

# STATUTES of CESSDA ERIC

## PREAMBLE

The Kingdom of Belgium,

The Czech Republic,

The Kingdom of Denmark,

The Federal Republic of Germany,

The Hellenic Republic,

The French Republic,

Hungary,

The Kingdom of the Netherlands,

The Republic of Austria,

The Republic of Slovenia,

The Slovak Republic,

The Kingdom of Sweden,

The United Kingdom of Great Britain and Northern Ireland,

The Kingdom of Norway,

Hereinafter referred to as "the Members", and:

The Swiss Confederation,

Hereinafter referred to as "the Observers",

WHEREAS the Members are convinced that the provision of access to social science data and metadata is vital to our understanding of the major challenges facing society today; ongoing societal processes, the problems involved and the solutions available.

WHEREAS the Consortium of European Social Science Data Archives (CESSDA) will build on existing national services within the member countries and strengthen and expand pan-European cooperation through close cooperation in the field of research and development in social science data archives for both scientific and economic reasons.

CONSIDERING that the Members seek to increase the scientific excellence and efficacy of European research in the social sciences as well as to expand easy access to data and metadata regardless of any borders.

RECALLING that CESSDA was recognized by the European Strategic Forum for Research Infrastructures (ESFRI) and was included in the ESFRI Roadmap (2006).

WHEREAS Germany is seeking to contribute additionally by financing special CESSDA tasks to be performed by the German Service Provider.

REQUESTING the European Commission to set up the infrastructure CESSDA as a European Research Infrastructure Consortium (CESSDA ERIC) under the Council Regulation (EC) No 723/2009 of 25 June 2009.

HAVE AGREED AS FOLLOWS:

## CHAPTER 1

### GENERAL PROVISIONS

#### *Article 1*

##### **Name, Seat and Working Language**

1. The Consortium of European Social Science Data Archives (CESSDA) shall have the legal form of a European Research Infrastructure Consortium (ERIC) set up under Regulation (EC) No 723/2009, called CESSDA ERIC.
2. CESSDA ERIC shall have its statutory seat in Bergen, Norway.
3. The working language of CESSDA ERIC is English.

#### *Article 2*

##### **Task and Activities**

1. CESSDA ERIC shall be the hub of a distributed research infrastructure linking together the social science data archives of the Members, Observers and other partners. CESSDA ERIC shall not operate its own data archives.
2. The task of CESSDA ERIC shall be to provide a distributed and sustainable research infrastructure enabling the research community to conduct high-quality research in the social sciences contributing to the production of effective solutions to the major challenges facing society today and to facilitate teaching and learning in the social sciences.
3. CESSDA ERIC shall operate on a non-economic basis. CESSDA ERIC may however carry out limited economic activities, provided that they are closely related to its main tasks and that they do not jeopardize the achievement of such tasks.
4. CESSDA ERIC shall fulfil its task by contributing to the development and co-ordination of standards, protocols and professional best practice including training on best practices related to data distribution and data management. CESSDA ERIC shall also include new data sources in the infrastructure when appropriate.
5. CESSDA ERIC shall promote wider participation in the research infrastructure. In order to facilitate the entry of countries that seek support for the further development of their social science data archives, CESSDA ERIC shall initiate training activities and exchanges between established and potential Service Providers.

## CHAPTER 2

### MEMBERSHIP

#### *Article 3*

#### **Membership**

1. The following entities may become Members, or they can join as Observers without voting rights:
  - (a) Member States of the Union;
  - (b) associated countries;
  - (c) third countries other than associated countries;
  - (d) intergovernmental organizations.

Annex 1 to these Statutes contains a list of Members, Observers and Service Providers as of the date of the incorporation of CESSDA ERIC. This Annex shall be updated by the Director according to changes in the participation in CESSDA ERIC.

