

## Deliverable 2.4: Document defining the founding articles for the legal entity

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## Preamble

WHEREAS the science of climate change and air quality requires understanding of spatial and temporal variability of short-lived atmospheric constituents;

WHEREAS deeper understanding of the driving forces of climate change and air pollution requires observation of the four-dimensional distribution of short-lived atmospheric constituents;

WHEREAS deeper understanding of the atmospheric variability of short-lived atmospheric constituents requires knowledge of the complex processes driving their interactions;

WHEREAS the science of climate change and air quality requires secured access to long-term observational data provided with adequate precision and geographical coverage;

WHEREAS improving knowledge and technologies for the science of climate change and air quality requires access to highly instrumented research platforms in natural and controlled atmospheres;

WHEREAS ACTRIS provides a unique expertise in metrology of aerosols, clouds and reactive trace gases, in the provision of data related to short-lived atmospheric constituents' variability and in the procedures for accessing this information;

WHEREAS ACTRIS data products are required for completeness of the Earth observation system for climate and air quality and contribute to resolve the uncertainties in climate and Earth system models toward the development of sustainable solutions for responding to environmental challenges;

WHEREAS ACTRIS intends to raise the level of technology used in the research infrastructure and the quality of services offered to a very wide community of users, involving partners from the private sector;

WHEREAS ACTRIS also promotes the training of operators and users and enhances the linkage between research, education and innovation in the field of atmospheric and climate science;

THEREFORE

the members and observers listed in Annex I

HAVE AGREED AS FOLLOWS:

## Chapter 1. Essential elements

### Article 1. Name

An Aerosol, Clouds and Trace Gases Research Infrastructure Consortium is set up as a European Research Infrastructure Consortium (ERIC) under the Regulation (EC) No 723/2009, named and hereinafter referred to as the “ACTRIS ERIC”.

### Article 2. Tasks and activities of the distributed research infrastructure

- 2.1 The goal of ACTRIS (Aerosol, Clouds and Trace Gases Research Infrastructure) is to produce high-quality integrated datasets in the area of atmospheric sciences and provide services, including access to instrumented platforms, tailored for scientific and technological usage.
- 2.2 ACTRIS ERIC provides the governance of the distributed research infrastructure ACTRIS. ACTRIS ERIC establishes and operates the research infrastructure and coordinates the strategic and financial development and eventual long-term operation of ACTRIS.
- 2.3 In pursuit of its purpose, and in accordance with the rules defined in these statutes, ACTRIS ERIC shall, in particular, carry out the following activities:
  - (a) coordinate and monitor adequate provision of data from the National Facilities;
  - (b) coordinate and monitor activities at the Central Facilities and their service development strategies;
  - (d) ensure open and timely access to ACTRIS data and data products through the Data Centre;
  - (e) operate a physical and remote access program to the Topical Centres, Data Centre and National Facilities;
  - (f) any other activity to fulfil its objectives.
- 2.4 ACTRIS ERIC shall also carry out other activities, such as:
  - (a) promoting ACTRIS to science communities, private sector and the general public;
  - (b) implementing societal and technological developments related to the tasks as defined in article 2.1 and 2.3;
  - (c) developing joint activities with user groups including industry;
  - (d) promoting knowledge transfer to industry and policy makers;
  - (e) harmonizing the ACTRIS implementation with national priorities and strategies;
  - (f) promoting the resources of ACTRIS for education and training purposes;

(g) collaborating and interoperating with other research infrastructures in related and complementary fields;

(h) fostering training, outreach and international cooperation;

(i) participating as a funded or funding partner in scientific research activities relevant for its tasks; and

(j) any other related action necessary to achieve its aim.

- 2.5 ACTRIS ERIC shall pursue its tasks on a non-economic basis. ACTRIS ERIC may carry out limited economic activities, provided they are closely related to its principal tasks and they do not jeopardise the achievement thereof. Any income generated by these limited economic activities shall be used by ACTRIS ERIC to enhance and strengthen its purposes.

### **Article 3. Location and statutory seat**

- 3.1 ACTRIS ERIC is a distributed research infrastructure with a statutory seat in Helsinki, Finland, and with Head Office units located in Finland and Italy.
- 3.2 The distributed research infrastructure shall include a Data Centre and Topical Centres. The Data Centre and the Topical Centres can be included in ACTRIS ERIC or have a Cooperation Agreement with ACTRIS ERIC.
- 3.3 The distributed research infrastructure shall include National Facilities. The National Facilities shall be connected to ACTRIS ERIC through Cooperation Agreements.

