

Appendix – ELI ERIC User Access Policy

Section 1 – Background information

1. Background

Pursuant to Article 24(1) of the ELI ERIC Statutes, the GA shall be the governing body of ELI ERIC with final authority to determine ELI ERIC's statutory policies and any other matters that are necessary to fulfil the mission of ELI ERIC.

The ELI ERIC Statutes lay down the basic principles of the statutory policies that need to be established and approved by the General Assembly.

The GA, along with the Director General is charged to set the key policies that will be in effect for all the ELI Facilities, monitored by ELI ERIC, and supported by the Host Institutions.

As according to Appendix 1 (The ELI ERIC Operations Management Model) of the Statutes, the policies will form the top, strategic layer of the ISO-compliant ELI ERIC Management system.

Once policies are established, they will provide guidance to the operational management to further elaborate the ELI ERIC Management System, a comprehensive framework to implement the policies defined by the GA and Director General.

The proposed policies were developed by engaging administrative and legal experts of the ELI facilities, ELI-DC Management and the Facility management of ELI-ALPS and ELI Beamlines and with input from ELI-NP under the IMPULSE Project. They have been reviewed by the ELI ERIC ISTAC.

1. User Access Policy

The User Access Policy provides high-level guidance from the GA and ISTAC relative to User Access. According to the ELI ERIC Statutes, the Director General approves all access, including provisions for local researchers, after review by an appointed peer review panel. 'User Access' is granted as ELI Facilities become available. The ELI ERIC is charged with managing an integrated system for coordinating users and implementing a common system for quality assurance of services provided to the Users.

Pursuant to Article 6 of the ELI ERIC Statutes;

6(1) ELI ERIC shall offer USERS access to the ELI FACILITIES through a transparent selection process based on an international peer-review procedure of proposals managed through an electronic common entry point. The selection criteria shall be based on scientific quality and feasibility of the experiment. Ethical aspects involved in the evaluation of proposals or

performance of access should be dealt with the support of the Ethical Advisory Committee referred to in Article 29. 6.

6(2) USERS requiring and accessing technical and/or scientific services outside of the peer-review selection-based access shall pay the appropriate price of the services received, in accordance with the limits as referred to in Article 2(3).

6(3) The principles of the ACCESS POLICY FOR USERS are outlined in Annex 1 to these Statutes and shall be defined and detailed in a specific policy. That policy shall consider the European Data Protection legal framework related to the sharing of personal data of USERS among the MEMBERS.

Section 2 – Text of the Policy

Access Policy for Users

This policy is the governing document regarding access for Users to the Extreme Light Infrastructure ERIC (ELI ERIC). Providing excellence-based access to the international community is the core mission of this research infrastructure. That mission is complemented by access for research that addresses global challenges, drives innovation, and provides opportunities for world-class education and training.

Scope

Access, within the meaning of this policy, refers to *the legitimate and authorized physical, remote and virtual admission to ELI's research facilities, and other services offered by ELI to Users*. This policy applies to the ELI ERIC organisation, its staff, all Users, representing entities of ELI ERIC members, and all legally defined partnerships where access activities are performed with and/or on behalf of ELI ERIC.

Access may be granted for machine time from primary and secondary sources, computing resources, software, data, data-communication services, authentication services, sample preparation facilities, archives. It may also include access to staff for set-up, execution and dismantling of experiments, education and training, expert support, and analytical services.

Basis

This policy has regard for the following guiding documents:

- Council Regulation (EC) No 723/2009 of 25 June 2009 on the Community legal framework for a European Research Infrastructure Consortium (ERIC), amended by Council Regulation (EU) No 1261/2013 of 2 December 2013 and Article 7(3) thereof.
- Commission Implementing Decision C(2021) 2923 of 30 April 2021 on setting up the Extreme Light Infrastructure as a European Research Infrastructure Consortium (Extreme Light Infrastructure ERIC), in particular Article 6(3) of the ELI ERIC Statutes.
- The European Charter for Access to Research Infrastructures, EU 2016, ISBN 978-92-79-45600-8
- Mission-Oriented Research & Innovation in The European Union. EU 2018, ISBN 978-92-79-79832-0

Principles

Scientific access will be competitive, international, and open. Access may address specific challenges and enable broad objectives for the European Research Area. There will also be access possibilities for development and training. Commercial use of the ELI facilities is also possible within limits determined in the ELI ERIC Financial rules.

The ELI ERIC organisation shall adopt a ‘Code of Conduct for Research Integrity and Ethics’ based on *The European Code of Conduct for Research Integrity ALLEA (All European Academies)*. That code shall consider principles of *Reliability, Honesty, Respect and Accountability*.

Management and sharing of USER personal data shall be regulated by the “ELI-ERIC Data Protection and Privacy Policy” as adopted by ELI-ERIC.

