

## **Resolution REU/4179/2025, of 11 November, approving the rules governing the Beatriu de Pinós Postdoctoral Fellowships**

Note: For legal purposes, the Catalan version is the official version.

Law 7/2001, of 31 May (DOGC no. 3407 of 12.6.2001), created the Agència de Gestió d'Ajuts Universitaris i de Recerca (Agency for the Management of University and Research Grants, hereinafter referred to as 'AGAUR' after its Catalan acronym) as a public law entity whose actions are governed by private law, with its own legal personality, full capacity to act and its own assets for the fulfilment of its functions.

AGAUR is responsible for implementing programmes involving grants, loans, subsidies and other activities to promote university studies, scientific and technical research and technological innovation in Catalonia.

Article 73 of Law 9/2022, of 21 December, on science (hereinafter referred to as 'the Catalan Science Act'), states that AGAUR is a funding agency for the programmes and research promotion schemes entrusted to it by the Government of Catalonia or other public entities. AGAUR manages the financing of public funds intended for research following the principles of evaluation, efficiency, quality, publicity, transparency and objectivity, guarantees accountability, facilitates the monitoring of actions, and rationalises management, reducing administrative burdens.

AGAUR is attached to the Ministry of Research and Universities of the Government of Catalonia, in accordance with the provisions of Decree 115/2022, of 14 June, restructuring the Ministry of Research and Universities, and Decree 133/2024, of 11 August, creating, naming and defining the powers of the ministries that make up the Government and Administration of Catalonia.

The provisions of the consolidated text of the Catalan Public Finance Act, approved by Legislative Decree 3/2002, of 24 December, and the basic precepts of Law 38/2003, of 17 November, on subsidies (hereinafter referred to as 'the General Subsidies Act'), and its implementing regulations, approved by Royal Decree 887/2006, of 21 July.

In drafting this provision, consideration was given to the impact and effect of these grants and to compliance with the principles of budgetary stability and financial sustainability set out in Article 7 of Organic Law 2/2012, of 27 April.

Article 11 of AGAUR's Statutes, approved by Decree 168/2002, of 11 June, of the Government of Catalonia, states that it is the responsibility of the Board of Directors to approve calls for grants and subsidies, as well as to award them. These powers have been delegated to the Executive Committee for Research Grants or to the President of this Committee, according to the Agreement of the Board of Directors of 28 April 2022 (Resolution REU/1421/2022 of 10 May, DOGC No. 8668 of 16.5.2022).

It is hereby decided:

Sole Article

To approve the rules governing the Beatriu de Pinós postdoctoral fellowships.

*Transitional Provision*

The subsidies that were awarded in accordance with the resolutions that are now repealed will continue to be governed by the rules and the call for applications that regulated them.

*Derogating Provision*

Resolution REU/4085/2024, of 14 November, approving the rules governing the Beatriu de Pinós (BP) postdoctoral fellowships, issued under Resolution REU/4498/2024, of 9 December, which opened the call for the Beatriu de Pinós postdoctoral grants (BP 2024) (ref. BDNS 802038), is hereby repealed.

*Final Provision*

These rules shall enter into force the day after they are published in the Official Gazette of the Government of Catalonia (hereinafter referred to as 'DOGC' after its Catalan acronym).

Barcelona,

P. p. (Resolution REU/1421/2022 of 10 May, DOGC No. 8668 of 16.5.2022)

Teresa Sanchis Estruch

President of the Executive Committee for Research Grants

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### I. Preamble

The Beatriu de Pinós postdoctoral fellowships form part of the Strategic Grants Plan of the Ministry of Research and Universities of the Government of Catalonia for the period 2025-2028, aimed at strengthening the Catalan research system and positioning Catalonia among the most innovative and leading regions in the EU's knowledge society. Building on the mission of the Catalan Science Act, the Government of Catalonia seeks to consolidate a transformative, comprehensive and cooperative model of knowledge, research and innovation, with the aim of improving people's quality of life and promoting policies based on the creation and transfer of knowledge. This commitment must necessarily be implemented through talent recruitment, by strengthening the processes of training, attracting and retaining researchers at all stages of their research careers. In this regard, the Beatriu de Pinós fellowships directly contribute to strengthening the Catalan research ecosystem by recruiting researchers with international postdoctoral experience to promote the generation of high-level knowledge that is relevant to society. In addition, these fellowships support the professional development of the researchers by enhancing their training in the key competencies identified in the European Competence Framework for Researchers.