2. Accession of new Members and Observers and the withdrawal and termination of membership and status as Observer shall take place in accordance with Articles 5 and 6.
3. CESSDA ERIC shall have at least one Member State of the Union and two other countries that are either Member States of the Union or associated countries, as Members.
4. The rights of Members comprise the following rights:
  - a) to use CESSDA ERIC branding, consisting of all visual or sound representation of “CESSDA” or “CESSDA ERIC” linking the use of the words, a report, product or service to the CESSDA ERIC;
  - b) to appoint one or more representing entities;
  - c) to attend and vote at General Assembly meetings;
  - d) to give Service Providers as defined in Article 11(2) the right to:
    - i. participate in CESSDA ERIC training and related activities;
    - ii. use CESSDA ERIC software, middleware and tools that are developed under contract with CESSDA ERIC;
    - iii. use the European Language Social Science Thesaurus (ELSST).
  - e) attend the Service Provider’s Forum as provided for in Article 12.
5. The obligations of Members shall be the following:

- a) to contribute to the CESSDA ERIC budget in accordance with the funding formula set by the General Assembly;
- b) to designate a Service Provider that will provide CESSDA ERIC services in their country and across Europe;
- c) to provide national funding to allow the designated Service Provider to meet the requirements set out in Annex 2;
- d) to promote the adoption of standards in national social science data archives;
- e) to provide the technical infrastructures to make access to data and services possible;
- f) to promote uptake of services among researchers in the Member and gather user feedback and requirements;
- g) to support, and when needed, to initiate the integration of national social science data archives, including the integration between national archives and those in other Member or Observer countries.

#### *Article 4*

#### **Observers**

1. An Observer shall be a country or intergovernmental organisation that is either preparing to become a Member, or which for domestic reasons cannot become a Member but wants to make a contribution and participate in the activities of CESSDA ERIC.
2. The rights of Observers comprise the following rights:
  - a) to use CESSDA ERIC branding with the phrase “Observer”;
  - b) to appoint one or more representing entities;
  - c) to attend General Assembly meetings, without a vote;
  - d) to have access to direct support from CESSDA ERIC in developing their systems, processes and services;
  - e) to give its Service Providers the right to:
    - i. participate in CESSDA ERIC training and related activities;
    - ii. use CESSDA ERIC software, middleware and tools that are developed under contract with CESSDA ERIC;
    - iii. use the European Language Social Science Thesaurus (ELSST).
  - f) attend the Service Providers’ Forum as provided for in in Article 12.
3. The obligations of the Observers shall be the following:

- a) to make a contribution to the budget as decided by the General Assembly and as agreed as part of the application process;
- b) to undertake the activities that have been agreed when admitted as an Observer;
- c) to designate a Service Provider that will provide CESSDA ERIC services in their country and across Europe if these services have been agreed for the Observer in question;
- d) to provide national funding to allow the designated Service Provider, if any, to meet the requirements set out in Annex 2.

#### *Article 5*

#### **Accession**

1. After the entry into force of these Statutes any entity listed in Article 3(1) may be admitted as Member or Observer. The accession shall be approved by a two-third majority of the votes cast of the General Assembly. A condition for accession shall be that the entity may contribute positively to the tasks and activities of CESSDA ERIC as referred to in Article 2, and can be expected to fulfil the obligations laid down in Articles 3(5) and 4(3). An application for membership or becoming an Observer shall be addressed to the Director who shall advise the General Assembly on whether the application should be granted or not.
2. Upon request of the Director, the acceding Member or Observer shall select and propose a Service Provider responsible for carrying out the Service Provider tasks.
3. The Director shall seek the advice of the Scientific Advisory Board and the Service Provider's forum before the proposed Service Provider is accepted or rejected.

#### *Article 6*

#### **Withdrawal or Termination of Membership or status as Observer**

1. Members and Observers may, by giving a minimum of six months' notice, withdraw from membership or from being Observers. The notice shall be in writing and be addressed to the Director. Members and Observers may not withdraw within the first four years of becoming Members or Observers, unless the General Assembly for exceptional reasons accepts a shorter period.
2. Any outstanding contributions shall be paid and other obligations shall be fulfilled before withdrawal of membership or status as Observer can become effective. Any assets belonging to the Service Provider funded by CESSDA ERIC shall where possible be handed back to CESSDA ERIC.
3. The General Assembly may decide by two-thirds majority of the votes cast to terminate the membership of a Member or the status as Observer if the Member or Observer violates the Statutes, the applicable legal regulations or is not able to meet the obligations for membership or the obligations of Observers.

