

## Appendix 1

### Proposed principles regarding Australian Associate Membership of EMBL

Australia will become an Associate Member of the European Molecular Biology Laboratory (EMBL) pursuant to Article IV(2) of the Agreement Establishing the European Molecular Biology Laboratory 1974 (EMBL Agreement) and the Council document concerning involvement of non-member states in the EMBL (EMBL/Fin.Com/2003 17E). Associate membership of the EMBL will encourage and facilitate interaction between the Australian molecular biology community and EMBL and, more broadly, the exchange of scientists between EMBL Member States and Australia through new links created by a greater integration of Australian and European research.

#### Entry Fee and duration

As a new Associate Member, Australia will pay the Associate Membership fee, a total of 5 Million Euros, in accordance with a payment schedule that will be specified in the proposed Instrument of Cooperation, consideration of the investment in laboratory infrastructure made by the Member States over the 32 years of the EMBL's existence, and for infrastructure improvements that will facilitate the operation of the groups sponsored by Australia at the EMBL (Associate Membership Fee). This payment will secure Associate Membership for an initial period of seven years. Extension of Associate Membership, and the conditions of extension, will be dependent upon mutual consent between Australia and the Director General of EMBL. Any extension is subject to approval by the EMBL Council.

Upon the signing of an Instrument of Cooperation between the Commonwealth Government of Australia and EMBL, following the EMBL Council decision pursuant to Article IV(2) of the EMBL Agreement and Australia's payment of the first instalment of Australia's Associate Membership Fee in accordance with the payment schedule to be detailed in the Instrument of Cooperation, EMBL and Australia jointly consider that Australia's EMBL Associate Membership will become fully operational between the dates that will be specified (indicatively from 1 January 2008 until 31 December 2014).

#### Governance

Australia will have observer status on the EMBL Council and will participate in the EMBL Council meetings. The Australian Government will nominate up to two Council delegates.

Australian scientists will be eligible to participate on the Scientific Advisory Committee, selected according to normal procedure (Article VIII of the EMBL Agreement).

#### Associate Member Faculty

EMBL may incorporate into its Units, at any of the five sites as appropriate and feasible, two faculty positions (Group Leader or Team Leader), selected jointly by Australia and EMBL, for 3-5 years, including a research group for each position (2 PhD students, 1 postdoctoral fellow, 1 technical assistant or engineer) (Australian Research Group). Up to two such Australian Research Groups may be present simultaneously at EMBL for 3-5 years, for a total of 14 group-years during the initial period of the Associate Membership. These Groups can be located at any of the five EMBL sites. The *total full* costs for these Australian Research Groups will be covered by the Associate Member. In addition to these Australian recruits, additional Australian group or team leaders may be recruited to EMBL within the period of the agreement by normal procedure. Independent of the number of Australian group or team leaders at EMBL at any point during the agreement, Australia will support only the first two.

Training of Australian PhD students and postdoctoral fellows at EMBL is available, with the Associate Member covering the costs.

Additional training activities, visits and exchanges of personnel can also be mutually negotiated, funded by the sending party, on a cost basis, subject to availability of space and facilities.

Scientific collaborations will be funded equitably, by external grants of funds that may be available to one or both parties. All issues related to intellectual property rights will be clarified in bilateral agreements between the partners involved before the beginning of a project.

The Associate Member may seek advice from EMBL, for instance in the development of core facilities and research infrastructures. EMBL may also seek similar advice from Australia in fields such as medical epidemiology or stem cell research where Australian research is strong. Costs will be covered by the party requesting help.

The selection of participants to the Associate Member Faculty Development Programme will be mutually determined by the Australian Government's Minister for Education, Science and Training (or the Minister's delegate) and the EMBL, in the manner that will be jointly decided in the proposed Instrument of Cooperation.

### **Partner Laboratories**

The Associate Member may wish to establish one or more EMBL partner laboratories, whose activities are complementary to those of EMBL, within Australian research institutes or universities. All costs for setting up and operating the partner laboratory will be carried by the Associate Member. If more than one partner laboratory is to be set up, the Associate Member will ascertain that strong institutional links exist between the partner labs and will nominate a headquarter partner laboratory or a partner laboratory steering committee which will be the main point of contact for and exchange with the EMBL.

### **Arrangements for Collaboration**

For each collaboration project covered by Australia's EMBL Associate Membership, the EMBL will enter into a contract with each proposed participant, Australian Research Group or Partnership Laboratory to specify the terms of the collaboration. Such contracts will be consistent with Australia's EMBL Associate Membership.

### **Amicable Resolution**

The EMBL and Australia will seek amicable resolution of any difference in understanding which may arise in relation to Australia's EMBL Associate Membership.