



**REGULATION ON THE RESPONSIBILITY OF RESEARCHERS
AND TECHNOLOGISTS IN THE PARTICIPATION OF PROJECTS
AND THE MANAGEMENT OF FINANCIAL STATEMENTS**

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TITLE I – GENERAL RULES

Art. 1 - Object and purpose

This Regulation on the responsibility of Researchers and Technologists in the participation and management of the relevant budgets of CREA projects, hereinafter referred to as "the Regulation", aims to regulate the responsibility of Researchers and Technologists on how to participate in competitive projects and direct funding on the use of the relevant financial resources.

The Regulation takes into account the provisions contained in current EU and National legislation, with particular reference to the "Commission Recommendation of 11/03/2005, concerning the European Charter for Researchers and a Code of Conduct for the Recruitment of Researchers" and Legislative Decree no. 218 of 25 November 2016, laying down rules on "Simplification of the activities of public research institutions pursuant to art. 13 of the Law of 7 August 2015".

For all matters not expressly provided for in this Regulation, reference is made to the CREA Regulations in force and to the general rules on employment, where applicable.

Art. 2 - Scope

The Regulation applies to the participation and financial management of those projects for which CREA Researchers and Technologists, both with permanent and non-permanent contracts, are responsible, in compliance with the regulations set out in the second paragraph of Article 1 above.

"Project" means any research, institutional and third mission activity officially assigned to CREA, or which CREA carries out, also in the context of its own network of relations with other research institutions and/or local, national and international administrations, in which it is possible to identify a coherent set of actions that meet stated objectives and to which a financial plan corresponds.

In this sense, the activity subject to VAT consisting in the production of services without innovative contents, as well as any activity regulated by a specific act of the Authority, is not considered a project.

TITLE II – FUNCTIONS AND RESPONSIBILITIES

Art. 3 - Director of the Research Centre

In accordance with the statutory and regulatory provisions of the CREA, each Director of a Centre is responsible for the smooth running and, together with the Centre's Researchers and Technologists, for the scientific activities of the Centre and its results. The Director is also responsible for managing the human resources assigned to him and the staff working for the Centre, in whatever capacity, and the financial resources assigned to him. The Director adopts all administrative-accounting acts falling within the competence of the Research Centre he directs.

The organisation of CREA is inspired by the principle of adequate autonomy and responsibility of Research Centres, as established by Articles 1 and 14 of the current Statute.

Art. 4 - Administrative offices of the Research Centres

In each Research Centre of CREA, pursuant to the specification "First Organization - Year 2017", approved with Commission Decree no. 88 of 27/04/2017, pending the adoption of the internal regulations of the institution, an administrative area, divided into the following three offices, is established:

Office 1: Coordination, General Affairs and Staff Management;

Office 2: Research Project Management and Accounting;

Office 3: negotiation activities and Assets.

The Administrative Area is coordinated by the Administrative Manager who supports the Director of the Centre concerning administrative activities, acting as a link between the Centre's management and the Central Administration.

As part of its project management activities, Office 2 (Research Project Management and Accounting) provides administrative support for the submission and management of projects, including financial monitoring, reporting and any other procedural activities that may be necessary.

The above-mentioned Office 2 controls the eligibility of the expenses foreseen and to be incurred in the framework of the projects, according to the rules of the financing bodies, with a time frame compatible with the progress of the project activities.

Art. 5 - Project Coordinator, CREA Lead Manager, Project Manager, Head of Operating Unit and Working Group

CREA Researchers and Technologists, who are usually responsible for projects submitted on behalf of the Organisation, ensure that financial management is consistent with the objectives of the project and with the rules laid down by the funding body. Furthermore, they contribute to compliance with the requirements of transparency and accounting efficiency, in accordance with the provisions of Article 2(2) of Legislative Decree No 218 of 25 November 2016.

Project Coordinator means a Researcher or Technologist responsible for a complex project in which several partners participate, coordinated by CREA, who also monitors the activities of the Project Partners, whether they are internal or external to CREA.

CREA Lead Partner means a Researcher or Technologist responsible for a complex project in which CREA participates as a single Partner composed of several Research Centres. In this case, the Centre with the largest funding will assume the role of "CREA Lead Partner".

Project Manager means a Researcher or Technologist responsible for a project without any further partnership, or responsible for a project coordinated by another body of which CREA is a partner.

A *Unit Manager* is defined as a Researcher or Technologist responsible for a project of a minimum organisational entity, with objectives, work plan and budget.

The *Project Coordinator, the CREA Lead Partner, the Project Manager and the Operational Unit Manager* cooperate with the Administration of the Centre to which they refer to guarantee fulfilment of all requirements established by the funding body, as well as the maintenance of a documentary archive of the project in their own Administration.

The *Working Group* is made up of the staff units involved in the project activities and which contribute to the cost of the project.

