

DECISION 40/2023
OF THE GOVERNING BOARD OF
THE EUROPEAN INSTITUTE OF INNOVATION AND TECHNOLOGY (EIT)

ON THE PROGRESS OF EIT CULTURE & CREATIVITY
IN ACHIEVING THE MILESTONES OF THE START-UP PHASE

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) (hereafter referred to as the “EIT Regulation (recast)”¹, in particular Articles 6(c), 9, and 11(1) thereof, point 1(e)-(f) of Section 2 of the Statutes as annexed to the EIT Regulation (recast);

HAVING REGARD to Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013 (hereafter referred to as the “Horizon Europe Regulation”)²;

HAVING REGARD to Decision 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/EU (hereafter referred to as the “EIT SIA 2021-2027”)³, in particular Section 3.3 thereof;

HAVING REGARD to Regulation (EU, Euratom) No 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 101/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (hereafter the EU Financial Regulation)⁴;

HAVING REGARD to Decision 21/2019 of the Governing Board of the EIT of 25 September 2019 on adopting the Financial Regulation for the European Institute of Innovation and Technology, in particular Article 1 thereof⁵;

HAVING REGARD to Decision 18/2021 of the Governing Board of the EIT of 7 May 2021 on the rules of procedure of the EIT Governing Board and Executive Committee⁶;

HAVING REGARD to Decision 38/2021 of the Governing Board of the EIT of 8 October 2021 on the approval of the Call for Proposals 2021 for a new EIT Knowledge and Innovation Community (KIC) in the Cultural and Creative

¹ OJ L 189, 28.5.2021, p. 61

² OJ L 170, 12.5.2021, p. 1

³ OJ L 189, 28.5.2021, p. 91

⁴ OJ-L 193, 30.07.2018, p.1

⁵ Ref. Ares(2019)6810859

⁶ Ref. Ares(2021)3139636

Sectors and Industries (CCSI)⁷, as amended by Decision 44/2021 of the Governing Board of the EIT of 25 November 2021⁸;

HAVING REGARD to Decision 17/2022 of the Governing Board of the EIT of 8 June 2022 on the approval of the results of the panel of experts' evaluation stage in the Call for Proposals 2021 for a new EIT Knowledge and Innovation (KIC) in the Cultural and Creative Sectors and Industries (CCSI)⁹;

HAVING REGARD to Decision 18/2022 of the Governing Board of the EIT of 22 June 2022 on the selection and designation of the EIT Knowledge and Innovation Community (KIC) in the area of Cultural and Creative Sectors and Industries¹⁰, in particular Articles 2 and 5 thereof;

HAVING REGARD to Decision 19/2022 of the Governing Board of the EIT of 22 June 2022 on the allocation of the financial contribution for the Start-up grant to the newly designated Knowledge and Innovation Community (KIC) 'EIT Culture & Creativity'¹¹;

HAVING REGARD to Decision 36/2022 of the Governing Board of the EIT of 14 December 2022 on the adoption of the Final Single Programmig Document (2023-2025) of the EIT¹²;

HAVING REGARD to Decision 05/2023 of the Governing Board of the EIT of 14 March 2023 on the principles for the determination of the initial EIT financial allocation for 2024-2025 to the Business Plan 2024-2025 of the Knowledge and Innovation Community EIT Culture & Creativity (EIT CC)¹³;

HAVING REGARD to the Invitation to submit a proposal for the KIC Business Plan of Culture & Creativity 2024-2025 (hereafter referred to as 'Invitation 2024-2025')¹⁴;

WHEREAS

- (1) On 22 June 2022, the EIT Governing Board designated a new KIC in the 'Cultural and Creative Sectors and Industries' thematic area, EIT Culture & Creativity. Article 5 of the Designation decision states that *"upon the condition that the KIC has demonstrated the successful achievement of the main milestones of the start-up phase, by late 2023 the EIT Governing Board will decide on the endorsement of the start-up phase and on authorising the EIT Director to sign the Partnership Agreement with the KIC"*.
- (2) On 22 June 2022, the EIT Governing Board decided that the maximum EIT financial contribution for the start-up grant for EIT Culture & Creativity shall be EUR 6 million, covering the period from the date of submission of the Start-up Plan until 31 December 2023.
- (3) On 28 July 2022, the EIT launched the 'Invitation for a 2022-2023 Start-up Plan proposal and estimated budget in the area of Cultural and Creative Sectors and Industries (CCSI)'¹⁵ to cover the KIC's start-up activities in 2022-2023.

