

Draft of Order 4/2018 from the Regional Ministry of Education, Research, Culture and Sport approving the regulatory rules for awarding grants for the Talented Researcher Support Programme - GenT Plan

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PREAMBLE

Talent is a region's most important asset and the main driving force for the competitiveness of companies and public administrations. However, the period of economic crisis suffered by Spain generated significant losses of human capital, as the employment opportunities of the youngest were severely limited. This included those who were starting their research career, many of whom had to emigrate to find work opportunities.

There is a need to harness a resource that is not a homogeneous asset -because everyone has the skills and competences to perform an activity- in order to adapt to a new knowledge-based growth model to achieve higher levels of productivity and business competitiveness. This requires the design of new programmes and actions, at different levels and in a coordinated manner between the different departments of the Generalitat's administration and the institutions that make up its instrumental public sector.

As a result of this, the Consell approved the GenT Plan (Talent Generation) on 9 June 2017, which aims to promote the return, retention and attraction of talent for incorporation into the public universities, research centres and productive fabric of the Comunitat Valenciana. The plan includes 14 actions in four areas.

The grants described in this order are based on *Area 2 Support for talented researchers* and they will contribute to achieving the three objectives that the GenT Plan foresees for this area: a) raising the level of research excellence in the Valencian R&D&i system; b) encouraging the incorporation of highly prestigious researchers with an international profile into public universities and research centres; and c) increasing the volume of European research funds.

All the actions taken under this order, in accordance with the requirements of the thirteenth Additional Provision of Science Law 4/2011, shall promote gender mainstreaming as a cross-cutting research and technology category.

Article 52.2 of the Community's Statute of Autonomy approved by Organic Law 5/1982, of 1 July, as amended by Organic Law 1/2006, states that the Generalitat will establish its own system of science and technology. The Generalitat will encourage coordination and cooperation among its agents in order to promote the technological development and innovation that will support the progress and business competitiveness of the Region.

The aim of Generalitat Law 2/2009, of 14 April, on the coordination of the Valencian system for scientific research and technological development, is to create the right conditions to achieve new and ambitious research objectives that will contribute to the region's scientific, industrial, economic and social progress.

Consell Decree 103/2015, of 7 July, establishes the basic organisational structure of the Presidency and of the Generalitat's regional ministries. The decree assigns the functions relating to the proposal and implementation of scientific and research policy and the financial management of the university centres and research resources to the Directorate General for Universities, Research and Science, under the aegis of the Regional Ministry of

Education, Research, Culture and Sport.

Consequently, Programme 542.50, Research, Technological Development and Innovation, which is included in the Generalitat's budgets for each year, establishes and endows a system of research grants whose basic objectives encompass the promotion of scientific research, technological development and innovation within the region.

Consell Decree 128/2017, of 29 September, regulates the procedures for notifying and communicating the Generalitat's projects aimed at establishing, awarding or modifying public aid to the European Union. Under this decree, the aid regulated by this order is not subject to Article 107.1 of the Treaty on the Functioning of the European Union, since it concerns the promotion of training activities and the specialisation of human resources in research, development and innovation, as well as promoting the incorporation of R&D&i professionals into public bodies.

Therefore, in accordance with Articles 160 and 164 of Generalitat Law 1/2015, of 6 February, on Public Finance, the Instrumental Public Sector and Grants; in accordance with the proposal from the Directorate General for Universities, Research and Science dated 25 October 2017, issued by the Generalitat's Attorney General by Delegated Intervention and in accordance with the Valencian region's Consell Jurídic Consultiu; by virtue of the powers conferred on me by Article 160.2.b of Generalitat Law 1/2015, of 6 February, on public finance, the instrumental public and grants and Consell Decree 186/2017, of 24 November, which approves the Organic and Functional Regulation of the Regional Ministry of Education, Research, Culture and Sport

ORDER

TITLE I

General provisions and rules of the grants

Article 1. Purpose and scope of application

1. The purpose of this order is to establish the regulatory rules for the grants to be awarded under the Talented Researcher Support Programme - GenT Plan, which contributes to the performance of some of the actions that make up Area 2 (Support for researchers with talent) of the Talent Generation Plan (GenT Plan), approved by the Consell on 9 June 2017.
2. Under this order, the Programme's grants to support talented researchers - GenT Plan and in accordance with the GenT Plan's structure and lines of action, are framed in the following actions envisaged by the plan:
 - a) Action 2.1. Recruitment of post-doctoral research staff, with international experience
 - b) Action 2.2. Recruitment of young post-doctoral candidates to undertake technology transfer projects in Valencian companies
 - c) Action 2.3. Post-doctoral entrepreneurs programme

Article 2. Funding

1. Calls for the GenT Plan grants will be issued annually and they will be financed from the corresponding budget lines included in each Budget Law approved for each year.
2. The existence of adequate and sufficient credit in the corresponding annual payment must be proven prior to the approval of each call.

Article 3. Definitions

The following definitions are established for the purposes of this order:

