

**ECCC JIP Memorandum of Understanding (MoU)**  
**Collaboration and Use of ECCC Data**

This MoU, adopted by resolution of the ECCC Management Committee on 17<sup>th</sup> March 2016, serves as attachment to the Joint Industrial Program proposal for ECCC (JIP) and is based on the following items of the JIP description:

- General Aims
- Technical Program
- Rules

ECCC is not a legal entity. The foreground IP generated by testing, collation, assessment and other technical work undertaken at the request of ECCC or involving the use of ECCC data and information belongs to the organisation which generated it. Notwithstanding this, all members of ECCC accept through their legally non-binding JIP agreement that the ECCC rules are a required condition of ECCC membership, and that a member which does not accept or which breaks the rules will be asked to leave.

The individual organization members of ECCC JIP apply the following rules for their cooperation:

1. ECCC data may be freely used for internal and research purposes.
2. ECCC data, and any foreground intellectual property which has been generated by means of ECCC technical work, may not be published or disseminated except by permission of the ECCC Working Group, Executive, and where appropriate Management Committee. This provision includes the publication and dissemination of foreground intellectual property by the member which has generated that IP, in cases where the relevant IP arises from work under contract to and financed by the ECCC JIP, or which has already been submitted to and accepted by ECCC as part of a National Contribution and/or for the collation and assessment of materials data.
3. ECCC data, and any foreground intellectual property which has been generated by means of ECCC technical work and which has not been placed in the public domain with the approval of ECCC, may not be used for company commercial interests, including resale for the benefit of a third party, except by permission of the ECCC Working Group, Executive, and where appropriate Management Committee.

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4. With reference to Rules 2 and 3 above, written approval of permission by the Convenor of the relevant Working Group shall be a mandatory requirement. The Convenor will respond to each permission request within a maximum of 3 weeks, and the Executive shall determine the request within not more than 1 further week, failing which permission shall be deemed to be granted. In contentious or critical cases, the Executive will in general refer its decision (via the Secretariat) by email to the members of the Management Committee, who should respond only if they wish to contest the Executive decision. If a contrary response from any MC Member is received within a time limit of 3 weeks, then the final decision will be taken at the next Management Committee meeting. If no contrary response has been received within that timescale, the Executive decision is confirmed as final. In non-contentious or in urgent cases, however, the Executive may at its discretion choose to omit reference to the MC, and thus confirm immediately that its decision is final.

The original ECCC MoU (reference 5524/MC/87), issued in 1995, is reproduced below as an Appendix. Its general provisions are thereby incorporated within the scope of this MoU. For guidance, the 1995 ECCC MoU includes the specific provisions applicable to membership for each country, and has therefore been signed by National representatives. It should be noted that as some details of ECCC structure and procedures have altered since 1995, the Appendix below should not be relied upon to provide fully accurate information on current operation. This is covered by the “JIP Description”, which is available on the ECCC website.

This ECCC JIP MoU clarifies the specific provisions applicable to membership by individual organisations. It should therefore be signed below by a representative of each member organisation.

.....  
**SIGNATURE SECTION**

.....  
**Signed**

.....  
**Date**

.....  
**Name of signatory (please print)**

.....  
**ECCC member organisation**

**Memorandum of Understanding of the  
European Creep Collaborative Committee**

At a meeting on 3rd December 1991, a group of material experts from several EC and EFTA countries agreed to establish a European Creep Collaborative Committee (ECCC).

The current views of members on the functioning, management and objectives of the ECCC were counselled through a questionnaire and by subsequent review and discussion at the 7th Management Committee meeting on 17th October 1995. The agreements reached are included in this revised Memorandum of Understanding which sets out the current aims, membership criteria, management structure and perceived future of the ECCC.

## **1 AIMS OF THE ECCC**

There are four basic aims:

- (I) Coordinated generation of creep data European-wide.**
- (II) Interaction with and provision of information for European Standards.**
- (III) Mutual technical exchange of information on current and future activities on materials developments.**
- (IV) Development of rules for data generation, collaboration and assessment.**

Initially, attention will be focussed on the parent material properties of carbon, low and high alloy ferritic and austenitic steels, and bolting materials.