4. A Member shall not have a vote in questions related to its own withdrawal or possible termination of membership.

### CHAPTER 3

### **GOVERNANCE**

#### *Article 7*

#### **Governance**

1. The governance structure of CESSDA ERIC shall consist of the following bodies:
  - a) the General Assembly;
  - b) the Director;
  - c) the Service Providers and the Service Providers' Forum, which has an advisory role;
  - d) the Scientific Advisory Board;
  - e) any other advisory committee established by the General Assembly to facilitate the fulfilment of the objectives of CESSDA ERIC.

#### *Article 8*

#### **The General Assembly**

1. The General Assembly shall consist of delegates of Members and Observers.
2. The General Assembly shall be the ultimate authority of CESSDA ERIC. The General Assembly shall carry out the following functions:
  - a) decide the budget and funding formula and approve the annual accounts and annual report. Any change in the funding formula shall require a two-thirds majority of votes cast. Any increase in the budget that leads to a higher yearly fee shall be decided by a two-thirds majority of the votes cast;
  - b) determine CESSDA ERIC's policy in scientific, technical and administrative matters and establish and maintain an intellectual property policy, by a two-thirds majority of the votes cast;
  - c) adopt strategic plans and work plans, by a two-thirds majority of the votes cast;
  - d) supervise the management of CESSDA ERIC;
  - e) elect the Chair and Vice Chair of the General Assembly;
  - f) appoint and dismiss the Director of CESSDA ERIC;

- g) appoint, replace and remove members of the Scientific Advisory Board;
  - h) approve Service Providers, proposed by a Member or an Observer, and approve the replacement of Service Providers. The approval may be withdrawn if the Service Provider does not fulfil its obligations;
  - i) appoint, replace and remove any members of committees that the General Assembly has established;
  - j) adopt audit Reports for CESSDA ERIC;
  - k) receive and consider annual reports from the Scientific Advisory Board;
  - l) adopt the operational rules and standards for CESSDA ERIC related operations of the Service Providers, in consultation with the Service Providers' Forum;
  - m) approve the accession of new Members and Observers, and the withdrawal or termination of Members or Observers in accordance with Articles 5 and 6;
3. Each Member shall be represented in the General Assembly by up to two delegate(s). Each Member shall have a single vote in the General Assembly. Decisions shall be taken by a simple majority of the votes cast, unless otherwise laid down in these Statutes. Member States of the Union and associated countries shall jointly hold the majority of the voting rights in the General Assembly. The Chair shall not have a vote, except in the case of a tie, where the Chair shall hold a casting vote.
  4. A quorum of half of the Members shall be required for having a valid General Assembly meeting. If there is no quorum, the meeting shall be repeated within three weeks following a new invitation, with the same agenda. In the repeat meeting there shall be a quorum if at least a quarter of the Members are present. If there is no quorum at the repeat meeting the Chair of the General Assembly shall be entitled to adopt decisions that cannot be postponed until the General Assembly can convene once again with a quorum. Such decisions shall be presented to the General Assembly for review at the first possible occasion.
  5. If the Statutes require a two-thirds majority vote, a quorum of three-quarters of the Members shall be necessary for a valid decision.
  6. A vote in the General Assembly can only be cast by members physically present. However, if a member is not able to be physically present, the General Assembly may accept an electronic presence. Voting rights shall not be transferable. A secret ballot shall be held if at least one third of the members present request such a procedure.
  7. The Chair may, when necessary, resolve that a decision is to be taken by written procedure in between meetings of the General Assembly.
  8. Observers shall have the right to attend meetings of the General Assembly, without the right to vote. Each Observer may send up to two delegates.

