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**A Coordination Action to Prepare European Hydrogen and Fuel Cell
Demonstration Projects on Hydrogen for Transport**

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Contractual & Management Issues for LHPs

*Elsa Papadopoulou
Kellen Europe*



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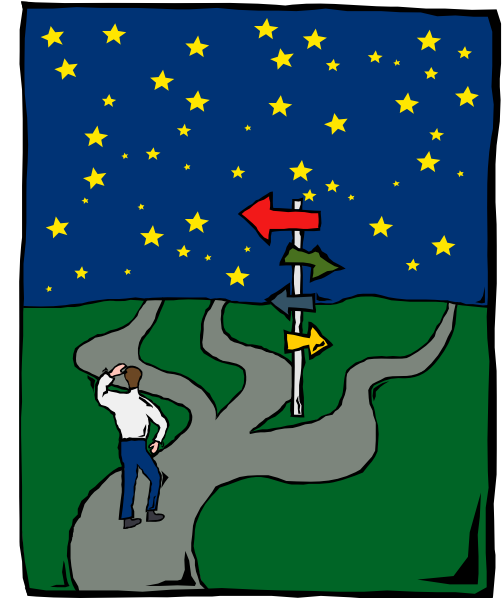
- **Objectives**
- **Main Findings**
 - **Project Contractual Issues**
 - **Project Management Issues**
- **Project Management Structures - Examples**
- **Closing Remarks**



Objectives

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- Analysis of legal & contractual forms of cooperation (PPPs) for the realisation of H₂ road transport demonstration projects (LHPs); benchmark of advantages & disadvantages
- Assessment of efficiency and effectiveness of different project management structures
- Indicative list of key “Project Governance Indicators” for future LHPs



Main Findings (1)

Project Contractual Issues: Public-Private Partnerships (PPPs)

➤ Relationship between the partners (also linked to management issues)

- **Horizontal:** No partner has a leading role
- **Vertical:** One or more project partners or coordinator has/have a leading role

➤ Type of agreement

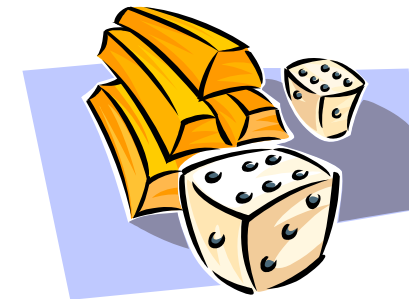
- **Informal partnership:** simple consortium agreement
- **EU-led:** partnership agreements in the form stipulated in the EU R&D funding regulations and instruments



Main Findings (2)

Project Contractual Issues: Public-Private Partnerships (PPPs)

- High-risk profile (technological and market risk) of LHPs => solid legal form addressing liability issues
- Provision of funds such as risk financing to LHPs => incorporated legal entity



- Gap between HFC R&D and large-scale commercialisation => solid legal form addressing partners' relations and securing success of project objectives

Main Findings (3)

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Project Contractual Issues: Public-Private Partnerships (PPPs)

- **State Aid**
- **Intellectual Property Rights (IPRs)**
- **Insurance**



Main Findings (4)



