

DECISION 02/2022
OF THE GOVERNING BOARD OF
THE EUROPEAN INSTITUTE OF INNOVATION AND TECHNOLOGY (EIT)

ON THE COOPERATION WITH THE MEMBER STATE REPRESENTATIVES GROUP

THE GOVERNING BOARD OF THE EUROPEAN INSTITUTE OF INNOVATION AND TECHNOLOGY,

Having regard to Regulation (EU) No 2021/819 of the European Parliament and of the Council of 20 May 2021 on the European Institute of Innovation and Technology (recast)¹ (hereafter ‘EIT Regulation’), in particular, Article 5 (3) and Article 6 (p) thereof, and Section 3 (6) of the Statutes of the EIT annexed to the EIT Regulation;

Having regard to Decision (EU) No 2021/820 of the European Parliament and of the Council of 20 May 2021 on the Strategic Innovation Agenda of the European Institute of Innovation and Technology (EIT) 2021-2027: Boosting the Innovation Talent and Capacity of Europe and repealing Decision No 1312/2013/EU² (hereafter ‘EIT Strategic Innovation Agenda’);

Having regard to Decision 18/2021 of the EIT Governing Board of 7 May 2021 on the Rules of procedure of the EIT Governing Board and Executive Committee³;

WHEREAS

(1) Pursuant to the EIT Regulation that entered into force on 28 May 2021, the Member State Representatives Group shall be established;

(2) In line with the Rules of procedure of the EIT Governing Board, the detailed aspects of the cooperation between the EIT, the KICs and the MSRSG shall be regulated by a separate Governing Board decision.

HAS DECIDED AS FOLLOWS:

¹ OJ L 189/61 of 28.5.2021.

² OJ L 189/91 of 28.5.2021.

³ Ares(2021)3139636 - 11/05/2021

TITLE I ROLE AND RESPONSIBILITIES

Article 1

Role and responsibilities of the Member State Representatives Group (MSRG)

- (1) The MSRG is advising the EIT Governing Board, the EIT Director and the KICs.
- (2) In line with the EIT Regulation, the MSRG shall provide advice to the EIT Governing Board and to the EIT Director on the following issues:
 - a) on the extension or termination of the EIT's partnership agreements with the KICs;
 - b) on the conclusion of a memorandum of cooperation with each KIC; and
 - c) on other strategically important issues to the EIT, sharing experience with regard thereto.
- (3) The MSRG shall also provide its opinion on the performance, achievements and activities of the EIT and the KICs, the results of their monitoring and evaluation, and their performance indicators and corrective measures, based on the information regularly provided by the EIT.
- (4) The MSRG shall advise and share experience with the KICs.
- (5) The MSRG shall facilitate appropriate synergies and complementarities between EIT and KIC activities with national programmes and initiatives, including the potential national co-financing of KIC activities.

TITLE II MEMBERSHIP

Article 2

Members of the Member State Representatives Group

- (1) In line with the EIT Regulation, the MSRG shall be composed of one representative from each Member State and each associated country.
- (2) In order to ensure continuous representation of Member States and associated countries, each country shall have a representative and a substitute.

Article 3

Nomination of the Members

- (1) Each Member State and each associated country shall nominate one representative and one substitute upon the invitation by the European Commission.

(2) In view of the role of the MSRG as set out in Article 1 above, Member States and associated countries shall be invited to nominate Members who would be in a position to represent the national authorities responsible for the EIT, and have the relevant knowledge and understanding of Horizon Europe and innovation policies at both national and EU level.