9. The General Assembly shall elect a Chair and a Vice Chair amongst the delegations of the Members for a period of two years. When elected, the Chair shall no longer be part of a Member's delegation. The same shall apply when the Vice Chair replaces the Chair. The Members affected by these appointments shall appoint another delegate to represent them in the General Assembly.
10. The General Assembly shall meet at least once a year. Meetings of the General Assembly shall be convened by the Chair with at least four weeks' notice. Members and Observers shall be entitled to propose items to be included in the agenda by notifying the Chair at least two weeks before the meeting. Extraordinary meetings of the General Assembly shall be convened at the request of the Chair or the Director if it is required in the interest of CESSDA ERIC, or at the request of at least half of the Members.

#### *Article 9*

#### **The Director**

1. The Director shall be the chief executive officer, chief scientific officer and legal representative of CESSDA ERIC.
2. The Director shall be appointed for a five-year period and may be re-appointed. The Director shall report to the General Assembly.
3. The Director shall be responsible for preparing the annual budget, strategies and policies, to be adopted by the General Assembly.
4. The Director shall be responsible for preparing meetings of the General Assembly and shall give the Scientific Advisory Board and the Service Providers' Forum the necessary administrative support.
5. The Director shall be responsible for implementing the General Assembly's decisions and shall ensure that CESSDA ERIC observes all relevant legal requirements.
6. The Director shall be empowered to make all decisions necessary for the operation of CESSDA ERIC.
7. The Director shall regularly seek the advice of the Service Providers' Forum in matters of particular interest for the Service Providers, by inviting the Service Provider's Forum to comment on the draft budget, work-plans and strategies and other important policy matters before they are submitted to the General Assembly.
8. The Director shall monitor the adherence of the Service Providers to the operational rules and standards for CESSDA ERIC related operations and report annually to the General Assembly with recommendations for counter measures for any irregularities.

## *Article 10*

### **The Scientific Advisory Board**

1. The General Assembly shall appoint an independent Scientific Advisory Board of at least four, but not more than seven eminent, independent and experienced scientists coming from countries worldwide. The appointment of the Scientific Advisory Board shall be based on recommendations from the Director. The Director shall seek advice from the Scientific Advisory Board and the Service Providers' Forum. The term of office of the members of the Scientific Advisory Board shall be three years. Members may be reappointed once.
2. The Director shall consult with the Scientific Advisory Board at least once a year on the scientific quality of the services, scientific policies and procedures and future plans within these fields.
3. The Scientific Advisory Board shall annually submit a written report to the General Assembly through the Director on its activities. The report shall contain an assessment of the services offered by CESSDA ERIC to its data users. The Director shall submit the report to the General Assembly together with the Director's comments and possible recommendations.
4. The Scientific Advisory Board may request the Director to propose to the General Assembly to supplement the members of the Board to ensure that it is sufficiently representative of all areas covered by CESSDA ERIC.

## *Article 11*

### **Service Providers**

1. The Service Providers shall constitute the operational distributed network integrated by CESSDA ERIC.
2. Service Providers shall be institutions designated by the Members and Observers pursuant to Articles 3(5)(b) and 4(3)(c) to undertake tasks related to acquiring, curating and providing access to social science data in their country and across Europe.
3. Service Providers shall adhere to the operational rules and standards for CESSDA ERIC related operations as set out in Annex 2.
4. The rights and obligations of CESSDA ERIC and the Service Providers related to the tasks listed in Annex 2 shall be governed by Service Level Agreements between CESSDA ERIC and the Service Provider in question.
5. The Service Providers partake in the governance of CESSDA ERIC in an advisory capacity.
6. Service Providers' ability to fulfil their obligations as provided for in Annex 2 shall be assessed every second or third year according to the decision of the General Assembly.

The Director, in consultation with the Service Providers' Forum and the Scientific Advisory Board, shall decide how and by whom the assessments are to be conducted, and shall present the General Assembly with the results of the assessments together with proposals for the General Assembly's resolutions related to them.

#### *Article 12*

##### **Service Providers' Forum**

1. The Service Providers' Forum shall consist of representatives of the Service Providers and shall have an advisory function. Each Member or Observer may have one member in the Forum. The Service Providers' Forum shall be facilitated and supported by the Director.
2. The Director shall consult with the Service Providers' Forum at least once a year on the future plans and technical aspects of CESSDA ERIC activities and convey the opinions of the Service Providers to the General Assembly.