TITLE III PROCEDURES FOR IMPLEMENTING PROJECTS

Art. 6 - Reporting obligations

Each Researcher or Technologist who intends to submit project proposals, in consistency with the mission of the Centre to which they belong and in response to calls for proposals from the Financing Bodies, as well as to initiate preparatory procedures for the signing of Memoranda of Understanding, Framework Agreements or Collaboration Agreements with other public or private research Bodies, inform the Director of the Centre in advance, for the verification of workloads and other aspects related to any overlap or competition, including participation in the projects/Protocols/Agreements themselves.

If the submission of projects is to take place through specific IT platforms which provide for the possibility of registration by the single CREA Centre, each Researcher or Technologist is required to inform the Director of his Centre who in turn will communicate the accreditation and the relevant credentials to the competent Office of the Central Administration.

In the case of computer platforms providing for a single accreditation of the Body, the Director of the Centre sends the request to the competent office of the Central Administration which will proceed to the registration procedure.

Art. 7 - Appointment of the Project Coordinator, the CREA Lead Partner, the Project Manager, the Operational Unit Manager and the Working Group

In the case of projects approved following participation in competitive tenders, the Project Coordinator, the Lead Partner CREA or the Project Manager is the person who drafted /submitted the project proposal. The Director of the Centre formally acknowledges the process and appoints, upon proposal by the Researcher or Technologist in charge, the Working Group involved in the project activities.

In the case of a project proposal, which foresees a direct entrustment procedure by a Funding Body to a single CREA Research Centre, the Director of the Centre identifies the Researcher or Technologist to take the role of Project Coordinator or Manager. In doing so, the Director takes into account the competences present in the Centre under his direction (in terms of national and international scientific publications reported, previous positions of responsibility in research projects, referees for international and national journals, etc.), and the principle of task rotation.

In the case of a project proposal which foresees a direct entrustment procedure by a Funding Agency involving more CREA Centres, the Director of the Lead Partner Centre identifies the CREA Lead Partner, taking into account the competences present in the Centre under his direction (in terms of national and international scientific publications reported, previous positions of responsibility in research projects, referees for international and national journals, etc.), and the principle of task rotation.

In both cases of direct project contracts, the project proposal is sent to the competent office of the Central Administration, which, after carrying out the appropriate administrative checks, provides for the subsequent transmission of the proposal to the Funding Body by the Director General.

If the above project proposal is approved by the Funding Body, the Director of the Centre appoints, through his own official act, the Researcher or the Project Coordinating Technologist, Project Manager, or Operational Unit Manager and, upon the proposal of the Researcher or the responsible Technologist, the Working Group involved in the project activities. In the case of the CREA Lead Partner Centre, the Director of the Centre appoints, by official deed, the Researcher or the CREA Lead Partner Technologist and, on the latter's proposal, after consulting the Directors of the Centres concerned, the Working Group involved in the project activities.

In the case of a request for a project proposal implying a direct entrustment procedure to CREA by a Funding Body, which is of a strategic nature for the body, the appointment of the Project Coordinator, the Lead Manager or the Project Manager is approved by the Administrative Board, upon the proposal of the President, after consultation of the Scientific Council.

The project proposal is then sent to the competent office of the Central Administration, which, after carrying out the appropriate administrative checks, submits it to the Administrative Board for approval and subsequent transmission to the Funding Body by the Director General.

If the above project proposal is approved by the Funding Body, the Director of the Centre to which the Researcher or the Project Coordinating Technologist or Project Manager belongs shall appoint, with his own official act and upon the proposal of the Researcher or the responsible Technologist, the Working Group involved in the project activities. In the case of the "CREA Lead Partner" Centre, the Director of the Centre to which the Researcher or the CREA Lead Partner Responsible Technologist belongs shall appoint, by means of an official act and on the proposal of the latter, after consulting the Directors of the Centres concerned, the Working Group involved in the project activities.

Art. 8 - Procedure for the submission of project proposals

The Researcher or Technologist is required to prepare project proposals which are consistent with the Centre's scientific mission and which provide for costs consistent with the activity to be carried out and comply, where relevant, with the CREA Regulations in force as regards the protection of the background and of the rights on the results or on intellectual property.

The Researcher or Technologist must also ensure compliance with the provisions of Article 2, paragraph 2, of Legislative Decree No. 218 of 25 November 2016.

If CREA participates in a project proposal, involving research activities carried out by Researchers or Technologists belonging to several Centres, the Researcher or Technologist of the Centre assuming the role of "CREA Lead Partner", will be responsible for coordinating the other participants and for formulating a project proposal containing both the description of the scientific activities and the distribution of financial resources.

Unless otherwise established by the Funding Body, in the case of project proposals which foresee financing of activities to external parties, the activities to be outsourced must be specified in the drafting of the proposal. The identification of the implementing subjects will take place after the approval of the project, according to the provisions of the current regulations.