- a) Research centre: research institute or body whose main objective is to conduct pure research, industrial research and experimental development and technology transfer, where all the profits from these activities are reinvested in disseminating their results and in teaching.
- b) Valencian public universities: publicly owned universities integrated into the Valencian University System.
- c) Societal challenges of the Europe 2020 Strategy: these are considered to be the current policy priorities identified in the Europe 2020 Strategy. At present they are the following: a) health, demographic change and well-being; b) food security, sustainable agriculture, marine and maritime research and the biologically-based economy; c) safe, clean and efficient energy; d) intelligent, sustainable and integrated transport; e) action for the climate, resource and raw materials efficiency f) inclusive, innovative societies; g) secure societies.
- d) Priority development areas and specific objectives of the Smart Specialisation Strategy for Research and Innovation in the Comunitat Valenciana (RIS 3 - CV): those approved by the Consell's Delegated Commission for Science, Technology and Innovation on 27 December 2016, as well as any derived from its update.
- e) ERC Grants: grants from the European Research Council (ERC) to support research at the frontiers of knowledge, including Starting Grants, Consolidator Grants and Advanced Grants.
- f) MSCA-IF Grants: grants from the European Commission to support the mobility of top level researchers within the H2020 Marie Skłodowska-Curie Actions Programme, in its five modalities: standard (MSCA-IF-EF-ST), global (MSCA-IF-GF), society and enterprise (MSCA-IF-EF-SE), reintegration (MSCA-IF-EF-RI) and research career restart (MSCA-IF-EF-CAR).
- g) Research at the frontier of knowledge: research that can provide results that represent a significant advance in knowledge and that are likely to generate new paradigms making it possible to adopt new approaches and ways of thinking, new questions and approaches, which are not possible within the current scientific framework. This research should also generate radically new ideas that promote innovation, entrepreneurial inventiveness and meet the social challenges of the European Union.
- h) Experience after presenting the doctoral thesis: time elapsed since obtaining a doctoral degree.
- i) Reference research groups: for the purposes of this order this will include: 1) groups with existing funding from the Prometheus Programme 2) groups containing a minimum of three researchers who have formed part of a group within the Prometheus Programme in previous editions, who maintain an employment, statutory or contractual link with a research centre within the Comunitat Valenciana and where the group's composition meets the requirements at the time of the submission of applications for its members as defined in the current rules for grants issued by the Prometheus Programme; and 3) groups containing a minimum three researchers with an employment, statutory or contractual link with a research centre within the Comunitat Valenciana and that are led by a beneficiary of an ERC Grant or of the Ramón y Cajal Programme. The average score for the scientific output of these groups during the period covered by the respective call must also have a standardised impact greater than 1.5 compared to the world average.
- j) Balanced composition of men and women: in accordance with the requirements of the first Additional Provision of Organic Law 3/2007, of 22 March, for the effective equality of

women and men, a balanced composition of men and women will be understood to exist when, as a whole, the proportion of people in the group does not exceed sixty percent of one sex and is not below forty percent of the other sex".

k) Return: for evaluation purposes, return will be defined as when for at least two of the last three years prior to the date of the public call, a researcher who was previously accredited as working in the Comunitat Valenciana has been linked to an international reference R&D institution or organisation located outside the Comunitat Valenciana.

l) Valencian company: a profit-oriented legal entity, regardless of its legal status, which is valid and fully constituted at the time the aid is presented and whose main activity is the production of goods and services intended for the market and that has its registered office or production establishment located in the Comunitat Valenciana at the time the application was submitted. For the purposes of this order and for the purposes of the grants in Chapters 3 and 4, the Technological Institutes of the Comunitat Valenciana are considered to be companies.

m) Small business: a company that employs less than 50 people and whose annual turnover or annual balance-sheet does not exceed 10 million euros.

n) "Spin off" company: a company that is less than three years old and that meets some of the following criteria: 1) it is founded by staff from a public or private non-profit R&D institution or by a student to develop and market an invention; 2) it licences technology owned by a university, research centre or technology centre; 3) it began in a science park or business incubator belonging to a public university; or 4) where its capital has been invested by a university or research centre or investment fund of any of the bodies that these regulatory rules consider to be beneficiary individuals.

o) Young innovative company: a company founded within the last six years that meets the conditions for a small business and that incurred expenditure on research, development and technological innovation representing 15% of the company's total expenditure in the previous two financial years or in the previous financial year in the case of companies that are less than two years old.

Article 4. Aim of the grants

1. These grants are intended to attract, recruit and retain talent in Valencian public universities, research centres and companies by recruiting research staff favouring the employment of qualified young people.

2. In accordance with the scope established in Article 1.2 for each type of grant, the specific objectives are as follows:

- a) Raise the level of excellence of the Valencian R&D&i system
- b) Increase the international presence of Valencian research activity and promote the uptake of EU funds earmarked for R&D in the region.
- c) Promote the incorporation of young researchers in the Valencian R&D&i system by undertaking research and technology transfer projects.

Article 5. Beneficiary individuals

For the purposes of this order the beneficiary individuals of the corresponding calls must meet the requirements in each case:

- a) Individuals who meet the requirements established in the specific provisions of these rules for each of them.
- b) The following legal entities, provided they are validly constituted and have fiscal domicile or a work centre in the Comunitat Valenciana:

1. Research centres in the Comunitat Valenciana.
2. Valencian public universities.

Article 6. Obligations of the beneficiary individuals

1. The beneficiary individuals are subject to the general obligations arising from the regulations relating to grants or public subsidies and, in particular, to those referred to in Article 14 of General Law 38/2003, of 17 November, on Grants.

2. The beneficiary individuals must carry out the subsidised activities within the terms of the concession resolution and prove implementation within the established deadlines.

3. In particular, the beneficiaries are obliged to:

a) Undertake the activity the grant was awarded for on dates between 1 January and 31 December of the award year, unless a different period is established in the corresponding call. Any change introduced into the conditions for carrying out of the activity must be communicated to the awarding body, for its authorisation or refusal, as applicable.

b) Accredit, before the instructing body, the performance of the activity or the adoption of the behaviour and also the fulfilment of the requirements and conditions determining the awarding or the benefit of the grant.

c) Facilitate the financial control activities corresponding to the Generalitat's General Intervention and those of the other autonomous institutions' control bodies, in relation to the grant awarded.

d) Inform the instructing body should any grants be obtained for the same purposes, awarded by any public or private administration or body of any nationality, as well as the use of its own funds, in accordance with Article 30.4 of the General Law on Grants.

e) Refund, where applicable in accordance with Article 37 of General Law 38/2003, of 17 November, on Grants, and within the legally established term, the amounts corresponding to the grants awarded and send a copy of the document certifying the reimbursement to the instructing body. In the latter case the reimbursement will necessarily and clearly identify the beneficiary body and the name of the infrastructure or project for which the grant was awarded. In accordance with the provisions of Article 13.2.g of General Law 38/2003 on Grants, bodies that are not up to date in these grant repayments may not be considered as beneficiary individuals of these grants.

f) When the beneficiary bodies have to provide guarantees in accordance with the provisions of Article 171 of Generalitat Law 1/2015, of 6 February, on Public Finance, the Instrumental Public Sector and Grants for the advanced payment of grants the guarantee will consist of a bank guarantee equal to the amount advanced plus 1% thereof.

