


**Results of the EU-SOLARIS
Preparatory Phase (Part II)**

Wednesday 28th of September 2016
Brussels (Belgium)

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The EU-SOLARIS Project is co-funded
by the European Union

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**EU-SOLARIS Legal Aspects and
Business Plan**

(M. Blanco, on behalf of CTAER)

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LEGAL ASPECTS

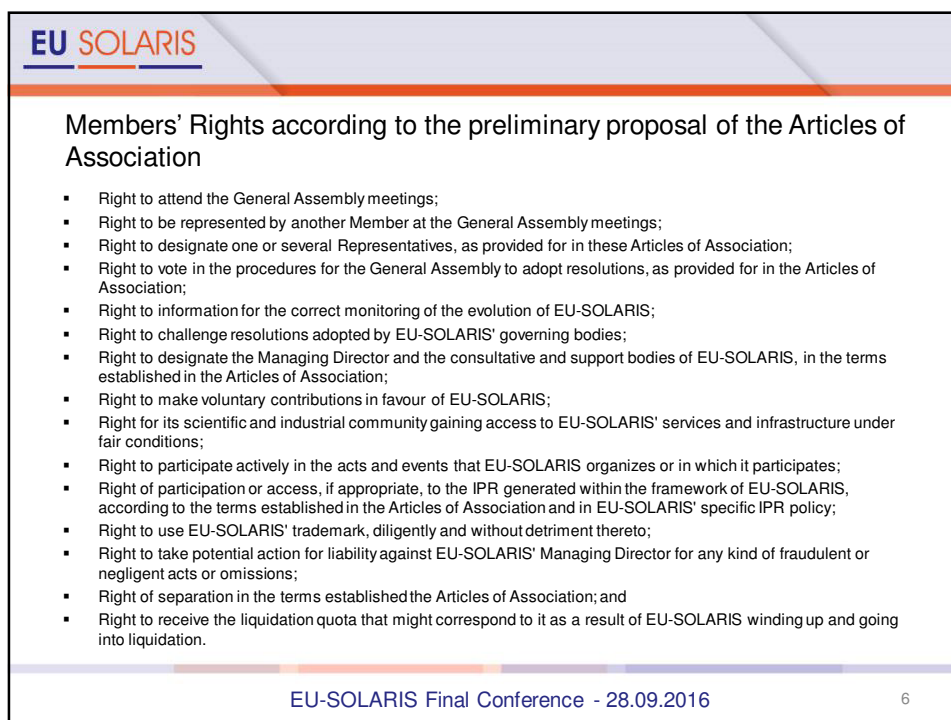
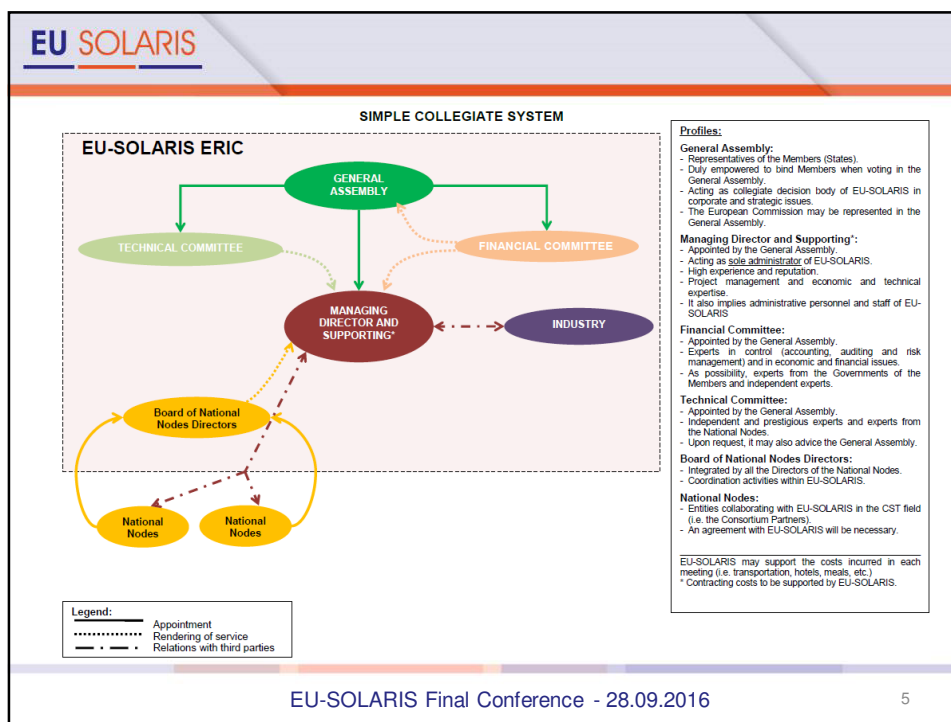
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Proposal of Legal Form : ERIC

