Council Decision (Euratom) 2020/960 of 29 June 2020 on the adoption of the 2020-2023 high flux reactor supplementary research programme at Petten to be implemented by the Joint Research Centre for the European Atomic Energy Community

COUNCIL DECISION (Euratom) 2020/960

of 29 June 2020

on the adoption of the 2020-2023 high flux reactor supplementary research programme at Petten to be implemented by the Joint Research Centre for the European Atomic Energy Community

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 7 thereof,

Having regard to the proposal from the European Commission,

After consulting the Scientific and Technical Committee,

Whereas:

(1) The high flux reactor at Petten ('HFR') has been an important resource for Community research on materials sciences and testing, on nuclear medicine and on nuclear reactor safety.

(2) The operation of the HFR has been supported by a series of supplementary research programmes. The last supplementary research programme, which was established under Council Decision (Euratom) 2017/956[(1)] for a four year term, expired on 31 December 2019.

(3) Considering its continued importance as an irreplaceable infrastructure for Community research in the fields of improvement of nuclear reactors safety, health (including the development of medical isotopes for medical research), nuclear fusion, fundamental research, training, and waste management (including the possibility to study the safety behaviour of nuclear fuels for reactor systems of interest to Europe), the HFR should continue to be supported by a supplementary research programme until the end of 2023.

(4) Due to their special interest in the irradiation capabilities of the HFR, the *NRG: Nuclear Research and consultancy Group V.O.F ('NRG')* and the *Commissariat à l'énergie atomique et aux énergies alternatives ('CEA')*, as implementing agents for the Netherlands and France, respectively, have agreed to finance the entire 2020-2023 HFR supplementary research programme through contributions to the general budget of the Union by way of assigned revenue.

(5) Those contributions should finance the operation of the HFR in order to support a research programme and the regular operation and maintenance of the HFR. An official notification of definitive shutdown by the operator NRG to the Dutch national

Changes to legislation: *There are currently no known outstanding effects for the Council Decision (Euratom) 2020/960. (See end of Document for details)*

regulatory authority prior to the declaration of a safe conservation state should result in the suspension of payments that remain to be effected and in the suspension of any calls for funds by the Commission.

(6) In order to ensure continuity between the supplementary research programmes and the smooth operation of the 2020-2023 HFR supplementary research programme, this Decision should apply from 1 January 2020. Part of the contributions under the 2020-2023 HFR supplementary research programme should be permitted to cover expenditure made during the year 2020.

(7) The Board of Governors of the Joint Research Centre provided its prior opinion[(2)] pursuant to Article 4(2) of Commission Decision 96/282/Euratom[(3)],

HAS ADOPTED THIS DECISION:

Article 1

The supplementary research programme on the operation of the High Flux Reactor at Petten ('HFR') ('the programme'), the objectives of which are set out in Annex I, shall be adopted for a period of four years, starting on 1 January 2020.

Article 2

The costs for the execution of the programme, estimated at EUR 27 854 000, shall be financed entirely out of contributions from the Netherlands and France, through the NRG and CEA, respectively. The breakdown of this amount is set out in Annex II. This contribution shall be considered as assigned revenue in accordance with Article 21(2), point (a)(i), of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council[(4)].

Article 3

1 The Commission shall be in charge of the management of the programme. To this end, it shall call upon the services of the Joint Research Centre.

2 The Commission shall keep the Board of Governors of the Joint Research Centre informed of the implementation of the programme.

Article 4

In the event that the NRG officially notifies the definitive shutdown of the HFR to the Dutch national regulatory authority, prior to the declaration of a safe conservation state, the obligations on the part of the Netherlands and France, through the NRG and CEA, respectively, to make further payments shall be suspended as shall any calls for funds by the Commission under this Decision.

Article 5

The Commission shall submit a final report on the implementation of this Decision to the European Parliament and to the Council after the end of the programme.

Article 6

This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union.*

It shall apply from 1 January 2020.

***Changes to legislation:** There are currently no known outstanding effects for the Council Decision (Euratom) 2020/960. (See end of Document for details)*

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 29 June 2020.

For the Council

The President

A. METELKO-ZGOMBIĆ