TITLE III COOPERATION

Article 4

General rules on cooperation with the EIT and the GB

- (1) In line with the EIT Regulation, the opinion of the MSRG shall be sought prior to the decisions of the Governing Board referred to in point 6 of Section 3 the Statutes of the EIT, concerning the extension or termination of the partnership agreements with the KICs and on the conclusion of a memorandum of cooperation with a KIC (**opinions by the MSRG prior to decisions of the Governing Board**).
- (2) The MSRG shall also provide its opinion on the performance, achievements and activities of the EIT and the KICs, the results of their monitoring and evaluation, and their performance indicators and corrective measures, based on the information regularly provided by the EIT (**other opinions by the MSRG**).
- (3) Furthermore, the MSRG shall provide advice on other strategically important issues to the EIT, sharing experience with regard thereto (**strategic advice of the MSRG to the EIT and the GB**).
- (4) In line with the EIT Regulation, the EIT Director shall organise the meetings of the MSRG and ensure effective communication with the MSRG, under the supervision of the Governing Board.
- (5) The Chairperson of the Governing Board, or a member of the Governing Board designated by her/him may attend the meeting of the MSRG or a part thereof.
- (6) A delegate of the MSRG may be invited to attend the meeting of the Governing Board in relation to the agenda items concerning the role and responsibilities of the MSRG.
- (7) The EIT Director or its representative shall chair the meetings of the MSRG. The EIT Director or its representative may be assisted by other EIT staff at the meetings.
- (8) The EIT Director shall regularly, and at least on a yearly basis, inform the Governing Board on the cooperation with the MSRG.

Article 5

Opinions by the MSRG prior to the decisions of the Governing Board

- (1) For the decisions of the Governing Board referred to in Article 4 (1) of the present decision, the consultation with the MSRG shall be conducted in line with Article 9.2. to 9.7 of the Rules of procedure of the Governing Board.

(2) In line with the EIT Regulation, the MSRSG shall provide its opinion to the Governing Board without undue delay and in any event not later than two months after it has been requested.

(3) In line with the Rules of Procedure of the Governing Board, the EIT Director shall communicate to the MSRSG the decisions of the Governing Board referred to in Article 4 (1) of the present decision.

Article 6

Other opinions by the MSRSG

- (1) In line with the EIT Regulation, the EIT shall regularly inform the MSRSG of the performance, achievements and activities of the EIT and the KICs, the results of their monitoring, assessment and evaluation, and their performance indicators and corrective measures. Furthermore, the EIT shall promptly inform the MSRSG of the criteria and procedures for financing, monitoring and evaluating the activities of the KICs prior to the launching of the selection procedure for new KICs. In this context, the EIT shall in particular provide the following information to the MSRSG:
 - (a) Consolidated Annual Activity Report of the EIT;
 - (b) Decisions of the EIT Governing Board concerning the EIT key performance indicators, the principles for financing, monitoring and evaluating KIC activities, and the financial sustainability principles of the KICs;
 - (c) Information on the results emerging from the continuous monitoring of the KICs;
 - (d) Results of the interim reviews of the KICs referred to in Article 11 (2) of the EIT Regulation;
 - (e) Results of the comprehensive seven-years assessment of the KICs referred to in Article 11 (3) of the EIT Regulation;
 - (f) Results of the final review of the KICs referred to in Article 11 (6) of the EIT Regulation;
 - (g) Corrective measures adopted by the Governing Board in line with Article 11 (6) of the EIT Regulation and point (1)(k) of section 2 of the Statutes of the EIT annexed to the EIT Regulation;
 - (h) Results of the evaluation of the pilot higher education initiative as foreseen in the EIT Strategic Innovation Agenda;
 - (i) Results of independent interim and final evaluations of the EIT and the KICs referred to in Article 20 (2) of the EIT Regulation.
- (2) In view of the information provided under paragraph (1) of the present article, the MSRSG shall provide its opinion on the performance, achievements and activities of the EIT and the KICs, the results of their monitoring and evaluation, and their performance indicators and corrective measures.
- (3) The EIT shall inform the Governing Board of the opinion of the MSRSG. The EIT Director shall provide feedback to the MSRSG at its meeting and keep the MSRSG informed on any follow-up activities.

Article 7

Strategic advice of the MSRSG to the EIT and the GB

- (1) In line with the Rules of Procedure of the Governing Board, the EIT Director shall consult the MSRSG on strategically important issues to the EIT other than those referred to in Article 4 (1) of this decision and transmit the advice of the MSRSG to the Governing Board.
- (2) In order to enable the MSRSG to deliver its advice to and share its experience on strategically important issues with the EIT, the EIT Director shall regularly provide information to the MSRSG on the strategically important issues, in

particular by means of the multiannual work programme of the EIT based on the draft Single Programming Document of the EIT.

- (3) The EIT shall inform the Governing Board on the strategic advice and experience shared by the MSRSG. The EIT Director shall inform the MSRSG at its meeting on the outcome of the consideration of its advice and experience.