- An European Research Infrastructure Consortium (ERIC) is a legal entity with legal personality and full legal capacity recognized in all EU Member States.
- The legal framework for an ERIC -Council Regulation (EC) No 723/2009 of 25 June 2009 on the Community legal framework for a European Research Infrastructure Consortium (ERIC Regulation)- has been designed to facilitate the establishment and operation of research infrastructure of European interest with the involvement of several European countries.
- Its basic internal structure is very flexible, leaving the members to define in the statutes, case by case, membership rights and obligations, the bodies of the ERIC and their competences.
- The liability of the ERIC's members will generally be limited to their respective contributions.
- The ERIC is structured as a legal tool for high-level research infrastructures of a European and international dimension.

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Members' Obligations according to the preliminary proposal of the Articles of Association

- Pay annually the financial contribution corresponding to each Member, pursuant to the provisions of the Articles of Association;
- Designate 1 or 2 Representatives so that the Member in question can be represented at the General Assembly;
- Confer full powers on their Representatives to vote at the meetings held by the General Assembly of EU-SOLARIS, binding each Member with their decisions and vote;
- Make their best efforts to promote EU-SOLARIS as a research infrastructure of reference in the sector;
- Promote and facilitate access for their scientific community to EU-SOLARIS' services and infrastructure, under the terms provided for in the Articles of Association and other internal regulations developing the same;
- Encourage a climate of collaboration and strengthen links between EU-SOLARIS and its different groups of interest (scientific community, industry, society, etc.);
- Protect and use correctly the IPR generated within the framework of EU-SOLARIS, under the terms established in the Articles of Association and, if any, in EU-SOLARIS' specific IPR policy;
- Keep confidentiality of the information to which the Members may have access when the information shared is declared as confidential or internal information.
- Make their best efforts to cooperate and participate in the different events and acts of communication and publicity that EU-SOLARIS organizes.

Adoption of resolutions by the General Assembly according to the preliminary proposal of the Articles of Association (i)