g) Refer to the sponsorship by the regional ministry that awarded the grant in the documents that are produced and in the work and activities undertaken, in accordance with Section h) of Article 14 of the General Law on Grants and Article 3 of Generalitat Law 2/2015 of 2 April. And, when applicable, that the activity has been co-financed by the European Fund for Regional Development (EFRD) or by the European Social Fund (ESF).

h) Allocate the assets to the specific purpose for which the grant was awarded for a period of not less than five years in the case of assets registered in a public register, or not less than two years for assets registered in other inventories.

i) The beneficiary bodies must carry out the operations required to distinguish the costs and financing of non-economic activities -financed through each call- from those of an economic nature.

j) Disseminate the results of the research that is the object of the grant. To this end, the

research staff whose research activity is mainly financed by public funds, will publish a digital version of the final version of the contents of the project in open-access repositories recognised in the field of knowledge in which the research has been carried out, or in institutional open-access repositories. This will take place without prejudice to any agreements which may have attributed or transferred publication rights to third parties. This will not apply when the rights to the results for the research, development or innovation activity are subject to protection.

k) Accept inclusion in the public list of operations provided in Article 115.2 of (EU) Regulation Nº 1303/2013 of 17 December 2013.

l) Any other legislation deriving from state and community regulations that is directly applicable.

Article 7. Principles the researchers and research groups have to respect

1. The research projects must respect the fundamental principles established in the Helsinki Declaration (World Medical Assembly), the Council of Europe Convention on Human Rights and Biomedicine, the UNESCO Universal Declaration on the Human Genome and Human Rights, as well as the requirements established in Spanish legislation relating to biomedical research, data protection and bioethics.

2. Adhere to the provisions of Law 14/2007, of 3 July, on Biomedical Research when research on humans is undertaken or samples of human origin are used.

3. Comply with the provisions of Royal Decree 223/2004 of 6 February, regulating clinical trials with medicines, when research activity involving clinical trials is to be undertaken.

4. Comply with the provisions of current regulations and in particular Royal Decree 1201/2005, of 10 October, on the protection of animals used for experimental and other scientific purposes, when research activities involving animal experimentation are to be undertaken.

5. Comply with the provisions of Law 9/2003, of 25 April, on the contained use, deliberate release and marketing of genetically modified organisms, and Royal Decree 178/2004, of January 31, which approves the general developing regulations, when research activities are to be undertaken involving the use of genetically modified organisms.

6. Conform to the provisions of Law 31/1995, of 8 November, on the prevention of occupational risks (and the royal decrees that develop it) regarding risks associated with the exposure to biological agents, when the research activity will involve the use of such agents.

7. In accordance with the Thirteenth Additional Provision of Law 14/2011, of June 1, on Science, Technology and Innovation, the researchers and research groups will encourage and promote gender mainstreaming as a cross-cutting research and technology category.

Article 8. Data transfer

Participation in any of the calls relating to this order will imply acceptance of the assignment, in favour of the Generalitat, of the data contained both in the application presented, as well as, where applicable, in the decision to award a grant. The data will be used for statistical purposes, for evaluation and monitoring. This acceptance does not prejudice the provisions of intellectual property and personal data protection legislation.

Article 9. Activity eligible for funding

1. In order to achieve the aim of the grants described in this order, the respective calls may wholly or partly finance the following activities:

a) Recruitment of doctoral researchers of excellence for R&D&i projects undertaken in

- the Comunitat Valenciana.
- b) Recruitment of doctoral candidates with international experience.
 - c) Recruitment of young post-doctoral candidates to undertake technology transfer projects in Valencian companies.
 - d) Grants for training post-doctoral candidates in Valencian companies.
2. The grants regulated by this order will not establish any employment or administrative linkage between the beneficiary individuals and the Generalitat.

Article 10. Items eligible for grants

1. The characteristics of the grants foreseen in this call will be those of a grant and they will comply with Article 31 of General Law 38/2003, of 17 November, on Grants. The costs excluded by said article will not be eligible for a grant under any circumstances. In this sense, taxes are eligible expenses when they are paid by the person benefiting from the grant. Indirect taxes are not considered eligible expenses when they can be recovered or offset, in addition, personal income taxes are also not considered eligible expenses.

2. Subcontracting costs may not exceed 30% of the total amount of the grant awarded, this may be increased under suitably justified circumstances but without exceeding 50% of the amount, in accordance with the provisions of Article 29.2 of the General Law on Grants.

3. When the beneficiary is a natural person and the grants are awarded in view of the concurrence of a certain situation relating to the recipient, pursuant to Article 30.7 of Law 38/2003, of 17 November, the accreditation of this situation by any means admissible in law prior to the concession will be sufficient, notwithstanding that the performance of the activity undertaken should be justified.

4. In all other cases, the grants awarded will be allocated to cover the expenses related to undertaking and implementing the activities for which they have been awarded. The funding may be applied to the following items, among others:

- a) Costs associated with recruiting the staff involved in R&D&i activities, in accordance with current legislation.
- (b) Other costs associated with staff recruitment or incorporation.
- c) Incentive costs for recruitment and incorporation.
- d) Training costs.
- e) Costs entailed as a result of the relocation of research staff (travel expenses, accommodation and maintenance, insurance, etc.). In this sense, the expenses for travel, accommodation and maintenance charged to the activities will correspond to those established in the applicable regulations by the Generalitat relating to reparations arising from service.
- f) Costs associated with undertaking and implementing the R&D&i activities for which the grant is awarded and in which the research staff are involved.
- g) Indirect costs, understood as general expenses assigned to the activity, but that cannot be attributed directly due to their nature. These indirect costs must relate to real costs associated with performing the activity, assigned to it pro rata in accordance with a fair and equitable method, that is duly justified.

Indirect costs may be calculated, without having to provide proof of spending, by applying a fixed percentage to be specified in the request, provided they do not exceed 25% of the validly justified total costs of the activity.

