

Conditions Attaching to Sub-Contracts

Note that both contractor and sub-contractor have specific responsibilities, set down in the Contract and expanded upon in the Commission's "Guide to Financial Issues", Sections 5: *Subcontracts* and 2.2.1.1: *The particular case of subcontracting* (see Commission Document No.

s_2034005_20050316_104305_2034en.pdf at <http://www.cordis.lu/fp6/find-doc.htm>), as follows:

"the contractor shall retain sole responsibility for carrying out the action and for compliance with the provisions of the agreement. The contractor must undertake to make the necessary arrangements to ensure that the subcontractor waives all rights in respect of the Commission under the contract ... [and] ...the contractor must undertake to ensure that the conditions applicable to it under Articles II.9, II.10, II.11, II.12, II.28.8 and II.29 of the contract are also applicable to the subcontractor."

and:

"Since a sub-contract relates to the production of a service, it should be clear that any intellectual property resulting from any subcontracted work belongs to the contractor and must be at the entire disposal of the contractor" [Section 2.2.1.1].