#### *Article 13*

##### **Amendments to the Statutes**

The General Assembly may with a two-thirds majority of the votes cast decide to propose an amendment to the Statutes. The proposal shall be submitted to the European Commission in accordance with Article 11 of Regulation (EC) No 723/2009.

#### CHAPTER 4

##### **POLICIES**

#### *Article 14*

##### **Data Access Policy**

1. The Data Access Policy of CESSDA ERIC shall be in conformity with OECD recommendations and guidelines on data access (OECD Principles and Guidelines for Access to Research Data from Public Funding, OECD 2007).
2. Publicly funded data and metadata held by the Service Providers shall, unless provided otherwise for in Article 14(6), be openly accessible and free at the point of access for public research and education and shall be made available in a timely fashion.
3. All data collections shall be made available by Service Providers for access to authorised researchers for public research and education.
4. Service Providers shall protect the anonymity of data subjects in accordance with applicable international, European and national regulations, as well as relevant ethical frameworks.

5. Service Providers shall maintain fair, open and transparent procedures regarding access to the data and metadata in their custody.
6. The principle of open access provided for in Articles 14(2) and 14(3) shall not oblige a Service Provider to share data, metadata or data collections if this would be in conflict with national legislation, intellectual property rights or other compelling legal reasons.

#### *Article 15*

#### **Dissemination Policy**

1. CESSDA ERIC's Dissemination Policy shall be implemented through its communications strategy.
2. The Dissemination Policy shall cover the outputs of all activities funded by CESSDA ERIC and shall be openly available except where pre-existing intellectual property rights make this impossible.
3. All technical papers, policies, core procedures, monitoring reports, shall be publicly available on the CESSDA ERIC website.
4. All documentation relating to meeting the obligations of being a Service Provider shall be published by the Service Providers.

#### *Article 16*

#### **Intellectual Property**

1. The term "intellectual property" shall in these Statutes be understood in accordance with Article 2 of the Convention Establishing the World Intellectual Property Organisation (WIPO) signed on 14 July 1967.
2. With respect to questions of intellectual property, the relations between Members, Observers and Service Providers shall be governed by applicable national as well as relevant international rules and regulations.
3. Intellectual property that Members or Service Providers contribute to CESSDA ERIC shall remain the property of the intellectual property holder.
4. If the intellectual property originates from CESSDA ERIC-funded work (direct contribution or in kind), such property shall belong to CESSDA ERIC. CESSDA ERIC may relinquish its rights fully or partially in favour of the Member, Observer or Service Provider that has created the intellectual property rights.

*Article 17*

**Employment**

1. CESSDA ERIC shall adhere to the principles of equal opportunity employment. Scientific positions shall be filled after having been announced internationally.
2. Subject to the requirements of national legislation, each Member within its jurisdiction shall make its best endeavours to facilitate the movement and residence of nationals of the Member involved in the tasks of the CESSDA ERIC and of the family members of such nationals.

CHAPTER 5

**FINANCE AND LIABILITY**

*Article 18*

**Contributions**

The General Assembly shall set the contribution for each Member based on the budget and, save for special contributions, in proportion to the individual Member's GDP. The contributions shall be transferred to CESSDA ERIC within the date set by the General Assembly. The General Assembly shall set the contributions for Observers.

*Article 19*

**Budgetary Principles, Accounts and Audits**

1. The financial year shall be a calendar year.
2. The Director shall prepare and submit to the General Assembly for approval a draft annual budget and business plan, including proposed contributions from Members and Observers. The annual budget, and contributions due, shall be approved by the General Assembly at least six months before the coming financial year. The annual budget shall be balanced so that the planned expenses shall not exceed the planned income.
3. CESSDA ERIC shall be subject to the rules of the host country's accounting legislation to ensure the preparation, filing, auditing and publication of the accounts in accordance with generally accepted international accounting principles and principles of transparency.
4. CESSDA ERIC shall produce an annual activity report. That report shall contain in particular the scientific, operational and financial aspects of CESSDA ERIC activities. The report shall be approved by the General Assembly and be transmitted to the European Commission and relevant public authorities within six months from the end of the corresponding financial year. This report shall be made publicly available.