### **Article 4. Working language**

The working language of ACTRIS ERIC shall be English.

### **Article 5. Duration and the procedure for the winding-up**

- 5.1 ACTRIS ERIC shall be established for an indefinite period of time, without prejudice to the winding up of the ERIC.
- 5.2 The winding up of ACTRIS ERIC shall be decided by the General Assembly in accordance with Article 19.8.
- 5.3 Assets remaining after payment of ACTRIS ERIC debts shall be apportioned among the members, permanent observers and observers in proportion to their respective contribution to ACTRIS ERIC, unless otherwise agreed by the General Assembly.

- 5.4 Without undue delay and in any event within ten days of the closure of the winding-up procedure, ACTRIS ERIC shall notify the European Commission.
- 5.5 ACTRIS ERIC shall cease to exist on the day on which the European Commission publishes the appropriate notice in the Official Journal of the European Union.

### **Article 6. Liability and insurance**

- 6.1 ACTRIS ERIC shall be liable for its debts.
- 6.2 The members', permanent observers' and observers' financial liability for the debts of ACTRIS ERIC shall be limited to their respective contributions provided to ACTRIS ERIC.
- 6.3 ACTRIS ERIC shall take appropriate insurance to cover the risks specific to the construction and operation of ACTRIS ERIC.

### **Article 7. Access policy**

- 7.1 ACTRIS ERIC shall provide access to data, tools and services. Non-discriminatory prioritization shall be applied based on scientific merit, technical feasibility and/or other relevant criteria pertinent to the aim of ACTRIS.
- 7.2 Access shall be based on open access principles following criteria, procedures and modalities defined in the ACTRIS ERIC data policy and access and service policy documents.

### **Article 8. Evaluation policy**

The services, operations and management of ACTRIS shall be evaluated at least every 5 years by independent external evaluators, appointed by and reporting to the General Assembly.

### **Article 9. Dissemination policy**

- 9.1 ACTRIS ERIC shall promote open science and innovation and encourage users to make their results publicly available. The use of ACTRIS data, services and infrastructure shall be acknowledged in publications and in any other documents. More details shall be provided in ACTRIS ERIC internal rules.
- 9.2 ACTRIS ERIC shall use various channels to reach the target audiences, including web portal, social media, newsletters, workshops, participation to conferences, articles in magazines and daily newspapers.

### **Article 10. Intellectual property rights policy**

- 10.1 Subject to the terms of any contract between ACTRIS ERIC and the users, intellectual property rights created by users of ACTRIS ERIC shall be owned by those users.
- 10.2 ACTRIS data, as well as intellectual property rights and other knowledge that is produced and developed within ACTRIS, shall belong to the entity or to the person who has generated it. The use of ACTRIS data shall be granted to ACTRIS ERIC by the data providers in accordance with the conditions defined in the ACTRIS data policy and access and service policy documents.

### **Article 11. Employment policy**

- 11.1 ACTRIS ERIC employment policy shall be governed by the laws of the country in which the staff is employed.
- 11.2 The selection procedures, recruitment and employment for ACTRIS ERIC shall be transparent, non-discriminatory and respect equal opportunities. Detailed rules of staff recruitment shall be set out in internal rules.

### **Article 12. Procurement policy**

ACTRIS ERIC shall treat procurement candidates and tenders equally and without discrimination, regardless of whether or not they are based within the European Union. The ACTRIS ERIC procurement policy shall respect the principles of transparency, non-discrimination and competition. Detailed rules on procurement procedures and criteria shall be set out in internal rules.

## **Chapter 2. Membership and observership**

### **Article 13. Members, permanent observers, observers and representing entities**

- 13.1 The following entities may become members of ACTRIS ERIC with voting rights or may become permanent observers or observers without voting rights of ACTRIS ERIC:
- (a) Member States of the European Union;
  - (b) associated countries to the European Union;
  - (c) third countries other than associated countries;
  - (d) intergovernmental organizations.
- 13.2 Conditions for becoming a member, permanent observer or observer are set out in Article 14. Membership of ACTRIS ERIC must include at least one Member State of the European Union and at least two other countries that are either Member States or associated countries.

