

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 the projects for which the CREA Researchers and Technologists are responsible, with permanent and fixed-term contracts, in compliance with the regulations set out in the second paragraph of Article 1 above.

Project means any research, institutional and third mission activity that is officially assigned to CREA, or that CREA carries out also through 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 the Centre is responsible for the smooth running and, together with the Researcher and Technologist staff, for the scientific activities of the Centre and its results. The Director shall also be 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 the 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 Statutes.

### **Art. 4 – Administrative offices of the research centre**

In each research centre of CREA, pursuant to the specification First Organization - Year 2017, approved by 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 office, is established:

Office 1: coordination, general affairs and personnel office;

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 for 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 is required to verify 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 carrying out 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 normally responsible for the projects, submit on behalf of the organisation and ensure that financial management is consistent with the objectives of the project and with the rules laid down by the funding body. Besides, 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, which also monitors the activities of the Partners participating in the project, 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 a 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 so that all the requirements established by the funding body are fulfilled, 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.

The Directors of the Research Centres cannot normally participate in competitive calls as Project Coordinators, CREA Lead Managers, Project Managers or Business Area Managers. They are precluded from holding the roles indicated above in projects directly entrusted by different financing bodies.

### **TITLE III – PROCEDURES FOR IMPLEMENTING PROJECTS**

Each Researcher or Technologist, intending to submit project proposals, consistent with the mission of the Centre to which they belong, 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, shall 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 that provide for the possibility of registration by the individual CREA Centre, each researcher or technologist is required to inform the Director of the Centre of reference 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 that provide for a single accreditation of the Body, the request must be sent by the Director of the Centre to the competent office of the central administration that will instruct 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, the Project Manager, is the person who drafted /submitted the project proposal. The Director of the Centre formally appoints and acknowledges the Working Group involved in the project activities, on the proposal of the Researcher or Technologist in charge.

In the case of a project proposal, with a direct entrustment procedure by a funding body to a single CREA Research Centre, the Director of the Centre identifies the Researcher or Technologist as the Coordinator or Project Manager. He takes into account the competencies present at 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 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, with his own official act, the Researcher or the Project Coordinating Technologist, Project Manager, or Operational Unit Manager and, at 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, with a direct entrustment procedure by a funding body to CREA, 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 Board of Directors, on the proposal of the President, after consulting the Scientific Council.

The project proposal is sent to the competent office of the central administration, which, after carrying out the appropriate administrative checks, submits it to the Board of Directors 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, on 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 that are consistent with the Centre's scientific mission and that 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 "CREA Lead Partner" role, will be responsible for coordinating the other participants and formulating a project proposal integrated, both in the description of the scientific activities and in the distribution of financial resources.

Unless otherwise established by the funding body, in the case of project proposals that provide for the financing of activities to be entrusted 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 actual availability with respect to other activities in which the staff itself is involved.

The compilation of budgets and all administrative documentation 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 Lead Partner CREA or the Project Manager who must be supported by the competent administrative office of the Centre. Unless otherwise provided by the funding body, the project budget must be drawn up, in compliance with the current provisions of the CREA, in particular as regards 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 Researcher or Technologist manager, after consulting 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 Lead Partner CREA or the Project Manager who prepare the documents to be attached to the submission of project proposals submit them to the signature of the Director of the Centre who must ensure the traceability of the document flows.

In the case of European projects, the Project Coordinator, the CREA Lead Partner or the Project Manager, acting as Participant Contact, are required to associate the Director of the Centre as Project Legal Signatory (PLSIGN) of the project on the portal of the European Commission participant 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 include in the CREA project platform the information related to the project proposal submitted.

#### **Art. 9 – Procedure for the financial management of projects**

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

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 that guarantees the traceability of document flows.

The Project Coordinator, the CREA Lead Partner, the Project Manager or the Operational Unit Manager are required to interact with the competent administrative office of the relevant Centre through official and verifiable acts 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;
- assumption of each commitment of expenditure on the project;
- preparation of the agreements governing the transfer of funds to the participating Partners in case that CREA is the Project Coordinator;
- preparation of all the 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 European projects, the Project Coordinator, the CREA Lead Partner or the Project Manager, acting as Participant Contact, are required to associate the Director of the Centre, as Project Financial Signatory (PFSIGN) of the project for the subscription of the project status report (SAL), on the portal of the European Commission participant.

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 direct costs, the Researcher or Technologist must agree with the Director of the Centre, to which it relates the quantity of amounts to be allocated to the operating costs of the Centre.

#### **Article 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. The portability is subject to verification, among other things, 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 transfer of the Project Coordinator, the Lead Partner CREA or the Project Manager to another body, must be negotiated with the destination 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 consulting the Director of the Centre concerned.

**Art. 11 - Training and mobility**

CREA's Researchers and Technologists, compatibly with the rules imposed by the funding bodies, allocate part of the budget of the project proposals to international mobility and training activities, aimed in particular at encouraging the technical-scientific training of the professionals involved in the project.