In this edition of the Beatriu de Pinós fellowships, AGAUR reaffirms its commitment to the principles for research assessment of the Coalition for Advancing Research Assessment (CoARA) and the best practices outlined in the Declaration on Research Assessment (DORA). These principles, agreed upon at an international level, aim to recognise greater diversity in research careers, to base evaluation primarily on quality criteria and to use quantitative indicators wisely.

### II. Rules

#### Rule 1. Applicable Regulations

These rules govern the funding scheme PES25-28\_REU0070 of the Strategic Grants Plan 2025-2028, of the Catalan Ministry of Research and Universities.

The regulations governing grants awarded by the Administration of the Government of Catalonia, its autonomous bodies and other public sector entities establish that these rules are issued in the exercise of the relevant administrative powers.

In all matters not expressly covered by these rules, the following regulations shall apply:

- Law 38/2003, of 17 November 17, on subsidies (General Subsidies Act).
- Royal Decree 887/2006, of 21 July, approving the Regulations of the General Subsidies Act.
- Royal Decree-Law 36/2020, of 30 December, approving urgent measures for the modernisation of the Public Administration and for the execution of the Recovery, Transformation and Resilience Plan.
- Legislative Decree 3/2002, of 24 December, approving the consolidated text of the Catalan Public Finance Act.
- Consolidated text of the Catalan Public Finance Act, approved by Legislative Decree 3/2002, of 24 December.
- Law 26/2010, of 3 August, on the legal and procedural regime of the public administrations of Catalonia.
- Law 39/2015, of 1 October, on the common administrative procedure of public administrations (hereinafter referred to as 'the Common Administrative Procedure Act').

- The Annual Budget Act of the Government of Catalonia applicable to the relevant financial year.

The following sectoral regulations shall also apply:

- Law 9/2022, of 21 December, on science (Catalan Science Act).

#### Rule 2. Award Decision Procedure

2.1 The fellowship is awarded through a competitive selection process; i. e., by comparing applications according to the established evaluation criteria. Fellowships are awarded to the highest-ranked applications.

2.2 The administering body for the procedure shall be the one specified in the call.

2.3 The competent body for issuing the award decision shall be the one specified in the call.

#### Rule 3. Object and Purpose

The purpose of these rules is to regulate the Beatriu de Pinós postdoctoral fellowships, awarded through a competitive process, aimed at supporting the recruitment and integration of postdoctoral researchers into the Catalan science and technology system.

#### Rule 4. Fellowship Amount

4.1 The maximum amount allocated to these fellowships and the corresponding budgetary item shall be those specified in the call.

4.2 AGAUR may fund all or part of the purpose of the fellowship, in accordance with the provisions of the call. Fellowships shall not be awarded for purposes that have not been carried out. Nor shall fellowships be awarded for amounts exceeding those granted.

4.3 The amount of the awarded grant may not exceed the cost of the activity carried out by the beneficiary, whether funded solely through this fellowship or in combination with other grants, income, resources, or subsidies from other entities.

#### Rule 5. Beneficiary Entities

5.1 Beneficiary entities of the fellowships governed by these rules include the universities of the Catalan university system, research centres, hospital foundations and the three main infrastructures of the Catalan research system: the CELLS Consortium's Alba synchrotron, the Barcelona Supercomputing Centre's MareNostrum supercomputer and the National Centre for Genomic Analysis. All beneficiary entities must have operational headquarters in Catalonia.