- 13.3 Under any circumstances, Member States and associated countries to the European Union shall jointly hold the majority of the voting rights in the General Assembly. The General Assembly shall ensure that ACTRIS ERIC complies at all times with this requirement.
- 13.4 Any member, permanent observer or observer referred to in paragraph 13.1 (a) to (c) may be represented in the General Assembly by one or more public entities, including regions or private entities with a public service mission, of its own choosing and appointed according to its own rules and procedures. Such members, permanent observers or observers shall inform the Chair of the General Assembly of any changes to the representing entity, termination of its mandate, or of any changes to the specific rights and obligations delegated to the representing entity.
- 13.5 The members, permanent observers and observers of ACTRIS ERIC and their representing entities are listed in Annex I. Annex I shall be kept up to date by the chair of the General Assembly, or any person authorised by him/her.
- 13.6 In cases where ACTRIS ERIC deems it beneficial, it may also enter into an agreement with third parties, for example countries that cannot be a member, permanent observer or observer of an ERIC.

#### **Article 14. Conditions for becoming a member, permanent observer or observer**

- 14.1 Entities that have signed the official request to set up ACTRIS ERIC shall become members, permanent observers or observers by the decision of the Commission to set up ACTRIS ERIC in accordance with the Regulation (EC) No 723/2009.
- 14.2 Entities referred to in Article 13.1 willing to become members of ACTRIS ERIC shall submit a written application to the Chair of the General Assembly. That application shall describe how the entity will contribute to the ACTRIS ERIC tasks and activities described in Article 2 and how it will fulfil obligations referred to in Article 16.
- 14.3 Entities referred to in Article 13.1 who are willing to contribute to ACTRIS ERIC, but are not in a position to join as members, may apply to be a permanent observer or an observer. Applicants shall submit a written application to the chair of the General Assembly. That application shall describe how the applicant will contribute to the ACTRIS ERIC tasks and activities described in Article 2 and how it will fulfil obligations referred to in Article 17.

## **Article 15. Withdrawal of a member, permanent observer or observer and termination of membership or observership**

- 15.1 A member or permanent observer shall not withdraw during the first five years of ACTIRS ERIC.
- 15.2 After the first five years of the establishment of ACTRIS ERIC a member may withdraw at the end of a financial year, provided that it notifies its intention to withdraw by sending an official request one year in advance to the chair of the General Assembly.
- 15.3 After the first five years of the establishment of ACTRIS ERIC a permanent observer may withdraw at the end of a financial year, provided that it notifies its intention to withdraw by sending an official request one year in advance to the chair of the General Assembly.
- 15.4 An observer may withdraw at any time at the end of a financial year, provided that it notifies its intention to withdraw by sending an official request one year in advance to the chair of the General Assembly.
- 15.5 Members, permanent observers and observers shall fulfil all financial and other obligations before their withdrawal can become effective.
- 15.6 The General Assembly may terminate membership or observership if the following conditions are met:
- (a) a member, permanent observer or observer is in serious breach of one or more of its obligations under these statutes;
  - (b) a member, permanent observer or observer has failed to rectify such breach within six months after it has received notice of the breach in writing by the chair of the General Assembly.
- 15.7 The member, permanent observer or observer referred to in paragraph 5 above shall have the right to explain its position to the General Assembly before the General Assembly makes any decision on the issue.
- 15.8 The member, permanent observer or observer that withdraws or has its membership or observership terminated shall neither have the right to restitution nor reimbursement of any contributions made.
- 15.9 An entity shall automatically cease to be a member, permanent observer or observer if it ceases to exist or no longer falls within any of categories set out under Article 14.

## Chapter 3. Rights and obligations of members and observers

### Article 16. Members

- 16.1 Without prejudice to other rights set out in these statutes, internal policies or applicable laws, each member has a right to:
- (a) participate and vote at the General Assembly;
  - (b) participate in ACTRIS ERIC events and activities;
  - (c) have access to support from ACTRIS ERIC in developing relevant systems, processes and services;
  - (d) appoint representing entities in accordance with Article 13;
  - (e) elect and be elected for the governance bodies of ACTRIS ERIC through its representatives;
  - (f) host a Central Facility unit, and lead a Central Facility;
  - (g) purchase goods and services to be provided in kind for the official and exclusive use of ACTRIS ERIC which are solely for the non-economic activities of ACTRIS ERIC (and accounted as such in the ACTRIS ERIC accounts).
- 16.2 Each member shall:
- (a) provide the annual contribution in accordance with Article 25;
  - (b) empower its representatives with the full authority to vote on all issues raised during a meeting of the General Assembly;
  - (c) commit to achieve ACTRIS ERIC tasks and activities as defined in Article 2;
  - (d) encourage the adoption of ACTRIS standards within its national ACTRIS scientific communities;
  - (e) run National Facilities of enough quality to provide services to ACTRIS.

