

DECISION 6/2018
OF THE GOVERNING BOARD OF
THE EUROPEAN INSTITUTE OF INNOVATION AND TECHNOLOGY (EIT)

**ON THE DESIGNATION OF THE KNOWLEDGE AND INNOVATION COMMUNITY (KIC)
IN THE ‘INNOVATION FOR HEALTHY LIVING AND ACTIVE AGEING’ THEME
AND ON THE REJECTION OF OTHER APPLICANTS
IN THE 2014 CALL FOR KICs’ PROPOSALS**

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

Having regard to Regulation (EC) No 294/2008 of the European Parliament and of the Council of 11 March 2008 establishing the European Institute of Innovation and Technology¹, as amended by Regulation (EU) No 1292/2013 of the European Parliament and of the Council of 11 December 2013², in particular Articles 4, 7, 7b(2) and Section 2(c) of the Statutes thereof;

Having regard to Regulation (EU) No 1290/2013 of the European Parliament and of the Council of 11 December 2013 laying down the rules for participation and dissemination in “Horizon 2020 – the Framework Programme for Research and Innovation (2014-2020)” and repealing Regulation (EC) No 1906/2006,³ in particular Article 15(7) thereof;

Having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union⁴, as amended by Regulation (EU, Euratom) No 547/2014 of the European Parliament and of the Council of 15 May 2014⁵, and by Regulation (EU, Euratom) 2015/1929 of the European Parliament and of the Council of 28 October 2015⁶;

Having regard to Commission Delegated Regulation No 1268/2012 of 29 October 2012 on the rules of application of Regulation 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union⁷, as amended by Commission Delegated Regulation (EU) 2015/2462 of 30 October 2015⁸;

Having regard to the Decision of the EIT Governing Board of 27 December 2013 adopting the Financial Regulation of the European Institute of Innovation and Technology (hereafter referred to as the “EIT Financial Regulation”)⁹, as amended by Decision 6/2015 of the EIT Governing Board of 5 March 2015¹⁰ and by Decision 11/2016 of the EIT Governing Board of 20 April 2016¹¹ in particular Article 90 thereof;

¹ OJ L97 of 09.04.2008, p. 1.

² OJ L347 of 20.12.2013, p. 174.

³ OJ L 347 of 20.12.2013, p. 81

⁴ OJ L 298 of 26.10.2012, p. 1

⁵ OJ L 163 of 29.5.2014, p. 18

⁶ OJ L 286 of 30.10.2015, p. 1

⁷ OJ L 362 of 31.12.2012, p. 1

⁸ OJ L 342 of 29.12.2015, p. 7

⁹ 01364.EIT.2014.I

¹⁰ 00101.EIT.2015.I.GB34

¹¹ 00673.EIT.GB.2016.WP

Having regard to the Decision of the EIT Governing Board of 9 December 2014 on the designation of the Knowledge and Innovation Communities (KICs) in the ‘Innovation for healthy living and active ageing’ theme and the ‘Raw materials: Sustainable exploration, extraction, processing, recycling and substitution’ thematic area¹²;

Having regard to Decision 8/2016 of the EIT Governing Board of 24 May 2016 on the Rules of Procedure of the EIT Governing Board and Executive Committee¹³, in particular Article 4 thereof;

Having regard to the judgement of the General Court of the European Union of 18 January 2018 in Case T-76/15 Kenup vs EIT¹⁴;

Having regard to Decision 5/2018 of the EIT Governing Board of 2 March 2018 on the ranking of proposals in the ‘Innovation for healthy living an active ageing’ theme in the 2014 Call for KICs’ proposals procedure;

WHEREAS

- (1) In accordance with Article 7 of the EIT Regulation, a partnership shall be selected and designated by the EIT to become a KIC following a competitive, open and transparent procedure. Detailed criteria for the selection of the KICs, based on the principles of excellence and innovation relevance, shall be adopted and published by the EIT. External and independent experts shall be involved in the selection process;
- (2) The criteria for the selection of Knowledge and Innovation Communities were published by the EIT on 12 December 2013;
- (3) The 2014 Call for Knowledge and Innovation Communities’ proposals was launched on 14 February 2014, in two thematic areas addressing the theme of “innovation for healthy living an active ageing”, and the theme of “raw materials – sustainable explorations, extraction, processing, recycling and substitution”;
- (4) An Information Day for the 2014 Call for proposals was held on 14 March 2014 to provide potential applicants with information on the Call and guidance on how to submit high quality and successful applications;
- (5) The deadline to submit applications was 10 September 2014.
- (6) The EIT received six proposals in the ‘Innovation for healthy living and active ageing’ theme;
- (7) An Eligibility Committee was appointed by the EIT Responsible Authorising Officer, which assessed the admissibility of the proposals, the exclusion and the eligibility criteria; as a result, it was established that one proposal failed to meet the eligibility criteria;
- (8) The EIT selected independent external experts, based on a transparent procedure ensuring the avoidance of conflicts of interest, to carry out the evaluation of the eligible proposals;
- (9) The panel of experts, comprising of horizontal and thematic experts, evaluated all eligible proposals with respect to the criteria set out in the 2014 KICs’ proposals;

