

**DECISION OF THE GOVERNING BOARD OF
THE CLEAN HYDROGEN JOINT UNDERTAKING
adopting the first amendment to the
“Clean Hydrogen JU 2024 Annual Work Programme” and
approving additional lists of actions selected for funding
under the Clean Hydrogen Joint Undertaking call for proposals with reference
HORIZON-JTI-CLEANH2-2023-1**

THE GOVERNING BOARD OF THE CLEAN HYDROGEN JOINT UNDERTAKING (CLEAN HYDROGEN JU),

HAVING REGARD TO

- COUNCIL REGULATION (EU) 2021/2085 of 19 November 2021 establishing the Joint Undertakings under Horizon Europe and repealing Regulations (EC) No 219/2007, (EU) No 557/2014, (EU) No 558/2014, (EU) No 559/2014, (EU) No 560/2014, (EU) No 561/2014 and (EU) No 642/2014¹ (“the Regulation”), and in particular Article 17(2)(u) thereof;
- Regulation (EU) No 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe - the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination² (hereinafter “the Horizon Europe regulation”), and in particular Articles 21, 22, 23, 24, 25, 28, 29 and 30 thereof;
- Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012³ and in particular Articles 150 and 200 (1);
- The Financial Rules of the Clean Hydrogen JU, adopted on 17 December 2021 through Governing Board decision reference CleanHydrogen-GB-2021-03 (hereafter referred to as “the Financial Rules”) ⁴, and in particular Articles 6(5), 17(1) and 33(4);
- The Clean Hydrogen JU Governing Board Rules of Procedure⁵, and in particular Articles 8 and 10 thereof;

Whereas:

- (1) The Annual Work Programme and Budget for 2024 was adopted by Governing Board through its Decision of 15/12/2023 - reference number CleanHydrogen-GB-2023-20;

¹ OJ L 427, 30.11.2021, p. 17–119

² OJ L 347, 20.12.2013, p. 81–104

³ OJ L 193, 30.7.2018, p. 1–222

⁴ FCH-GB-2019-16 <https://www.clean-hydrogen.europa.eu/system/files/2020-01/GB%2520decision%2520and%2520Financial%2520Rules.pdf>

⁵ https://www.clean-hydrogen.europa.eu/about-us/key-documents/governing-board-decisions_en

- (2) The Budget for 2024 should be amended to include unused commitment appropriations from operational expenditure from 2022 and 2023 in accordance with Articles 6(5) and 17(1) of the Financial Rules of the CLEAN HYDROGEN JU;
- (3) The main lists of actions selected for funding, the reserve lists and the lists of rejected proposals for call for proposals HORIZON-JTI-CLEANH2-2023-1 were adopted by the CLEAN HYDROGEN JU's Governing Board through its decision CleanHydrogen-GB-2023-11 of 28/07/2023;
- (4) Additional lists of actions selected for funding under call for proposals HORIZON-JTI-CLEANH2-2023-1 were adopted by the CLEAN HYDROGEN JU's Governing Board through its decision CleanHydrogen-GB-2023-16 of 20/09/2023;
- (5) Proposals from the reserve lists may also enter the grant preparation phase in view of concluding grant agreements, in ranking order, subject to the availability of funding in the relevant call budget split, while respecting the maximum number of actions to be funded per topic, where applicable;
- (6) There is a remaining budget of EUR 9,956,648.44 available from the budgets for 2022 and 2023, consisting of:
 - a. an amount of EUR 5,880,354.73 from the call HORIZON-JTI-CLEANH2-2023-1 after allocating the funding for actions in the main lists and additional actions in the reserve lists of that call;
 - b. in addition, an amount of EUR 2,944,809.71 after allocating the funding for actions in the main lists and additional actions in the reserve lists of calls HORIZON-JTI-CLEANH2-2022-1 and HORIZON-JTI-CLEANH2-2022-2,
 - c. in addition, an amount of EUR 1,131,484.00 available from other operational activities in AWP 2023 (calls for tenders, etc.) and budget revision in 2023;
- (7) In its guidance with reference Ares(2023)8499146, the Commission established that "Unless exceptions provided for in the appropriate basic act, entities from the UK are not eligible to receive funding for award procedures implementing budget 2023 (or earlier)"; therefore, a solution needs to be found so that the available credits mentioned above "are not used to fund UK beneficiaries (e.g. allocating the carried over appropriations to specific calls/activities where the call conditions provide that UK applicants are not eligible or ensure separate eligibility rules are complied with and maintain implementation separately from 2024 to 2026 budgets)";
- (8) In accordance with the Clean Hydrogen JU Annual Work Plan 2023 (AWP 2023) and Horizon Europe Work Programme 2023-2024 - General Annexes (European Commission Decision C(2022)7550 of 6 December 2022), the budgets set out in the AWP 2023 are indicative and may change by up to 20 % with regard to, *inter alia*, the total expenditure of the call and the repartition of call budgets within a call;
- (9) The 20% budget flexibility may be applied to optimise the use of leftover budgets from the different ranked lists evaluated in the same evaluation session and may thus be used to fund reserve lists proposals;
- (10) The remaining budget of EUR 9,956,648.44 may be allocated to one or several of the reserve lists of call HORIZON-JTI-CLEANH2-2023-1; in this case, the order of ranking within the reserve list(s) must be followed strictly;
- (11) In order to select to which reserve list(s) the remaining and additional budgets may be allocated, consideration must be given to the JU strategic orientation documents, more specifically to the Single Basic Act establishing the joint undertaking, the Strategic Research



Agenda, with the European Hydrogen Strategy, as well as the REPowerEU goals, but also to the experts' Panel Report of call HORIZON-JTI-CLEANH2-2023-1;

(12) In this regard, the Executive Director sent on 22/02/2024 to the Governing Board an explanatory *Note on the optimal implementation of the calls 2022-1, 2022-2 and 2023-1 leftover budget*, presenting several scenarios that can be selected or combined in taking a decision;

(13) Through their replies sent on 08/03/2024 and on 19/03/2024, the Members of the Joint Undertaking have unanimously agreed on the allocation of the leftover budget;

HAS ADOPTED THE FOLLOWING DECISION:

Article 1

The tables "Statement of Revenue" and "Statement of Expenditure" of Section 3 "BUDGET 2024" of the "Clean Hydrogen JOINT UNDERTAKING (Clean Hydrogen JU) WORK PROGRAMME 2024" are replaced by the tables in the Annex to this Decision.

Article 2

An additional budget of EUR 9,954,418.76 shall be transferred to ranking list HORIZON-JTI-CLEANH2-2023-01-05.

Article 3

Any remaining budget from the call shall be transferred to the operational expenditure of the Clean Hydrogen JU budget for 2024 and dedicated to activities which will not involve UK participants (e.g. tenders).

Article 4

This decision shall enter into force on the date following that of its adoption.

Done in Brussels, on 12 April 2024

For the Governing Board of the CLEAN HYDROGEN JU,

Melissa Verykios,
Chair of the Governing Board



Annexes:

- Tables of the Section 3 “*BUDGET 2024*” of the “*Clean Hydrogen JOINT UNDERTAKING (Clean Hydrogen JU) WORK PROGRAMME 2024*” (changes to the adopted budget appear in red)
- Note on the optimal implementation of the calls 2022-1, 2022-2 and 2023-1 leftover budget