Science and technology parks, technology centres, technology activity support centres and technology dissemination centres are excluded from these fellowships.

5.2 When a university is structured as a federation of entities, those entities may carry out all or part of the project activities on behalf of the beneficiary entity. They shall also be considered beneficiary entities, in accordance with the provisions of Article 11(2) of the General Subsidies Act.

### 5.3 Entities subject to final judgments or administrative decisions

- a. finding that they have applied rules on access, operation or use of means and facilities that result, in fact or in law, in discrimination on grounds of gender or any other personal or social condition or circumstance set out in Article 1 of Law 19/2020, of 30 December, on equal treatment and non-discrimination, and
- b. that have not become time-barred, may not benefit from these fellowships.

### Rule 6. Requirements for Beneficiary Entities

#### 6.1 Beneficiary entities must meet the following requirements and conditions:

1. Comply with their tax obligations to the Government of Spain and the Government of Catalonia, as well as with their Social Security obligations. This compliance must be maintained throughout the process.

2. Submit a declaration of whether other public or private grants have been applied for or obtained for the same activity, with details of the relationship with the awarding body and the amount applied for or received.

3. Duly account for any grants or subsidies previously received from the budget of the Government of Catalonia.

4. Have the administrative, financial and operational capacity to fulfil the obligations laid down in these rules.

5. If the activity covered by the fellowship makes use of any element likely to generate copyright, beneficiary entities must comply with the regulations on intellectual property rights.

6. If a beneficiary entity has workplaces, it must comply with language policy regulations by displaying at least in Catalan the signs and fixed information containing texts intended for employees within those workplaces.

7. If a beneficiary entity has centres and establishments open to the public, it must comply with language policy regulations by providing services to consumers in any of the official languages of Catalonia and by displaying at least in Catalan the signs and fixed general information posters and documents intended for users and consumers in such establishments.

8. Beneficiary entities with fifty or more employees must comply with the legal quota for reserving positions in their workforce, as provided for in Article 42.1 of the consolidated text of the General Act on the Rights of Persons with Disabilities and their Social Inclusion, approved by Royal Legislative Decree 1/2013, of 29 November, or with the exceptional alternative measures established by Royal Decree 364/2005, of 8 April, and by Decree 86/2015, of 2 June.

9. Beneficiary entities with twenty-five or more employees must comply with the obligation to specify, in agreement with social partners, the means they use to prevent, detect and address cases of sexual and gender-based harassment. They must also have protocols in place for the prevention and management of sexual and gender-based

harassment, in accordance with Law 5/2008 of 24 April, on the right of women to eradicate gender-based violence.

10. Never have been subject to final administrative sanctions or final convictions for having engaged in or tolerated gender discriminatory work practices, in accordance with the provisions of Law 17/2015, of 21 July, on effective equality between women and men.

11. If a beneficiary entity has more than fifty employees, it must have an equality plan in place, in accordance with the provisions of Organic Law 3/2007 of 22 March, on effective equality between women and men.

12. Comply with the provisions of Law 19/2020, of 30 December, on equal treatment and non-discrimination and, therefore, refrain from promoting inequalities on any of the grounds referred to in Article 1 of that law, while adopting measures aimed at preventing actions or behaviour that may violate the dignity, free development or expression of individuals, without any form of discrimination based on their personal characteristics and abilities.

13. Use language that is non-sexist, non-stereotypical and non-androcentric, respectful of diversity, and free from classist, racist, xenophobic or LGBTQ-phobic expressions; avoid any discriminatory portrayal of women or sexist stereotypes, and promote the values of equality, balanced representation, diversity and shared responsibility.

14. Not commit, incite or promote acts of LGBTQ-phobia.

15. Be registered in the Census of the Tax on Economic Activities or in the corresponding register, wherever required.

16. Foundations and associations must have adapted their Statutes to Law 5/2011, of 19 July, amending Law 4/2008, of 24 April, on the third book of the Civil Code of Catalonia, relating to legal persons.