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Project Management Issues

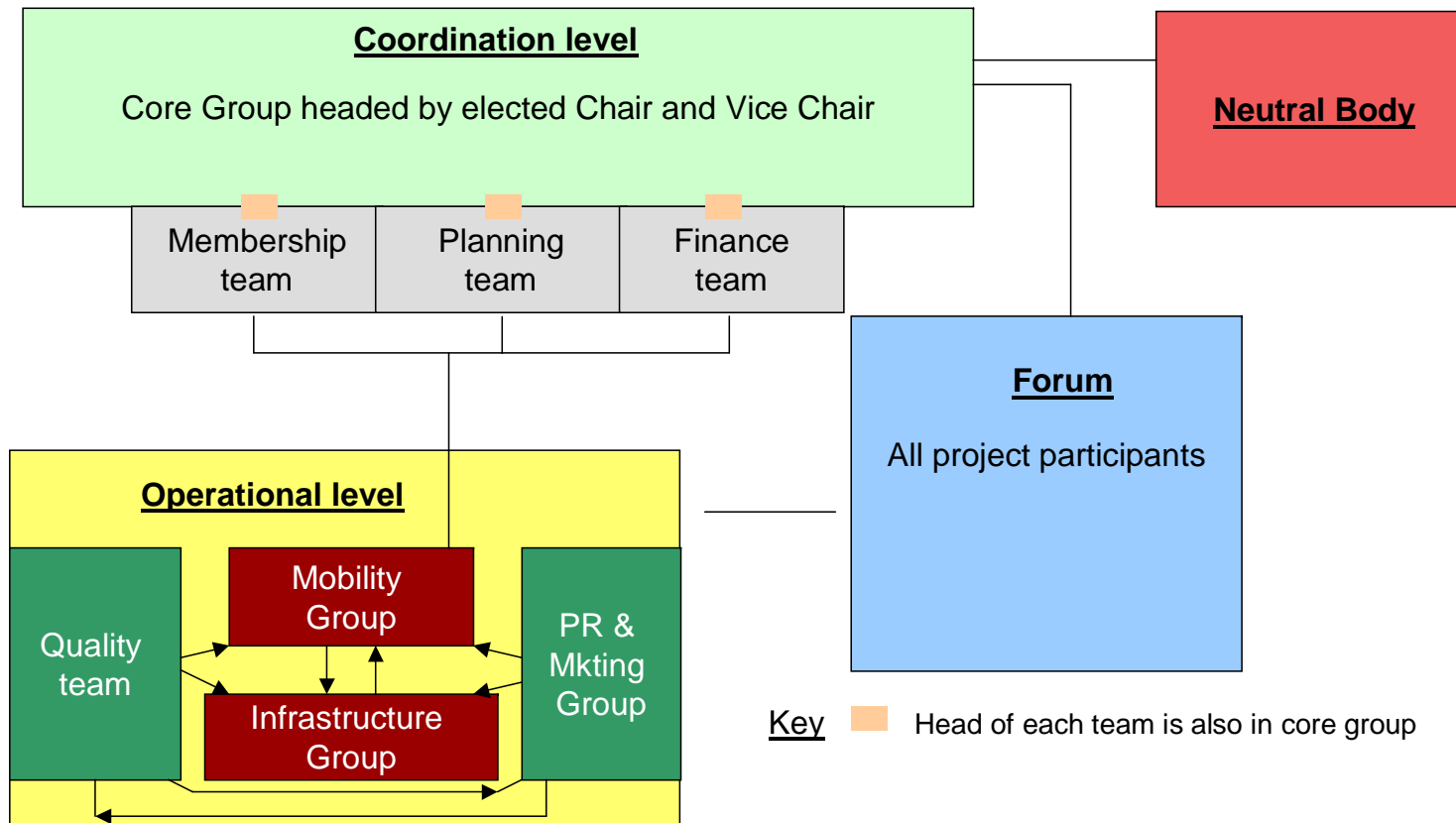
- Foster and promote efficiency and durability of the LHP
- Guarantee long-term commitment of project participants, public stakeholders and industry
- Promote & secure transparency of activities and effective cooperation
- Allow the necessary flexibility and independency for project partners to implement the allocated project tasks and adapt activities to project needs without burdening project efficiency
- Enhance rapid and constructive consensus building to avoid delays in project realisation