Article 8 EIT Secretariat to the MSRSG

In order to organise the meetings of the MSRSG and ensure effective communication, the EIT shall provide a Secretariat to the MSRSG from among its staff members, which shall assist in particular in the following areas:

- (a) Communication with the MSRSG and provision of all information necessary for the fulfilment of the responsibilities of the MSRSG, including responses to inquiries by Members of the MSRSG;
- (b) Organisation of the meetings of the MSRSG including meeting facilities;
- (c) Preparation of the meetings including the provision of draft agendas and background documents;
- (d) Preparation of the minutes of the meetings of the MSRSG;
- (e) Arrangement of the reimbursement of expenses of the Members of the MSRSG as provided under Article 16 of the present decision;
- (f) Provide technical coordination for the preparation of MSRSG opinions, advice and experience sharing under Articles 5 to 7 of the present decision;
- (g) Preparation of draft bylaws concerning the functioning of the MSRSG including its Rules of procedure and conflict of interest provisions;
- (h) Facilitation of the cooperation between the MSRSG and the Governing Board, the KICs and other stakeholders.

Article 9 Cooperation with the KICs

- (1) The EIT Director shall inform the KICs of the strategic advice and opinion of the MSRSG under Articles 6 and 7 of this decision concerning the KICs. The EIT Director shall provide feedback to the MSRSG at its meeting and keep the MSRSG informed on any follow-up activities.
- (2) Upon invitation by the MSRSG, the KIC CEOs, or their representatives, shall attend the meeting of the MSRSG or a part thereof.
- (3) The Secretariat to the MSRSG shall liaise with the KICs on the preparation of KIC-specific topics included in the agenda of the MSRSG meetings, and in order to provide any other information in between meetings.
- (4) The Secretariat to the MSRSG, in cooperation with the KICs, shall prepare at least one dedicated session within the MSRSG meetings each year to facilitate synergies and complementarities between EIT and KIC activities with national or regional programmes and initiatives.

Article 10
Relations with the Commission

- (1) The EIT shall provide the opinions of the MSRG to the Commission.
- (2) The representative of the Commission (DG EAC) to the EIT Governing Board or his/her delegate may attend the meetings of the MSRG. The representative of the Commission may be assisted by other Commission staff.

Article 11
Relations with other Member State stakeholders

- (1) The EIT shall inform the MSRG of the meetings of the stakeholder forum as defined in Article 2 (11) of the EIT Regulation and may invite the Members of the MSRG to participate.
- (2) The MSRG shall collaborate with the representatives in the National Contact Points (NCPs) in their relevant countries in a structured and systematic way and shall facilitate the engagement of EIT and KICs with regional and local authorities.
- (3) If appropriate, members of the MSRG will liaise with the respective national representatives at EU level.
- (4) The Secretariat to the MSRG, in cooperation with the Commission (DG EAC), shall assist the effective cooperation between the MSRG and the aforementioned groups when appropriate.

**TITLE IV
SYNERGIES**

Article 12
Joint activities to promote synergies between EIT, KIC and national or regional activities

- (1) In order to achieve the aims set out in the last indent of Article 5 (3) of the EIT Regulation, as referred to in Article 1 (5) of the present decision, the following forms of cooperation are encouraged, in the context of the meetings of the MSRG, as well as on a bilateral or multilateral level:
 - (a) timely and reciprocal information and experience sharing on national or regional programmes and initiatives in the areas of activity or strategic interest of the EIT and the KICs;
 - (b) information exchange on national co-funding opportunities of KIC activities, including via national programmes financed from EU Funds such as the European Structural and Investment Funds, the European Recovery and Resilience Facility and the implementation of the Instrument for Pre-Accession Assistance;
 - (c) exploring the potential for organising joint co-funded activities to develop and strengthen cooperation between the EIT Community and the national and regional research and innovation ecosystems, also in line with the relevant Research and Innovation Smart Specialisation Strategies;
 - (d) joint communication and awareness raising activities, encouraging participation in the activities of the EIT Community, in close collaboration with the respective EIT National Contact Points, including awareness raising

activities aiming to promote knowledge transfer and dissemination of the EIT results in the Member States and Associated Countries;

(e) co-funded joint activities between the KICs and national or regional companies, universities and industrial research organisations in the field of entrepreneurship, education and innovation;

(f) any other form of cooperation that serves the mission and objectives of the EIT and supports the mandate of the MSRSG.