17. Foundations must have submitted their annual accounts to the Protectorate.

18. Where applicable, beneficiary entities must have an organisation and management system for the prevention of occupational risks, in accordance with Law 31/1995, of 8 November, on the prevention of occupational risks, and its implementing regulations.

19. Only provide the personal data of third parties when strictly necessary to achieve the required purpose and, if provided, inform the third parties of the purpose and processing of their data in the terms provided for by current applicable regulations.

The submission of a self-declaration as part of an administrative procedure entitles the competent body to verify the accuracy of the data contained or declared therein, in accordance with Article 35(3) of Law 26/2010 of 3 August, on the legal and procedural regime of the public administrations of Catalonia.

6.2 Entities that meet the conditions and requirements set out in these rules and in the corresponding call may acquire the status of beneficiary entity.



These requirements must be certified through the self-declaration included in the application, in accordance with Rule 17 of this Resolution.

6.3 Entities subject to any of the circumstances set out in Article 13(2) of the General Subsidies Act may not act as beneficiary or collaborating entities for the fellowships governed by these rules.

6.4 Beneficiary entities must comply with the following regulations:

- regulations on effective equality between women and men;
- regulations that guarantee the rights of lesbian, gay, bisexual, transgender and intersex individuals and aim to eradicate homophobia;
- regulations that establish the right of women to eradicate gender-based violence;
- regulations on equal treatment and non-discrimination.

6.5 By submitting the application, beneficiary entities adhere to the ethical principles and rules of conduct set out in these rules.

6.6 The requirements must be fulfilled at the time of application and must be maintained for the duration of the fellowship.

#### Rule 7. Candidate Requirements

Candidates of all nationalities must meet the following requirements:

##### 7.1 Doctoral degree requirements

Candidates must have obtained their doctoral degree between 1 January 2018 and 31 December 2023 (for this purpose, the date of completion of the doctoral degree is considered to be the date of the reading and approval of the thesis).

The period for obtaining the doctoral degree shall be between 1 January 2016 and 31 December 2023, provided that any of the following circumstances can be justified after the degree was obtained:

- Period of maternity or paternity leave.
- Dependent children under 6 years of age.
- Dependent family members with a legally recognised physical, mental or sensory disability.
- Serious illness or accident requiring major surgery or hospital treatment, resulting in temporary incapacity for the researcher's usual occupation or activity for a continuous period of at least six months. Minor surgery, outpatient surgery and rehabilitation treatments carried out outside the hospital system are excluded.
- Recognised refugee status under the 1951 Geneva Convention.
- Any of the situations provided for in Article 1 of Organic Law 1/2004, of 28 December, on comprehensive protection measures against gender-based violence.

For candidates with a degree of disability of 33% or more, recognised by the assessment and guidance team of the centres for people with functional diversity of the Government of Catalonia or an equivalent body, the period for obtaining a doctoral degree shall be between 1 January 2016 and 31 December 2023.



## 7.2 Postdoctoral experience

Candidates must have at least two years of postdoctoral experience outside Spain on the closing date for the submission of applications (first stage). This postdoctoral experience, regardless of the type of affiliation, may have been carried out in different institutions, as long as the total postdoctoral stay amounts to at least two years.

## 7.3 Mobility rule

Candidates may not have resided in Spain for more than twelve months during the last three years before the closing date for submission of applications (first stage). The mobility rule is also not met if candidates have worked in Spain for more than twelve months during the last three years before the closing date for submission of applications. In the case of organisations considered extraterritorial for these purposes under an agreement applicable in Spain, applicants may not have worked at the institution for more than twelve months during the three years before the closing date for submission of applications. For refugee researchers, the mobility rule applies from the date on which official recognition as a refugee was granted under the 1951 Geneva Convention.

