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Prof. Saša Zelenika, Ph.D.
Deputy Minister
Ministry of Science, Education and
Sports
Republic of Croatia
Donje Svetice 38
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Subject: Croatian faculties as separate legal entities under FP7 and Horizon 2020
Your ref.: Class 018-04/13-01/00123, File no. 533-19-13-0001

Dear Professor Zelenika,

I would like to thank you for your letter of 4 December 2013, in which you request an official statement on the subject of the legal and financial validation of Croatian faculties and on their legal status in Horizon 2020. My services have carefully examined the matter, including the supporting documents submitted by the Croatian faculties.

In most countries, faculties do not have an independent legal personality which is different from that of their mother university. According to the FP7 Rules for Participation, if faculties do not qualify as 'legal entity', they are not attributed an individual PIC (Participant Identification Code). Such faculties are also not attributed an individual FEL (Legal Entity File). Registration in the Commission's common database, which is managed by the Directorate-General Budget (DG BUDG), is compulsory for all beneficiaries in accordance with the Financial Regulation (Art. 63(1) of the Commission delegated regulation (EU) No 1268/2012).

Due to the specific situation of Croatian faculties, the Research Executive Agency (REA) attributed individual PICs to the faculties listed in the Croatian Higher Education Law 59/1996 that have registered in the Participant Portal. However, it appears that the Central Commission service (within DG BUDG) did not create individual FELs for the Croatian faculties that requested participation in FP7.

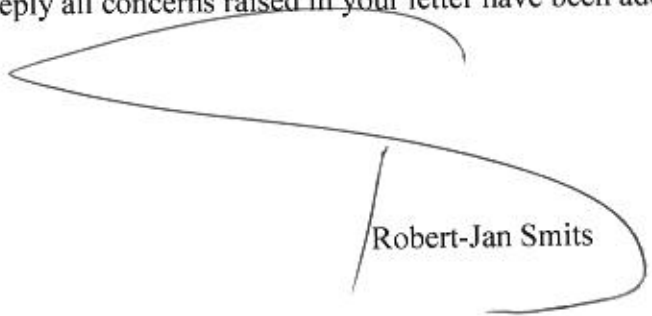
I am pleased to inform you that, following a request submitted by the REA, DG BUDG has decided to give the Croatian faculties the possibility to participate 'independently' in EU projects by assigning individual FELs.

Currently, the process of attributing individual FELs to all faculties listed in the Croatian Higher Education Law 59/1996 and registered in the Participant Portal with their own PICs is on-going. This also includes the faculty mentioned specifically in your letter, namely the Faculty of Medicine of the University of Rijeka. While efforts are being made to implement this decision without delay, completing this action for all cases will nevertheless require some time.

Since the Croatian faculties concerned have already been attributed ICs by the Validation Services in the REA, their participation will be fully independent from the University once this exercise is finalised. This should solve all operational problems previously encountered at Grant Agreement level.

The recognition of the Croatian faculties as independent legal entities will also enable them to participate as such in future projects under Horizon 2020 and other programmes.

I trust that through this reply all concerns raised in your letter have been addressed.



Robert-Jan Smits