Article 13

Synergies with other Horizon Europe instruments

- (1) The EIT, the KICs and the MSRSG shall work together to promote information exchange, coordination and joint activities in relation to other Horizon Europe instruments, such as the EIC.

TITLE V

FUNCTIONING OF THE MSRSG

Article 14

Meetings of the MSRSG

- (1) In line with the EIT Regulation, the MSRSG shall meet at least twice a year.
- (2) The meetings of the MSRSG may take place online, in-person, on in a hybrid format, as decided by the EIT Director as Chairperson of the MSRSG in consultation with the MSRSG.
- (3) The Secretariat to the MSRSG shall ensure that the timing of the meetings of the MSRSG is coordinated with the meetings of the Governing Board, with a view to facilitating the timely delivery of the opinions of the MSRSG to the decisions of the Governing Board referred to in Article 5 of the present decision.
- (4) The costs of the organisation of the meetings of the MSRSG shall be borne by the EIT.

Article 15

Confidentiality and conflict of interests

- (1) In view of the sensitivity of innovation projects of the EIT Community, special attention shall be paid to protect commercially sensitive information. The Secretariat to the MSRSG shall inform the MSRSG whenever the information provided is of confidential character.
- (2) The Secretariat to the MSRSG shall also assist the MSRSG in ensuring impartiality and handling any conflicts of interests.

Article 16

Reimbursement of expenses of Members of the MSRG

- (1) Members of the MSRG do not receive a remuneration for their activities from the EIT.
- (2) Travel and subsistence expenses of Members of the MSRG participating in the meetings of the MSRG shall be reimbursed by the EIT.
- (3) Travel and subsistence expenses of Members of the MSRG for meetings other than those specified in Article 14 (1) of the present decision may also be reimbursed by the EIT, provided the travel takes place in the context of the cooperation between the EIT and the MSRG.
- (4) The Decision of the EIT Director on the rules on travel expenses of members of the Governing Board⁴ shall be applied by analogy to the Members of the MSRG.

Article 17

Bylaws of the MSRG

- (1) The bylaws governing the functioning and decision-making of the MSRG shall be adopted by the MSRG.
- (2) The EIT Secretariat shall prepare the draft Rules of procedure including provisions on conflict of interest for the MSRG.
- (3) The Members of the MSRG shall adopt the Rules of Procedure at its meeting, or by written procedure, with at least two thirds of majority of the votes expressed, provided that a quorum of two thirds of all Members of the MSRG is met.
- (4) In the case of written procedure, the EIT Director (Chairperson of the MSRG) shall request members of the MSRG by email to provide their comments by email within ten working days.
- (5) The EIT Secretariat shall review the draft Rules of Procedure based on the comments received. Subsequently, the final draft shall be submitted to the members of the MSRG for approval by email. Members of the MSRG shall

⁴ Decision No 18/2014 of the EIT of 29 August 2014 adopting the rules on travel expenses of the members of the EIT Governing Board, 01814.EIT.2014.I.

submit their votes (in favour or against the consolidated text) by email within ten working days. No response shall be considered as approval.

- (6) In case the Rules of procedure could not be adopted as a result of the written procedure, the EIT Director (Chairperson of the MSRG) may decide to relaunch the written procedure or to propose the Rules of procedure for adoption at the occasion of the next meeting of the MSRG.

Article 18 **Transparency**

- (1) The EIT shall include in its Consolidated Annual Activity Report a Chapter providing an overview of the activities of the MSRG, including a summary of any advice it has formulated over the course of the given year.
- (2) The EIT shall make public on its website the names of members of the MSRG and any changes or amendments to the MSRG's membership.

Article 19 **Correspondence**

All correspondence with the MSRG shall be addressed to the EIT, electronically at MSRG@eit.europa.eu, or by post at the location of the EIT in Budapest, Hungary.

Article 20 **Final provisions**

- (1) This decision shall enter into force on the day of its adoption by the Governing Board.
- (2) This decision shall be published on the EIT website.

Done in Budapest on 31 January 2022

Gioia Ghezzi

Chairperson of the EIT Governing Board