⁷ Ref. Ares(2021)6506188

⁸ Ref. Ares(2021)7506011

⁹ Ref. Ares(2022)4242712

¹⁰ Ref. Ares(2022)4608261

¹¹ Ref. Ares(2022)4608465

¹² Ref. Ares(2022)8699476

¹³ Ref. Ares(2023)1853190

¹⁴ Ref. Ares(2022)4735537

¹⁵ Ref. Ares(2022)4735537

- (4) On 21 September 2022, EIT Culture & Creativity submitted its initial proposal for the Start-up Plan¹⁶ through the Funding and Tenders Portal. An Evaluation Committee was appointed by the EIT Authorising Officer in order to evaluate the proposal¹⁷, with the support of an independent external expert¹⁸. On 16 January 2023, EIT Culture & Creativity submitted its final proposal for the Start-up Plan¹⁹.
- (5) Following the approval of the final proposal, on 17 February 2023, the EIT decided to award a maximum amount of EUR 5,995,362.13 for the implementation of the Start-up Plan of EIT Culture & Creativity²⁰. On 24 February 2023, the Start-up Grant Agreement 2022-2024 (SUGA) was signed by the parties.
- (6) On 24 April 2023, the 'Invitation to submit a proposal for the KIC Business Plan of Culture & Creativity 2024-2025' was launched, with a deadline to submit the KIC's first Business Plan on 28 September 2023. The KIC submitted its Business Plan 2024-2025, which was evaluated by independent external experts.
- (7) On 31 August 2023, the start-up phase coordinator of EIT Culture & Creativity submitted a request for amendment of the SUGA. The proposed modifications mainly ensured the accession of the newly created KIC Legal Entity, and the update of the Start-up Plan and budget. The total budget for the start-up phase was not affected by the amendment. On 29 October 2023, Amendment no. 1 of the SUGA was signed by both parties and it entered into force.
- (8) In accordance with the Invitation for a 2022-2023 Start-up Plan proposal and estimated budget, on 31 August 2023, EIT Culture & Creativity submitted its Interim Progress Report, which describes the progress made by the start-up consortium under the SUGA until 31 August 2023.
- (9) On 6 September 2023, the GB Rapporteur visit to EIT Culture & Creativity took place. At this meeting, the parties discussed, among other topics, the results and the potential shortcomings of the ongoing start-up phase, including the weaknesses of the KIC's draft Strategic Agenda 2024-2027.
- (10) As a result of the assessment of the start-up phase milestones and deliverables, and within the framework of several parallel processes (i.e. the EIT GB Rapporteur visit, the assessment of the Interim Progress Report, of the KIC's draft Strategic Agenda 2024-2027 and of the KICs Business Plan 2024-2025 proposal, the hearing with the EIT Governing Board on 21 November 2023), the EIT acknowledges the progress shown in the area of several milestones of the KIC's start-up phase (e.g. establishment of the KIC Legal Entity, set-up of several Co-location Centres, recruitment of key staff). At the same time, the EIT identifies several shortcomings regarding the main milestones of the start-up phase, which show a delayed or insufficient implementation of the SUGA by mid-November 2023.
- (11) The EIT Governing Board is therefore not in a position to endorse the start-up phase of EIT Culture & Creativity at this stage, and requests the KIC to address the identified shortcomings, which constitute a precondition for the endorsement of the start-up phase by the EIT Governing Board.

¹⁶ Ref. eit(2022)7256853 (Compass)

¹⁷ Ref. Ares(2022)6652100

¹⁸ Ref. Ares(2022)8937784

¹⁹ Ref. eit(2023)1376369 (Compass)

²⁰ Ref. Ares(2023)1165592

HAS DECIDED AS FOLLOWS:

Article 1

Conditions for the endorsement of the start-up phase and finalisation of the KIC's designation

- (1) The KIC shall meet the conditions of the EIT Governing Board defined in the areas of governance, partnership, the KIC Strategic Agenda and Business Plan 2024-2025.
- (2) The progress in the completion of the start-up phase will be reviewed during the EIT Governing Board meeting in March 2024. In case of its positive assessment, the EIT Governing Board will endorse the start-up phase of the KIC, will finalise the designation process and will authorise the EIT Director to sign the Partnership Agreement with the KIC. In case of its negative assessment, the EIT Governing Board will conclude that the KIC has failed to achieve its legal readiness and/or operational capacity within due time in the start-up period.

Article 2

Entry into force

This decision shall enter into force on the day of its signature.

Done in Budapest on 23 November 2023

Nektarios Tavernarakis
Chairperson of the EIT Governing Board