### Article 17. Observers

- 17.1 Rights of observers shall include the right to:
- (a) attend the General Assembly without a vote;
  - (b) participate in the ACTRIS ERIC events and activities;
  - (c) have access to support from ACTRIS ERIC in developing relevant systems, processes and services;
  - (d) appoint representing entities in accordance with Article 13.
- 17.2 Each observer shall:
- (a) provide the annual contribution in accordance with Article 25;

- (b) commit to achieve ACTRIS ERIC tasks and activities as defined in Article 2;
- (c) encourage the adoption of ACTRIS standards within its national ACTRIS scientific communities;
- (d) provide the necessary technical infrastructure to make access possible.

- 17.3 An observer may be admitted for a maximum of three years with the possibility of one three-year extension based on the General Assembly approval.
- 17.4 An observer that foresees a lasting participation in the consortium, but is not in a position to become a member, may be granted the status of a permanent observer based on the General Assembly approval. Permanent observers have the same rights and obligations as members as stated in article 16.1, 16.2 and 25.2, except the right to vote at the General Assembly.

### **Article 18. Suspension of rights of members**

If a member owes contributions according to Article 25 equalling or exceeding the amount of the contributions due from that member for the preceding year, its voting rights in the General Assembly shall be automatically suspended until contributions have been paid.

## **Chapter 4. Governance**

### **Article 19. General Assembly**

- 19.1 The General Assembly shall be the governing body of ACTRIS ERIC and shall be composed of delegates of the members, permanent observers and observers. Each member, permanent observer or observer may be represented by up to two delegates. Delegates should be appointed by a member, permanent observer or observer. The General Assembly shall elect a chair and a vice-chair for a period of two years, renewable twice. Each member, permanent observer or observer shall inform without undue delay the chair of the General Assembly in writing of any appointment or termination of appointment of its delegates. Delegates can be accompanied by up to two experts with the sole aim of advising delegates and they cannot express opinions during meetings. The General Assembly shall adopt its own internal rules.
- 19.2 Each member shall have at least one vote that shall be supplemented with one additional vote for a member hosting at least one ACTRIS Central Facility unit and with one further vote for contributing to at least three ACTRIS Central Facilities. Permanent observers and observers may attend the General Assembly meetings without the right to vote.
- 19.3 The General Assembly shall be convened and chaired by the chair. In his or her absence the General Assembly shall be chaired by the vice-chair.

- 19.4 An extra-ordinary meeting of the General Assembly may be requested by one third of members.
- 19.5 A member may be represented by another member if notified in writing to the chair prior to any meeting of the General Assembly. A member cannot represent more than one other member.
- 19.6 Decisions can also be made in a written procedure.
- 19.7 A quorum of two-thirds of members shall be required for having a valid meeting. If the quorum is not met, a second meeting shall be convened as soon as possible following a new invitation, with the same agenda. In the second meeting, the quorum shall be considered as met if 50 % of the members are present.
- 19.8 The General Assembly shall meet at least once a year and be responsible for the overall direction and supervision of ACTRIS ERIC. In particular the General Assembly shall:

Decide by unanimous vote of members present in the meeting on the following matters:

- (a) amendment of the statutes of ACTRIS ERIC;
- (b) voluntary liquidation and winding up of ACTRIS ERIC;

Subject to Article 25.2 decide by 2/3 majority of the votes of members present in the meeting on the following matters:

- (a) approval of the annual accounts and activity report;
- (b) approval of the annual work plans and budget;
- (c) approval of the financial plan;
- (d) members' and permanent observers' contributions in accordance with Article 25.2;
- (e) approval of internal rules;
- (f) appointment of the chair and the vice-chair;
- (g) appointment and dismissal of the Director General;
- (h) approval of new members, permanent observers and observers, and the renewal of an observership;
- (i) termination of a membership or an observership by the General Assembly, excluding the vote of the concerned member;
- (j) establishment and elimination of additional advisory bodies, not regulated by these statutes, as well as committees and working groups.

Decide by simple majority:

Any other matter not defined as requiring 2/3 majority or unanimity.