## *Article 20*

### **Finance, Liability and Insurance**

1. The resources of CESSDA ERIC shall consist of:
  - a) financial contributions from Members and Observers;
  - b) possible host contributions;
  - c) other resources, within limits and under terms approved by the General Assembly, including research grants from national or international sources, donations and any income from economic activities.
2. CESSDA ERIC shall be liable for its debts.
3. The Members and Observers are not jointly liable for the debts of CESSDA ERIC.
4. CESSDA ERIC shall take appropriate insurance to cover risks specific to the construction and operation of the CESSDA ERIC infrastructure.

## *Article 21*

### **Procurement and Tax Exemption**

1. CESSDA ERIC shall treat procurement candidates and tenderers equally and without discrimination, regardless whether or not they are based within the European Union. The procurement policy shall respect the principles of transparency, non-discrimination and competition.
2. Procurement by Members and Observers concerning CESSDA ERIC activities shall be done in such a way that due consideration is given to CESSDA ERIC needs, and shall be in accordance with technical requirements and specifications issued by the relevant CESSDA ERIC body.
3. Tax exemptions based on Norwegian Act relating to value added tax of 19. June 2009 No. 58, § 10-3, shall be limited to the value added tax for such goods and services which are for official and exclusive use by CESSDA ERIC and are wholly paid and procured by CESSDA ERIC. The tax exemptions shall apply to non-economic activities. They shall not apply to economic activities. No further limits shall apply.

## CHAPTER 6

### **DURATION, WINDING UP, DISPUTES, SET UP PROVISIONS**

#### *Article 22*

##### **Duration**

CESSDA ERIC shall exist until it is wound up in accordance with Article 22(2).

#### *Article 23*

##### **Winding up**

1. The General Assembly may by a two-thirds majority of the votes cast decide to wind up CESSDA ERIC.
2. Without undue delay and in any event within ten days after adoption of the decision to wind up, CESSDA ERIC shall notify the European Commission about the decision.
3. Assets remaining after payment of the CESSDA ERIC debts shall be apportioned among the Members in proportion to their accumulated contributions to CESSDA ERIC.
4. Without undue delay and in any event within ten days of the closure of the winding up procedure, CESSDA ERIC shall notify the Commission thereof.
5. CESSDA ERIC shall cease to exist on the day on which the European Commission publishes the appropriate notice in the Official Journal of the European Union.

#### *Article 24*

##### **Applicable law**

The setting up and the functioning of the CESSDA ERIC shall be governed by:

- (a) Union law, in particular Regulation (EC) No 723/2009;
- (b) the host country's law in the case of matters not, or only partly, regulated by Union law;
- (c) these Statutes and their implementing rules.

*Article 25*

**Disputes**

1. The Court of Justice of the European Union shall have jurisdiction over litigation among the Members and Observers in relation to CESSDA ERIC, between the Members and Observers and CESSDA ERIC and over any litigation to which the European Union is party.
2. Union legislation on jurisdiction shall apply to disputes between CESSDA ERIC and third parties. In cases not covered by Union legislation, the host country's law shall determine the competent jurisdiction for the resolution of the dispute and the choice of law.
3. The legal venue for any case against CESSDA ERIC shall be the district court of Bergen unless otherwise follows from Article 24 and 25(2).

*Article 26*

**Availability of the Statutes**

These Statutes shall be kept up to date and made publicly available on the CESSDA ERIC website and at the statutory seat.

