

## **Contractual regulations for Horizon Europe Research Projects**

### **Grant Agreement (GA)**

- The grant agreement establishes the funding conditions for the project and regulates the relationship between the consortium and the European Commission. A model grant agreement is provided by the European Commission for all participants in the online Funding & Tenders Portal (F&T Portal).
- In order to simplify things, in Horizon Europe there is now only one Model Grant Agreement (MGA) for all projects, irrespective of the funding programme. Depending on tendering procedures and means, options are available within the core agreement in order to adapt it to the project circumstances. The specifics are regulated in Annex 5, depending on the funding line. The Commission has published the "Annotated Model Grant Agreement" (AGA). It is an online version of the MGA with explanatory notes for the individual articles.

### **Concluding a Grant Agreement**

- The grant agreement is concluded via electronic signature by the coordinator and the Commission via the F&T Portal. Further parties of the consortium formally enter the grant agreement by signing annex III. This also occurs electronically via the F&T Portal. As a result, they will also be full contractual parties.
- The period from the "call deadline" to signing the contract ("time to grant") now only takes 8 months: 5 months for evaluating the application, followed by 3 months for preparing the grant agreement.

### **Consortium Agreement (CA)**

- The consortium agreement regulates the internal relationship and organisation of the consortium. It sets out the rights and obligations amongst the project parties, for example, with respect to the background and outcomes of the project, and establishes internal rules regarding liability, confidentiality, damages and dispute resolution.
- A consortium agreement must be concluded, unless it is explicitly waived by the relevant work programme of the tendering procedure. The consortium agreement should be concluded prior to signing the GA.
- The European Commission will not verify the content of the agreement and is not a contractual party in the contract. The consortium agreement is concluded under private law, therefore the contractual parties are free to negotiate the terms - provided that no provisions violate the guidelines of the grant agreement. Numerous model consortium agreements will be provided for Horizon Europe by various institutions with corresponding priorities (e.g. DESCA, MCARD, EUCAR).

### **Liability/Mutual Insurance Mechanism**

- The Mutual Insurance Mechanism (MIM) is set up by the Commission, in which 5 % to 8 % of the total funding amount is automatically transferred from each contractual party upon payment of preliminary financing. Provided that no irregularities arise over the course of the project, the amount retained will be paid to the contractual parties together with the final payment at the end of the project.
- In the event of liability, the Commission's claims will be settled via the interest earned on this fund, under certain conditions. Through setting up this fund, the Commission is sufficiently protected against loss of funding and can thus waive any form of joint and several liability of the consortia.

## **Certification**

- In Horizon Europe, the number of certificates required concerning proper use of funding has remained. Certification is necessary at the end of the project term, if the funding amount of 430,000 EUR per beneficiary is reached or exceeded. Detailed information can be found on our [homepage](#).

## **Model Contracts**

The mentioned documents provided by the European Commission for Horizon Europe can be found [here](#).

## **Your contact person at the EU Liaison Office Hannover/Hildesheim:**

### **Legal Matters**

Anna Maria Wagner

Tel.: 0511/762-4042 or via [E-Mail](#); further information on the [website of the EU Liaison Office Hannover/Hildesheim](#)