In the case of grants co-financed by European funds the provisions of Order ESS/1924/2016, of 13 December, will apply. The order determines the costs eligible for support from the European Social Fund during the period of the 2014-2020 programme.

h) Costs arising from advice, conducting studies, broadcasting, advertising, preparing teaching or training material, organising conferences, congresses, seminars, or other activities aimed at undertaking or implementing the activities for which the grant was awarded.

i) Costs arising from the report by an external auditor, when this is required in the call, provided that this cost has been included in the budget submitted in the grant application. In those cases in which the beneficiary individual is obliged to audit their annual accounts by an auditor under Law 19/1988, of 12 July, Audit of Accounts, the review of the justificatory account will be carried out by the same auditor, unless the call authorises the appointment of another auditor.

5. The costs covered in Article 31.7 of General Law 38/2003, of 17 November, on Grants may be subject to financing charged to the awarded grant, whenever the call includes for this.

6. The calls may specify which of the eligible grant related items listed in this article will be applicable and, where appropriate, develop them and limit the amount of the grant for each item.

7. In relation to the specific characteristics of the grant, the call may require the beneficiary individual to provide their own financing to cover the subsidised activity as a mechanism to guarantee their economic and financial capacity.

The justification for the grant must accredit the amount, provenance and its application.

Article 11. Award amount and determination criteria

1. The amount of the grant will be established following one or more of the following criteria:

- a) A fixed amount, determined on a fixed-rate basis, depending on the type of activity and beneficiary.
- b) Available budget.
- c) The calls may establish a maximum grant for each type of activity.
- d) The budget presented by the applicant for the activity being funded.
- e) A percentage of the cost cited in the previous point, which will be established in the calls.
- f) The result of an evaluation process.

2. Under no circumstances will the grant be of such an amount that, in isolation or in conjunction with other grants, aid, income or resources, it exceeds the actual cost of the subsidised activity, in accordance with Article 19.3 of General Law 38/2003, of 17 November, on Grants.

3. Under no circumstances will the amount of the grant exceed the amount requested to implement the activity.

4. In the case of grants co-financed with European funds and in the event that the assumption established in Article 14 of Regulation (EU) 1304/2013, where grants receiving public aid do not individually exceed 50,000 euros, the grant amount will be calculated based on standard scales of unit costs or flat-rate amounts, in accordance with the provisions of Articles 67.1 and 5 of Regulation (EU) 1303/2013.

Article 12. Award procedure

The procedure for awarding the grants regulated by this order will be competitive bidding, as provided for in Section 1 of Chapter II of Generalitat Law 1/2015, of 6 February, on Public Finance, the Instrumental Public Sector and Grants and in the Generalitat's corresponding budget law. The procedure will comply with the principles of publicity and competition and it will be initiated ex officio by the Generalitat regional ministry responsible for science and

research policy, through one or more public call procedures.

Article 13. Competent bodies

1. The head of the regional ministry responsible for science and research policy, who is responsible for approving these regulatory rules, is the competent body to approve the expenditure, the call for grants and grant award resolutions.
2. The instructing body responsible for managing the procedure will be the senior administrative unit reporting to the directorate-general responsible for science and research policy, as well as to the directorate-general's dependent service responsible for performing the functions for this purpose.

Article 14. Submission of applications

1. Models of standard forms (applications and other documentation) will be available on the server of the regional ministry responsible for science and research policy.
2. The applications will be adapted to the standard models and will be completed using the electronic means provided by the information servers of the regional ministry responsible for science and research policy.
3. Anyone not using the advanced electronic signature will submit their application and all required documentation electronically. The application will be printed along with original signatures and be presented at the place and time established in the call
4. Submission of the application will involve authorisation for the managing body to verify the data relating to identify, address, residence and qualifications in accordance with Consell Decree 165/2010, of 8 October, which establishes measures to simplify and reduce administrative load in procedures managed by the Generalitat's administration and its public sector. It also authorises the managing body to obtain certificates from the State Tax Administration, the Social Security's General Treasury and the regional ministry responsible for finance and taxation. These will prove the applicant's compliance with their tax and social security obligations in the terms established in Article 22.4 of regulations implementing the General Law on Grants approved by Royal Decree 887/2006, of 21 July. However, grant applicants can also directly prove compliance with these obligations by providing the corresponding certifications. Grants under this order expressly destined to finance studies are exempted from this obligation when they are received directly by the beneficiary individuals or public universities in accordance with the provisions of the Fifth Additional Provision 2.a of Generalitat Law 4/2007, of 9 February, on the Coordination of the Valencian University System.
5. The application will be accompanied by the documentation required in each call. Under all circumstances, a sworn declaration will be attached stating that the applicant is not subject to the prohibitions provided for in Article 13 of General Law 38/2003, on Grants. On the other hand, these bodies must also demonstrate compliance with the regulations on the integration of people with disabilities into the workplace and, where appropriate, exemption from this obligation, as provided for in Article 7 of Law 11/2003, of 10 April, on the Status of People with Disabilities. Besides this, these bodies must demonstrate, when applicable, compliance with the measures referred to in Articles 45 *et seq.* of Organic Law 3/2017, of 22 March, for gender equality.
6. For all the calls, except those providing otherwise, the applications must be signed by the person holding the legal representation of the body in matters pertaining to research and by the applicant. The signature of the person holding the legal representation of the body may

be accredited by means of a signed list of all the applications submitted for each call. The content of the application is authorised and authenticated by both signatures along with all the documentation submitted to compete in the corresponding call, without prejudice to the verification actions the instructing body may require of them.

7. Only one application per researcher will be accepted in the same call for each of the grants listed in Title II of this order, unless otherwise specified in the specific provisions.

8. The documentation for the applications that are rejected or refused may be collected by the interested party within three months of publication of the decision awarding the grant on the website of the regional ministry responsible for science and research policy. After that time, applications that have not been collected may be destroyed in accordance with the regulations governing the conservation and disposal of said documentation.

Article 15. Applicant requirements and merits

1. All the conditions required when applying for each grant must be met before the deadline for submitting applications and maintained for the period required to complete the activity, unless otherwise specified in Title II.

2. Only the merits presented by applicants within the deadline for submitting applications will be accepted and evaluated.

