
Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Decision of 12 December 2014 on setting up the Joint Institute for Very Long Baseline Interferometry as a European Research Infrastructure Consortium (JIV-ERIC) (2014/923/EU), CHAPTER 7. (See end of Document for details)

ANNEX

CHAPTER 7

POLICIES

Article 19

Collaboration Agreements with Third Parties

In cases where JIV-ERIC deems it beneficial, it may enter into a Collaboration Agreement with third parties, for example research institutes from countries that are not Members or Observers of JIV-ERIC.

Article 20

Access Policies for Users

- 1 JIV-ERIC shall strive to open access of the infrastructure within the limits and conditions of the access policies concerned.
- 2 According to the authorisation of the content providers and through an authentication approved by JIV-ERIC, data, tools and services offered by JIV-ERIC shall be open to the scientific community.
- 3 JIV-ERIC shall ensure that users agree to the terms and conditions governing access and that suitable security arrangements are in place regarding internal storage and handling of research data.
- 4 JIV-ERIC shall put in place well defined arrangements for investigating allegations of security breaches and confidentiality disclosures of research data.

Article 21

Scientific evaluation policy

- 1 In facilitating scientific research, JIV-ERIC shall adhere to principles of transparency and support a culture of 'best practices' as agreed and established by the collaboration with EVN.
- 2 Access to JIV-ERIC research facilities, observing and correlator time, shall be based on the scientific excellence and technical feasibility of project proposals, which shall be judged in peer reviews by independent experts, following the criteria and practices established in the EVN. Access to correlator time shall follow the allocation and scheduling of observing time.

Article 22

Dissemination policy

- 1 JIV-ERIC shall take all appropriate action to promote the infrastructure and its use in research and education.

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2 JIV-ERIC shall encourage its users to make their research results publicly available and to make results available through JIV-ERIC.

3 JIV-ERIC shall establish a dissemination policy.

Article 23

Intellectual Property Rights (IPR) Policy

1 With regard to the IPR necessary and generated by research and development of the JIV-ERIC correlator, the principle of ownership is recognised, but it may be shared by all active participants contributing to the research for the benefit of the development of the JIV-ERIC correlator. Within JIV-ERIC an integrated approach of guidelines and contracts for intellectual property shall be adopted regarding the rights of national research institutes dedicating infrastructure to JIV-ERIC covering technology transfer and sharing of IPR, for which the Executive Director shall propose Rules of Procedure to the Council.

2 JIV-ERIC shall provide guidance (for instance via website) to researchers to ensure that research using material made accessible through JIV-ERIC is undertaken within a framework that recognises the property rights of data owners.

Article 24

Employment policy, including equal opportunities

JIV-ERIC is an equal opportunity employer and shall select the best candidate, regardless of background, nationality, religion or gender. Employment contracts shall follow the national law of the country in which staff is employed.

Article 25

Procurement Policy and Tax Exemption

1 JIV-ERIC shall treat procurement candidates and tenderers equally and in a non-discriminatory way, independent of whether or not they are based in the European Union. The JIV-ERIC procurement policy shall respect the principles of transparency, non-discrimination and competition. The Council shall adopt Rules of Procedure defining all necessary details on exact procurement procedures and criteria.

2 The Executive Director shall be responsible for JIV-ERIC procurement. Tenders shall be published on the JIV-ERIC website and in the Members' and Observers' territories. The decision to award procurement shall be published on the JIV-ERIC website and include a justification.

3 Procurement by individual Members and Observers concerning JIV-ERIC activities shall be done in such a way that due consideration is given to JIV-ERIC needs, technical requirements and specifications issued by the relevant bodies and shall follow the applicable national regulations.

4 Tax exemptions based on Article 143(1)(g) and 151(1)(b) of Council Directive 2006/112/EC⁽¹⁾ and in accordance with Articles 50 and 51 of Council Implementing Regulation (EU) No 282/2011⁽²⁾ shall be limited to the value added tax for such goods and services which are for official use by JIV-ERIC, exceed the value of EUR 225, and are wholly paid and procured

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by JIV-ERIC. Procurement by individual Members shall not benefit from these exemptions. Without prejudice to Article 25(5) and (6), no further limits shall apply.

5 Tax exemptions shall apply to non-economic activities, not to economic activities.

6 VAT exemptions shall apply to goods and services for the scientific, technical and administrative operations undertaken by JIV-ERIC in line with its principle tasks. These include expenses for conferences, workshops and meetings directly linked to the official activities of JIV-ERIC but exclude travel and accommodation expenses.

Article 26

Data policy

1 Generally Open Source and Open Access principles shall be favoured.

2 JIV-ERIC shall make all tools publicly accessible and provide adequate documentation.

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- (1) Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax (OJ L 347, 11.12.2006, p. 1).
- (2) Council Implementing Regulation (EU) No 282/2011 of 15 March 2011 laying down implementing measures for Directive 2006/112/EC on the common system of value added tax (OJ L 77, 23.3.2011, p. 1).

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