## 7.4 Reserved fellowships

One of the fellowships is reserved for candidates with a degree of disability of 33% or more, recognised by the assessment and guidance team of the centres for people with functional diversity of the Government of Catalonia or an equivalent body. In the event that no applications are received for this fellowship, it shall be reallocated to ensure a balanced distribution across fields of expertise on the applications received.

Candidates wishing to apply for this fellowship must state this in the application and provide the supporting documentation when requested by AGAUR. If this supporting documentation is written in a language other than Catalan, Spanish or English, it must also be accompanied by a sworn translation into one of these languages. If candidates do not provide evidence of their degree of disability, their application will be treated as ordinary. Candidates applying for this fellowship must meet all the requirements established in Rule 7 herein.

7.5 Candidates who are currently receiving or have previously received (in full or in part) a Beatriu de Pinós fellowship from a prior call for applications may not be awarded a fellowship under this call.

## Rule 8. Responsible Researcher Requirements

Responsible researchers must meet the following requirement by the closing date for submission of applications:

Have a statutory or employment affiliation or membership agreement with the beneficiary entity. This affiliation must ensure the supervision of the candidate throughout the three-year duration of the fellowship.

For the purposes of these rules, part-time staff, staff on leave, visiting professors and emeritus professors are not considered to fulfil this requirement.

## Rule 9. Incompatibility of the Fellowships with other Subsidies or Grants

9.1 The incompatibilities set out in the employment contract and agreed by the contracting institutions or entities, in accordance with applicable legislation, shall apply to the contracts covered by the fellowship.

9.2 The fellowships governed by this Resolution are incompatible with any other public or private grants awarded for the same purpose.

9.3 Applicant entities must provide information on any other grants or subsidies awarded for the same purpose, both at the time of submitting the application and at any time when this situation arises.

9.4 The fellowships governed by this Resolution are compatible with other additional salary payments for the development of professional or research activities that are of interest and are directly related to the training and research objectives of the fellowship, including additional salary payments for teaching or research tasks, provided that they do not compromise the purpose of the fellowship. The fellowship is also compatible with subsidies for participation in congresses, meetings or scientific conferences, as well as with grants for short research stays and other training activities.

Approval of these compatibilities is the responsibility of the host institution, which must formally notify AGAUR at the time.

#### Rule 10. Execution Period

10.1 The fellowships awarded have a duration of three years.

10.2 Beneficiary entities must recruit the candidate and formalise the contract in accordance with the applicable regulations in force, within the period between the publication of the award decision on the electronic board of the Administration of the Government of Catalonia (<<https://seu.gencat.cat/ca/informacio-publica.html>>) and the deadline set in the relevant call.

10.3 Only in exceptional and duly justified cases may the President of the CEAR (Executive Committee for Research Grants) authorise a postponement of the hiring date. Postponements motivated by the professional or family convenience of the candidate, or by foreseeable delays in the ordinary procedures for obtaining visas, residence permits or work permits required of all non-EU researchers, shall not be accepted. In any case, any extension of the recruitment period must be requested at least one month before its expiry.

10.4 Failure to sign the corresponding contract within the period between the publication of the award decision on the electronic board of the Administration of the Government of Catalonia (<<https://seu.gencat.cat/ca/informacio-publica.html>>) and the recruitment deadline shall be deemed a tacit waiver of the fellowship awarded, with the exception provided for in the previous section, and without the need for prior notice.

#### Rule 11. Suspensions

11.1 Beneficiary entities may request the reinstatement of the suspension period in cases of suspension of the contract due to temporary incapacity; full-time leave due to pregnancy, risk during pregnancy and breastfeeding, birth, maternity, paternity, adoption, guardianship for adoption or foster care; breastfeeding leave accumulated to full working days, or other similar circumstances related to the above. This also applies to full-time leave for work-life balance purposes to care for minors, family members or dependants, as well as to periods of leave taken to care for a child or family member during the term of the contract, and to the situation referred to in Article 45.1(n) of the

consolidated text of the Workers' Statute Act as a measure to protect women who are victims of gender-based violence.