3. The merits and requirements of the applicants may be accredited as follows:

1. By authorising the instructing body to verify the data relating to identify, address and residence, in accordance with Decree 165/2010, which establishes measures to simplify and reduce administrative loads in the procedures managed by the Generalitat's administration and its public sector.

2. Provide the instructing body with the duly authenticated certificates issued by the corresponding body (National Research Activity Evaluation Commission, University, Social Security, etc.).

4. For those grants requiring that the applicant has a specific qualification within a maximum period of years prior to the call, said period will be extended by one year for each period of maternity or paternity leave taken -in accordance with protected situations covered by the general social security system- or for the care of dependents -in accordance with the provisions of Law 39/2006, of 14 December; or due to a situation of temporary disability arising from a serious illness or a physical or psychological situation arising from gender-based violence, during that period.

Article 16. Oversight of the procedure

1. The instructing body will, ex officio, promote all the actions necessary for the determination, knowledge and verification of the data by virtue of which the resolution must be decided, as well as for making the proposals for each accounting phase resulting from the implementation of said resolution.

2. If the documentation provided is incomplete, the bodies or applicants will be required to rectify the lack or provide the required documents by means of the information servers of the regional ministry responsible for science and research policy or by any means that makes it possible to obtain proof of receipt by the interested party. The request will have the caveat that if they do not do so, they will be considered to have withdrawn their application, in accordance with the provisions of Article 68 of Law 39/2015, of 1 October, on common administrative procedures for public administrations (LPAC) and with the effects provided for in Article 21.1 of said law. This incidence may also be communicated by email.

3. The subject and condition of the application submitted may not be altered during this

correction period.

4. The notifications will be made by publication on the website of the regional ministry responsible for science and research policy giving full effect to the notification practised.

Article 17. Evaluation and selection

1. In accordance with Article 22 of General Law 38/2003, of 17 November, on Grants, an evaluation committee will submit the relevant proposal for a resolution, indicating the outcome of the evaluation and the amount of the grant to the head of the directorate general responsible for research and scientific policy. The evaluation committee will have the following composition:

- 1 Chair: the head of the directorate general responsible for research and scientific policy.
2. Vice-chair: the head of the Generalitat service responsible for research and scientific policy.
3. Members: between one and three officials in the A1 group of the directorate general competent in matters relating to research and scientific policy, one of whom will act as secretary, with voice and vote.

2. The committees established under this order will conform to the principles of composition and presence balanced between men and women, established by Organic Law 3/2007 of 22 March 2007, on effective equality between women and men.

3. The functioning of the evaluation committee will be assisted by the human and budgetary resources of the directorate general responsible for research and scientific policy, therefore, it will not imply an increase in expenditure for the present or future financial years.

4. In matters not provided for in the present order, the provisions of Chapter II, Section 3 "Collegiate bodies of the different public administrations" of the Preliminary Title of Law 40/2015, of 1 October, on the Public Sector Legal System will be observed.

5. The evaluation committee will, when necessary, seek scientific advice from internationally renowned experts appointed by the head of the directorate general responsible for research and scientific policy.

Article 18. Applicant evaluation criteria

1. The evaluation criteria and their weighting for each grant awarded under this order are detailed in the following title.

2. In the case of an equal score during the evaluation process, for the aid regulated in Chapters I, II and III of Title II, the tie will be resolved by taking into account the highest score obtained for the evaluation criteria for the project or activity to be undertaken with the aid requested in each of the grants. If there is still a tie, it will be resolved by applying criteria relating to gender balance. If there is still a tie, it will be resolved by the reasoned decision of the evaluation committee, taking into account, inter alia, the date of submission of the applications or by drawing lots before the awarding body.

3. Should it be necessary to apply gender criteria to settle the tie between applications, priority will be given to applicants or principal researchers whose sex is under-represented in their area of knowledge. This will involve taking into account the list of the areas that present greatest gender imbalance, according to information from the Integrated University Information System.

Article 19. Resolution proposal

1. The evaluation committee, in accordance with the criteria established for the evaluation, will submit a final proposal for resolution to the head of the directorate general responsible

for research and scientific policy. This proposal for resolution will indicate the results of the evaluation carried out by means of a list of applicants prioritised by the score obtained and the grant amount and, where appropriate, a reserve list to cover any renunciations that may occur. This ranking will not be required when the amount set aside is sufficient to satisfy all the eligible applications.

2. The provisional resolution will be published in accordance with the provisions of Article 16.4 of this order, so that within ten days from its publication the proposed people can declare their acceptance. They may also be required to submit additional documents together with the acceptance document should the call so provide. Failure to present this documentation within the established deadline will be understood as withdrawal of the application.

3. Any withdrawals and renunciations within this period will be covered by applications on the reserve list, in the order established in the provisional resolution, which must provide the documents established in the previous paragraph within the period of ten days from notification.

4. In view of the possible withdrawals and new additions to the reserve list, the evaluation committee will issue a report with the definitive resolution proposal that will be submitted to the head of the directorate general responsible for research and scientific policy.

Article 20. Resolution

1. Once the proposal for final resolution has been submitted, the head of the directorate general responsible for research and scientific policy will issue the corresponding final resolution on the procedure, which will terminate the administrative procedure and the interested parties will be notified of the resolution.

2. The award resolution will be reasoned and will contain the following:

a) The list of applicants the grant is awarded to, with an indication of the score obtained in the evaluation process; as well as, where appropriate, a reserve list with the score obtained, to cover any renunciations that may occur; and lastly the list of applications with explicit refusal. Where the award resolution provides for the inclusion of applications from the reserve list to replace possible renunciations, the grant period will be the remaining time until the termination of the period initially granted.

b) The activities to be funded by the grant.

c) The amount of the grant in accordance with the provisions of this order and in the respective call, as well as on the basis of the available credit and the result of the evaluation. In the case of multi-year grants, the amount will be determined for each year in which the grant is awarded, subject to the existence of adequate and sufficient credit in the Generalitat's budget.

d) The payment method.

e) The general and specific conditions established for each grant.

f) The appeals procedure.

g) Where appropriate, mention will be made of funding from the Structural Funds.

h) Deadline for submission of supporting documents for the grant.

