

## **NOTICE FOR GRANTING FUNDING FOR THE IMPLEMENTATION OR UPGRADING OF TECHNOLOGICAL INNOVATION INFRASTRUCTURE**

### **THE DIRECTOR-GENERAL**

- HAVING REGARD TO** Decree-Law No. 1 of 9 January 2020, published in Official Gazette No. 6 of 9 January 2020, establishing the Ministry of University and Research (MUR), converted with amendments into Law No. 12 of 5 March 2020, published in Official Gazette No. 61 of 9 March 2020, and in particular Article 4, paragraph 1 thereof;
- HAVING REGARD TO** Prime Ministerial Decree No. 164 of 30 September 2020 (Official Gazette No. 309 of 14 December 2020) containing the Regulation for the Organisation of the MUR, as well as the Regulation for the Organisation of the Offices of Direct Collaboration of the Minister for University and Research, referred to in Prime Ministerial Decree No. 165 of 30 September 2020 (Official Gazette No. 309 of 14 December 2020);
- HAVING REGARD TO** Decree of the Minister for University and Research of 19 February 2021, published in Official Gazette No. 74 of 26 March 2021, containing the "*Identification and definition of the tasks of the non-general executive level offices of the Ministry for University and Research*";
- HAVING REGARD TO** Prime Ministerial Decree of 12 August 2021, registered with the Court of Auditors on 8 September 2021, under No. 2474, which assigns Dr. Gianluigi Consoli general-level executive functions at the Directorate General for Internationalisation and Communication within the Ministry of University and Research;
- HAVING REGARD TO** the Treaty on the Functioning of the European Union, and in particular Articles 182(1) and 183 thereof;
- HAVING REGARD TO** Commission Regulation (EU) No. 651/2014 of 17 June 2014, declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the TFEU (General Block Exemption Regulation), and in particular Article 59 thereof, which provides for the entry into force of that Regulation from 1 July 2014, and Commission Communication "Framework for State aid for Research and Development and Innovation (OJ C 198 of 27 June 2014)";
- HAVING REGARD TO** Commission Regulation (EU) No. 972/2020 of 2 July 2020 amending Regulation (EU) No. 651/2014 referring to its extension and relevant adaptations;
- HAVING REGARD TO** European Parliament and Council Regulation (EU) No. 1060/2021 of 24 June 2021, containing common provisions applicable to the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund, the European Maritime, Fisheries and Aquaculture Fund and the financial rules applicable to those Funds and the Asylum, Migration and Integration Fund, the Internal Security Fund and the Border Management and Visa Instrument;
- HAVING REGARD TO** the National Research Programme 2021-2027, approved by CIPE Resolution No. 74/2020 (O.G. General Series No 18 of 23 January 2021);
- HAVING REGARD TO** the Next Generation EU (NGEU) Programme, which integrates the multiple-year Financial Framework for the period 2021-2027;

- HAVING REGARD TO** Regulation (EU) No 241/2021 of the European Parliament and Council of 12 February 2021 establishing the Recovery and Resilience Facility;
- HAVING REGARD TO** Regulation (EU) No 695/2021 of the European Parliament and Council of 28 April 2021 establishing the Horizon Europe Framework Programme for Research and Innovation and setting the rules for participation and dissemination, with particular reference to Article 9 establishing the European Innovation Council;
- HAVING REGARD TO** the National Recovery and Resilience Plan (NRRP), positively assessed with the ECOFIN Council Decision of 13 July 2021, communicated to Italy by the Council's General Secretariat in file LT161/21 of 14 July 2021;
- HAVING REGARD** in particular to Mission 4: "*Education and Research*" - Component 2 "*From Research to Business*", with system initiatives aimed at:
- strengthening research and promoting the dissemination of innovative models for basic and applied research conducted in synergy between universities and businesses;
  - supporting processes for innovation and technology transfer;
  - strengthening research infrastructure, capital and skills to support innovation;
- HAVING REGARD TO** Regulation (EU) 1046/2018 of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No. 1296/2013, No. 1301/2013, No. 1303/2013, No. 1304/2013, No. 1309/2013, No. 1316/2013, No. 223/2014, No. 283/2014 and Decision No. 541/2014/EU and repealing Regulation (EU, Euratom) No. 966/2012;
- HAVING REGARD TO** Decree-Law No. 77 of 31 May 2021 on the *Governance of the National Recovery and Resilience Plan and initial measures to strengthen administrative structures and accelerate and streamline procedures*, converted by Law No. 108 of 29 July 2021 (Official Journal No. 81 of 30 July 2021);
- HAVING REGARD TO** the Decree of the Minister for University and Research, in collaboration with the Minister for the Economy and Finance (MEF), concerning the establishment of the NRRP mission structure, pursuant to article 8 of the aforementioned Decree-Law No. 77 of 31 May 2021, converted with amendments by Law No. 108 of 29 July 2021;
- HAVING REGARD TO** Decree-Law No. 80 of 9 June 2021, converted with amendments by Law No. 113 of 6 August 2021, concerning: "*Urgent measures to strengthen the administrative capacity of public administrations functional to the implementation of the National Recovery and Resilience Plan (NRRP) and for the efficiency of the justice system*";
- HAVING REGARD TO** Law No. 3 of 16 January 2003, containing "*Regulatory provisions on public administration*" and, in particular, article 11, paragraph 2-bis, pursuant to which "Administrative deeds, also of a regulatory nature, adopted by the Administrations pursuant to article 1, paragraph 2 of Legislative Decree No. 165 of 30 March 2001, which make use of public funding or authorise the execution of public investment projects, are invalid in the absence of the corresponding codes pursuant to paragraph 1, which constitute essential elements of these deeds";
- HAVING REGARD TO** CIPE Resolution No. 63 of 26 November 2020, which introduces the legislation to implement the CUP reform;
- HAVING REGARD TO** the Decree of the Minister for the Economy and Finance of 6 August 2021, on the allocation of resources to each Administration responsible for NRRP interventions and the corresponding milestones and targets;

**HAVING REGARD TO** article 1, paragraph 1042 of Law 178 of 30 December 2020, establishing, under one or more decrees of the Ministry of Economy and Finance, the administrative and accounting procedures to manage the resources pursuant to paragraphs 1037 to 1050, as well as the accounting methods used to manage the Fund pursuant to paragraph 1037;

**HAVING REGARD TO** article 1, paragraph 1043, second sentence of Law 178 of 30 December 2020, pursuant to which the Ministry of Economy and Finance - Accounting Department develops and makes available a specific IT system to support management, monitoring, accounting and control activities for components of Next Generation EU;

**HAVING REGARD TO** Regulation (EU) 852/2020 which in article 17 defines the environmental objectives, including the principle of DSNH (“Do No Significant Harm”), and Commission Communication (EU) 2021/C 58/01, containing “*Technical guidance on the application of ‘do no significant harm’ under the Recovery and Resilience Facility Regulation*”;

**HAVING REGARD TO** the interdisciplinary principles set out in the NRRP, such as, *inter alia*, the principle of contributing to the climate and digital objective (“tagging”), the principle of gender equality and the obligation to protect and facilitate the development of young people;

**HAVING REGARD TO** the obligation to ensure the targets and milestones and financial objectives established in the NRRP are met and, in particular:

