

Guidance on Cooperation Agreements

The checklist below provides an overview of the minimum contents of a private-law cooperation agreement which regulates the rights and duties of the cooperation partners vis-à-vis each other (internal relationship) in connection with implementation of the project. The design of the cooperation agreement will depend on the actual requirements of the specific case or project and on the respective will of the contracting parties. The following list is intended as an initial guidance and does not claim to be exhaustive. The Vienna Business Agency assumes no liability for its completeness or accuracy. For drafting the cooperation agreement in a way that is legally safe and in compliance with the Shared Research Facilities Funding Guideline it would be advisable to obtain legal advice.

Minimum contents of a cooperation agreement

- **Preamble:** presentation of the intention and purpose of cooperation
- **Subject matter of the agreement** (means the legal design of the cooperation of the cooperation partners to realise the specific project, including a brief description of the project and/or reference to the grant application)
- **Term of the agreement** (means the eligible total term of the planned project which is the subject matter of the agreement)
- Roles of the **contracting parties** (who is the lead partner; who is a cooperation partner; who are the contact persons)
- Mutual **rights and duties** of the parties (e.g. fulfilment of the duties under the grant agreement, including the tasks allocated to the parties, reaching specific milestones for implementation of the project, mutual duties to provide information)
- Rights and duties of the **lead partner** (representation of the cooperation partners vis-à-vis the funding agency; overall coordination as well as internal coordination and communication; documentation and monitoring of the project progress; coordination and controlling of accounting)
- Presentation of the **work to be rendered** and allocation of work packages to the cooperation partners in detail (NB. The work packages must be identical to those stated on the application form)
- Financial **contributions** of the cooperation partners
- **Reporting and accounting duties** vis-à-vis, and the right to information of, the funding agency
- **Exclusion and joining** of new cooperation partners or a lead partner
- **Accounting modalities and time limits**
- **Secrecy, data protection**
- Regulation on **termination of the agreement**