Similarly, periods of part-time leave due to birth, maternity, paternity, guardianship for adoption or foster care, and reductions in working hours for breastfeeding, the birth of a premature child or hospitalisation following childbirth, legal custody, care for a minor suffering from cancer or another serious illness, care for family members affected by an accident or serious illness or dependants, or due to gender-based violence, as well as reductions in working hours due to similar situations related to the above. or for reasons of work-life balance or to care for minors, relatives or dependants during the term of the contract, shall entail an extension of the contract equivalent to the reduction in working time.

11.2 Beneficiary entities must submit the request for reinstatement of the suspension period, together with the relevant supporting documents and the extension of the contract, before the end of the three-year fellowship.

11.3 The body responsible for awarding the fellowships shall determine, by means of the corresponding decision, the conditions and duration of any fellowship extensions. In any case, the total fellowship extension period may not exceed eighteen months.

#### Rule 12. Procedure and Nature of Expenditure

The procedure and nature of expenditure shall be specified in the call for applications.

#### Rule 13. Publication and Notification

13.1 Articles 17(3)(b) and 18 of the General Subsidies Act, in relation to Agreement GOV/192/2015 of 29 December, which complements Agreement GOV/77/2015 of 2 June on the publication of notification announcements in the Official Gazette of the Government of Catalonia, shall apply. The full text of all calls for grants is published in the Official Gazette of the Government of Catalonia.

13.2 All resolutions, procedures and requirements related to the award of these fellowships shall be notified on the electronic board of the Government of Catalonia, accessible from the Electronic Office. This publication supersedes the individual notification and has the same effect.

13.3 The publication of the call shall take effect upon submission of the information required by the Register of Grants and Subsidies of Catalonia, in accordance with Article 96 bis of the consolidated text of the Catalan Public Finance Act, and through the National Grant Database.

#### Rule 14. Eligible Expenses and Activities

14.1 In accordance with Article 31 of the General Subsidies Act, eligible expenses are those that are clearly linked to the subsidised activity, strictly necessary for its implementation, and incurred within the period and under the conditions established by these rules.

14.2 The amount of the fellowship for the recruitment of researchers shall be specified in the relevant call. This amount covers the cost of each contract over the three-year duration of the fellowship and includes both the researcher's remuneration and the

employer's Social Security contribution. Fellowships are subject to the tax regime in force at the time they are awarded. The recruited researcher must receive the minimum gross salary specified in the call.

The fellowship also includes an amount to cover the cost of terminating the contract at the end of the agreed period, equivalent to that provided for fixed-term contracts under Article 49 of the consolidated text of the Workers' Statute Act, subject to a maximum amount per fellowship specified in the call.

14.3 The fellowship also includes an additional amount as set out in the call. This amount is intended exclusively for actions carried out by the candidate during the term of the contract covered by the fellowship and must be managed by the beneficiary entity. The additional amount may cover the following:

1. Training activities, such as courses related to both the scientific field and professional skills (management, organisation, entrepreneurship, dissemination and scientific communication, cross-cutting skills, etc.).
2. Travel, accommodation and subsistence expenses necessary for attendance and participation in conferences and congresses, work meetings, fieldwork, or short-term research stays.
3. Expenses related to the research activities carried out by the candidate, including participation in congresses and other events, membership of scientific associations, purchase of bibliographic materials or consumables for office and laboratory use, specialised scientific and technical services not available within the host institution, and purchase of specific software.
4. It may also include expenses related to the publication in scientific journals and the deposit of results and data, including technical editing, translation and adaptation services.
5. Expenses related to intellectual property rights.
6. A computer device (personal computer or tablet) intended for the candidate's research and training activities during the term of the fellowship.

Under no circumstances may the cost of subsidised goods or services exceed their market value.