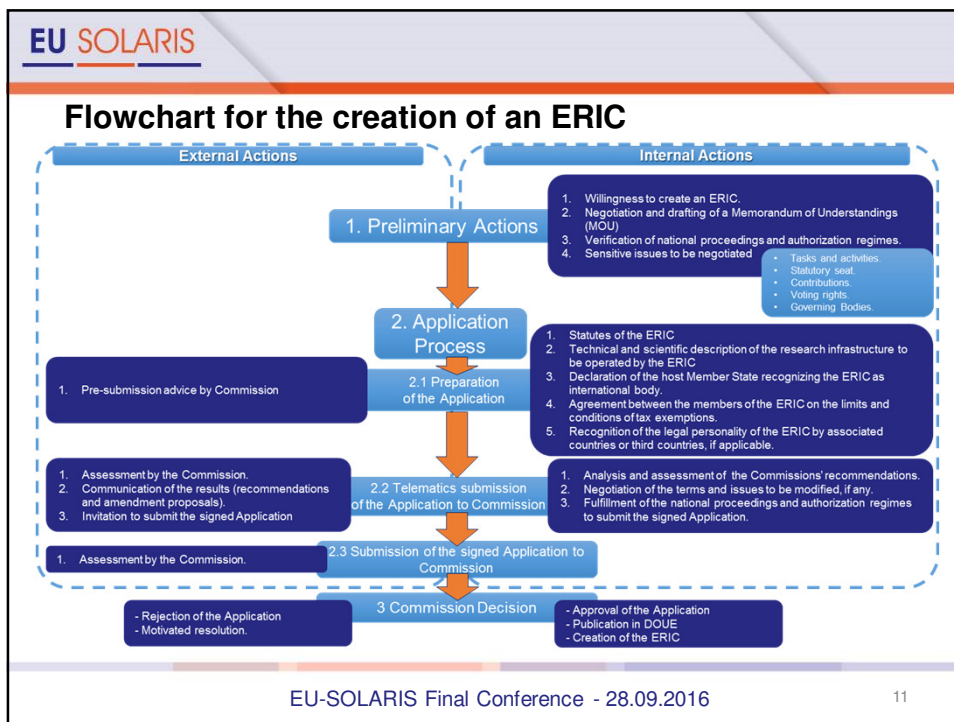
- In principle, each Member shall be entitled to the number of votes that correspond to it in accordance with its annual financial contribution (To date, it is still pending the definition of criteria to determine the number of votes, depending on the annual financial contribution of the Members).
- The resolutions shall be adopted by simple majority of the votes of the Members present or represented at the meeting, and a resolution shall be deemed to be adopted when it obtains more votes in favor than against, from the Members present or represented.
- Reinforced majorities and special reinforced majorities are proposed for the adoption of certain resolutions:
 - Absolute majority (provided that they have the favorable vote of the Members representing, at least, a certain percentage –pending of definition- of the obligatory financial contributions):
 - Incorporation, extension or expulsion of Observers;
 - suspension of a Member or Observer's rights, and the lifting of that suspension;
 - creation, modification or elimination of consultative bodies of EU-SOLARIS, other than those identified in Article 17;
 - moving EU-SOLARIS' registered office in the Host Member's country;
 - approval or amendment of General Assembly's Internal Regulation;
 - determination of the number of members, appointment and dismissal of the members of the Technical Committee and the Financial Committee;
 - approval of the retribution, if any, of the members of the Technical Committee and the Financial Committee;
 - approval of the annual accounts for each financial year and the Managing Director's company management;
 - approval of the designation of EU-SOLARIS' auditor;
 - approval of EU-SOLARIS' budget for each financial year;
 - approval of the Annual Report on the Managing Director's budget and financial management; and
 - approval of the Annual Report on EU-SOLARIS' activities, to be submitted to the European Commission.

Adoption of resolutions by the General Assembly according to the preliminary proposal of the Articles of Association (ii)

- Reinforced majorities and special reinforced majorities are proposed for the adoption of certain resolutions:
 - Majority of 2/3 of the Members (provided that they have the favorable vote of the Members representing, at least, a certain percentage –pending of definition- of the obligatory financial contributions):
 - moving EU-SOLARIS' registered office outside the Host Member's country;
 - modification of EU-SOLARIS' working language;
 - appointment and dismissal of the Managing Director and determining his annual remuneration;
 - amendment of these Articles of Association;
 - approval and modification of the Members' and Observers' annual financial contributions;
 - incorporation or expulsion of Members; and
 - winding-up EU-SOLARIS and approving its final liquidation balance sheet.

EU-SOLARIS net worth and sources of financing according to the preliminary proposal of the Articles of Association

- EU-SOLARIS' economic resources:
 - the obligatory annual financial contributions of the Members and Observers;
 - the voluntary contributions of the Members, Observers and third parties, both public and private entities;
 - national, Community and international, financing programs and public aid to which EU-SOLARIS may have recourse in accordance with the applicable regulations;
 - the income derived from the rates established for the use of EU-SOLARIS' services;
 - the income derived from the limited economic activities in which EU-SOLARIS engages; and
 - other extraordinary income that might be generated.
 - EU-SOLARIS' net worth is independent, autonomous and separate from the net worth of its Members and Observers.
- Members' and Observers' obligatory financial contribution
 - Each Member and Observer should contribute to EU-SOLARIS' annual budget (the criteria to determine such annual contribution has not been defined yet).
 - The criteria to determine the Members' and Observers' obligatory financial contribution may be modified in a resolution adopted by the General Assembly.
 - The Members' and Observers' financial contributions shall be made in cash. Notwithstanding the foregoing, in a resolution adopted by the General Assembly by the majority established in these Articles of Association, one or several Members and/or Observers may be authorized, for one or several years, to pay the financial contribution, in whole or in part, in kind.