3. The resolution of the procedure shall be notified to the interested parties within a period of ten days from the date of the resolution and in accordance with the provisions of Article 40 et seq. of the LPAC and Generalitat Law 3/2010, of 5 May, on Electronic Administration in the Comunitat Valenciana, by publication on the aforementioned website. This publication will replace the notification in accordance with the provisions of Article 43 of the LPAC. For the purposes of the provisions of Article 18 of the General Law on Grants, the resolution will

be sent to the National Grants Database for publication.

4. The maximum time limit to resolve applications submitted and to award the grants established in this order may be up to six months from the date of expiry of the deadline for submission of applications. The calculation of this period will not include the time required to rectify the documents by the interested party. If no resolution is made within this period, the grant application will be deemed to have lapsed, under the terms set forth in Article 25 of the LPAC.

5. Where appropriate, the beneficiaries will be included in a list of beneficiaries of Structural Funds in compliance with European standards, indicating the operation and the public funds allocated.

Article 21. Modification of the resolution

1. The actions must be executed in the time and manner determined in the award resolutions. However, where the specific circumstances referred to in Paragraphs 2 and 3 arise which alter the essential technical or economic conditions considered in awarding the grant, the beneficiary individual may request modification of the award resolution.

Any change to the content of the resolution will require simultaneously:

- a) That the change is requested before the end of the project implementation period and is expressly authorised by the awarding body.
- b) That the change does not affect the objectives pursued with the grant, its fundamental aspects, or harm the rights of third parties.
- c) That the changes are due to reasons that could not have been foreseen at the time of application.

2. Authorisation must be sought from the awarding authority body for changes that affect recruitment costs. Under no circumstances will changes to concepts involving a reduction in staff recruitment costs exceeding 20% of the initial estimate in the budget be authorised.

3. Any alteration to the conditions taken into account for the award or, where appropriate, should other public or private grants be obtained after submitting the application that together exceed the cost of the activity, this may result in the modification of the award resolution or a reduction in the grant awarded.

4. The change request will be accompanied by a report setting out the reasons for the changes and justifying why it will not be possible to comply with the conditions imposed in the award resolution or the requirements established in the corresponding grant.

5. Authorisation will not be required for changes between the different items for implementation and operating expenses where these changes involve variations of less than 20% of the initial budget forecast and provided that the total amount of the grant is not altered.

6. Situations involving temporary incapacity, risk during pregnancy, maternity, adoption or foster care, or risk during breastfeeding and parenting, will suspend the calculation of the employment period for which the grant was awarded.

Article 22. Proof of the grants

1. The individuals benefiting from these grants must, in accordance with Article 14.b of General Law 38/2003, of 17 November, on Grants, certify that the research activity has been carried out and that the purpose that determined the awarding and benefit of the grant has been fulfilled.

2. Without prejudice to the provisions of the calls, or any instructions issued by the head of the directorate general responsible for research and scientific policy, the beneficiary bodies

will be required to submit, within the time limit established by the grant award resolution, the following documentation as justification for the payment of the grants received:

a) An itemised list of the activity's costs and investments, identifying the creditor and the document, amount, date of issue and, where appropriate, the date of payment.

b) A breakdown of any other income or grants that have financed the subsidised activity, indicating the amount and its source.

c) Certification that the grant awarded has been duly registered in the body's accounts and that the original documentation certifying the expenditure is located in the body's offices and is at the disposal of the instructing body, the Generalitat's General Intervention and the Audit Office.

3. All the bodies must provide a sworn declaration certifying compliance with the obligations established by General Law 38/2003, of 17 November, on Grants. In addition, if the case provided for in Article 31(3) of General Law 38/2003, of November 17, on Grants, applies, they must submit the three estimates that must be requested.

4. Those bodies that are VAT exempt must submit a certificate substantiating this fact.

5. If the Generalitat's Budget Act or other rule requires advance payment, the deadline for presenting the supporting documentation for the grant payment will be:

a) For bodies with advance payment, in February of the year following the implementation of the grant.

b) For all other bodies, in November of the year the grant was implemented.

If, on the other hand, the Generalitat's Budget Act or other regulations do not provide for advance payment, all bodies must submit supporting documentation at the least in November of the year the grant was implemented.

The specific dates for submission will be established in the grant award resolution.

6. In accordance with the provisions of Article 73 of the Grants Regulations, approved by Royal Decree 887/2006, of 21 July, the original supporting documents presented must be stamped indicating the grant for which they have been submitted and whether the amount of the supporting document is wholly or partially attributable to the grant.

7. Where grants are co-financed by the European Union and given the assumption contained in Article 14 of Regulation (EU) 1304/2013, the activities eligible under this order will be justified through the simplified cost modalities provided for in Articles 67.1.b) and d) of Regulation (EU) 1303/2013.

Article 23. Payment of grants

1. The grants will be paid to beneficiary individuals under the terms established in the award resolution and, where applicable, by the provisions of Title II of this order.

2. The advance payment of the amount of these grants will be made if the Generalitat's Budget Act or other regulations permits it.

3. When the beneficiary bodies have to provide guarantees in accordance with the provisions of Article 171 of Generalitat Law 1/2015, of 6 February, on Public Finance, the Instrumental Public Sector and Grants for the advanced payment of grants the guarantee will consist of a bank guarantee equal to the amount advanced plus 1% thereof.

Article 24. Monitoring and control of actions

1. The instructing body will check the proper justification of the grant, whether the activity has been carried out and whether the purpose that determined the awarding of the grant has been achieved. The administrative checking of the justification documents will be carried out by reviewing the documentation submitted, in accordance with the provisions of

this order, as well as those in the respective call.

2. The head of the directorate general responsible for research and scientific policy will approve a control plan to guarantee the material implementation of the subsidised activity, which will be implemented by the service responsible for science and research policy. Additionally, the awarding body may designate, where appropriate, the bodies, commissions or experts it deems necessary to carry out the appropriate follow-up and verification that the grant is being properly applied.

3. The beneficiary will be subject to the verification actions to be carried out by the awarding body, as well as control actions by the Generalitat's General Intervention and by the Audit Office.