- target M4C2-16, due in Q2 2023, which provides for *"at least 30 infrastructures funded for the integrated system of research and innovation infrastructure. The innovation infrastructure shall include multi-purpose infrastructures able to cover at least three topic areas such as: (i) quantum, (ii) advanced materials, (iii) photonics, (iv) life-sciences, (v) artificial intelligences, (vi) energy transition. The satisfactory fulfilment of the target also depends on the hiring of at least 30 research managers for the integrated system of research and innovation infrastructure"*;
- Milestone M4C2-17, due in Q2 2022, which provides: *"Notification of the award of the contracts to the projects selected under the competitive calls for proposals, in compliance with the 'Do no significant harm' Technical Guidance (2021/C58/01) through the use of an exclusion list and the requirement of compliance with the relevant EU and national environmental legislation. Proposals shall be selected based on the following criteria: scientific/technological/innovation leadership, their innovation potential (both in terms of open innovation/open data and for proprietary developments), their compliance with the thematic areas or for novel disruptive developments, their translational and innovation plans, the support from industry as a partner for open-innovation and/or as users, the strength of the business development activities, IP generation, clear rules for distinguishing open and protected output and licensing plans, their ability to develop and host industrial doctorates, links with the venture or other types of funds to facilitate the development of new start-ups. The selection procedure shall require a DNSH evaluation, and, where applicable a Strategic Environmental Assessment (SEA) in case the project is expected to produce a consistent impact on the territory"*.

**HAVING REGARD TO** the Guidelines defined by the Ministry of University and Research for the system initiatives of Mission 4 - Component 2, approved by Ministerial Decree No. 1141 of 7 October 2021, shared with the Steering Committee ["Cabina di Regia"] of the National Recovery and Resilience Plan (NRRP) dedicated to education and research, as per Article 2, paragraph 1, of Decree-Law No. 77 of 31 May 2021, converted by Law No. 108 of 29 July 2021;

**HAVING REGARD TO** Ministerial Decree No. 1314 of 14 December 2021, containing new procedural provisions for the granting aid, pursuant to Articles 60, 61, 62 and 63 of Decree-Law No. 83 of 22 June 2012, converted, with amendments, by Law No. 134 of 7 August 2012, implementing reform 1.1 of the M4C2 component of the NRRP "Implementation of R&D support measures to promote simplification and mobility", approved for registration at the Court of Auditors on 27 December 2021, under No. 3142, amended by Ministerial Decree No. 1368 of 24 December 2021, approved for registration at the Court of Auditors on 27 December 2021, under No. 3143;

**HAVING REGARD TO** Article 12 of Law No. 241 of 7 August "New provisions on administrative procedures and access rights to administrative documents", as amended;

**HAVING REGARD TO** Law No. 20 of 14 January 1994 "Provisions on the jurisdiction and control of the Court of Auditors", as amended;

**HAVING REGARD TO** Regulation (EU) No. 511/2014 on compliance measures for users resulting from the Nagoya Protocol on Access to Genetic Resources and the Fair and Equal Sharing of Benefits Arising from their Utilisation in the Union, with particular reference to the Life Sciences.

## **DECREES**

### **Article 1 DEFINITIONS**

1. For the purposes of this Notice, the following definitions shall apply:

- (a) *'State aid'* means any measure fulfilling the criteria laid down in Article 107(1) of the Treaty on the Functioning of the European Union.
- (b) *"Responsible administration"*: Ministry of University and Research
- (c) *"Component"* means an element or part of the NRRP which reflects investment reforms and priorities associated with an area of intervention, a sector, or field with the aim of dealing with specific challenges, expressed in one or multiple measures;
- (d) *"CNVR" or "Committee"*: the Italian Research Evaluation Committee, as defined by Article 64 of Decree-Law No. 77 of 31 May 2021, converted into Law No. 108 of 29 July 2021.
- (e) *"Public Research Entities"* means the public research bodies referred to in Article 1 of Legislative Decree 218/2016.
- (f) *"Ex ante phase"*: the period from the submission of the application by the applicant entity to the adoption of the granting decree by the MUR.
- (g) *"Interim phase"* means the period from the adoption of the MUR grant decree to the date when the last report is delivered.
- (h) *"Ex-post phase"* means the period following the conclusion of the interim phase.
- (i) *"Companies"*: as defined in Communication (EU) 198/2001 and related EU legislation referred to therein.
- (j) *"Technological Innovation Infrastructure, hereinafter also referred to as II or Infrastructure"* means structures, equipment, capabilities and services to develop, test and enhance technology to advance from validation in a laboratory to higher TRLs prior to entry into a competitive market.

Innovation technology infrastructures operate in production sectors and geographical areas defined by the development and innovation community, mainly SMEs or production technology chains, which use innovation technology infrastructures to develop and integrate innovative technologies with a view to marketing new products, processes and services. While maintaining the open and competitive access, common to research infrastructures, innovation technology infrastructures also offer their services on a protected basis for private users contributing to open innovation and open data.

- (k) "*Aid intensity*" means the gross amount of aid denoted as a percentage of the eligible costs, gross of any taxes or other charges as defined in Article 2, paragraph 1, point 26 of Regulation (EU) No 651/2014.
- (l) "*Infrastructure Manager*" means a highly qualified individual employed on the basis of a fixed-term employment contract, within each infrastructure, corresponding to the *Research Manager* provided for in the ECOFIN Council Implementing Decision of 13 July 2021.
- (m) "*Milestone*": qualitative objective to be achieved through a specific NRRP measure (reform and/or investment), which represents a commitment agreed upon with the European Union or at national level (e.g. legislation adopted, fully operational IT systems, etc.).
- (n) "*Mission*": response, organised according to general macro-objectives and project areas, with respect to the economic and social challenges to be addressed by the NRRP and divided into Components. The six Plan Missions represent structural "thematic" project areas (Digitalisation, innovation, Competitiveness and culture; Green revolution and ecological transition; Sustainable mobility infrastructure; Education and research; Inclusion and cohesion; Health);
- (o) "*MUR*" or "*Ministry*": Ministry of University and Research.
- (p) "*Public-private partnership (PPP) operation*" means an operation implemented through a partnership between public bodies and the private sector on the basis of a PPP agreement, aimed at providing public services through risk sharing, by concentrating private sector expertise or additional sources of capital or both.
- (q) "*Public-Private Partnerships*" (PPPs) means forms of cooperation between public authorities and private entities aimed at securing the financing, construction and operation or maintenance of an infrastructure or the provision of a service.
- (r) "*NRP 2021-2027*": National Research Programme 2021-2027.
- (s) "*NRRP (or Plan)*": National Recovery and Resilience Plan submitted to the European Commission in accordance with Article 18 et seq. of Regulation (EU) No. 241/2021.
- (t) "*Do no significant harm*" (DNSH) principle means the principle, defined in Article 17 of EU Regulation 852/2020, of not supporting or carrying out activities that cause significant harm to the environmental objective.
- (u) "*Project*" or "*Intervention*": a specific project/intervention (also understood as a set of activities and/or procedures) selected and funded in the scope of a Measure of the Plan and identified using a Unique Project Code (CUP). The project contributes to the achievement of the Mission's objectives and is the main monitoring entity, as the minimum unit for recording information details, financial, procedural and physical information.
- (v) "*Regions of the Southern Italy [Mezzogiorno]*": Abruzzo, Basilicata, Calabria, Campania, Molise, Apulia, Sardinia and Sicily.
- (w) "*Expense reporting*": Activity needed to prove the project's correct financial execution.