### **1.1 European Standards**

Links will be established with the formal European Standards organisations and their technical committees. The ECCC will be prepared to provide the property values derived from high temperature data for inclusion in Standards and/or provide expert comment on relevant parts of drafts of Standards on request of the ECISS/CEN committees. This will include identification of any areas of shortfall in existing data.

### **1.2 Technical Exchange**

A means of exchanging data from current and future test programmes on high temperature materials properties will be established. The aim will be to coordinate planning of independent test programmes to avoid any unnecessary duplication. This aim will involve mainly confidential data, some of which may be released for use for materials data for European Standards.

### **1.3 Development of Rules**

Rules are to be established for data generation, collation and assessment. For data generation the ECCC will define rules for performance of the tests to provide validated data for Standards purposes. For data

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collation the ECCC will define rules for presentation of test data for numerical analysis. For data assessment rules will be established for the numerical analysis procedures.

### 2 MEMBERSHIP

Membership of the ECCC will be open to all EU, EU associated and other European countries who will nominate their representative experts to the Management Committee and the Working Groups.

The terms of membership for each country shall be the following:

- (a) Agreement to the principles stated in this Memorandum of Understanding (as indicated by signature of the Management Committee and Working Group 3.x representative(s) of each country) and the payment of the annual membership contribution. Voting rights will be one vote per member country.
- (b) The annual membership contribution will be on the basis of an equivalent contribution of 25 test piece years of relevant data each year.

This contribution can be as:

- i. a cash equivalent (currently 12,000 ECU);
  - ii. new data;
  - iii. relevant existing data;
  - iv. special activity in a Working Group (maximum equivalent 50% of total contribution);
  - v. or a combination of the above provided that at least 5 test piece years of new testing (or cash equivalent) are committed to coordinated test activities undertaken by a WG3.x.
- (c) For small countries who have interest in only one WG3.x, and acquisition of data from that Working Group, there will be a reduced fee of one fourth that stated in (b) above.
  - (d) All raw data made available to Working Groups 3.x shall be treated as confidential information. The data can be accessed by active members of the particular Working Group or by application to the Management Committee. Data and information, not yet made available publicly, obtained by Working Group members shall only be distributed within their country to organisations who have themselves subscribed to the annual membership contribution and agree to respect the confidentiality of the data.

### 3 MANAGEMENT

The current ECCC structure is shown in Figure 1. Any future re-organisation will follow a similar structure with confidential and open Working Groups.

The work of the ECCC will be coordinated by a Management Committee who define tasks and allocate priorities of Working Groups. The Management Committee will comprise three representatives from each major country and one each from others.

A Management Board appointed by the Management Committee will be available to deal with urgent matters, as required, between Management Committee meetings.

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Working Groups comprise technical experts who will undertake an active role in the execution of the defined tasks including identification of areas of new work in data assessment and/or generation. Funds/testing resources for new work will be allocated by the Management Committee from the membership contribution.

### 4 FUTURE

Members gave unanimous support for the continuation of the ECCC activities and aims. The financial support provided to the end of 1996 by the BRITE-EURAM concerted action is recognised as a major contribution to the success of the ECCC. The future of the ECCC will be best served if EU funding can be obtained for a further period. However, it was resolved by the members that they would continue the ECCC activity even if such funding was not made available.

Furthermore, if EU funding is available, the current secretariat system would continue. In the absence of funding, Germany offered to run a reduced secretariat or the Management Committee and issue of major ECCC documents whilst the Working Groups would provide their own secretariat.