Expenses related to the purchase of office equipment and scientific and technical equipment (including computers of all types, except those referred to in point 6 of this rule) or technical services for the installation, maintenance or repair of office, scientific, technical or IT equipment must be borne by the host institution and are not eligible for this additional amount.

Contributions in kind are also ineligible for this additional amount, particularly those corresponding to internal use of services within the beneficiary entity, even if justified by an invoice or equivalent document, where no actual outflow of funds occurs.

Expenses incurred during periods of suspension of the fellowship (e.g. leave due to sick leave or other reasons) are also not eligible.

14.4 The beneficiary entity shall bear any increase in the contractual costs resulting from any incident that may arise, and may also increase the salary of the recruited researchers.

14.5 Under no circumstances may the fellowship amount awarded exceed the cost of the activity carried out by the beneficiary entity, either alone or in combination with grants from other bodies, subsidies, income or resources.

14.6 The fellowship amount may be reduced in whole or in part, before the final award decision is issued, as a result of restrictions imposed by budgetary stability and financial sustainability objectives.

14.7 Fellowships are subject to the tax regime in force at the time of the award.

14.8 The following expenses are not eligible, in accordance with Articles 31(7) and 31(8) of the General Subsidies Act:

- interest payable on bank accounts;
- interest, surcharges and administrative and criminal sanctions;
- the costs of legal proceedings.

14.9 The following expenses are also not eligible:

- any hiring costs corresponding to periods in which the researcher has not carried out effective work (leave due to sick leave, permits, etc.);
- expenses that are not expressly provided for in these rules and in the corresponding call.

#### Rule 15. Subcontracting

The beneficiary entity may not subcontract, in whole or in part, the activity that is the subject of the fellowship.

#### Rule 16. Obligations of the Parties

16.1 The beneficiary entities of the fellowships governed by these rules must comply with the following obligations:

- a. Carry out the subsidised activity within the period specified in these rules and the corresponding call.
- b. Fulfil the objective and purpose of the fellowship and carry out the subsidised activity in accordance with the project submitted.
- c. Extend the employment contract to full-time, in accordance with the applicable employment and tax regulations for the candidate, at least for the period specified in the relevant call.
- d. Recruit the researchers exclusively for the project specified in the application. Additionally, researchers may be recruited on a temporary basis for other related scientific or technological innovation activities that support the development of their project or training.
- e. In the case of non-EU researchers, facilitate all legal procedures (obtaining visas, residence permits, etc.) necessary for their recruitment within the time limits specified in the call.
- f. Provide AGAUR with a certificate of recruitment of the contracted researchers within two months from the day after the recruitment takes effect.
- g. Provide researchers with the support and information they need to carry out their research, as well as the necessary means or equipment for the normal development of the activity, and guarantee them the rights and benefits enjoyed by the centre's staff of the same or similar category.
- h. Follow the fundamental ethical principles in research and intellectual property set out in European Union and Catalan legislation, as specified in Rule 39, and

ensure adherence to best practices based on the fundamental principles of research integrity.