## **Article 20. Director General**

- 20.1 The Director General shall be appointed by the General Assembly according to a procedure adopted by the General Assembly. The Director General shall be employed by ACTRIS ERIC. The Director General shall be the legal representative of ACTRIS ERIC. The Director General shall be responsible for the implementation of the decisions by the General Assembly and ensure the scientific and strategic development of ACTRIS meets the expectations on socio-economic impact, technology development and innovation. The Director General shall actively contribute to community building and fostering external relations and strategic partnerships as well as overseeing and coordinating the ACTRIS activities. The Director General shall represent ACTRIS ERIC in any litigation.
- 20.2 The term for the Director General shall be five years. The General Assembly may renew the term once.
- 20.3 The Director General shall be based at the statutory seat of ACTRIS ERIC and shall be responsible for managing the ACTRIS ERIC staff and activities in accordance with the ACTRIS ERIC budget and internal rules.

## **Article 21. Science and Innovation Advisory Board**

- 21.1 The General Assembly shall establish an independent external Science and Innovation Advisory Board.
- 21.2 The members of the Science and Innovation Advisory Board shall be appointed by the General Assembly.
- 21.3 The Science and Innovation Advisory Board shall:
- (a) Monitor scientific and operative quality of ACTRIS ERIC and the research infrastructure activities;
  - (b) Give feedback and make recommendations to develop ACTRIS ERIC and the research infrastructure activities;
  - (c) Meet and give recommendations at least annually to the General Assembly.

## **Article 22. Ethical Advisory Board**

- 22.1 The General Assembly shall establish an independent Ethical Advisory Board.
- 22.2 The members of the Ethical Advisory Board shall be appointed by the General Assembly.
- 22.3 The Ethical Advisory Board shall:
- (a) Give feedback and make recommendations to develop the ethical aspects of ACTRIS ERIC and the research infrastructure activities;
  - (b) Meet and give recommendations when needed to the General Assembly and the Director General.

## **Article 23. Financial Committee**

- 23.1 The General Assembly shall establish a Financial Committee and appoint its members.
- 23.2 The Financial Committee shall:
- (a) Support the General Assembly on matters related to the management of financial planning;
  - (b) Meet and give their recommendations when needed to the General Assembly.
- 23.3 The Financial Committee shall adopt its own rules of procedure which shall be approved by the General Assembly.

## **Article 24. Other bodies, committees and working groups**

The ACTRIS ERIC can establish further bodies, committees and working groups, if deemed necessary, and define their assignment and mandate.

## **Chapter 5. Finance and contributions**

### **Article 25. Resources**

- The resources of ACTRIS ERIC shall include the following:
- (a) contributions of members, permanent observers and observers according to Article 25;
  - (b) grants and donations; and
  - (c) other resources within limits and under terms approved by the General Assembly.

## Article 26. Contributions

- 26.1 Contribution of members, permanent observers and observers shall be calculated in accordance with the basic rules and principles laid down in Annex II, which are further detailed in the ACTRIS ERIC internal financial rules.
- 26.2 Any change to the contributions must be approved by the member(s) or permanent observer(s) affected by the change before it can be approved by the General Assembly.

## Article 27. Budgetary principles, accounts and audit

- 27.1 The financial year of ACTRIS ERIC shall begin on the 1<sup>st</sup> of January and end on the 31<sup>st</sup> of December of each year.
- 27.2 ACTRIS ERIC shall be subject to the requirements of the law of the country where it has its statutory seat as regards preparation, filing, auditing and publication of accounts. More detailed rules shall be provided in the ACTRIS ERIC internal financial rules.
- 27.3 The accounts of ACTRIS ERIC shall be accompanied by a report on budgetary and financial management of the financial year.
- 27.4 Donations, gifts and any other income from members, permanent observers, observers or third parties can be received after approval by the General Assembly.

## Article 28. Tax and excise duty exceptions

- 28.1 VAT exemptions based on Articles 143(1)(g) and 151(1)(b) of Council Directive 2006/112/EC and in accordance with Articles 50 and 51 of Council Implementing Regulation (EU) No 282/2011, shall be applied to purchases of goods and services by ACTRIS ERIC and by members of the ERIC, as defined in Article 9(1) of Council Regulation (EC) No 723/2009 of June 25 2009 on the Community legal framework for a European Research Infrastructure Consortium (ERIC), and in the meaning of chapters 2 and 3 of the statutes which are for the official and exclusive use by ACTRIS ERIC, provided that such purchase is made solely for the non-economic activities of ACTRIS ERIC in line with its activities. VAT exemptions shall be limited to purchases exceeding the value of EUR 300.
- 28.2 Excise duty exemptions based on Article 12 of Council Directive 2008/118/EC, shall be limited to purchases by ACTRIS ERIC which are for the official and exclusive use by ACTRIS ERIC, provided

that such purchase is made solely for the non-economic activities of ACTRIS ERIC in line with its activities and that the purchase exceeds the value of EUR 300.