- (x) "*Project reporting*": Bi-monthly reporting to the NRRP Central Office by the reporting and control department of the central administration in charge of the project. This activity may include reporting on the expenses incurred by implementing organisations and/or reporting on the achievement of milestones and targets associated with the relevant projects.
- (y) "*Milestone and target reporting*": Activity aimed at providing evidence of having achieved the Plan's objectives (EU and national milestones and targets). This is not necessarily linked to the financial progress of the project.
- (z) "*NRRP Central Office*": General-level management structure established at the Ministry of Economy and Finance - Department of the General State Accounting Office, with duties of operational coordination, monitoring, reporting and control of the NRRP and national contact point for the implementation of the Plan pursuant to Article 22 of Regulation (EU) No 241/2021.
- (aa) "*ReGiS system*": IT system referred to in Article 1, paragraph 1043 of Budget Law No. 178/2020 (Budget Law 2021), developed to support the management, monitoring, reporting and control activities of the NRRP and to ensure the electronic exchange of data between the different entities involved in the governance of the NRRP.
- (bb) "*Implementing entity*": Beneficiary entity responsible for initiating, implementing and the operation of the intervention/project financed by the NRRP. In particular, Article 1, paragraph 4, point o) of Decree-Law No. 77 of 31 May 2021, converted with amendments by Law No. 108 of 29 July 2021, specifies that the implementing entities are: "the public or private entities responsible for carrying out the actions provided for in the NRRP". Article 9(1) of the same Decree specifies that 'the operational implementation of the interventions provided for in the NRRP are carried out by central Administrations, Regions, the Autonomous Provinces of Trento and Bolzano and Local Authorities (on the basis of the specific institutional competencies or different ownership of the interventions defined in the NRRP), through their own structures or by availing themselves of external implementing entities identified in the NRRP or based on the procedures contemplated by national and European legislation in force".
- (cc) "*Applicant entity*": a public legal entity, which submits an application to the MUR for funding on a project referred to in this Notice under the NRRP.
- (dd) "*Target*": a quantitative objective to be achieved based on a specific NRRP measure (reform and/or investment), which represents a commitment agreed with the European Union or at national level, measured in relation to a pre-determined indicator (e.g. number of kilometres of rail built, number of square metres of building renovated, etc.).
- (ee) "*TRL*": Technology Readiness Level, means a method for assessing a technology's maturity level, as defined by the European Commission in the document "*Technology readiness levels (TRL), HORIZON 2020 - WORK PROGRAMME 2018-2020 General Annexes, Extract from Part 19 - Commission Decision C(2017)7124*".
- (ff) "*Universities*" means both state and non-state universities, and specialist university institutes.
- (gg) "*Constraints arising from the NRRP*" means the constraints referred to in Article 20 of this Notice.

## Article 2 PURPOSE AND SCOPE

1. In implementing Investment 3.1 "Fund for the creation of an integrated system of research and innovation infrastructures, envisaged under Mission 4 ("Education and Research") - Component 2 ("From research to business") of the NRRP, the MUR finances Technological Innovation Infrastructures that promote closer integration between businesses and the world of research, in order



to develop the country's economic growth potential and confer economic and environmental resilience and sustainability to development processes.

2. Working closely and on a complementary basis with the measures aimed at financing Research Infrastructure (Investment 3.1), this Notice aims to strengthen "National R&D Champions" (Investment 1.4), creating "Innovation Ecosystems" (Investment 1.5) for the Component mentioned in the previous paragraph, the supply chain of the research and innovation process, strengthening knowledge transfer mechanisms, encouraging the systemic use of research-based results by the production sector, supporting the dissemination of a transformative approach to innovation, by also mobilising private skills and capital, as well as introducing innovative management models.
3. In order to comply with the objectives set out in the previous two paragraphs and to ensure the sustainability and economic and financial viability of investments, a significant proportion of the capacity to generate innovation must be allocated to businesses.
4. The Notice's objectives are consistent with the country-specific recommendations directed at Italy in 2019 and 2020 regarding the need to "focus investment-related economic policy on research and innovation and infrastructure quality" (Country Specific Recommendation 2019, point 3), to "*promote private investment to foster economic recovery*" (Country Specific Recommendation 2020, point 3) and to "*focus investment on the green and digital transition, particularly on research and innovation*" (Country Specific Recommendation 2020, point 3).

### Article 3 BUDGET FOR THE NOTICE

1. The projects forming the subject of this Notice are funded by the resources envisaged by the NRRP within the framework of Mission 4 ("Education and Research") - Component 2 ("From research to business") - Investment 3.1 ("Fund for the creation of an integrated system of research and innovation infrastructures"), amounting in total to € 1,580,000,000.00 (one billion five hundred and eighty million/00).
2. In particular, for the specific action implemented by this Notice, available resources amount to € 500,000,000.00 (five hundred million/00).
3. At least 40% (forty per cent) of the total resources referred to under point 2 above shall be allocated to finance operations in the Regions of Southern Italy [*Mezzogiorno*].
4. In any case, the Administration reserves the right under specific conditions, to allocate any savings available from the allocation referred to in paragraph 2 above, as well as resulting from the application of the constraint referred to in paragraph 3 above, to finance additional projects relating to Investment 3.1 ("Fund for the creation of an integrated system of research and innovation infrastructures").
5. The costs relating to the assessment phase, including the fees payable to external experts appointed for this purpose, shall be charged to the Fund for the Assessment and Enhancement of Research Projects referred to in Article 1, paragraph 550 of Law No. 178 of 30 December 2020, in accordance with the provisions of Article 64, paragraph 6 of Decree-Law No. 77 of 31 May 2021, converted into Law No. 108 of 29 July 2021.

#### **Article 4**

### **APPLICANT AND IMPLEMENTING ENTITIES**

1. The following public entities are eligible to apply under this Notice:
  - a. Research entities and institutions supervised by the MUR, referred to in Legislative Decree No. 218 of 25 November 2016;
  - b. Universities and specialist High Schools established by the MUR;as well as additional entities to those specified under letter a, listed in the "Research Entities and Institutions" section of the latest list of public administrations included in the consolidated profit and loss account identified pursuant to Article 1, paragraph 3 of Law No. 196 of 31 December 2009, as amended and supplemented, available on the date of this Notice's publication.
2. In implementing the initiative, the applicant entity must avail itself of the contribution from private entities which, identified in compliance with European and national legislation, will co-finance the initiative on the basis of a public-private partnership.
3. With regard to the partnership operation referred to in the paragraph above, it is understood that the implementing entity benefiting from the concessions is the entity referred to in paragraph 1.