## Annex 1

### List of Members and Observers and their Representing entities and Service Providers

Members:

<i>Country:</i>	<i>Representing entity:</i>	<i>Service Provider:</i>
Norway	Research Council of Norway	Norsk senter for forskningsdata AS
Austria	Federal Ministry of Science, Research and Economy	AuSSDA - The Austrian Social Science Data Archive
Belgium	BELSPO, EWI, D.G.E.N.O.R.S. <sup>1</sup>	Social Sciences and Humanities Data Archive - SOHDA
Croatia	Ministry of Science and Education	Faculty of Humanities and Social Sciences, University of Zagreb
Czech Republic	Ministry of Education, Youth and Sports	The Czech Social Science Data Archive
Denmark	Danish Agency for Science and Higher Education	Danish Data Archive - DDA
Finland	Ministry of Education and Culture	Finnish Social Science Data Archive - FSD
France	National Center for Scientific Research (CNRS)	Progedo
Germany	Federal Ministry of Education and Research BMBF	Leibniz-Institute for the Social Sciences (GESIS)
Greece	Greek Research Infrastructure for the Social Sciences – So.Da.Net <sup>2</sup>	Greek Research Infrastructure for the Social Sciences – So.Da.Net
Hungary	The National Research, Development and Innovation Office (NRDI Office)	TÁRKI Foundation
Iceland	Ministry of Education, Science and Culture of Iceland	Social Science Research Institute
Ireland	Irish Research Council	Irish Social Science Data Archive - ISSDA
The Netherlands	The Netherlands Organisation for Scientific Research (NWO)	Data Archiving and Networked Services - DANS
North Macedonia	Ministry of Education and Science	SS Cyril and Methodius University

<sup>1</sup> BELSPO: Service public de programmation Politique scientifique

EWI: Departement Economie, Wetenschap en Innovatie

D.G.E.N.O.R.S.: Direction générale de l'Enseignement non obligatoire et de la Recherche scientifique

<sup>2</sup> The annual fee for the member will be paid by the National Centre for Social Research EKKE

Portugal	Minister for Science, Technology and Higher	Portuguese Archive of Social Information - APIS
Serbia	Ministry of Education, Science and Technological Development	Data Centre Serbia for Social Sciences - DCS
Slovakia	Ministry of Education, Science, Research and Sport of the Slovak Republic	Slovak Archive of Social Data - SASD
Slovenia	Ministry of Education, Science and Sport, MIZŠ	Social Science Data Archives - ADP
Sweden	Swedish Research Council	Swedish National Data service - SND
United Kingdom	Economic and Social Research Council, ESRC	UK Data Service

Observers:

<i>Country:</i>	<i>Representing entity:</i>	<i>Service Provider:</i>
Switzerland	Swiss Centre of expertise in the Social Sciences	FORS

## **Annex 2**

### **Service Providers' Obligations**

CESSDA Service Providers shall have the following obligations:

1. be compliant with the agreed elements of the DDI metadata standard that are required to enable the member/observer to contribute to CESSDA ERIC activities and which will be identified by CESSDA ERIC;
2. adopt and apply the common single sign-on user authentication system(s) recommended by CESSDA ERIC;
3. enable the harvesting of their resource discovery metadata and relevant additional metadata for inclusion in the CESSDA ERIC data portal;
4. make their data holdings downloadable through common data gateways as far as permitted by the relevant legislation and regulations;
5. ensure that the applicable national language(s) within the multi-lingual thesaurus are maintained;
6. share their data archiving tools (under the intellectual property conditions provided for in Article 16 of the Statutes);
7. adhere to the principles of the Open Archival Information System reference model and any agreed CESSDA ERIC requirements for operating trusted repositories;
8. contribute to CESSDA ERIC's cross national data harmonisation activities;
9. contribute material and/or expertise to the cross-national question bank;
10. provide mentor support for CESSDA ERIC Observers and their representative Service Providers to achieve full Membership;
11. provide member support for countries with immature and fragile national infrastructures to help them build up needed competence later to be able to fulfil tasks as Members;
12. facilitate access to national government and research funded relevant data, dependent on national legal systems;
13. adhere to CESSDA ERIC's Data Access and Dissemination Policies;
14. adhere to the provisions of CESSDA ERIC policies as required.

## Annex 3

### Budget and Members' contributions

This Annex sets out the mechanism of calculating of the contributions by Members and Observers.

