

AGENCY FOR BUSINESS COMPETITIVENESS

RESOLUTION EMC/3294/2020, of 14 December, which amended Resolution EMC/1917/2019, of 9 July, which passed the rules governing the line of funding for the mobility of research personnel in order to work on applied research projects for the purpose of technology transfer (Tecniospring INDUSTRY), and Resolution EMC/1446/2020, of 18 June, which passed the rules governing the line of funding for the mobility of research personnel in order to work on applied research projects for the purpose of technology transfer (Tecniospring INDUSTRY), which applied to the calls for 2019 and 2020, respectively.

Resolution EMC/1917/2019, of 9 July, which passed the rules for the 2019 call governing the line of funding for the mobility of research personnel in order to work on applied research projects for the purpose of technology transfer (Tecniospring INDUSTRY) (Official Gazette of the Government of Catalonia – DOGC – no. 7917 of 15.7.2019). Resolution EMC/767/2020, of 20 March (DOGC no. 8097 of 27.3.2020), which amended the aforementioned rules by extending the deadline for handing down a decision on a call.

Resolution EMC/1446/2020, of 18 June, which passed the rules for the 2020 call governing the line of funding for the mobility of research personnel in order to work on applied research projects for the purpose of technology transfer (Tecniospring INDUSTRY) (DOGC no. 8160 of 23.6.2020).

Whereas Tecniospring INDUSTRY receives 50% of its funding from Marie Skłodowska-Curie Actions as part of the European Union's Horizon 2020 programme in a co-financing arrangement, as executed pursuant to grant agreement number 801342 between ACCIÓ and the Research Executive Agency (REA) of the European Commission.

Whereas in response to the impact of the COVID-19 health crisis on the projects co-financed by the Horizon 2020 programme, such as Tecniospring INDUSTRY, the European Commission has requested maximum flexibility for research personnel to work on their projects, both in form and substance, as well as to allow them greater leeway in respect of their mobility to and from third countries, whether in or out of the European Union, in order to join the beneficiary companies or research institutes.

Whereas under the current rules for the 2019 and 2020 calls, whereby joining the companies or research institutes was subject to a set timeframe, which did not make provisions for flexible measures in the event of force majeure or health crises, in contrast to what the European Commission advocates as being measures of flexibility.

Whereas the approval of the European Commission in respect of the flexibility of the supporting documentation to justify spending provided for in the grant agreements signed between ACCIÓ and the REA for technology transfer projects funded by Tecniospring INDUSTRY calls.

Whereas flexible measures on the justification of spending must be introduced that are approved by the European Commission.

Whereas ACCIÓ's purpose is to improve the competitiveness of Catalan businesses and to lessen the negative impact of COVID-19 on Catalonia's production network, in compliance with the European Commission's appeal not to allow this crisis prevent researchers from working on their

technology transfer projects who join businesses or research institutes if there are restrictions on mobility should they be hired through funding from an EU H2020-MSCA-COFUND co-funded project, it is deemed that this flexibility must be included in projects subsidised by Tecniospring INDUSTRY in the 2019 and 2020 calls.

Whereas on 26 November 2020, ACCIÓ's Board of Directors authorised the publication of the amendment to Resolution EMC/1917/2019, of 9 July, and Resolution EMC/1446/2020, of 18 June, which passed the rules governing the line of funding for research personnel in order to work on applied research projects for the purpose of technology transfer (Tecniospring INDUSTRY programme) for 2019 and 2020, respectively.

In view of the foregoing, in order to mitigate the damage arising from the COVID-19 health crisis sustained by the beneficiary entities, and as a measure to streamline the process in line with the regulation of subsidies and standard administrative procedures, in respect of the terms and conditions established in the corresponding calls within the scope of the powers that may be called upon to make the projects awarded a subsidy or grant as viable as possible.

Now, therefore, in view of the preliminary report of the Legal Department, and in the exercise of the powers conferred upon me, I hereby

RULE:

Article 1

That rule 11 in annex 1 be amended of Resolution EMC/1917/2019, of 9 July, which passed the rules governing the line of funding for the mobility of research personnel in order to work on applied research projects for the purpose of technology transfer (Tecniospring INDUSTRY), which shall be worded as follows:

11.1. The deadline for the beneficiary entity to hire the researcher shall span from the day following the receipt of the decision to award the grant is received to 4 months following that date. This period may be extended by 2 months provided the beneficiary's legal representative submits an official application to do so on the registry before the 4 months since the decision was received have elapsed. This application for an extension must be duly justified for it to be accepted.

Should a researcher be unable to join a beneficiary institution on the Mobility B programme or an entity abroad to complete the first year of a project on the mobility A programme for reasons directly related to mobility problems caused by the COVID-19 health crisis, flexible measures shall apply to the hire of the researcher and, therefore, to the start date of the related contract, provided the beneficiary entity's legal representative submits an application for an extension before the end of the deadlines established in the above paragraphs on the registry. This application for an extension must be duly justified for it to be accepted.

