

ANNEX (excerpt from the Work Programme for the "Structuring the European Research Area" Programme of EC within the 6th Framework)

2.5.3. Eligible Researchers

Definitions

As a general rule, a researcher is defined as a person active in research, including at a training level, of at least post-graduate or equivalent level.

The two following definitions, applicable to the *Marie Curie* actions, are based on the professional experience of researchers in research and not on their age.

These definitions permit to take fully into account the professional pathways as well as the personal and family situations of those willing to embark on a research career or resume research activities irrespective of age or stage of their career.

Early-stage Researchers are defined as researchers in the first 4 years (full-time equivalent) of their research activity, including the period of research training.

The reference period to qualify for an early stage training activity:

- is counted from the diploma giving access to doctoral studies (the degree must entitle the holder to embark on doctoral studies, without having to acquire any further qualifications) in the country in which the diploma was obtained,
- covers the first 4 years of experience in research or the period until a doctoral degree is obtained, whichever is shorter.

Persons who have obtained a doctorate are ineligible for the early stage actions, independently of the time taken to acquire it.

The overall cumulative maximum early stage training through *Marie Curie* Host Fellowships for Early Stage Research Training and/or *Marie Curie* Training Networks is 4 years (full-time equivalent).

Experienced Researchers are defined as i) researchers having 4 to 10 years¹ of research experience (full-time equivalent) since gaining a university diploma giving them access to doctoral studies (the degree must entitle the holder to embark on doctoral studies, without having to acquire any further qualifications), in the country in which the degree/diploma was obtained or ii) researchers already in possession of a doctoral degree, independently of the time taken to acquire it.

For host-driven actions, the reference deadline for eligibility is the selection of the eligible researcher by the host organisation in the framework of this action. For individual-driven actions, researchers must have at least 4 years of research experience on the date of the relevant deadline for submission of proposals, or have obtained a doctoral degree at the latest eight months after the relevant deadline for submission of proposals. In all cases, the researcher must have met all the necessary requirements for the conferment of the doctoral degree, as officially certified by the awarding body. In the excellence actions, the reference date for determining the experience of the Team Leader (*Marie Curie* Excellence Grants) and Chair Holder (*Marie Curie* Chairs) is the date of the relevant deadline for submission of proposals; for Team Members (*Marie Curie* Excellence Grants) the reference date is the date of their appointment.

Eligible researchers under these schemes are "third party" beneficiaries of the *Marie Curie* actions. They do not sign a contract with the Commission, but benefit from the *Marie Curie* actions and are therefore in this way beneficiaries of Community funds.

Rules of mobility and conditions of nationality applicable to eligible researchers²

Eligible Researchers will be, according to the nature of the action and with respect to the rules of mobility expressed hereafter, nationals of the Member States or the Associated States (1) and/or nationals of third countries (2).

¹ Corrected version according to Work Programme, § 2.3.1.1. and "Negotiation Guidance Notes for *Marie Curie* Research Training Networks".

² These rules apply the whole length of the project.

Researchers must be nationals of a State other than that of the host organisation. At the start of their fellowship/activity, researchers may not have resided or carried out their main activity (work, studies, etc) in the country of their host organisation for more than 12 months in the 3 years immediately prior to the reference deadline for eligibility.³ Short stays such as holidays are not taken into account.

For host-driven actions, the reference deadline for eligibility is the selection of the eligible researcher by the host organisation in the framework of this action. For individual-driven actions and for Marie Curie Chairs, the reference is the relevant deadline for submission of proposals.

These mobility rules do not apply to the hosting of eligible researchers by international European interest organisations or international organisations. Eligible researchers may carry out their project in any eligible international organisation, whatever its location. Researchers will have to carry out the project at the premises of a legal entity other than the one in which they carry out their normal activities, or where they have been recruited for less than one year from the date of the reference deadline for eligibility.

In the case of a national holding more than one nationality, he/she will be able to carry out a period of mobility in the country of his /her nationality in which he/she has not resided during the previous 5 years. Short stays such as holidays are not taken into account.

(1) Nationals of the Member States or the Associated States

Researchers from Member States or Associated States can, according to the nature of the action, carry out their transnational mobility in all other Member States and all other Associated States. These researchers will be considered as being eligible to benefit from a training or mobility action, including in their country of origin, if they can provide evidence that they have legally resided and have had their principal activity (work, studies, etc) in a third country for at least four of the last five years immediately prior to the reference deadline for eligibility.

For host-driven actions, the reference deadline for eligibility is the selection of the eligible researcher by the host organisation in the framework of this action. For individual-driven actions, and for Marie Curie Chairs, the reference is the relevant deadline for submission of proposals.

Mobility of researchers from Member States and Associated States to third countries can only be funded by the Community budget in the cases of “*Marie Curie* Outgoing International Fellowships” and “*Marie Curie* Conferences and Training Courses”, as well as in cases where this funding is deemed to be essential for the action.

For the purpose of the Marie Curie actions, non-nationals from Member States or Associated States having legally resided and having had their main activity (work, studies etc) for at least four of the last five years, measured at the reference deadline for eligibility, in Member States/Associated States are treated as to nationals of the

Member/Associated State in which they have resided the longest. This rule is not applicable for the action “*Marie Curie* Outgoing International Fellowships”.

(2) Nationals of Third Countries

Participation and funding of researchers from third countries is foreseen in all of the hostdriven mobility schemes, in Excellence Promotion and Recognition actions as well as in one of the individual-driven schemes specifically dedicated to these third countries researchers (*Marie Curie* Incoming International Fellowships).

Apart from the case of the possible reintegration phase of the “*Marie Curie* Incoming International Fellowships”, they can not carry out their transnational mobility in third countries.

In the case of host-driven actions, a maximum of 30 %⁴ of the number of funded researcher-months can be used for third country researchers. This percentage could be exceeded in exceptional cases under the condition that the excess is duly justified as being essential to attain the objectives of the action. For multi-partner contracts, participating organisations must have a common selection policy in order to avoid exceeding this limit.

³ This rule is not applicable to the return phase of the “*Marie Curie* Host Fellowships for the Transfer of Knowledge”, “*Marie Curie* Outgoing International Fellowships”, “*Marie Curie* Incoming International Fellowships”, nor to the actions “*Marie Curie* European Reintegration Grants”, “*Marie Curie* Conferences and Training Courses” and “*Marie Curie* Excellence Grants”, nor to the researchers subject to intersectoral mobility between two participants in the same country as foreseen under certain circumstances in the “*Marie Curie* Industry-Academia Partnership Scheme”, nor to the recruitments in the same country where the researcher has been previously appointed under the same project for the actions “Research Training Networks” and multi-partner hosts “*Marie Curie* Early Stage Fellowships”.

⁴ The percentage is to be applied for each contract except for the action *Marie Curie* Series of events for which it will be applied per event.