4. Total or partial non-compliance with the requirements and obligations established in this order and other applicable rules, as well as with any conditions established in the corresponding award resolution, will entail the following, after hearing from the interested person:

a) Cancellation of the grant or its reduction, in the case of partial non-compliance with the action or justification for lower amounts.

b) In the event that the advance payment has been made, total or partial reimbursement of the grant awarded, together with the corresponding default interest, in accordance with the provisions of Article 37 of General Law 38/2003, of 17 November, on Grants.

In particular, the following will be considered causes of non-compliance:

a) Failure to justify the grant in the established terms or presenting insufficient justification for it.

b) Allocating the grant to a different purpose for which it was awarded.

c) Failure to adjust the expenditure actually incurred to the amount proposed and awarded.

d) Failure to disseminate the results of the research that is the object of the grant.

e) Failure to state that the activity receives funding by the Generalitat and, where appropriate, European funds.

f) Failure to submit the final reports and scientific follow-up within the deadline established by the call.

TITLE II:

Specific provisions depending on the type of grant Talented Researcher Support Programme-Gent Plan

Chapter 1.

Grants for recruiting excellent post-doctoral researchers to undertake an R&D&i project in the Region

Article 25. Purpose and characteristics of the grant

1. The purpose of these grants is to identify and support post-doctoral researchers with proven experience in centres of international prestige, encourage their incorporation into research centres in the Comunitat Valenciana and Valencian public universities and support cutting-edge research projects.

2. The duration of the grants will be determined in the respective calls, they may not exceed four years (48 months) of extendible duration, subject to reasoned request, by two more. In the event that the contracted researcher accredits the entitlement to maternity or paternity

leave in accordance with the protected situations included in the general Social Security system or in the case of care for dependents, in accordance with the provisions of Law 39/2006, of 14 December, the duration of the aid may be extended up to a maximum of one year. This circumstance must be requested from the granting body for its authorisation, which will not imply an increase in the aid awarded.

3. The annual support for each of the contracts - which must be full-time - will be a maximum of €70,000. The calls will establish the amount that the Generalitat Valenciana will contribute and the percentage of co-financing that the beneficiary body must assume. This aid will necessarily be used to finance the salary and the employer's social security contributions of the research staff hired during each of the yearly payments, considered independently. The minimum remuneration that the researchers must receive, which must be indicated in each contract, will be €52,990.15 gross per year.

4. In addition, the researcher will have a grant for implementing the project, which will have a maximum annual limit of €50,000. This will be determined based on the project's budget and the result of the evaluation process.

The following are items that may be eligible for the grant:

a) Expenses for hiring staff associated with the project: technical support staff and pre-doctoral research staff.

b) Implementation and operational expenses:

- Consumables.

- Travel, maintenance and accommodation for people who are part of the research project.

- Travel, maintenance and accommodation for post-doctoral researchers invited to participate in the project, provided the participation is justified.

- Dissemination of project activities.

- Holding scientific conferences directly related to the project.

- Scientific-technical equipment acquisition costs, including specialised software, exclusively for research purposes and which enables the appropriate use of the acquired equipment.

- Other expenses strictly necessary for project implementation.

c) Operating expenses of the beneficiary entities necessary for undertaking the project. This amount will be determined by applying a maximum percentage of 15% to the expenditure undertaken and justified for hiring staff for the project, excluding social security costs, so that its final specification will be made from the justification of expenses for each yearly payment.

Article 26. Beneficiaries and applicants

1. The beneficiary individuals of these grants will be research centres in the Comunitat Valenciana and the Valencian public universities.

2. Researchers who, at the time of submitting their applications, do not have a link with a Valencian public university or research centre may apply for these grants if they meet one of the following requirements:

a) They are the beneficiary of a starting or consolidating ERC and they are using this aid while undertaking a project in a university or research centre outside the Comunitat Valenciana.

b) They have passed Phase 1 of the evaluation process for ERC subsidies (starting/consolidator) or have been a beneficiary of a Ramón y Cajal or MSCA-IF grant.

c) They have, during the application period determined by the call, between three and twelve years' experience following award of their PhD and have completed one or more

post-doctoral stays in internationally renowned research centres outside the Comunitat Valenciana that add up to a period of at least three years.

If the doctoral degree has been awarded by a university in the Comunitat Valenciana, the candidate will need to have been contractually separated from the institution for at least two years after obtaining the title of doctor.

Article 27. Incompatibilities

The contracted researcher may not form part of other research groups with current funding from this regional ministry for the promotion of emerging research groups, those that can be consolidated or those from the Prometheus Programme.

Article 28. Objective criteria for evaluating applications

1. Applications will be evaluated out of a total of 100 points according to the following criteria and scales:

a) Scientific excellence of the candidate (40%)

Up to 10 points: participation in national or international projects or research groups.

Up to 10 points: scientific publications and participation in dissemination activities.

Up to 10 points: contracts and patents or equivalent merits in their respective areas of knowledge.

Up to 10 points: stays abroad, awards and other relevant actions.

b) Quality and impact of the proposed research project and of the work plan (40%)

Up to 15 points: quality of the research project (objectives, expected impacts, gender mainstreaming, project methodology and work plan).

Up to 10 points: the project is at the frontier of knowledge and has a high international profile.

Up to 15 points: work plan to attend the next ERC grant calls or to be awarded an ERC Grant or a higher-level ERC of which it is a beneficiary.

c) Project leadership capacity on the part of the candidate (20%).

2. Up to 10 additional points may be added in the evaluation for those applications that claim and accredit the researcher's return condition.

Article 29. Scientific monitoring of the grants

1. The use of the grant awarded will be justified through compliance with scientific-technical monitoring standards. This will require a progress and monitoring report to be presented together with the annual economic justification. A final report will also be required in the final year.

These should include the following aspects: progress of activities; compliance with the objectives proposed for the action, as well as the impact of the results obtained demonstrated through, among others, the dissemination of results in publications, scientific journals, books, presentations at congresses, transfer actions, patents, in the internationalisation of the activities, in collaborations with national and international groups, in the training of research staff and in dissemination activities.