In the preparation of project proposals and the related budget, the commitment of permanent staff must be agreed with the Director of the Centre of reference, on the basis of the realistic availability of proposed staff, taking into account other activities in which the staff itself is involved.

The compilation of budgets and all administrative documentation has to be attached for the submission of project proposals, including any commitments to form Temporary Associations of Companies (ASI/ATS), Partnership Agreements etc., is the responsibility of the Project Coordinator, the CREA Lead Partner or the Project Manager who must be supported by the competent administrative office of the Centre. Unless otherwise provided for by the Funding Body, the project budget must be drawn up, in compliance with the current provisions of the CREA, in particular regarding the cost items "permanent staff", "overheads" and "purchase of capital goods".

The choice of the capital goods to be acquired is the responsibility of the responsible Researcher or Technologist, after consultation with the Director of the Centre. All purchases of capital goods must be foreseen in advance in accordance with the planning referred to in current legislation.

The Project Coordinator, the CREA Lead Partner or the Project Manager who prepares the documents to be attached to the project proposals, submit these for signature by the Director of the Centre who must ensure the traceability of the flows of documents.

In case of projects carried out within the Funding Schemes of the European Commission, the Project Coordinator, the CREA Lead Partner or the Project Manager, acting as Participant Contact, are required to insert the Director of the Centre as Project Legal Signatory (PLSIGN) on the Participants' Portal of the European Commission for the signature of documents, in addition to the LEAR as "Additional Contact".

The Project Coordinator, the CREA Lead Partner or the Project Manager must further include the information related to the project proposal submitted in the dedicated CREA project platform.

Art. 9 - Procedure for the financial management of projects

The Project Coordinator, the CREA Lead Partner, the Project Manager or the Operational Unit Manager manage the project budget for which they are responsible and propose the expenses to their Director of the Centre who verifies in each case the consistency and correctness of the administrative-accounting through the Administration of the Centre.

Without prejudice to the CREA current regulations, for particular budget items (missions, recruitment of staff, etc.), each Centre must provide for a specific procedure for the administrative management of projects which guarantees the traceability of the flows of documents.

The Project Coordinator, the CREA Lead Partner, the Project Manager or the Operational Unit Manager are required to interact, through official and verifiable acts, with the competent administrative office of the relevant Centre for the following procedural steps:

- entry of the financed project in the budget, providing the complete documentation of the approved project, as well as the official documents of the Financing Body relating to the granting of the financing;
- realization of each commitment of expenditure on the project;
- preparation of the agreements governing the transfer of funds to the participating Partners in case of CREA being the Project Coordinator;
- preparation of all documentation to be produced, including the monthly time reports of the staff employed on the project;
- preparation of any requests for extensions and/or variations to be submitted for signature to the Director of the Centre;
- carrying out of the project activities in compliance with the execution and reporting times set by the financing Body.

In the case of projects carried out within the Funding Schemes of the European Commission, the Project Coordinator, the CREA Lead Partner or the Project Manager, acting as Participant Contact, are required to insert the Director of the Centre as Project Financial Signatory (PFSIGN) of the project on the Participants' Portal of the European Commission, for the signature of the project status report (SAL),.

The general costs of the project are, as a rule, the general costs intended to cover the operating costs of the Research Centres and/or the Central Administration.

In the event that the Funding Body does not restrict general expenses to operating costs only, but also envisages their use for the implementation of certain project activities not included in the direct costs, the Researcher or Technologist must agree with the Director of the Centre, to whom he reports on the quantity of amounts to be added to the operating costs of the Centre.

Art. 10 - Portability of projects

In the case of transfer of the Project Coordinator, the CREA Lead Partner, the Project Manager or the Operational Unit Manager to another CREA Research Centre, the portability of the projects for which they have technical and scientific responsibility is generally permitted. Portability is subject to verification, *inter alia*, of the compatibility of the geographical area in which the project activities are to be carried out, in accordance with the procedures indicated in the guidelines for the "portability" of projects, attached to Administrative Board Resolution no. 51 of 26 October 2017.

Any requests for portability of projects following the transfer of the Project Coordinator, the Lead Partner CREA or the Project Manager to another body, must be negotiated with this body following the procedures described in the guidelines for the "portability" of the projects mentioned above.

The acquisition of projects, following the application of the principle of portability to the transfer of Researchers or Technologists to CREA from another body, is regulated by an agreement signed by the Director General, after consultation the Director of the Centre concerned.

Art. 11 - Training and mobility

CREA's Researchers and Technologists, in compatibility with the rules imposed by the Funding Bodies, allocate part of the budget of the project proposals to international mobility and training activities, aiming in particular at encouraging the technical-scientific training of the staff members involved in the project.