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BUSSINESS PLAN

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EU-SOLARIS MODEL

- EU-SOLARIS will operate on the basis of a **non-profit** entity
- The establishment of a **Central Node** in the designated country is expected while most (if not all) of the participant countries will be established as **National Nodes**
- The main activity for EU-SOLARIS will be the **improvement of the accessibility and interoperability of the existing Research Infrastructures to the research communities**
- At the **present** time, there are **no competitors on the stage for the activity of EU-SOLARIS**. Nevertheless, it is important to notice that there are **emerging markets** like South America, South Africa and Australia, that could move the focus for the activities needed for the RTD sector => it is a **momentous occasion** to take advantage of the fact that today EU-SOLARIS partners constitute the most relevant Consortium worldwide

EU-SOLARIS VISION

- Become the European reference research infrastructure in Concentrating Solar Thermal and Solar Chemistry Technologies development.

EU-SOLARIS MISION

- Offer the most favorable conditions for the deployment of advanced pilot projects for the scientific and industrial communities.

EU-SOLARIS STRATEGIC OBJECTIVES

- Coordinate, as a unique infrastructure of distributed character, the principle installations of R&D. EU-SOLARIS will offer a single contact point where facilities, resources and research services are effectively offered to users demanding this service.
- Propel the collaborative research in the main European centers of the sector.
- Reinforce the collaboration between the scientific institutions and industry.
- Identify new requirements for the improvement of the research facilities, and for the construction of new ones.
- Lead and coordinate the dissemination of results and good practices contributing to the reinforcement of the European leadership position at an international level.

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EU-SOLARIS activities/ services


EU SOLARIS will provide the following **services** to industry and scientific community:

- Research Infrastructure access
- Research Infrastructure services
- Training courses
- Communication
- R&D services
- Consultancy services

} Coordinate Research Infrastructures

} Dissemination

} Specific Services

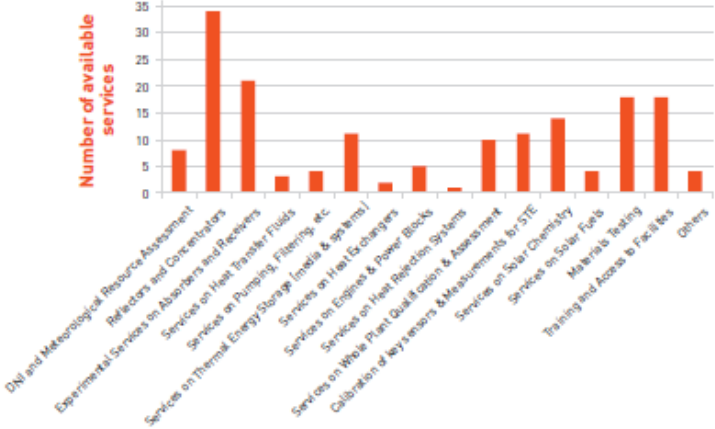


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- EU-SOLARIS partners' services

Number of available services by type



Service Type	Number of available services
DNI and Meteorological Resource Assessment	8
Reflectors and Concentrators	34
Experimental Services on Absorbers and Receivers	21
Services on Heat Transfer Fluids	3
Services on Pumping, Filtering, etc.	4
Services on Thermal Energy Storage (media & systems)	11
Services on Heat Exchangers	2
Services on Engines & Power Blocks	5
Services on Heat Rejection Systems	1
Services on Waste Plant Qual. Control & Assessment	10
Services on Solar Chemistry	11
Services on Solar Fuels	14
Materials Testing	4
Training and Access to Facilities	18
Others	18
Others	4

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Main conclusions

In conclusion, it can be briefly summarised that:

1. The operation of EU-SOLARIS as a legal entity is economically feasible, thanks to the members' annual contributions and to the possibilities of generating additional revenues through the sales of expert services and the exploitation of the IPR assets portfolio it will be generating.
2. If the research centres that are contributing the use of their research facilities to EU-SOLARIS carry out the upgrading and extension of their research facilities as envisioned, and the members of the future EU-SOLARIS legal entity support the financing of the ambitious research infrastructure that will be developed during the EU-SOLARIS Preparatory Phase project, EU-SOLARIS will become the large research infrastructure of reference for CST and Solar Chemistry technologies. As such, it will attract the interest of industry and researchers all over the world, which in turn will facilitate the consolidation of the economic feasibility of its operation.

Main conclusions

3. Under the hypothesis considered in the preliminary business plan, EU-SOLARIS will be able to significantly impact European research and industry on the CST and Solar Chemistry fields through its ambitious and growing access and research programmes related to the improvement of testing equipment and procedures. Thus, helping to consolidate the European leadership on these technologies.

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Thank you for your attention!

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