28.3 Purchases by staff members are not covered by the exemptions.

## Chapter 6. Miscellaneous

### Article 29. Reporting to the European Commission

29.1 ACTRIS ERIC shall produce an annual activity report, containing in particular the scientific, operational and financial aspects of its activities. The report shall be approved by the General Assembly and transmitted to the European Commission and relevant public authorities within six months from the end of the corresponding financial year. This report shall be made publicly available on the ACTRIS ERIC website.

29.2 ACTRIS ERIC shall inform the European Commission of any circumstances which threaten to seriously jeopardise the achievement of the ACTRIS ERIC tasks or hinder ACTRIS ERIC from fulfilling requirements laid down in Regulation (EC) No 723/2009.

### Article 30. Applicable law

The internal functioning of ACTRIS ERIC shall be governed:

- (a) by Union law, in particular Regulation (EC) No 723/2009 and the decisions referred to in Articles 6(1)(a) and 11(1) of the Regulation;
- (b) by the law of the state where ACTRIS ERIC has its statutory seat in the case of matters not, or only partly, regulated by acts referred to in point a); and
- (c) by these statutes and their implementing rules.

### Article 31. Disputes

31.1 The members, permanent observers and observers of ACTRIS ERIC shall endeavour to settle disputes amicably.

31.2 The Court of Justice of the European Union shall have jurisdiction over litigation among the members in relation to ACTRIS ERIC, between the members and/ ACTRIS ERIC and over any litigation to which the Union is a party.

31.3 Union legislation on jurisdiction shall apply to disputes between ACTRIS ERIC and third parties. In cases not covered by Union legislation, the law of the state where ACTRIS ERIC has its statutory seat shall determine the competent jurisdiction for the resolution of such disputes.

### **Article 32. Statutes updates and availability**

The statutes shall be kept up to date and publicly available on the ACTRIS ERIC website and at the statutory seat.

### **Article 33. Setting-up provisions**

- 33.1 A first meeting of the General Assembly shall be called by the State where ACTRIS ERIC has its statutory seat as soon as possible after the European Commission decision setting up ACTRIS ERIC takes effect.
- 33.2 Before the first meeting is held and no later than forty-five calendar days after the European Commission decision setting up ACTRIS ERIC takes effect, the relevant State shall notify the founding members and observers of any specific urgent legal action that needs to be taken on behalf of ACTRIS ERIC. Unless a founding member objects within five working days after being notified, the legal action shall be carried out by a person duly authorised by the relevant State.

## **Annex I. List of members, permanent observers, observers and their representing entities**

### **Members**

### **Representing entities**

Republic of Austria

Kingdom of Belgium

Republic of Bulgaria

Republic of Cyprus

Czech Republic

Republic of Finland

French Republic

Hellenic Republic

Italian Republic

Kingdom of the Netherlands

Kingdom of Norway

Republic of Poland

Romania

Kingdom of Spain

### **Permanent observers**

### **Representing entities**

### **Observers**

### **Representing entities**

Federal Republic of Germany

Swiss Confederation

## Annex II. Members', permanent observers' and observers' contributions for operations

### Preface

The Host Countries shall be responsible for financing 100% of the construction of the Central Facilities.

Resourcing of the National Facilities is organized nationally, and their funding cannot be considered as Host or Membership contributions to ACTRIS ERIC.

The operations of the Central Facilities inside ACTRIS ERIC are partially funded by the Central Facility Hosting Countries and partially by ACTRIS ERIC through the cash contributions of the ACTRIS ERIC members, permanent observers and observers.

The operations of the Central Facilities outside ACTRIS ERIC are partially funded by the Central Facility Hosting Countries and partially by ACTRIS ERIC through reallocation of cash contributions.

