Commission Implementing Decision (EU) 2019/1854 of 29 October 2019 setting up the European Research Infrastructure for Imaging Technologies in Biological and Biomedical Sciences — Euro-BioImaging European Research Infrastructure Consortium (Euro-BioImaging ERIC) (notified under document C(2019) 7612) (Only the Bulgarian, Czech, Danish, Dutch, English, Finnish, French, German, Hungarian, Italian, Portuguese and Swedish texts are authentic) (Text with EEA relevance)

COMMISSION IMPLEMENTING DECISION (EU) 2019/1854

of 29 October 2019

setting up the European Research Infrastructure for Imaging Technologies in Biological and Biomedical Sciences — Euro-BioImaging European Research Infrastructure Consortium (Euro-BioImaging ERIC)

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 723/2009 of 25 June 2009 on the Community legal framework for a European Research Infrastructure Consortium (ERIC)[(1)], and in particular point (a) of Article 6(1) thereof,

Whereas:

(1) Bulgaria, Czechia, Denmark, France, Israel, Italy, Hungary, the Netherlands, Austria, Norway, Portugal, Finland, Sweden, the United Kingdom and the European Molecular Biology Laboratory submitted to the Commission an application to set up the European Research Infrastructure for Imaging Technologies in Biological and Biomedical Sciences — Euro-BioImaging European Research Infrastructure Consortium (Euro-BioImaging ERIC) ('the application'). Belgium has made known its decision to participate in Euro-BioImaging ERIC initially as an observer. The applicants have agreed that Finland would be the host Member State of Euro-BioImaging ERIC.

(2) Regulation (EC) No 723/2009 has been incorporated in the Agreement on the European Economic Area (EEA) by Decision of the EEA Joint Committee No 72/2015[(2)].

(3) On 29 March 2017, the United Kingdom submitted the notification of its intention to withdraw from the Union pursuant to Article 50 of the Treaty on European Union. The Treaties will cease to apply to the United Kingdom from the date of entry into force of a withdrawal agreement, or failing that, and subject to European Council Decision (EU) 2019/584[(3)], on 1 November 2019, unless the European Council, in agreement with the United Kingdom, unanimously decides to extend that period.

(4) After its withdrawal from the Union, and without prejudice to the provisions of a withdrawal agreement, the United Kingdom will be considered a third country within the meaning of point (b) of Article 2 of Regulation (EC) No 723/2009.

(5) The Commission has, pursuant to Article 5(2) of Regulation (EC) No 723/2009, assessed the application and concluded that it meets the requirements set out in that Regulation.

(6) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 20 of Regulation (EC) No 723/2009,

HAS ADOPTED THIS DECISION:

Article 1

1 The European Research Infrastructure for Imaging Technologies in Biological and Biomedical Sciences — Euro-BioImaging European Research Infrastructure Consortium (Euro-BioImaging ERIC) is set up.

2 The essential elements of the Statutes of Euro-BioImaging ERIC are set out in the Annex.

Article 2

This Decision is addressed to the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Kingdom of Denmark, the French Republic, the State of Israel, the Italian Republic, Hungary, the Kingdom of the Netherlands, the Republic of Austria, the Kingdom of Norway, the Portuguese Republic, the Republic of Finland, the Kingdom of Sweden, the United Kingdom of Great Britain and Northern Ireland and the European Molecular Biology Laboratory.

Done at Brussels, 29 October 2019.

For the Commission

Carlos MOEDAS

Member of the Commission

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2019/1854. (See end of Document for details)*

ANNEX

ESSENTIAL ELEMENTS OF THE STATUTES OF EURO-BIOIMAGING ERIC

The following Articles and paragraphs of the Articles of the Statutes of Euro-BioImaging-ERIC provide for the essential elements in accordance with 6(3) of Council Regulation (EC) No 723/2009.

1. Tasks and activities (Article 1 of the Statutes of Euro-BioImaging ERIC)

(1) Euro-BioImaging ERIC's principal task shall be to establish and operate a distributed research imaging infrastructure across Europe that provides open access to innovative biological and medical imaging technologies for researchers. Euro-BioImaging ERIC aims as well to provide expert, image data and training services for performing cutting-edge research using imaging technologies.

(2) In pursuit of its principal task, and in accordance with the provisions of these Statutes and in execution of the five-year Euro-BioImaging Strategic Plan, Euro-BioImaging ERIC shall, in particular, carry out the following activities:

(a) open physical access to imaging infrastructure;

(b) advanced expertise and services for technology users;

(c) training for technology users, facility staff and technology experts;

(d) data analysis and storage support for user-generated image data;

(e) open virtual access to image analysis software and image data repositories of public interest;

(f) high-quality standards for image acquisition, training and data management;

(g) European-level coordination and integration activities for the scientific imaging communities;

(h) any other activity necessary to fulfil its principal task.

(3) Euro-BioImaging ERIC may also carry out other activities, such as:

(a) promotion of Euro-BioImaging ERIC;

(b) implementation of technological developments related to the services;

(c) joint development activities through a coordinated, long-term development programme involving collaboration among Euro-BioImaging Nodes and user groups including industry;

(d) knowledge transfer to industry and policy makers;

(e) promoting the resources of Euro-BioImaging ERIC for education and training purposes;

(f) collaborating and interoperating with research infrastructures in related and complementary fields.

(4) Euro-BioImaging ERIC shall pursue its principal task on a non-economic basis. Euro-BioImaging ERIC may carry out limited ancillary economic activities, either directly or indirectly, provided that those activities are compatible with the principal task of Euro-