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ANNEX

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to the

COMMISSION DECISION

**on the signature of an Implementing Arrangement between the European Commission
and the Tri-agency Institutional Programs Secretariat in Canada for Canadian
researchers to be hosted by European Research Council grantees in Europe**

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Implementing Arrangement between the European Commission and the Tri-agency Institutional Programs Secretariat in Canada for Canadian researchers to be hosted by European Research Council grantees in Europe¹

In accordance with Article 4 of the Agreement for Scientific and Technological Cooperation between the European Community and Canada, which was signed on 17 June 1995 and entered into force on 27 February 1996², as amended³, hereinafter referred to as the "Agreement", an Implementing Arrangement to provide research opportunities in Europe for Canadian researchers is hereby established between the European Commission and the Tri-agency Institutional Programs Secretariat (TIPS) in Canada (hereinafter referred to as "the Sides").

The Tri-agency Institutional Programs Secretariat (TIPS) is responsible for the administration of collaborative programme initiatives between the Social Sciences and Humanities Research Council of Canada (SSHRC), the Natural Sciences and Engineering Research Council of Canada (NSERC) and the Canadian Institutes of Health Research (CIHR), hereinafter referred to as the Canadian Granting Agencies. TIPS is housed at SSHRC.

From the European Commission side, the European Research Council Executive Agency (ERCEA), which is the dedicated implementation structure of the European Research Council (ERC), is intended to perform the tasks specified in this Implementing Arrangement. The ERC's mission is to encourage the highest quality research in Europe through competitive funding and to support investigator-driven frontier research across all fields, on the basis of scientific excellence.

The Sides understand that the collaboration under this Implementing Arrangement is intended to operate only within the limits of its respective authorities, policies and legal frameworks.

Research opportunities are intended to be provided in accordance with the terms set out in the Agreement.

This Implementing Arrangement is not intended to create rights and obligations under international or domestic law, and it has no new financial implications.

The Sides acknowledge the constructive cooperation so far under a similar Implementing Arrangement signed by them on 27 October 2016 in the context of Horizon 2020 and for a duration of 3 years. They intend to work together to further intensify their cooperation in the context of the current Implementing Arrangement.

¹ European Union Member States or Countries Associated to Horizon Europe (including Pillar 1)

² OJ L74, 22.03.1996, p.25.

³ OJ L156, 23.06.1999, p.24.

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1. AREAS OF ACTIVITIES

The Sides intend to provide opportunities for Canada Research Chairholders⁴ and/or the Banting Postdoctoral Fellows⁵ to pursue research collaborations with European research teams already supported through the European Union (EU) -funded ERC grants⁶.

It is expected that collaborations would occur on topics of mutual interest related to disciplines in engineering and the natural sciences, health sciences, humanities and social sciences.

2. COLLABORATIVE OBJECTIVES

This collaboration is intended to enable researchers/fellows supported by the Canada Research Chairs and/or the Banting Postdoctoral Fellowships programmes to carry out research visits with the ERC-supported European teams.

The collaboration is intended to enable researchers/fellows to participate through a single and long-term (e.g. up to 12 months) visit or multiple short-term visits (e.g. for joint experiments). Research visits are expected to begin at least 12 months prior to the termination date of the Canada Research Chairs grant and/or Banting Postdoctoral Fellowship. Multiple short-term visits should aggregate to a jointly determined minimum (e.g. 3 months).

3. PROCEDURE OF COOPERATION

The following set of operational steps is intended to be used to establish the cooperation:

- (a) The ERCEA solicits expressions of interest from Principal Investigators (PIs) holding ERC grants in hosting Canada Research Chairholders and/or Banting Postdoctoral Fellows to contribute to their teams for short or longer periods.
- (b) The ERCEA sends to TIPS a listing of the interested PIs/teams, together with the publishable description of their respective ERC-funded projects and other information as mutually decided between the TIPS and the ERCEA to facilitate the collaborations between the researchers.
- (c) TIPS, in collaboration with Canadian Research Granting Agencies and the Vanier-Banting Secretariat (housed at the Canadian Institutes of Health Research), would inform Canada Research Chairholders and/or Banting Postdoctoral Fellows of the collaborative opportunities available describing the goals of the ERC programme and the collaborative opportunities as defined by the European researchers. Canada Research Chairholders and/or Banting Postdoctoral Fellows would be invited to communicate directly with the ERC-supported teams to negotiate the terms and conditions of the collaboration with ERC-supported European teams in line with the ERC grant agreement.