#### **Article 5**

### **PROJECTS ELIGIBLE FOR FUNDING**

1. The Notice finances the creation or upgrading of at least 10 (ten) Technological Innovation Infrastructures, located at a single site or different locations, designed and implemented to offer advanced technological tools, solutions and services to the academic and business world, in order to increase their competitiveness.
2. In the case of Infrastructure located at different sites, these shall operate as a single unit in terms of the statute and scientific and technical management, guaranteeing a single interface with users, but carrying out their activities on a complementary basis at multiple sites spread throughout Italy.
3. The projects financed must focus on areas that are consistent with the priorities set out in the 2021-2027 NRP or in the Intelligent Specialisation Strategies at national or regional level; they must prioritise supporting the development of phases that are closer to the market, characterised by levels of technological maturity with medium-high TRL values.
4. Initiatives should preferably be multifunctional, where applicable, covering at least three thematic areas such as, but not limited to (i) quantum, (ii) advanced materials, (iii) photonics, (iv) life sciences, (v) artificial intelligence, (vi) energy transition.
5. Tangible and intangible investments, as well as the expenditure mentioned in Article 7 below are eligible for funding.
6. The following activities are not eligible in terms of the technical guidance on the application of the "do no significant harm" principle (2021/C58/01) (i) fossil fuel related activities, including downstream use; (ii) activities under the EU Emissions Trading Scheme (ETS) that generate projected greenhouse gas emissions that are not lower than the relevant benchmarks; (iii) activities related to waste landfills, incinerators and mechanical biological treatment plants; (iv) activities where the long-term disposal of waste could cause environmental damage and the requirement of



compliance with relevant EU and national environmental legislation.

## **Article 6**

### **FINANCIAL DIMENSION, AID INTENSITY, DURATION AND DEADLINES FOR THE PROJECT'S IMPLEMENTATION**

1. Every initiative must provide for total eligible costs of between a minimum of EUR 10,000,000.00 (ten million/00) and a maximum of EUR 20,000,000.00 (twenty million/00) for the modernisation of existing infrastructures, as set out in the application; every initiative for the creation of new infrastructure must provide for total eligible costs of between a minimum of EUR 20,000,000.00 (twenty million/00) and a maximum of EUR 40,000,000.00 (forty million/00), as set out in the application. The amounts referred to above include VAT.
2. Initiatives are eligible for aid in the form of a contribution to expenditure, in accordance with the aid intensities envisaged in Article 26, paragraph 6 of Regulation (EU) No 651/2014, up to a maximum of 49% (forty-nine percent) of the eligible costs, and in any case, to the extent of the co-financing portion.
3. The resources intended for co-financing may be financial and in kind. It is understood that any contributions in kind are considered eligible for support, up to a maximum of 20% (twenty per cent) of the total eligible costs, in accordance with the provisions of Article 67, paragraph 1 of Regulation (EU) No. 1060/2021.
4. The maximum duration of the initiatives shall not exceed 36 (thirty-six) months, which may be extended by a further 6 (six) months in the event of the activities for the implementation of capital and operating investments being completed. However, the requirement to complete the project within the deadline of 31 December 2025 remains unaffected, without prejudice to any legislative and/or regulatory changes to the eligibility deadlines set for the NRRP.
5. It is mandatory to indicate the starting date for the activities in the project proposal. Every initiative may start up after the application for participation in this Notice has been submitted. Therefore, activities that have already been carried out or started by the applicant entity at that date are not eligible.

## **Article 7**

### **ELIGIBLE EXPENSES**

1. Costs deemed eligible are those incurred directly by the implementing entity or, in accordance with Article 63, paragraph 2 of Regulation (EU) No. 1060/2021, by the private partner, in line with Regulation (EU) No. 651/2014 and Annex I to EU Communication 2014/C 198/01, as applicable, and in accordance with Article 5, paragraph 5 of this Notice, and which fall within the categories set out below:
  - (a) expenses, even if not accounted for as tangible and intangible investments, relating to highly qualified Infrastructure Managers and any other managerial staff involved in the provision of the services offered by the infrastructure;

- (b) scientific instrumentation, research equipment and machinery and their accessories on a turnkey basis, i.e. the components making up a self-contained portion thereof;
  - (c) general technical installations that are strictly functional and related to the project, servicing a piece of equipment/machinery or scientific instrumentation;
  - (d) software licences and patents directly related to the proposed initiative;
  - (e) building and land purchases (including built-up land) for an amount not exceeding 10% (ten percent) of the total costs eligible for financing. For derelict and former industrial sites that include buildings, this limit is increased to 15% (fifteen percent);
  - (f) renovation, refurbishment and extension of buildings if they are ancillary to or strictly necessary for the Infrastructure's operation;
  - (g) design costs and other technical and procedural costs, in particular where these are mandatory in terms of the law;
  - (h) indirect costs, determined on a flat-rate basis up to a maximum of 7% (seven percent) of the direct costs eligible for financing, in accordance with the provisions of Article 54.1 letter a) of Regulation (EU) No. 1060/2021, as referred to in Article 10, paragraph 4, of Decree-Law No. 121 of 10 September 2021, converted with amendments into Law No. 156 of 9 November 2021).
2. With regard to the expenses referred to in paragraph 1(a) of this article, it shall be mandatory for every project proposal to include the appointment of an "Infrastructure Manager" on the basis of a fixed-term contract.
  3. Personnel costs as per paragraph 1, point a) of this article, are understood as referring only to personnel hired *ad hoc* for the initiative, with a fixed-term employment contract, and are eligible due to the specific and relevant qualification of the professional profile required, which is essential to the success of the project initiatives - up to a maximum of EUR 1,000,000.00 (one million/00) per project; the amount is understood to refer to the entire duration of the project.
  4. Personnel costs are accounted for in accordance with the Standard Cost Units approved by the European Commission and adopted by the MIUR-MISE Interministerial Decree prot. 116 of 24 January 2018, consistent with the provisions of Article 53.3, letter c) of Regulation (EU) No 1060/2021, as referred to in Article 10, paragraph 4 of Decree-Law No 121 of 10 September 2021, converted with amendments into Law No. 156 of 9 November 2021. Reporting of actual costs is only permitted if no similar standard value is available for the particular type of cost.
  5. With reference to the costs under points (b), (c) and (d) of paragraph 1, assets attributable to goods which do not exhaust their usefulness over a single period, i.e. which manifest their economic benefits over several years, are considered eligible. With reference to the aforementioned costs, when determining the costs considered eligible, the charges for packaging, installation, verification of conformity/certificate of proper execution, registration expenses, duties, customs clearance expenses provided that they relate to operations essential to the implementation of the projects are taken into account and are explicitly estimated and indicated in the expenditure documents for the goods purchased. Costs are deemed ex-works.
  6. With reference to the costs indicated under point f) of paragraph 1, the costs for the maintenance of the buildings are excluded; in any case, the costs for masonry and building works may not exceed 20% (twenty percent) of the total project costs. This limit is understood to also include the expenses for the acquisition of buildings and land referred to under point e) in paragraph 1, where provision has been made for these expenses.
  7. Excluded as eligible expenses are ancillary charges, commissions for financial transactions, debit interest and interest on arrears relating to the payment of the asset, penalties, fines, financial penalties



and expenses for litigation, repayments or instalments, as well as expenses incurred for any tender procedures.