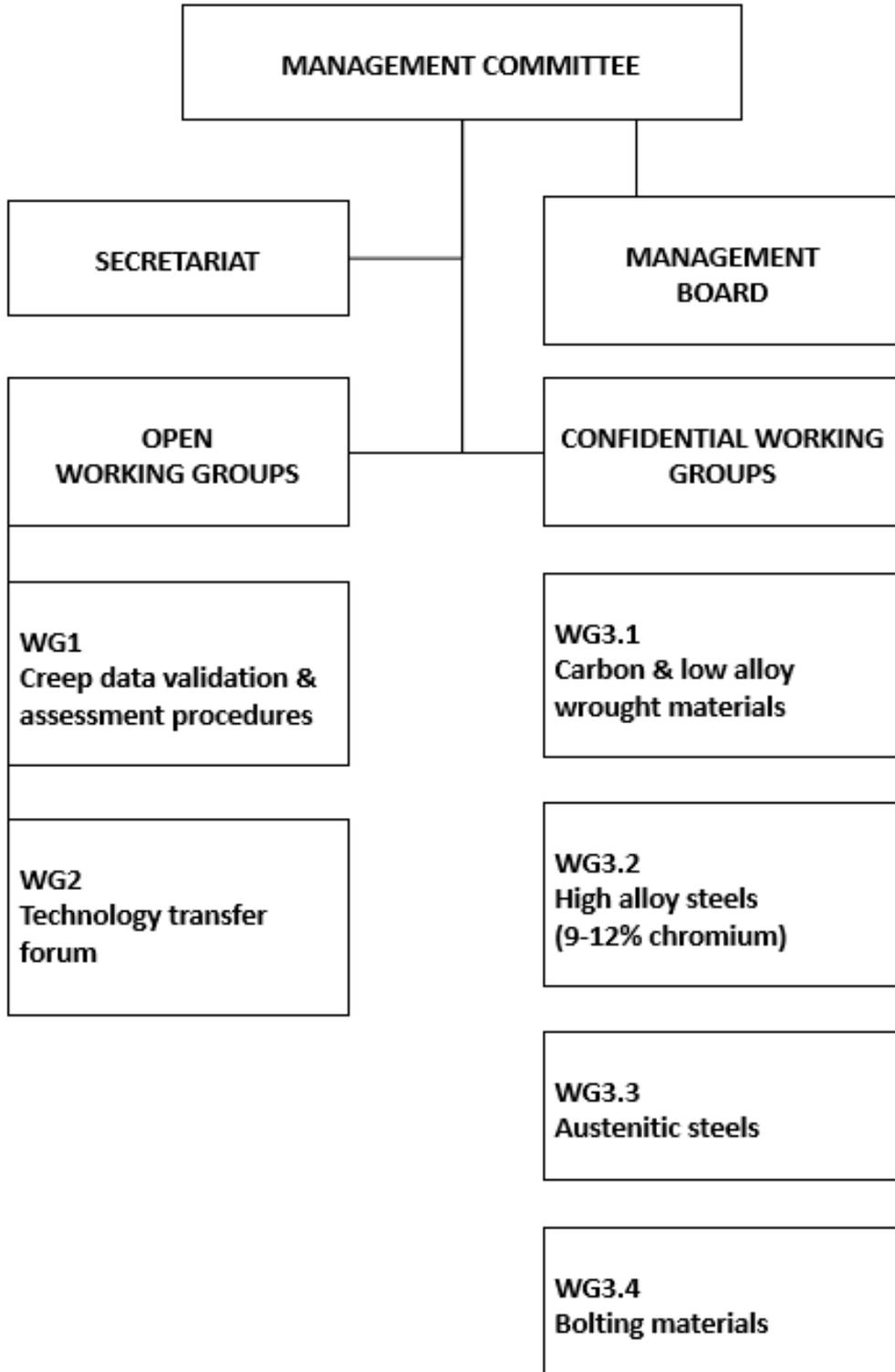
### 5 STATUS

The above Memorandum of Understanding (which is not contractually binding) represents the principles, as agreed by the Management Committee on 17th October 1995, for the continuation of the ECCC activities.

The following signatories accept these principles:

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(ECCC National Representatives, 1995)

DVT/MAP 22I1096



**Figure 1 ECCC Structure\***

\* - As it existed in 1995