



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 27.01.1999
COM(1999)24 final

99/009 (CNS)

Proposal for a

COUNCIL DECISION

**concluding the Agreement amending the Agreement for Scientific
and Technical Cooperation between the European Community and Australia**

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. By its Decision of 24 September 1998, Council approved the Commission's request for draft negotiating directives to amend the above-mentioned Cooperation Agreement only as far as the areas for cooperation, mentioned under Article 4 of the Agreement, are concerned and this in accordance with the procedure foreseen under Article 11 (2) of the Agreement.
2. The objective of the negotiating directives was to widen the application of the Agreement to all research areas covered by Article 130g (a) and by Article 130g (d), the latter only as far as "networks between infrastructure operators and related research projects" are concerned. To that end the original wording of Article 4 paragraph 2 of the Agreement would be replaced by a new text reflecting the above-mentioned objective.
3. The negotiations resulted in the new wording of Article 4 paragraph 2 to be found in the attached Agreement.
4. In the light of the above-mentioned considerations the Commission proposes that the Council :
 - decide that the attached Agreement be signed on behalf of the European Community and authorize the President of the Council to appoint the persons duly empowered to sign it on behalf of the Community;
 - approve, after consultation of the European Parliament, the attached Agreement;
 - give notification to the Australian authorities that the procedures for the entry into force of the Agreement have been completed on the part of the European Community.

Proposal for a

Council Decision concluding the Agreement amending the Agreement for Scientific and Technical Cooperation between the European Community and Australia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 130M, in conjunction with Article 228 (2), first sentence, and the first subparagraph of Article 228 (3) thereof,

Having regard to the proposal from the Commission¹,

Having regard to the opinion of the European Parliament²,

WHEREAS by its Decision of 27 June 1994 the Council approved the conclusion of the Agreement for Scientific and Technical Cooperation between the European Community and Australia,

WHEREAS by its Decision of 24 September 1998 the Council authorized the Commission to negotiate an amendment of the above-mentioned Agreement only as far as the areas for cooperation, mentioned under Article 4 of the Agreement, are concerned, and this in accordance with the procedure foreseen under Article 11(2) of the Agreement,

WHEREAS the negotiations have resulted in the attached Agreement,

WHEREAS this Agreement should be signed and approved on behalf of the European Community,

HAS DECIDED AS FOLLOWS

Article 1

The Agreement amending the Agreement for Scientific and Technical Cooperation between the European Community and Australia is hereby approved. The text of the Agreement is attached to this Decision.

Article 2

Pursuant to Article 11 of the Agreement for Scientific and Technical Cooperation between the European Community and Australia, the President of the Council shall give notification that the procedures for entry into force of the attached Agreement have been completed on the part of the European Community.

Done in Brussels,

For the Council,
The President

¹ O.J. No.

² O.J. No.

**Agreement Amending the Agreement for Scientific and Technical Cooperation
between the European Community and Australia**

THE COUNCIL OF THE EUROPEAN UNION on behalf of the European Community, of the one part, and

THE GOVERNMENT OF AUSTRALIA, of the other part,

Having regard to the Agreement for Scientific and Technical Cooperation between the European Community and Australia, entered into force on 27 June 1994;

Whereas both sides have expressed a desire to widen the scope of the Agreement and thereto amend the Agreement in accordance with Article 11 (2) thereof;

Whereas negotiations of such an amendment were successfully concluded,

HAVE AGREED AS FOLLOWS:

Article 1

The text of Article 4 paragraph 2 of the Agreement for Scientific and Technical Cooperation between the European Community and Australia is replaced by:

For the purposes of this Agreement, the areas of cooperation are defined as follows:

For the Community, they may include all research and technological development and demonstration activities covered by Articles 130g (a)¹ and 130g (d)² of the Treaty establishing the European Community, the latter only as far as networks between infrastructure operators and related research projects are concerned.