Processes

The Extreme Light Infrastructure ERIC will implement access with respect to three modalities:

- a) **Open Excellence-Based Access** – The process of competitively granting “free open access” based on excellence relies on a peer review of scientific proposals. With reference to Article 7 of ELI ERIC Statutes, a fair and transparent external peer review process shall be followed. Scientific evaluation and ranking of proposals are performed by international peer-review panels composed of qualified scientists appointed by the Director General (DG). The technical and safety feasibility of proposals shall be determined by the ELI Facilities. The access allocation process and scientific results will be monitored by the ELI International Scientific and Technical Advisory Committee (ISTAC). Results of experiments must be published and open. Staff involved in in-house research and development of the ELI-ERIC Facilities may also apply for access.
- b) **Mission-Based Access** – Strategic considerations may be included in access to ELI ERIC, such as: (i) contribution to top-level research in Europe; (ii) technological developments; (iii), innovation and societal challenges (including education and training); (iv) synergy with mission objectives of EU framework programmes. Staff involved in in-house research and development of the ELI-ERIC Facilities may also apply for access. The Director General may ex-ante determine thematic areas of research with advisement of the ISTAC, consistent with the ELI ERIC Scientific Evaluation Policy and in agreement with the GA. Proposals may be granted through dedicated calls and will follow the same evaluation process and duties, including related to data, as outlined under Open Excellence-Based Access. The allocation of access time may follow ad-hoc procedures.
- c) **Proprietary Access** – Paid access may be granted to users, industrial or otherwise, according to a variable quota provided it does not interfere with the other scientific access modes above. Paid access is determined based on the case use, and must consider overhead and variable costs, as well as market considerations. Results from proprietary access are retained by the user, consistent with ELI ERIC’s Data and IPR Policy.

Responsibilities and Reporting

The General Assembly of the Extreme Light Infrastructure ERIC assigns the ELI ERIC Director General and management to determine and implement the relevant and effective access-related processes and procedures as part of the ELI ERIC management system according to this policy.

The specific management procedures, rules and guidelines, following from and consistent with this policy, shall constitute the body of internal regulation determining and limiting all activity relative to **Access** carried out by the ELI ERIC organisation.

The Director General shall propose a yearly access plan to the GA demonstrating the balance and the calendar allocation of time between the various access modes. The Director General shall prepare an annual report on the balance of Access relative to the member states and organize industrial liaison activities to facilitate interaction with industry. The results of access, including scientific output and trends of access modalities shall be reported publicly at the Annual ELI User's Meeting.

Section 3 - Revisions

<p style="text-align: center;">Access Policy Version GA_02 (October 2021)</p>	<p style="text-align: center;">Access Policy Version GA_02 (December 2021)</p>
<p>This policy is the governing document regarding access for Users to the Extreme Light Infrastructure ERIC (ELI ERIC). Providing excellence-based access to the international community is the core mission of this research infrastructure. That mission is complemented by access for research that addresses global challenges, drives innovation, and provides opportunities for world-class education and training.</p>	<p>This policy is the governing document regarding access for Users to the Extreme Light Infrastructure ERIC (ELI ERIC). Providing excellence-based access to the international community is the core mission of this research infrastructure. That mission is complemented by access for research that addresses global challenges, drives innovation, and provides opportunities for world-class education and training.</p>
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<p>Principles</p> <p>Scientific access will be competitive, international, and open. Access may address specific challenges and enable broad objectives for the European Research Area. There will also be access possibilities for development and training. Commercial use of the ELI facilities is also possible within limits determined in the ELI ERIC Financial rules.</p> <p>The ELI ERIC organisation shall adopt a ‘Code of Conduct for Research Integrity and Ethics’ based on <i>The European Code of Conduct for Research Integrity ALLEA (All European Academies)</i>. That code shall consider principles of <i>Reliability, Honesty, Respect and Accountability</i>.</p> <p>Management and sharing of USER personal data shall be regulated by the “ELI-ERIC Data Protection and Privacy Policy” as adopted by ELI-ERIC.</p>	<p>Principles</p> <p>Scientific access will be competitive, international, and open. Access may address specific challenges and enable broad objectives for the European Research Area. There will also be access possibilities for development and training. Commercial use of the ELI facilities is also possible within limits determined in the ELI ERIC Financial rules.</p> <p>The ELI ERIC organisation shall adopt a ‘Code of Conduct for Research Integrity and Ethics’ based on <i>The European Code of Conduct for Research Integrity ALLEA (All European Academies)</i>. That code shall consider principles of <i>Reliability, Honesty, Respect and Accountability</i>.</p> <p>Management and sharing of USER personal data shall be regulated by the “ELI-ERIC Data Protection and Privacy Policy” as adopted by ELI-ERIC.</p>

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