### Principles of contributions

1. Members' annual contributions shall consist of Host contributions, where applicable, and Membership contributions.
2. The Host contribution is the support provided by ACTRIS ERIC members and permanent observers for the functioning of Central Facilities units hosted in their own country.
3. The level of Host contributions for each Central Facility is a relevant quota and shall account for not less than 50% of its annual ACTRIS operation costs.
4. The Host contributions can be provided in cash or in-kind. Rules for the in-kind contribution will be defined in the internal financial rules.
5. The quota of each Central Facility's annual operation costs that is not covered by the Host Contribution shall be funded by ACTRIS ERIC through the Membership contributions from ACTRIS ERIC members, permanent observers and observers. The detailed calculation method is to be defined in the internal financial rules.
6. Membership contributions shall be provided in cash only.
7. The contributions to ACTRIS ERIC shall be made in Euros.
8. The annual Membership contribution is based on the main principles of the support provided to members and inclusiveness.
9. The annual contributions for permanent observers and observers are based on the same principles as for members.
10. The annual contributions for intergovernmental organizations are established by the General Assembly at the moment of deciding on their application, as member or observer.

11. Members, permanent observers or observers joining ACTRIS ERIC will pay the pro rata annual contribution for the year of entry, based on the month of joining ACTRIS ERIC.

### First 5-year financial commitments

For the first five-year period of ACTRIS ERIC, the indicative plan for ACTRIS ERIC revenue and expenditure is shown below (Table 1).

The estimated annual contributions towards ACTRIS ERIC for the first five-year are shown in Table 2.

First 5-year financial contributions are an estimate.

Before the end of the initial 5-year period the General Assembly will decide about the subsequent financial plan.

**Table 1. The plan for ACTRIS ERIC revenue and expenditure for the first 5 years**

ACTRIS ERIC EXPENDITURES	2020	2021	2022	2023	2024
HEAD OFFICE	1 215 000	1 215 000	1 261 000	1 291 000	1 352 000
DATA CENTER	614 000	716 000	819 000	921 000	1 024 000
AEROSOL IN SITU	339 000	422 000	488 000	592 000	613 000
AEROSOL REMOTE SENSING	579 000	662 000	744 000	827 000	827 000
CLOUD IN SITU	135 000	162 000	189 000	216 000	243 000
CLOUD REMOTE SENSING	200 000	240 000	281 000	321 000	361 000
REACTIVE TRACE GASES IN SITU	314 000	376 000	439 000	502 000	565 000
REACTIVE TRACE GASES REMOTE	78 000	156 000	312 000	364 000	468 000
<b>TOTAL</b>	<b>3 474 000</b>	<b>3 949 000</b>	<b>4 533 000</b>	<b>5 034 000</b>	<b>5 453 000</b>

ACTRIS ERIC REVENUES	2020	2021	2022	2023	2024
Membership Contribution	2 679 400	3 132 400	3 646 400	4 102 400	4 447 400
Host Contribution for Head Office	851 000	851 000	883 000	904 000	946 000
<b>TOTAL</b>	<b>3 530 400</b>	<b>3 983 400</b>	<b>4 529 400</b>	<b>5 006 400</b>	<b>5 393 400</b>

**Table 2 Estimated annual contributions for the first five years.** Note: the contributions are based on an estimated participation of the countries that have signed the Letter of Intent and will be revised based on the final membership by the first GA.

Country	Contribution	2020	2021	2022	2023	2024
AUSTRIA	Membership Contribution	76 000	86 000	97 000	108 000	117 000
	Host Contribution	130 000	184 000	272 000	314 000	379 000
BELGIUM*	Membership Contribution	116 000	116 000	116 000	116 000	116 000
	Host Contribution	53 000	105 000	210 000	245 000	315 000
BULGARIA	Membership Contribution	42 000	47 000	52 000	58 000	62 000
	Host Contribution	-	-	-	-	-
CYPRUS	Membership Contribution	52 000	60 000	68 000	77 000	82 000
	Host Contribution	-	-	-	-	-
CZECH REPUBLIC*	Membership Contribution	67 400	67 400	67 400	67 400	67 400
	Host Contribution	51 000	64 000	74 000	89 000	93 000
EU-JRC	Membership Contribution	66 000	75 000	84 000	93 000	100 000
	Host Contribution	26 000	32 000	37 000	45 000	47 000
FINLAND	Membership Contribution	243 000	287 000	330 000	379 000	410 000
	Host Contribution	495 000	590 000	680 000	783 000	858 000
	Host Contribution for Head Office	700 000	700 000	700 000	700 000	700 000
FRANCE	Membership Contribution	242 000	284 000	329 000	372 000	404 000
	Host Contribution	1 153 000	1 389 000	1 645 000	1 882 000	2 060 000
GERMANY	Membership Contribution	513 000	633 000	795 000	904 000	1 012 000
	Host Contribution	1 425 000	1 728 000	2 048 000	2 360 000	2 559 000
GREECE	Membership Contribution	141 000	168 000	198 000	226 000	242 000
	Host Contribution	-	-	-	-	-