⁴ <http://www.chairs-chaires.gc.ca/home-accueil-eng.aspx>

⁵ <http://banting.fellowships-bourses.gc.ca/en/home-accueil.html>

⁶ <https://erc.europa.eu/homepage>

4. TECHNICAL WORKING MEETINGS

The Sides intend to have technical working meetings with the participation of two representatives from each Side. As necessary, each Side may designate additional participants to the meetings. The technical working meetings should be co-chaired by a representative of the TIPS and the Head of the Scientific Management Department of the ERCEA. Best practices consistent with the needs of the respective Sides in order to collaborate under this Implementing Arrangement are expected to be discussed during the technical working meetings and be reflected in the meeting minutes.

During the technical working meetings, the Sides intend also to review the activities, including reporting activities, under this Implementing Arrangement and in this regard discuss any adjustment that would be necessary. These meetings are expected to take place at least once a year, and the meetings should be held virtually or alternately at the TIPS or the ERCEA premises.

5. FUNDING

Activities under this Implementing Arrangement are intended to be subject to the availability of appropriated funds and to the applicable laws and regulations, policies and programmes of each Side.

(1) The Canadian Granting Agencies

Canada Research Chairholders and/or Banting Postdoctoral Fellows can continue to receive their grant/stipend according to the terms and conditions of the award. They would also be allowed to use them for the purpose of collaborating with ERC-supported European teams, including the coverage of their travel expenses. However, they would be required to obtain approval from their respective institution before concluding a collaborative agreement with their European counterparts. Furthermore, Banting Postdoctoral fellows would also need permission from their supervisor.

(2) The ERC

Visiting Canada Research Chairholders and/or Banting Postdoctoral Fellows may be incorporated into the research teams of the ERC-funded Principal Investigators (at the Host Institution of the ERC projects) for the duration of the visit, so that, if need be, any relevant expenses can be claimed under the ERC grant, supporting the team and the activity as set out below. Sufficient flexibility exists in the ERC grant agreement to support the visiting researcher with no separate direct funding arrangement between the visiting researcher and the ERC being required. The ERC grant agreement provides that only the costs eligible within its terms and conditions can be reimbursed and the maximum amount of the ERC grant may not be increased for this purpose. The Canadian visiting researcher would be in charge of seeking and obtaining any payments or reimbursements under the ERC grant directly from the ERC grantee, without the involvement of the Canadian Research Granting Agencies. Subject to the compliance

with all the eligibility criteria set out in the ERC grant agreement, eligible cost categories in this case include:

(i) For researchers receiving a grant/stipend from the Canada Research Chairs and/or the Banting Postdoctoral Fellowships programme: subsistence costs on a *per diem* basis, or any other applicable modality of the Host Institution, in accordance with the applicable national law and any other rules or regulations applicable on the Host Institution, commensurate to the level of experience of the individual visiting career researchers.

Alternatively, and only if the salary of the Canada Research Chairs or the stipend of the Banting postdoctoral fellows is suspended during the period of the visit: salary, stipend or other compensation of the visiting researcher, including any applicable social/health coverage expenses, in accordance with the applicable national law and any other rules or regulations applicable on the Host Institution. In this case no additional subsistence costs would be offered.

(ii) Any other eligible costs incurred during the visit of the researcher that are directly related to the ERC-funded project and that are not covered by the Canadian side.

6. ADDITIONAL PROGRAMMES

The Sides may agree to amend the current Implementing Arrangement by including other programmes in addition to the Canada Research Chairs and the Banting postdoctoral fellows programmes.

7. DURATION

Cooperation under this Implementing Arrangement is intended to commence from the date of its signature by the Sides. It may be discontinued by either Side at any time.

Signed at Brussels, on 21st March 2024, in duplicate in the English language.


For the European Commission


For the Tri-agency Institutional
Programs Secretariat