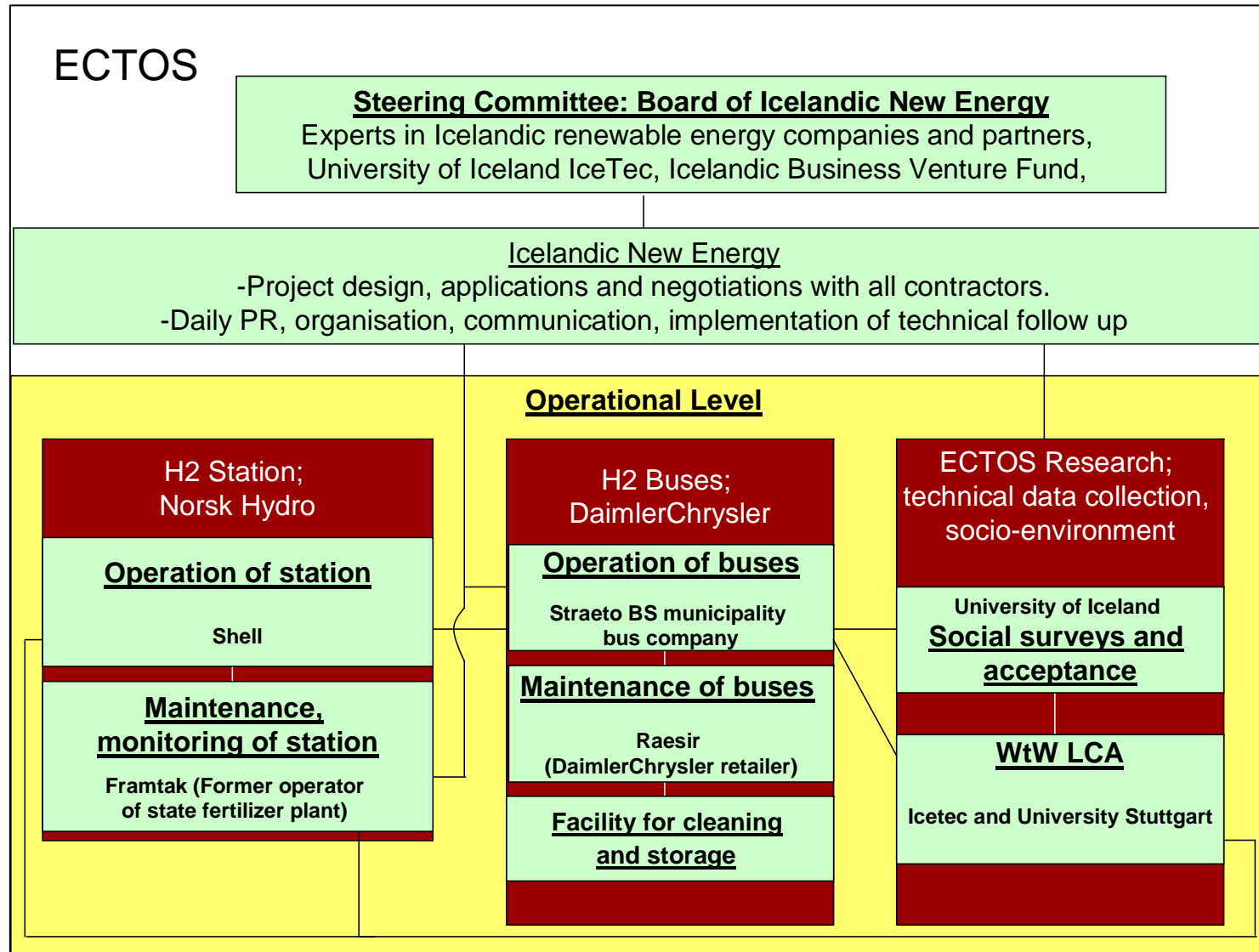
Main Findings (4)

Project Management Issues (an example)

