netherlands, Austria, Poland, Portugal, Romania, Slovenia, Finland, Sweden and the United Kingdom (hereinafter referred to as the participating Member States) and Israel, Norway and Switzerland have agreed to coordinate and implement jointly activities aimed at contributing to the AAL Joint Programme. The overall value of their participation is estimated at a minimum of EUR 150 million for the duration of the Seventh Framework Programme. The participation of each of these countries in the AAL Joint Programme should be subject to a minimum financial contribution commensurate with the potential demand from its national research communities and should normally be at least EUR 0,2 million if the country is to participate in the annual work programme.
- (12) The AAL Joint Programme should also promote the involvement of small and medium-sized enterprises (SMEs) in its activities in accordance with the objectives of the Seventh Framework Programme.
- (13) In order to increase the impact of the AAL Joint Programme, the participating Member States, Israel, Norway and Switzerland have agreed to the Community's participation in it. The Community should participate in the Programme by making a financial contribution of up to EUR 150 million. Given that the AAL Joint Programme meets the scientific objectives of the Seventh Framework Programme and that the research field of the AAL Joint Programme falls within the ICT theme of the Specific Programme 'Cooperation', the Community financial contribution should be taken from the budget appropriation allocated to that theme. Further financing options may be available, inter alia, from the European Investment Bank (EIB), in particular through the Risk-Sharing Finance Facility developed jointly by the EIB and the Commission pursuant to Annex III to Decision 2006/971/EC.
- (14) The Community financial support should be provided subject to the definition of a financing plan based on formal commitments from the competent national authorities to implement jointly the research and development programmes and activities undertaken at national level and to contribute to the financing of the joint execution of the AAL Joint Programme.
- (15) The joint implementation of the national research programmes requires the establishment or existence of a dedicated implementation structure, as provided for in the Specific Programme 'Cooperation'.
- (16) The participating Member States have agreed on such a dedicated implementation structure to implement the AAL Joint Programme.

Status: Point in time view as at 31/01/2020.

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- (17) The dedicated implementation structure should be the recipient of the financial contribution from the Community and should ensure the efficient execution of the AAL Joint Programme.
- (18) In order to implement the AAL Joint Programme efficiently, the dedicated implementation structure should grant financial support to third parties participating in the AAL Joint Programme which are selected following calls for proposals.
- (19) The Community contribution should be subject to the commitment of resources by the participating Member States, Israel, Norway and Switzerland and the effective payment of their financial contributions.
- (20) The Community should have the right to reduce, withhold or terminate its financial contribution if the AAL Joint Programme is implemented inadequately, partially or late, on the terms set out in an agreement to be concluded between the Community and the dedicated implementation structure laying down the detailed arrangements for the Community contribution.
- (21) Any Member State should be able to join the AAL Joint Programme.
- (22) In accordance with the Seventh Framework Programme, the Community should have the right to agree conditions relating to its financial contribution to the AAL Joint Programme concerning the participation therein of any country associated with the Seventh Framework Programme or, where essential for implementing the AAL Joint Programme, of any other country, joining the Programme in the course of its implementation, in accordance with this Decision.
- (23) Appropriate measures should be taken to prevent irregularities and fraud and the necessary steps should be taken to recover funds lost, wrongly paid or incorrectly used in accordance with Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities' financial interests⁽⁵⁾, Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities⁽⁶⁾, and Regulation (EC) No 1073/1999 of the European Parliament and of the Council of 25 May 1999 concerning investigations conducted by the European Anti-Fraud Office (OLAF)⁽⁷⁾.
- (24) In accordance with Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities⁽⁸⁾ (hereinafter referred to as the Financial Regulation) and Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities⁽⁹⁾ (hereinafter referred to as the Implementing Rules), the Community contribution should be managed in the framework of indirect centralised management in accordance with the provisions of Articles 54(2)(c) and 56 of the Financial Regulation, and Articles 35, 38(2) and 41 of the Implementing Rules.

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- (25) It is essential that the research activities carried out under the AAL Joint Programme conform to basic ethical principles, including those reflected in Article 6 of the Treaty on European Union and in the Charter of Fundamental Rights of the European Union, and follow the principles of gender mainstreaming and gender equality. In the execution of the Programme account should also be taken of the promotion of the role of women in science and research.
- (26) The AAL Joint Programme should also aim at promoting equitable and simplified access to relevant ICT-based products and services across all Member States.
- (27) The Commission should conduct an interim evaluation by 2010, assessing the quality and efficiency of the implementation of the AAL Joint Programme and progress towards the objectives set. That evaluation should also assess the need for further interim evaluations to be conducted before the final evaluation at the end of 2013,

HAVE ADOPTED THIS DECISION:

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- (1) Opinion of the European Parliament of 13 March 2008 (not yet published in the Official Journal) and Council Decision of 23 June 2008.
- (2) OJ L 412, 30.12.2006, p. 1.
- (3) OJ L 400, 30.12.2006, p. 86.
- (4) OJ L 391, 30.12.2006, p. 1.
- (5) OJ L 312, 23.12.1995, p. 1. Regulation as amended by Commission Regulation (EC) No 1233/2007 (OJ L 279, 23.10.2007, p. 10).
- (6) OJ L 292, 15.11.1996, p. 2.
- (7) OJ L 136, 31.5.1999, p. 1.
- (8) OJ L 248, 16.9.2002, p. 1. Regulation as last amended by Council Regulation (EC) No 1525/2007 (OJ L 343, 27.12.2007, p. 9).
- (9) OJ L 357, 31.12.2002, p. 1. Regulation as last amended by Commission Regulation (EC, Euratom) No 478/2007 (OJ L 111, 28.4.2007, p. 13).

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