#### a) Budget 2017 - 2019

The estimated CESSDA ERIC Budget for the period 2017 – 2019 is based on the continuation of the previous CESSDA Consortium agreement, and is based on an annual Membership fee contribution of €1.9 million (based on 13 Members).

The distribution of the Membership fee is as follows:

1. Special contributions
  - a. Norway as host will pay an annual amount of €800 000.
  - b. Germany will pay an annual amount of €750 000, of which a fixed amount of €310 000 covers Germany's part of CESSDA's general operation, and a fixed amount of €440 000 finances CESSDA ERIC tasks to be performed by the German Service Provider regulated by an agreement between Germany and CESSDA ERIC. Both amounts shall be part of CESSDA ERIC's budget and part of CESSDA ERIC's priorities.
2. A total fee of €350 000 is distributed amongst the other Members/Observers of CESSDA ERIC according to principles defined in the Statutes Article 18.
3. In case of CESSDA ERIC having fewer members/observers than 13 for the first three years after being established, the budget line *Membership fee* will be topped up by reserves that will be transferred to the CESSDA ERIC from the previous consortium (CESSDA AS).
4. In case of CESSDA ERIC having additional members/observers, they will be paying proportionate, annual contributions calculated separately and added to the total contribution.

#### b) Budget 2020-2021

The budget for the period 2020 and onwards should be based on an estimated Membership fee contribution of €1, 5 million.

The distribution of the Membership fee is as follows:

1. Special contributions
  - a. Norway as host will pay an annual amount of €800 000.
  - b. Germany will pay an annual amount of €310 000 as Germany's part of CESSDA's general operation for 2020 and 2021 only.
  - c. Germany shall deliver services to CESSDA ERIC at an estimated value of €440 000. The CESSDA ERIC tasks to be performed by the German Service Provider shall be regulated by an agreement between Germany and CESSDA ERIC and shall be part of CESSDA ERIC's priorities.
2. A total fee of €390 000 is distributed amongst the other Members/Observers of CESSDA ERIC according to principles defined in Article 18.

3. In case of CESSDA ERIC having additional members/observers, they will be paying proportionate, annual contributions calculated separately and added to the total contribution.

**c) Principles for allocation of members' contributions**

In accordance with Article 8, the General Assembly shall set the contribution for each Member based on the budget and, save for Members making special contributions, in proportion to the individual Member's GDP. The General Assembly shall set the contributions for Observers.

The source data for the calculation of fees for Members and Observers making a proportionate annual contribution is the World Bank indicator "GDP (current USD)", for the most recent year figures are available for all Members at the time of making the calculation.

Norway and Germany shall make special contributions. All other Members/Observers shall make proportionate annual contributions. The total value of the proportionate annual contributions is calculated to achieve the total target budget after taking into account the special annual contributions.

The membership contribution of intergovernmental organisations shall be decided by the General Assembly on a case-by-case basis.

**d) Calculation of the 2016 budget**

The 2016 budget has a total Membership fee of €1 932 737, based on 15 Members and 1 Observer.

<b>Member</b>	<b>GDP (2014) (USD)</b>	<b>Annual Contribution (EUR)</b>
Austria	436 343 622 435	16 478
Belgium	533 382 785 676	20 142
Czech Republic	205 522 871 251	7 761
Denmark	341 951 607 730	12 913
Finland	270 673 584 162	10 222
France	2 829 192 039 172	106 841
Germany	3 852 556 169 656	750 000
Greece	237 592 274 371	8 972
Lithuania	48 172 242 517	1 819
Netherlands	869 508 125 480	32 836
Norway	500 103 094 419	800 000
Slovakia	99 790 145 653	3 768
Slovenia	49 416 055 609	1 866
Sweden	570 591 266 160	21 548
Switzerland	701 037 135 966	26 474
United Kingdom	2 941 885 537 461	111 096
<b>Total</b>	<b>14 487 718 557 718</b>	<b>1 932 737</b>

The calculations for the coming years shall be undertaken as soon as the necessary GDP figures are available.