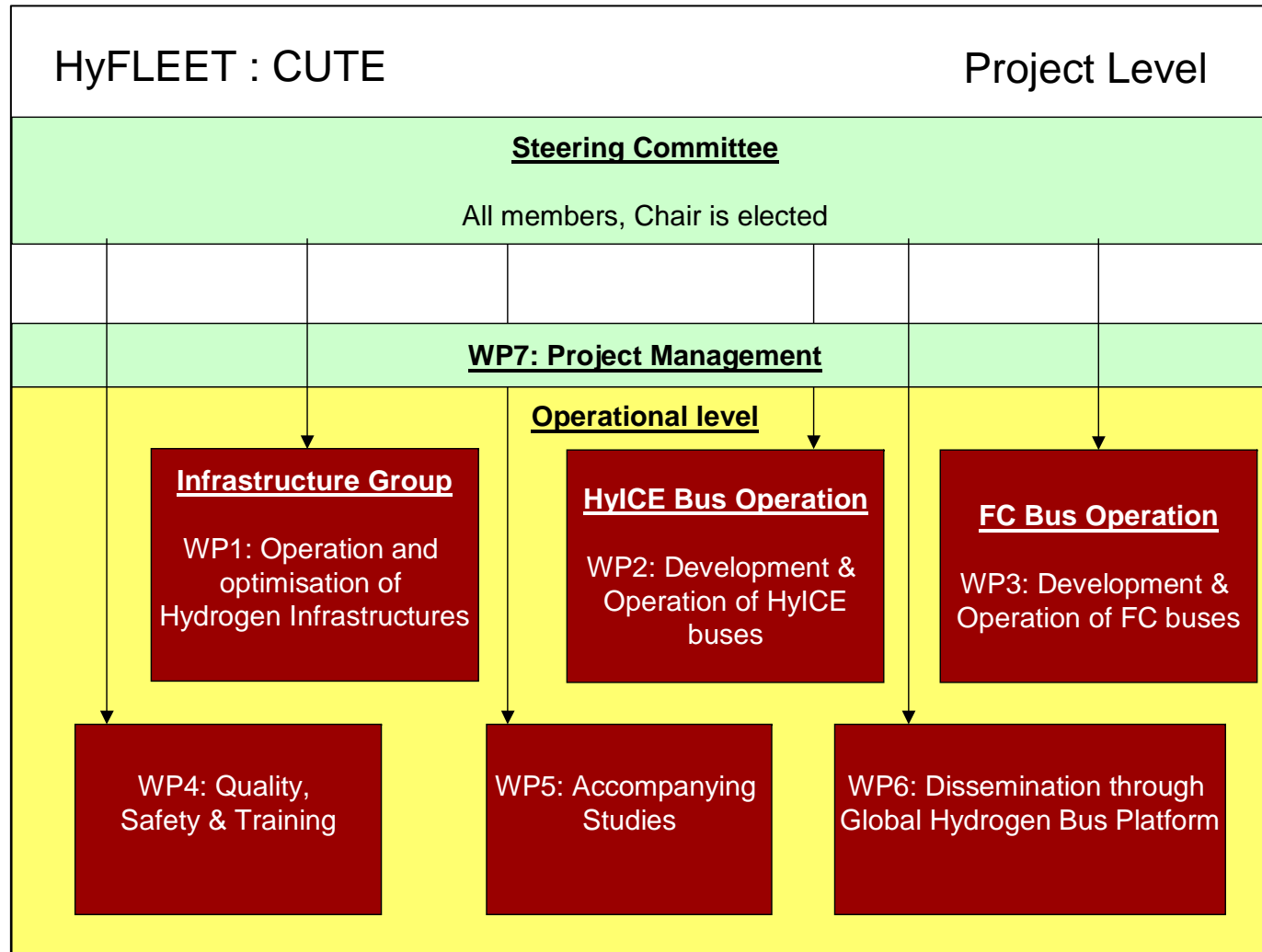
Project Level



Project Management Structures (1)



Project Management Structures (2)



➤ Choice of contractual forms can/will be affected by:

- LHPs' geographic coverage (jurisdictions) and project objective
- Regulatory environment of the potential LHP location(s)
- Nature of the technological challenges that need to be addressed
- Partners' needs in terms of risk management, IPR ownership, project financing, etc



➤ Choice of management structures can/will be affected by:

- Geographical scale & location (addition of focused bodies, i.e. “local nodes”, PR & Marketing, external project non-scientific administrator)
- Partnership size (guarantee transparency & consensus building)
- Project branding (taking into account cultural differences)

- **Contractual issues from project partnerships**
- **Projects' management structures**
- **State aid**
- **Insurance**
- **Safety & risk management**
- **IPR management**