¹² 02008.EIT.2014.I.EIT.GB

¹³ 00507.EIT.2016.I.GB.WP

¹⁴ Case T-76/15 Kenup Foundation and Others v European Institute of Innovation and Technology (EIT)

- (10) The 2014 Call for KICs was followed by an Independent Observer who positively assessed the panel of expert stage of the evaluation process;
- (11) Following the outcome of the evaluation of the independent external experts, the three highest ranked proposals in the health thematic area were assessed by a Final Recommendation Panel made up of high level independent experts. The Final Recommendation Panel confirmed the result of the evaluation carried out by the independent external experts;
- (12) In line with the 2014 Call text, the applicants of the three highest ranked proposals from the 'Innovation for healthy living and active ageing' theme were invited to the hearing held by the EIT Governing Board on 9 December 2014;
- (13) Following the hearings held on 9 December 2014, the EIT Governing Board designated the 'InnoLife – Better, longer lives' applicant consortium as the Knowledge and Innovation Community 'EIT Health' in the 'Innovation for healthy living and active ageing' thematic area. The rejected applicants were notified about the result of the 2014 Call for KICs on 10 December 2014;
- (14) The EIT awarded a start-up grant for EIT Health and after the successful completion of the start-up activities in 2015, the EIT awarded and signed a Framework Partnership Agreement (FPA) with EIT Health for the period of 1 January 2016 until 31 December 2022;
- (15) Kenup Foundation and three partners of the Kenup consortium, ranked as fourth by the independent external experts lodged an application at the General Court of the European Union on 18 February 2015;
- (16) The judgement of the General Court, published on 18 January 2018, annulled the decisions of the EIT Governing Board designating 'InnoLife' as a KIC and rejecting the proposal submitted by the Kenup consortium. The judgement
 - confirmed that the independent experts restricted themselves to evaluating the proposals submitted and did not take any formal decision to eliminate offers classified below third place and the formal decision rejecting the proposal submitted by the Kenup consortium was taken by the EIT Governing Board at the same time as the designation decision,
 - stated that the EIT Governing Board failed to fully exercise its powers in respect of the selection of proposals, those powers having been delegated in part to the experts without the Governing Board having, at any time, had the opportunity to make a proper assessment of the work they carried out on the proposals which were not ranked in the first three places;
- (17) In order to implement the judgement, the EIT Governing Board was convened for an extraordinary meeting on 2 March 2018 to review all the proposals and the evaluation reports of the independent external experts and to adopt a decision confirming or altering the ranking of the proposals and to conclude on the continuation of the procedure;
- (18) The EIT Governing Board has received all the necessary documents and information with regard to the 2014 Call for KICs' proposals in the 'Innovation for healthy living and active ageing' theme, in particular the following documents and records: all the proposals submitted in 2014 in the 'Innovation for healthy living and active ageing' theme, all the individual evaluation reports of the independent external experts and the Evaluation Summary Reports, the Final Recommendation Panel Report, the Independent Observer Report, the minutes and the hearing report, the records of the hearings, briefing notes from the EIT, and the judgement of the General Court T-76/2015;

- (19) By its Decision 5/2018 of 2 March 2018, the EIT Governing Board confirmed the ranking of proposals by the independent external experts in the ‘Innovation for healthy living an active ageing’ theme in the 2014 Call for KICs proposals procedure;
- (20) The EIT Governing Board has reviewed the process of the Final Recommendation Panel and the conduct and the outcome of the hearings held on 9 December 2014.

HAS DECIDED AS FOLLOWS:

Article 1
Designated KIC

The following application is designated as Knowledge and Innovation Community in the ‘Innovation for healthy living and active ageing’ theme:

Proposal number	Name
655894	InnoLife – Better, longer lives

Article 2
Reserve list

No reserve list is established.

Article 3
Not selected applications

The following applications were not selected in the ‘Innovation for healthy living and active ageing’ theme:

	Proposal number	Name
1.	655830	LifeKIC
2.	657933	OneMoreLife Community
3.	657524	Kenup. The Leuphana KIC designed to maximize Impact, Sustainability and Outreach
4.	657737	URONIRS - THE NEAR INFRARED SPECTROSCOPY OF THE BLADDER: A REVOLUTIONARY METHOD TO STUDY THE LOWER URINARY TRACT DYSFUNCTIONS

Article 4
Rejected applications

The following application is rejected in the 'Innovation for healthy living and active ageing' theme:

Proposal number	Name	Reasons for rejection
633185	soi hjsheq oise hoidsh poire hpohoire oir joigre oirdh	Non-eligible proposal

Article 5
Entry into force

This decision shall enter into force with retroactive effect from 9 December 2014.

Done in Budapest on 2 March 2018

Signed

Bruno Revellin-Falcoz
Acting Chairman of the EIT Governing Board