ITALY	Membership Contribution	272 000	320 000	371 000	419 000	450 000
	Host Contribution	594 000	693 000	788 000	892 000	935 000
	Host Contribution for Head Office	151 000	151 000	183 000	204 000	246 000
NETHERLANDS	Membership Contribution	105 000	124 000	147 000	165 000	182 000
	Host Contribution	199 000	265 000	363 000	418 000	494 000
NORWAY	Membership Contribution	76 000	87 000	98 000	110 000	118 000
	Host Contribution	529 000	618 000	706 000	794 000	882 000
POLAND	Membership Contribution	127 000	146 000	164 000	184 000	194 000
	Host Contribution	-	-	-	-	-
ROMANIA	Membership Contribution	123 000	143 000	163 000	184 000	196 000
	Host Contribution	213 000	243 000	273 000	304 000	304 000
SPAIN	Membership Contribution	185 000	223 000	268 000	306 000	334 000
	Host Contribution	259 000	296 000	333 000	371 000	374 000
SWITZERLAND	Membership Contribution	85 000	97 000	109 000	122 000	132 000
	Host Contribution	48 000	58 000	67 000	77 000	86 000
UNITED KINGDOM**	Membership Contribution	148 000	169 000	190 000	212 000	229 000
	Host Contribution	98 000	118 000	138 000	157 000	177 000
	<b>Membership Contribution total</b>	<b>2 679 400</b>	<b>3 132 400</b>	<b>3 646 400</b>	<b>4 102 400</b>	<b>4 447 400</b>
	<b>Host Contribution total</b>	<b>5 273 000</b>	<b>6 383 000</b>	<b>7 634 000</b>	<b>8 731 000</b>	<b>9 563 000</b>
	<b>Host Contribution for Head Office</b>	<b>851 000</b>	<b>851 000</b>	<b>883 000</b>	<b>904 000</b>	<b>946 000</b>

\*Membership contributions of Belgium and Czech Republic are reported as a constant value across the 5 years to meet the requests from the countries.

\*\* Assumed participation.

## Annex III. Definitions

For the purposes of these statutes, the following definitions shall apply:

“ACTRIS” means Aerosol, Clouds and Trace Gases Research Infrastructure which produces high-quality data documenting short-lived atmospheric constituents and processes leading to their variability in natural and controlled atmospheres and integrates, harmonizes and distributes datasets, activities and services provided by Central Facilities and National Facilities.

“ACTRIS ERIC” means Aerosol, Clouds and Trace Gases Research Infrastructure set up as a European Research Infrastructure Consortium (ERIC) under Regulation (EC) No 723/20092.

“Central Facility” means a European level ACTRIS component, Head Office, Data Centre or Topical Centre, that offers ACTRIS data or other ACTRIS services to users as well as operation support to National Facilities.

“Cooperation Agreement” means an agreement between ACTRIS ERIC and a National Facility or between ACTRIS ERIC and a Central Facility which is not included in ACTRIS ERIC.

“Data Centre” means the Central Facility responsible for ACTRIS data curation, preservation, and distribution of data, value-added products and tools, and hosting the ACTRIS data portal.

“Head Office” means the Central Facility responsible for coordinating and representing ACTRIS as well as for facilitating access to ACTRIS services.

“Host Country” means the country where the Central Facility unit is located and operated.

“Host contribution” means support provided by members or permanent observers for the functioning of the Central Facility unit or units hosted in their own country.

“Intellectual Property” means what is said in article 2 of the Convention Establishing the World Intellectual Property Organisation on 14 July 1967 and as amended on 28 September 1979.

“Membership contribution” means the amount of money the countries pay in order to join ACTRIS ERIC as members, permanent observers or observers.

“National Facility” means an observational or exploratory platform which has a contractual relationship with ACTRIS ERIC and which provides data and/or physical access to its premises.

“Topical Centre” means a Central Facility, which is either included in ACTRIS ERIC or has a contractual relationship with ACTRIS ERIC, offering services and operation support for quality assurance/quality control of measurements and data (including training, calibration, quality assurance/quality control tools, and development of standard operation and evaluation procedures).