For Australia, they may include any science or technology activities funded or performed by the Government of Australia, the State Governments and Territories, non-government authorities including private sector research and business sectors, and any interested research entities. Australia will notify the Community through diplomatic channels of the application of this Agreement to States and Territories.

Article 2

This Agreement shall enter into force on the date on which the Parties have notified each other in writing that their legal requirements for entry into force of this Agreement have been fulfilled.

¹ "implementation of research, technological development and demonstration programmes, by promoting cooperation with and between undertakings, research centres and universities".

² "stimulation of the training and mobility of researchers in the Community".

Article 3

This Agreement is drawn up in duplicate in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish and Swedish languages, each of these texts being equally authentic.

IN WITNESS WHEREOF the undersigned have signed this Amendment.

Done at on the

For the European Community

For the Government of Australia

FINANCIAL STATEMENT

1. Title of the operation

Proposal for a Council Decision concluding the amended Agreement for scientific and technical cooperation between the European Community and Australia.

2. Relevant budget headings

Travel costs for EC officials and EC experts will be charged to the budget headings of the specific programmes of the Community's RTD Framework Programme.

3. Legal basis

Article 11(2) of the Agreement for scientific and technical cooperation between the EC and Australia.

4. Description of the operation

4.1. Specific objectives of the operation

The essential objective is to stimulate RTD cooperation between the European Community and Australia in terms of research projects covered by the Community's RDT Framework Programmes, however, limited to the areas covered by the Agreement.

4.2. Duration

Unlimited.

5. Classification of the expenditure

5.1. Non-compulsory expenditure

5.2. Differentiated appropriations

6. Type of expenditure

Financing of missions to Australia by Commission officials and EC experts; organisation of joint workshops, seminars and meetings in Europe and Australia.

7. Financial impact

7.1. Method of calculating the total annual cost of the operation (estimate)

- a. **Preparatory activities, review of the cooperation** : meeting of the Joint Science and Technology Cooperation Committee, exchange of information, visits of officials and experts in Australia 65.000 Euros
- b. **Scientific and technical workshops/meetings** 35.000 Euros

Total : 100.000 Euros/year

7.2. Indicative multi-annual schedules (Euro)

	ECU	EURO			
	1998	1999	2000	2001	2002+
Commitments	100.000	100.000	100.000	100.000	100.000
Payments	100.000	100.000	100.000	100.000	100.000

8. Anti-fraud measures

Administrative and financial controls by officials technically responsible for the action (scientific and budgetary aspects). These include :

- Examination of the statements of expenditure before payment at various levels (financial control and scientific manager).
- Internal audit performed by the Financial Controller.
- On the spot inspections made by the Financial Controller of the Commission and by the Court of Auditors of the European Union.

9. Cost-effectiveness analysis

9.1. Specific objectives, target population

- the agreement is designed to enable the European Community and Australia to profit, on the basis of the principle of mutual benefit, from the scientific and technical progress achieved under their reciprocal research programmes;
- beneficiaries in the European Community and Australia will be the scientific communities, the industrial sector and the general public, thanks to the direct and indirect effects of cooperation.
- the agreement will help to maintain and develop access to RTD know-how in these countries in order to improve the performance of Community RTD and the competitiveness of European economies.

9.2. Justification of the operation

Community budget intervention is indispensable because the planned cooperation comes under the implementation of the framework programme, including the budgetary section : participation by Australia in certain specific programmes and administrative expenditure on the European side (missions by Community officials, organisation of seminars in the Community and Australia).

9.3. Monitoring and evaluation of the operation

An evaluation of all the cooperation activities under this agreement will be made by the Commission's departments and independent experts in the framework of the specific programmes of RTD.

10. Implications for administrative expenditure

- The Commission is not requesting any additional posts for the management of the Agreement.
- No officials are being specifically assigned to manage the Agreement. Cooperation activities and the implementation of the Agreement will be managed by the staff authorised for the specific programmes under the present Framework Programme and possible subsequent Framework Programmes.

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DOCUMENTS

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