8. Also excluded are personnel costs for work on a time and materials basis, self-billing and reciprocal invoicing under the public-private partnership.
9. Value added tax (VAT) is an eligible cost only when it is not recoverable, in accordance with the relevant national legislation. However, this amount needs to be accurately recorded in the management information systems for each project, as it is not included in the project cost estimate for NRRP purposes.
10. The regional production tax (IRAP) is not an eligible expense. Any other tax, social security or insurance charge is an eligible expense to the extent that it is not recoverable and provided that it relates directly to the funded project.
11. Eligible costs are valid from the date indicated in the grant decree.

### **Article 8**

#### **DEADLINES AND SUBMISSION PROCEDURES FOR APPLICATIONS AND DOCUMENTS**

1. Participation applications shall be submitted by the applicant entity referred to in Article 4, paragraph 1, in English, via the GEA platform (<http://www.gea.mur.gov.it>), from 12:00 (twelve) noon on 26 January 2022 until 12:00 (twelve) noon on 10 March 2022; failure to comply will exclude the application.
2. The documentation and forms required to participate in this Notice shall be made available at the same address <http://www.gea.mur.gov.it>.
3. Project proposals, drawn up in accordance with the format set out in Annex 1 to this Notice, must contain the following, with exclusion in the event of failure to comply:
  - Part A - Strategic framework of the initiative (max. 12,000 characters), clearly specifying the:
    - objectives;
    - geographical area of interest;
    - production and technology sectors/domains, with the inclusion of keywords;
    - prevailing technological maturity levels (TRL);
    - coherence with the priorities set out in the European, national and regional strategic agendas;
    - synergies with other initiatives envisaged within Mission 4 ("Education and research"), Component 2 ("From research to business"), with particular, but not exclusive reference to Investment 3.1 ("Fund for the creation of an integrated system of research and innovation infrastructures");
    - international profile and the range of the potential user base (with particular reference to SMEs).
  - Part B - Features of the initiative (max. 40,000 characters), clearly describing the:

- activities envisaged, detailing the reasons and innovative nature of the tangible and intangible investments and the management method that will be adopted. The section should also specify how compliance with constraint 055 - Other types of ICT infrastructure (including large IT resources/facilities, data centres, sensors and other wireless devices)" in Annex VII of Regulation (EU) No 241/2021 will be ensured;
    - governance model, with specific information on how the following will be regulated: i) Infrastructure activities and operations (with specific and mandatory information on the profile and the role of the "Infrastructure Manager") as well as ii) the public-private partnership operation, with the involvement of entities (companies, developers of specialised private infrastructures, investors) that will contribute to co-financing the intervention. In the case of a public-private partnership operation launched as a private initiative, this section should also specify the economic operator;
    - budget plan;
    - timing and timetable for implementation, indicating both the intermediate and final targets associated with executing the intervention. The aforementioned targets must have a frequency of at least every four months and will be defined in relation to the specific nature of the project.  
This section should also indicate the expected time frame for the completion of the public-private partnership procedure;
    - promotion of knowledge transfer, development of training activities (industrial doctorates) and business creation (start-ups).
  - Part C - Expected impact (max. 8,000 characters), specifying the:
    - expected outcomes of the intervention in terms of i) employment and research spin-offs, also with reference to generating intellectual property rights, ii) synergy with other production and research domains, iii) facilitating the transition from research to innovation;
    - long-term sustainability profile, for a period of at least 15 years, with details on the revenues relating to Infrastructure management in order to assess its profitability profile.
4. Project proposals must also be accompanied by the following documents, drafted in English; with exclusion in the event of failing to comply:
- an outline of regulations governing the policy for managing intellectual property generated by the research and innovation activities, whether free and/or on a payment basis, within the framework of the relevant regulations;
  - a description of the intended users, the access mechanisms for users (internal or external), the access portion that is allocated on a mandatory basis to support open science as opposed to protected paid access;
  - a summary description of the measures directed at complying with the “DNSH” principle and the interdisciplinary principles set out in the NRRP, including *inter alia*, the principle of contributing to the climate and digital objective (“tagging”), the principle of gender equality and the obligation to protect and facilitate the development of young people.

## Article 9

### EVALUATION PROCEDURES AND APPROVAL OF THE CLASSIFICATION RANKING

1. The evaluation of project proposals will take place in two separate phases:

- phase 1: the initiatives will be submitted for a technical-scientific and economic-financial evaluation, as described in Article 10 below;
  - phase 2: the initiatives considered appropriate following the outcome of the evaluation as described in Phase 1, will be eligible for the negotiation phase.
2. The evaluation will conclude with the approval of a classification ranking list distinguishing between proposals that are:
- admitted and eligible for funding;
  - admitted but partially eligible for funding;
  - admitted but not eligible for funding due to a lack of funds;
  - not eligible because they failed to reach the minimum scores set out in Article 10, paragraph 7 below, or because they failed to pass the negotiation phase.

### **Article 10**

#### **TECHNICAL-SCIENTIFIC AND ECONOMIC-FINANCIAL EVALUATION PHASE**

1. Proposals submitted are conditionally admitted to the technical-scientific and economic-financial evaluation phase. Eligibility for funding is in any case conditional on compliance with the application procedure, submission of the complete set of documentation required and the fulfilment of the requirements set out in this Notice.
2. The evaluation of the project proposals will be carried out by technical-scientific experts, selected by the Italian Research Evaluation Committee [CNVR] in the scope of specific lists managed by the European Commission, the Ministry itself, other national or European institutions, which are highly qualified in the proposals' domains/areas of interest; for the economic-financial aspects, in implementing Law No. 178 of 30 December 2020, Article 1, paragraph 550 of the National Agency for the attraction of investments and business development Spa - Invitalia, or of banks, financial companies or other qualified subjects, with proven competence, professionalism and appropriate technical tools, identified in accordance with applicable law.
3. Each project proposal shall be collectively assessed by an Evaluation Group, appointed on the basis of a MUR Decree, which also identifies the coordinator. In relation to the overall costs of the proposal itself, the Evaluation Group shall consist of a minimum of 2 (two) and a maximum of 3 (three) members, of which 1 (one) an economic-financial expert and a minimum of 1 (one) and a maximum of 2 (two) technical-scientific experts.
4. The Evaluation Group referred to in the previous paragraph shall be identified by a Panel consisting of a minimum of 5 (five) and a maximum of 9 (nine) members, selected by the CNVR and supplemented by 1 (one) representative identified by the Ministry of Economic Development. The Panel is appointed on the basis of an MUR, which also identifies its chairperson and vice-chairperson.
5. The evaluation of each proposal is carried out on the basis of the following criteria:

<b>Evaluation criteria</b>		<b>Minimum score</b>	<b>Maximum score</b>
<b>a.</b>	<b>Strategic framework of the project</b>	<b>10</b>	<b>20</b>
<i>a.1)</i>	<i>Whether objectives are appropriate and clear</i>	3	7
<i>a.2)</i>	<i>Coherence with the strategic priorities in European, national or regional agendas</i>	2	4



a.3)	<i>Synergies with other NRRP initiatives (in particular, Mission 4 'Education and Research' - Component 2 'From research to business')</i>	2	4
a.4)	<i>International profile of the project and extent of potential user base (with particular reference to the support provided by industry, primarily SMEs, as open innovation partners and/or users)</i>	3	5
<b>b.</b>	<b>Features, feasibility and control</b>	<b>55</b>	<b>80</b>
b.1)	<i>Scientific quality and innovation (scientific-technological leadership and innovation potential in terms of open innovation/open data and proprietary developments)</i>	17	25
b.2)	<i>Governance model</i>	15	20
b.3)	<i>Consistency of costs</i>	10	15
b.4)	<i>Feasibility in terms of implementation and operation of the planned activities, also with reference to the timeframe related to the selection of the entities that will be involved in the public-private partnership</i>	10	15
b.5)	<i>Promotion of knowledge transfer, capacity to develop and host industrial doctorates and business creation (start-ups)</i>	3	5
<b>c.</b>	<b>Impact</b>	<b>20</b>	<b>30</b>
c.1)	<i>Expected outcomes of the intervention in terms of: (i) generating intellectual property rights, (ii) synergy with other areas of production and research, and (iii) facilitating the transition from the research phase to innovation</i>	5	10
c.2)	<i>Long-term sustainability profile</i>	15	20
<b>Total</b>		<b>85</b>	<b>130</b>

6. With failure to comply rendering the project ineligible for funding, the Evaluation Group shall check on how compliance will be guaranteed with constraint 055 - Other types of ICT infrastructure (including large-scale IT resources/facilities, data centres, sensors and other wireless devices)" pursuant to Annex VII to Regulation (EU) No. 241/2021, as well as how compliance with the "DNSH" principle and the interdisciplinary principles set out in the NRRP will be ensured, such as, *inter alia*, the principle of contributing to the climate and digital objective ("tagging"), the principle of gender equality and the obligation to protect and facilitate the development of young people;
7. Should the minimum score not be achieved in even one of the items in the table in paragraph 5, the Project shall not be eligible for funding.
8. Once the technical-scientific and economic-financial assessments have been completed and there are projects with an equal score, the criteria set out in point (b) of paragraph 5 above shall be considered as factors for prioritising eligibility. Where the scores relating to the criteria referred to in point (b) result in another equal score, the sum of the points relating to the criteria referred to in points (b.1),

- (b.2) and (c.2) of paragraph 5 above shall be considered as factors for prioritising eligibility. In the event of a further tie, the highest value of the eligible costs (net of any reduction referred to in paragraph 10 below) shall provide the priority factor for eligibility. Finally, in the event of a further tie, the chronological order in which the application was submitted shall represent a priority factor for eligibility.
9. The technical/scientific and economic/financial evaluation ends with a report drawn up by the Evaluation Group, which shows the score given to each criterion and the reasons underlying the score. The report will also include improvement notes in the margin, which will be used to guide the negotiation phase.
  10. The Evaluation Group may also choose to reduce the eligible costs set out in the application, where this is considered appropriate. Any reduction in costs of more than 10% (ten percent) of the total eligible costs resulting in the project failing to achieve the minimum score indicated in criterion b.3), consequently making it ineligible for funding.
  11. The Ministry of Education, University and Research (MUR) shall admit the projects to the negotiation phase referred to in Article 11 below on the basis of the scores awarded by the Evaluation Group; admission is in relation to the score and until the available resources are exhausted, having due regard for the geographical allocation of resources stipulated in Article 3, paragraph 3.

## **Article 11**

### **NEGOTIATION PHASE**

1. The report of the Evaluation Group, referred to in Article 10, paragraph 9, shall constitute a comparison reference in the negotiation phase.
2. The negotiation phase shall be conducted by a Commission, appointed by a MUR Decree, comprising a MUR representative, who shall act as chairperson, a representative identified by the Ministry of Economy and Finance, the chairperson or their substitute on the Panel referred to in Article 10, paragraph 4.
3. For each project proposal admitted to the negotiation phase, the Commission pursuant to the preceding paragraph may, from time to time, refer to the coordinator of the relevant Evaluation Group.
4. The negotiation phase may include:
  - (a) supplementing the proposal with additional activities or areas, which are nonetheless related to the proposal content;
  - (b) redetermining the cost plan;
  - (c) defining the interim and final targets related to implementation;
  - (d) defining the disbursement plan related to the targets;
  - (e) other changes and/or additions, which will nonetheless be agreed between the parties.
5. For projects that are eligible for the negotiation phase:
  - (a) the Commission referred to in paragraph 2 shall enter into discussions with the applicant entity;
  - (b) minutes shall be signed by the persons referred to in point (a) above;
  - (c) the applicant entity shall submit a final proposal, based on the outcome of the negotiations.
6. The Commission checks that whatever has been submitted and the outcomes of the negotiations (minutes) correspond, for the MUR to subsequently publish the classification ranking list referred to in article 9, paragraph 2.

7. It is understood that should there be a discrepancy between the submission and the outcome of the negotiations (minutes), the project will not be eligible for funding.

## **Article 12**

### **OBLIGATIONS OF THE IMPLEMENTING ENTITY**

1. In order to ensure careful monitoring of the project's implementation, the implementing entities are required to:
  - promptly start up the project activities so that implementation delays do not occur, and conclude the project on time and in the required manner, specifying the start date for the operational phase;
  - to ensure compliance with all the provisions of European and national legislation, with particular reference to the provisions of Regulation (EU) No. 241/2021 and Decree-Law No. 77 of 31 May 2021, as amended by Law No. 108 of 29 July 2021;
  - take appropriate measures to comply with the principle of sound financial management as laid down in the Financial Regulation (EU, Euratom) 1046/2018 and in Article 22 of Regulation (EU) 241/2021, particularly with regard to preventing conflicts of interest, fraud, corruption and the recovery and repayment of wrongly allocated funds;
  - fully implement the project as outlined in the technical data sheet, ensuring consistency with the NRRP positively assessed by the ECOFIN Council Decision of 13 July 2021, and promptly start project activities, in order not to incur implementation delays and to conclude the project in the form, manner and timeframe required;
  - where procurement procedures are used, ensure compliance with the provisions of Legislative Decree No. 50/2016, as amended;
  - adopt its own internal procedures, ensuring compliance with European regulations and with the instructions of the Responsible Administration;
  - in the event of direct recourse to experts from outside the Administration, comply with the relevant Community and national regulations and any specific circulars/rules that may be adopted by the Responsible Administration;
  - adopt separate accounting for all transactions relating to the project;
  - in the case of using simplified cost options involving the prior adoption of a cost methodology, comply with whatever is indicated in the relevant methodology, subject to approval by the Ministry;
  - carry out the management and administrative-accounting checks required by the applicable national legislation to ensure the regularity of procedures and expenditure incurred, and the traceability of project expenditure accepted for funding under the NRRP;
  - comply with the requirements on administrative transparency pursuant to Legislative Decree No. 97 of 25 May 2016 and on information and disclosure pursuant to Article 34, paragraph 2 of Regulation (EU) No 241/2021;
  - adopt the computer system used by the Responsible Administration to electronically collect, record and store the data for each operation needed for monitoring, evaluation, financial management, verification and auditing, in accordance with Article 22.2, point d) of Regulation (EU) No 241/2021 and taking into account the instructions that will be provided by the Responsible Administration;
  - upload on to the information system adopted by the Responsible Administration, the monitoring data on the procedural, physical and financial progress of the project in accordance with Article 22.2, point d) of Regulation (EU) No 241/2021, and the relevant supporting documentation, as well as the data and documentation needed to conduct the preliminary regulatory compliance checks on the awarding procedures by the Responsible