2. The report corresponding to the second and third annual payments may be subject to a follow-up evaluation, which may, should the rating be insufficient, lead to the early termination and total or partial reimbursement of the awarded grant where advance payment has occurred.

3. Additionally, one year after the end of the project, a report must be presented describing the actions carried out and their results during the entire project implementation period.

The report will be used to carry out the ex post evaluation of the project.

4. The beneficiary centres will present a copy of the payroll and the contracts of the personnel hired under this grant, in which the link with the project must be expressly stated.

Article 30. Payment of grants

The payment of the grant, corresponding to the second, third and fourth annual instalments, will be subject to the prior submission of the economic justification for the previous annual instalment, as well as the report referred to in the previous article.

Chapter 2

Grants for recruiting post-doctoral candidates with international experience

Article 31. Purpose and characteristics of the grant

1. The aim of these grants is to promote the research career of post-doctoral researchers with consolidated experience in centres with international prestige, encouraging their incorporation and integration into research centres and public universities in the Comunitat Valenciana.

2. The duration of the grants will be determined in the respective calls, they may not exceed four years (48 months) of extendible duration, subject to reasoned request, by two more. In the event that the contracted researcher accredits the entitlement to maternity or paternity leave in accordance with the protected situations included in the general Social Security system or in the case of care for dependents, in accordance with the provisions of Law 39/2006, of 14 December, the duration of the aid may be extended up to a maximum of one year. This circumstance must be requested from the granting body for its authorisation and will not imply an increase in the aid awarded.

3. The annual support for each contract will be €55,000, which must be full time. The calls will establish the amount that the Generalitat Valenciana will contribute and the percentage of co-financing that the beneficiary body must assume. This aid will necessarily be used to finance the salary and the employer's social security contributions of the research staff hired during each of the years, considered independently. The minimum remuneration that the researchers must receive, which must be indicated in each contract, will be €41,635 gross per year.

4. In addition, the researcher will receive a grant to finance different expenditure items of the reference research group in which they are integrated, which will have a maximum annual limit of €25,000. This amount will be determined according to the budget and the outcome of the evaluation process.

The following are items that may be eligible for the grant:

- a) Recruitment costs for staff associated with the project: technical support staff
- b) Implementation and operational expenses:
 - Consumables.
 - Travel, maintenance and accommodation for people who are part of the research project.
 - Travel, maintenance and accommodation for post-doctoral researchers invited to participate in the project, provided the participation is justified.
 - Dissemination of project activities.
 - Holding scientific conferences directly related to the project.
 - Scientific-technical equipment acquisition costs, including specialised software, exclusively for research purposes and which enables the appropriate use of the acquired equipment.

- Other expenses strictly necessary for project implementation.
- c) Operating expenses of the beneficiary entities necessary for undertaking the project. This amount will be determined by applying a maximum percentage of 15% to the expenditure undertaken and justified for hiring staff for the project, excluding social security costs, so that its final specification will be made from the justification of expenses for each yearly payment.

Article 32. Beneficiaries and applicants

1. The beneficiaries of these grants will be research centres in the Comunitat Valenciana and the Valencian public universities.
2. Post-doctoral researchers who, at the time of submitting their applications, do not have a link with a Valencian public university or research centre may apply for these grants if they meet one of the following requirements:
 - a) They have, during the application period determined by the call, experience following the award of their PhD of less than 5 years.
 - b) Have completed one or more post-doctoral stays in internationally renowned research centres that add up to a period of at least two years.
If the doctoral degree has been awarded by a university in the Comunitat Valenciana, the candidate will need to have been contractually separated from the institution for at least two years after obtaining the title of doctor.
 - c) Have the endorsement of the lead researcher of the reference research group they will be joining. Not more than one applicant may be endorsed in the same call.

Article 33. Incompatibilities

The contracted researcher may not form part of other research groups with current funding from this regional ministry for the promotion of emerging research groups or those that can be consolidated.

Article 34. Objective criteria for evaluating applications

1. Applications will be evaluated out of a total of 100 points according to the following criteria and scales:
 - a) Scientific excellence of the candidate (50%).
 - Up to 15 points: participation in national or international projects or research groups.
 - Up to 15 points: scientific publications and participation in dissemination activities.
 - Up to 10 points: contracts and patents or equivalent merits in their respective areas of knowledge.
 - Up to 10 points: stays abroad, awards and other relevant actions
 - b) International career of the candidate (25%). It will be an advantage if the applicant has passed Phase 1 of the evaluation process for ERC subsidies (starting/consolidator) or if they have received a seal of excellence in the MSCA-IF grants or if they have been selected or been on the reserve list for other high-quality national or international calls that may be included in the respective call (Juan de la Cierva, Ramón y Cajal, etc.).
 - c) Quality and interest of the scientific background of the research group the candidate will join (25%)
2. Up to 10 additional points may be added to the total of the score assigned in the evaluation of the previous section for those applications that claim and accredit the researcher's return condition.

Article 35. Scientific monitoring of the grants

1. The use of the grant awarded will be justified through compliance with scientific-technical monitoring standards. This will require a progress and monitoring report to be presented together with the annual economic justification. A final report will also be required in the final year.

These should include the following aspects: progress of activities; compliance with the objectives proposed for the action, as well as the impact of the results obtained demonstrated through, among others, the dissemination of results in publications, scientific journals, books, presentations at congresses, transfer actions, patents, in the internationalisation of the activities, in collaborations with national and international groups and, where appropriate, in the training of research staff.

2. The report corresponding to the second and third annual payments may be subject to a follow-up evaluation, which may, should the rating be insufficient, lead to the early termination and total or partial reimbursement of the awarded grant where advance payment has occurred.

3. Additionally, one year after the end of the project, a report must be presented describing the actions carried out and their results during the entire project implementation period. The report will be used to carry out the ex post evaluation of the project.

4. The beneficiary centres will present a copy of the payroll and the contracts of the personnel hired under this grant, in which the link with the project must be expressly stated.

Article 36. Payment of grants

The payment of the grant, corresponding to the second, third and fourth annual instalments, will be subject to the prior submission of the economic justification for the previous annual instalment, as well as the report referred to in the previous article.