In any event, the date of termination of a contract subject to a grant may not go beyond 31 May 2024 or, in the event of an amendment, beyond the new date of termination of the EU Tecniospring INDUSTRY project.

Article 2

That rule 24.1 k) in annex 1 be amended of Resolution EMC/1917/2019, of 9 July, which passed the rules governing the line of funding for the mobility of research personnel in order to work on applied research projects for the purpose of technology transfer (Tecniospring INDUSTRY), which shall be worded as follows:

k) To submit a quarterly report (as per the model provided by ACCIÓ) to enable ACCIÓ to monitor the project's status.

This report, drawn up by the beneficiary entity, must be approved and signed by the researcher and her/his supervisor. In addition, on Mobility A if a project has been carried out at a host institution abroad, the supervisor must also approve and sign the report.

Article 3

That rule 4.4 in annex 1 be amended of Resolution EMC/1446/2020, of 18 June, which passed the rules governing the line of funding for the mobility of research personnel in order to work on applied research projects for the purpose of technology transfer (Tecniospring INDUSTRY), which shall be worded as follows:

4.4. Grants for the two types of mobility are awarded for a period of 24 months, to be counted from the start date that appears in the contract between the researcher and the beneficiary entity. In any event, the date of termination of a contract subject to a grant may not go beyond 31 May 2024 or, in the event of an amendment, beyond the new date of termination of the EU Tecniospring INDUSTRY project.

Article 4

That rule 10.1 in annex 1 be amended of Resolution EMC/1446/2020, of 18 June, which passed the rules governing the line of funding for the mobility of research personnel in order to work on applied research projects for the purpose of technology transfer (Tecniospring INDUSTRY), which shall be worded as follows:

10.1. The deadline for a beneficiary entity to hire a researcher shall span from the day following the receipt of the final decision to award a grant to 4 months following its receipt should the researcher be a national from an EU member state or the Schengen Area. This deadline may be extended by half as established in section 32.1 of Act 39/2015, provided the beneficiary entity's legal representative submits an official application to do so on the registry before the 4 months since the decision was received have elapsed. This application for an extension must be duly justified for it to be accepted.

Should a researcher not be a national of an EU member state or the Schengen Area, or if on Mobility A but has to travel outside of these areas, this term shall span from the day following the receipt of the final decision to 6 months following that date. This term may be extended by half pursuant to the provisions of section 32.1 of Act 39/2015.

Should a researcher be unable to join a beneficiary institution on the Mobility B programme or an entity abroad to complete the first year of a project on the mobility A programme for reasons directly

related to mobility problems caused by the COVID-19 health crisis, flexible measures shall apply to the hire of the researcher and, therefore, to the start date of the related contract, provided the beneficiary entity's legal representative submits an application for an extension before the end of the deadlines established in the above paragraphs on the registry. This application for an extension must be duly justified for it to be accepted.

In any event, the date of termination of a contract subject to a grant may not go beyond 31 May 2024 or, in the event of an amendment, beyond the new date of termination of the EU Tecniospring INDUSTRY project.

Article 5

That rule 18.2 in annex 1 be amended of Resolution EMC/1446/2020, of 18 June, which passed the rules governing the line of funding for the mobility of research personnel in order to work on applied research projects for the purpose of technology transfer (Tecniospring INDUSTRY), which shall be worded as follows:

18.2. Should a grant be fully rejected, whether tacitly or expressly, the grant Selection Committee may propose the award of the grant to candidates on the list of runners-up. In any event, the date of termination of a contract subject to a grant may not go beyond 31 May 2024 or, in the event of an amendment, beyond the new date of termination of the EU Tecniospring INDUSTRY project.

Article 6

That rule 20.2 in annex 1 be amended of Resolution EMC/1446/2020, of 18 June, which passed the rules governing the line of funding for the mobility of research personnel in order to work on applied research projects for the purpose of technology transfer (Tecniospring INDUSTRY), which shall be worded as follows:

20.2. Should a researcher suspend the work for which she/he was awarded the grant subject to these rules, on justified grounds, the contract shall be extended by the same amount of time she/he was unable to work, provided the extension does not go beyond 31 May 2024 or, in the event of an amendment, does not go beyond the new end date of the EU Tecniospring INDUSTRY project.

The application for such a suspension must be submitted before the termination of the contract between the researcher and the beneficiary entity of the grant. Such extensions may not exceed a period of 6 months. Payments shall be suspended during this period.

FINAL PROVISION

This Resolution shall enter into force on the day of its publication in the Official Gazette of the Government of Catalonia.

Barcelona, 14 December 2020
Joan Romero i Circuns
CEO