Administration's office responsible for controls, on the basis of the instructions contained in the relevant manual prepared by the latter;

- ensure the correctness, reliability and congruence with the information path provided for updating the NRRP information system (ReGiS) with the financial, physical and procedural monitoring data, and with the data that proves the achievement of the research programme targets, by transmitting any information necessary to correctly update the ReGiS System, on a periodic basis or on request from the MUR;
- at least every two months, submit a report on the performance indicators associated with the project and the expenses effectively incurred or the costs reported as accrued in the case of recourse to the simplified cost options, within the time frames and conditions set out in the Notice;
- provide all the information requested regarding procedures and audits in relation to the expenses reported in accordance with the procedures and tools defined in the manual adopted by the Ministry;
- in the event of direct recourse to experts from outside the Administration, comply with the relevant European and national regulations and any specific circulars/rules that may be adopted by the Ministry;
- store the project documentation in hard-copy or electronic files to ensure operations are fully traceable - in compliance with the provisions of Article 9, point 4 of Decree Law No. 77 of 31 May 2021 converted by Law No. 108 of 29 July 2021 - which, in the different phases of control and verification provided by the NRRP management and control system, shall be made readily available at the request of the Ministry, the NRRP Central Office, the Audit Authority, the European Commission, European Anti-Fraud Office (OLAF), the European Court of Auditors (ECA), the European Public Prosecutor's Office (EPPO) and competent national judicial authorities;
- ensure the provision of timely and direct information to the competent bodies, keeping the Ministry informed of the start and progress of any judicial, civil, criminal or administrative proceedings that may affect the operations covered by the project and to communicate any wrongdoing, fraud, cases of corruption and conflicts of interest found, as well as cases of double funding as a result of the relevant audits and to take the necessary measures, in accordance with the procedures adopted by the Ministry itself in line with the provisions of Article 22 of Regulation (EU) 241/2021;
- facilitate the checks conducted by the relevant Responsible Administration Office for controls, the Auditing Unit, the European Commission and other authorised bodies, which will also be carried out through on-the-spot checks at the premises of the public Implementing Entities;
- ensure the availability of supporting documents relating to the expenses incurred and the targets achieved as provided for in Article 9, point 4 of Decree-Law No. 77 of 31 May 2021 converted into Law No. 108 of 29 July 2021;
- prepare the payments according to the procedures established by the Responsible Administration, contained in the relevant manual, in compliance with the approved financial plan and expenditure schedule, duly entering in the computer system, the relevant documents related to the procedures and the supporting documents for the expenditure and payment needed for the ordinary legality controls and the administrative-accounting controls provided for by the applicable European and national legislation, in compliance with the provisions of Article 22 of Reg. (EU) No 241/2021 and Article 9 of Decree-Law No 77 of 31 May 2021, converted into Law No 108 of 29 July 2021;
- submit the Requests for Payment to the Central Administration with attached detailed reporting on the expenses effectively incurred - or of the costs reported as accrued in the case of recourse to the simplified cost options - and of the figures achieved with reference to the output indicators associated with the project in the reference period, together with the appropriate supporting documents in accordance with the time frames and procedures set out in the implementing provisions;
- when requested, participate in the meetings convened by the Responsible Administration;



- also by means of submitting periodic progress reports, ensure that the Responsible Administration receives all the necessary information relating to the lines of activity for the preparation of the annual reports referred to in Article 31 of Regulation (EU) No 241/2021, as well as any other information that may be requested;
  - ensure compliance with the communication and disclosure requirements set out in Article 34 of Regulation (EU) No 241/2021 by indicating in the project documentation that the project is funded under the NRRP, with explicit reference to funding by the European Union and the Next Generation EU initiative (e.g. using the phrase "funded by the European Union - Next Generation EU"), displaying the European Union logo in the project documentation and providing adequate dissemination and promotion of the project, including online, both via the web and social media, in line with the provisions of the Communication Strategy of the NRRP; providing the necessary documents and information in accordance with the time frames and deadlines set by European Regulations by the Responsible Administration and throughout the duration of the project;
  - request the project's Unique Project Code (CUP) and consequently indicate it on all administrative/accounting documents;
  - ensure the pursuit of the DNSH principle, pursuant to Article 17 of Regulation (EU) No. 852/2020, as well as the interdisciplinary principles set out in the NRRP, such as, *inter alia*, the principle of contributing to the climate and digital objective ("tagging"), the principle of gender equality, producing data on the effective recipients of the projects, including a breakdown by gender, and the obligation to protect and promote the development of young people; funding shall be suspended or withdrawn should these principles be breached;
  - ensure compliance with applicable state aid legislation;
  - ensure compliance with the obligation of appointing a professional for the role of "Infrastructure Manager" by the 30 June 2023 on the basis of a fixed-term contract.
2. For any issues not expressly specified in the preceding paragraph, reference should be made to compliance with the principles for the implementation of the NRRP interventions as specified in the self-declaration under Annex 2 to this Notice, which implementing entities are required to produce for the purposes of participating in the procedure.

### **Article 13**

### **PROJECT MANAGEMENT PROCEDURES**

1. Following the outcome of the classification ranking list referred to in Article 9, paragraph 2, the MUR shall adopt the granting decree for the projects awarded resources. Forming an integral part of the granting decree are the final project, resulting from the negotiation phase, including the implementation schedule, the intermediate and final targets, the payment plan related to their achievement and the rules.
2. It is understood that the projects that are admitted and eligible for funding, according to the classification ranking list, will be financed until available resources are exhausted.



3. The decree granting the aid, duly registered by the competent control bodies and accompanied by the documentation referred to in paragraph 1 above, is sent to the applicant entity for formal acceptance based on the signing of the deed of obligation.

