

Council Regulation (EC) No 723/2009 of 25 June 2009 on the Community legal framework for a European Research Infrastructure Consortium (ERIC)

Article 6

Decision on the application

1 The Commission shall, taking into account the results of the assessment referred to in Article 5(2) and in accordance with the procedure referred to in Article 20:

- a adopt a decision setting up the ERIC after it has satisfied itself that the requirements laid down in this Regulation are met; or
- b reject the application if it concludes that the requirements laid down in this Regulation are not met, including in the absence of the declaration referred to in Article 5(1)(d).

2 The decision on the application shall be notified to the applicants. In the case of a rejection, the decision shall be explained in clear and precise terms to the applicants.

The decision setting up the ERIC shall also be published in the L series of the *Official Journal of the European Union*.

3 The essential elements of the Statutes as set out in Article 10 points (b) to (f) and in points (i) to (vi) of point (g) contained in the application shall be annexed to the decision setting up the ERIC.

Changes to legislation:

There are outstanding changes not yet made to Council Regulation (EC) No 723/2009. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Art. 3-6 omitted by [S.I. 2019/77 reg. 2\(4\)](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature words omitted by [S.I. 2019/77 reg. 2\(10\)](#)
- Art. 2(a)(b) substituted for Art. 2(a)-(c) by [S.I. 2019/77 reg. 2\(3\)](#)
- Art. 15(1)(a) words substituted by [S.I. 2019/77 reg. 2\(8\)\(a\)](#)