#### **Article 14**

#### **METHOD OF GRANT DISBURSEMENT AND EXPENSE REPORTING**

1. The expense reporting and grant disbursement procedure is carried out in accordance with Ministerial Decree No. 1314 of 14 December 2021, as amended.
2. Once the deed of obligation has been signed, the implementing party may request an advance payment of up to 10% (ten percent) of the aid amount. In the case of an implementing entity governed by private law, the advance payment shall be supported by an appropriate guarantee provided by a bank or any other financial institution or supported by an instrument provided as security by a public body or the Member State, to be maintained for the duration of the project.
3. During the course of the project activities, for subsequent disbursements, the implementing entity shall send documentation to the Ministry certifying the project activities carried out and the relevant expenses incurred, as well as information on the achievement of the intermediate and final targets set out in the approved project, using the dedicated services of the GEA platform (<http://www.gea.mur.gov.it>).
4. The documentation and information referred to in the paragraph above must be submitted periodically in relation to the achievement of the intermediate and final targets set out in the project proposal, as approved at the end of the negotiation phase.
5. Implementing entities shall also compile a report on the overall implementation of the project funded by the Ministry, on completion of the project activities.
6. The documentation certifying the project activities carried out, as well as the achievement of the intermediate and final targets, and depending on the total project costs, is subject to evaluation by a minimum of 1 (one) up to a maximum of 2 (two) technical-scientific experts in charge of the project evaluation in the interim phase and identified by the CNVR from the specific lists managed by the European Commission, the Ministry itself, other national or European institutions.
7. Following the outcome of the checks referred to in the paragraph above, and on the basis of the progress indicators linked to the milestones and targets associated with the relevant NRRP project that have been achieved, and in accordance with the payment plan for the decree granting the funding, the Ministry shall order the disbursement of the state aid in favour of the implementing entity, up to a maximum of 90% (ninety percent) of the overall approved aid.
8. The administrative-accounting documentation relating to the expenses incurred is subject to MUR evaluation, through the National Agency for the attraction of investments and business development Spa - Invitalia - in the implementation of Law No. 178 of 30 December 2020, Article 1 paragraph 550, banks and finance companies, or other qualified entities, with proven expertise, professionalism and appropriate technical tools, identified in accordance with applicable law.
9. Once the checks referred to in the previous paragraph have been completed, the MUR shall ascertain the public contribution accrued in relation to the eligible expenses, with respect to the disbursements previously made, and if necessary, implementing the relevant off-setting procedures with the subsequent transfers so as to realign the accounts.

10. The final disbursement shall be made on the project's completion, on the basis of the costs effectively incurred and the achievement of targets, positively assessed in accordance with the procedure referred to in this article. If the amount of the disbursements made previously exceeds the amount for the state aid accrued in relation to eligible expenditure, the difference shall be recovered.
11. Disbursements to the Implementing Entities are subject to and conditional on the effective disbursement of the financial resources by the NRRP Central Office to the Ministry.

### **Article 15** **CHANGES TO THE PROJECT**

1. Subjective changes are permitted only in the event of mergers and/or incorporations or other succession events resulting from subsequent legislative or regulatory amendments.
2. Objective changes are permitted to the extent that they do not affect the project targets, as defined in the Notice, and the achievement of the intermediate and final targets and deadlines related to the implementation of the project.
3. It is mandatory to promptly notify any changes to the cost plan and planned activities pursuant to Ministerial Decree No. 1314 of 14 December 2021, as amended by Ministerial Decree No. 1368 of 27 December 2021, to the Ministry, using the GEA platform services (<http://www.gea.mur.gov.it>). These may be submitted for assessment by the interim phase technical-scientific expert in order to verify compliance with the provisions in paragraph 2.
4. Changes to the cost plan may under no circumstances exceed the limit of 15% (fifteen percent) of the total costs eligible for financing, in cumulative terms.
5. Subjective and objective changes shall in any case be subject to approval by the MUR.

### **Article 16** **RESPONSIBILITY FOR THE NOTICE**

1. The person in charge of the procedure for this Notice is the *pro tempore* Director of Office III of the Directorate-General for Internationalisation and Communication.
2. Any requests for clarification on the contents of this notice may be sent via the appropriate section on the platform <http://www.gea.mur.gov.it>.

### **Article 17** **PERSONAL DATA PROTECTION**

1. All personal data in the possession of the Ministry related to this procedure shall be processed in compliance with Legislative Decree No. 196 of 30 June 2003 and subsequent amendments, and in accordance with the provisions of Regulation (EU) No 679/2016.
2. Personal data shall be processed in accordance with the provisions of Article 22 of Regulation (EU) No 241/2021.

## **Article 18 PENALTIES**

1. Funding may be withdrawn in whole or in part:
  - (a) in the cases provided for in Article 17, paragraph 2, points (a) to (f) of Ministerial Decree No. 1314 of 14 December 2021, as amended;
  - (b) for non-performance of the project or failure to achieve the interim and final targets associated with the project within the allotted time;
  - (c) in the event of the implementing entity not complying with its obligations;
  - (d) in the event of double public funding for the measures provided in the project;
  - (e) in the event of non-compliance with any of the additional requirements set out in European and reference regulations for the implementation of the National Recovery and Resilience Plan.
2. If the order granting funding is fully revoked, the MUR shall decommit the relevant amounts and recover any amounts already disbursed, plus interest payable in terms of the law.
3. In the event of partial revocation, the MUR shall arrange for an assessment by the experts referred to in Article 14, paragraph 6, of the progress status, the level at which targets have been achieved and the autonomous functionality of the portion that has been correctly implemented. On the basis of the outcome, the MUR shall determine the amounts to be revoked and decommitted, the amounts to be paid to the implementing entity, the disbursements to be made or the amounts to be recovered, plus the interest payable in terms of the law.
4. The procedural provisions set out in Article 17 of Ministerial Decree No. 1314 of 14 December 2021, as amended, shall apply where relevant.

## **Article 19 POWER OF SUBSTITUTION**

1. Without prejudice to the adoption of the measures referred to in Article 18 of this Notice, failure to comply with the obligations and commitments aimed at implementing the NRRP, including failure to implement the actions and measures required to launch the measures, or delay, inertia or non-conformity in the execution of the same, shall result in the competent entity seeking recourse to the powers of substitution, as specified in Article 12 of Decree-Law No. 77 of 31 May 2021, as amended by Conversion Law No. 108 of 29 July 2021.

## **Article 20 NRRP RELATED CONSTRAINTS**

1. For the purposes of this Notice, the following NRRP related constraints shall apply:
  - a. *"Geographical disparity"*: at least 40% (forty percent) of the Investment 3.1 "Fund for the creation of an integrated system of research and innovation infrastructures", provided for within Mission 4 ("Education and Research") - Component 2 ("From research to business") of the NRRP as a whole, must have an impact on the regions of Southern Italy; for the purposes of this Notice, consideration is given to the location of the Infrastructure or, in the case of Infrastructure located at different sites, to the part thereof.

- b. *"Gender inequality"*: at least 40% (forty percent) of staff employed on fixed-term contracts must preferably be female.
- c. *'Fields of intervention'*: the initiative in the scope of the NRRP has been associated with 'Field of intervention 6: Investments in digital capacities and deployment of advanced technologies - Dimension DESI 4: Integration of digital technology + ad hoc data collection - 055 - other types of ICT infrastructure (including large-scale computer resources/equipment, data centres, sensors and other wireless equipment)" pursuant to Annex VII to Regulation (EU) No. 241/2021.
- d. *"Digital constraint"*: 100% (one hundred percent) of Investment 3.1 "Fund for the creation of an integrated system of research and innovation infrastructures", provided within Mission 4 ("Education and Research") - Component 2 ("From research to business") of the NRRP as a whole (field of intervention explained in letter c) of this paragraph).
- e. *"Climate constraints"*: there are no climate constraints.

## **Article 21 FINAL PROVISIONS**

1. For whatever is not expressly specified in this Notice, please refer to the European, national and regional rules in force.
2. This Notice shall be sent to the Court of Auditors for prior checking of its legality and to the competent Office for prior checking of the accounting regularity.

### **LIST OF ANNEXES TO THE NOTICE:**

- Annex 1: Proposal template;
- Annex 2: Statement on compliance with the principles for NRRP projects;
- Annex 3: Information on the provision and processing of data and on the publication of data considered non-sensitive on institutional and openly-accessible sites.