- i. Monitor the progress of the postdoctoral researcher regularly and take corrective measures in the event of deviations or delays in the researcher's work plan.
- j. Always provide the information requested regarding the fellowship awarded and submit to verification and control actions, in accordance with the applicable regulations, by the following authorities:
  - the administering body,
  - the Intervenció General de la Generalitat (Comptroller's Office of the Government of Catalonia),
  - the Sindicatura de Comptes (Catalan Audit Office),
  - any other competent bodies.
- k. Inform the administering body of any grants, income or resources requested from other public or private entities, whether national or international, to fund the subsidised activity, as well as any such funding already obtained, after submitting the relevant application. This information must be reported as soon as it becomes known and, in any case, before the justification for the use of the funds received.
- l. Adhere to Articles 90 bis, 92 bis and 95 of the consolidated text of the Catalan Public Finances Act, as well as to Article 14 of the General Subsidies Act.
- m. Retain all supporting documents regarding the use of the funds received, including electronic records, for the entire period during which they may be subject to verification and control actions.
- n. The private entities referred to in sections (a) and (b) of Article 3(4) of Law 19/2014, of 29 December, on transparency, access to public information and good governance (hereinafter, 'the Catalan Transparency Act'), must comply with the applicable transparency obligations of Title II of that Law.
- o. Any legal person having received a grant or subsidy exceeding €10,000.00 must inform the awarding body of this fellowship of the remuneration of its management or administrative bodies, in compliance with Article 15(2) of the Catalan Transparency Act. This document may be fulfilled by a self-declaration from the entity's legal representative stating that this information is available on the entity's website, under the terms and conditions established by the Catalan Transparency Act and the other applicable regulations.
- p. Use non-sexist and non-discriminatory language in all documents, promotional materials, images, and any other materials related to the subsidised activity. Avoid any discriminatory images of women or sexist stereotypes. Promote values such as equality, diversity, shared responsibility, balanced representation of women and men, and the plurality of gender roles and identities.
- q. Adhere to the ethical principles and rules of conduct set out herein, as well as those that may be included in the corresponding calls, and adjust the activity accordingly.
- r. Align with the priorities of the European Research Area and the principles of the European Charter for Researchers, while promoting institutional measures consistent with the European Human Resources Strategy for Researchers (HRS4R). These measures should foster excellence in research, create an attractive work environment and establish a framework to support the professional development of researchers, including the following:
  - Implementation of open, transparent and merit-based recruitment (OTM-R) measures.



- Implementation of measures to enhance interdisciplinary research opportunities and promote networking opportunities for researchers, including international relations, both within and beyond academia.
- Facilitation of training activities aligned with the European Competence Framework for Researchers (Research Comp), contributing significantly to their professional development.
- Promotion of responsible research and innovation (RRI), including open access to publications and data management policies.
  - s. Promote gender equality measures in line with the Gender Equality Strategy in Science (EIGEC in Catalan), derived from the Catalan Science Act. These measures should include eliminating systemic obstacles and barriers, implicit biases, and stereotypes; fostering shared responsibility for caregiving, and promoting a balance between work, family and personal life, while ensuring diversity and inclusion. Beneficiary entities and researchers must also act with due diligence to prevent and address sexist violence, sexual harassment, and harassment based on gender, sexual orientation, gender identity or gender expression. Furthermore, they should encourage the integration of gender perspectives into the content of the subsidised research activity.
  - t. Comply with all other obligations established by the applicable subsidy regulations and the rules governing these fellowships.

16.2 The recruited researchers must fulfil the following obligations:

- a. Join the organisation for the planned period and carry out the activities described in their work plan.
- b. Comply with the internal regulations of the entities where they carry out their activities and keep the activities carried out confidential, in accordance with the instructions and guidelines issued by the host institution.
- c. Work exclusively on the project described in the application. Additionally, researchers may work on a temporary basis on other related research or technological innovation projects that support the development of their project or training.
- d. Provide all requested information and submit to inspection, verification and control actions carried out by AGAUR and other competent bodies, in accordance with applicable regulations.
- e. Comply with the basic ethical and intellectual property principles established by EU and Catalan legislation, as well as with the best research practices based on the fundamental principles of research integrity and the ethical principles set out in Rule 39.
- f. Adhere to the principles of the European Charter for Researchers of the European Commission.
- g. Participate in the conferences and courses organised by the beneficiary entities of the General Directorate of Research, aimed at the professional development of researchers in areas not strictly related to the scientific field, such as management, entrepreneurship, leadership, intellectual property, etc.

Submitting the application entails compliance with the obligations established in these rules.

Rule 17. Applications



#### 17.1 Applications must be submitted electronically in two stages:

##### a. First stage (provisional application by the candidate):

Provisional applications must be submitted electronically by the candidate through the 'Procedures' section of the website of the Government of Catalonia (<<http://web.gencat.cat/en/tramits/>>), following the instructions provided therein.

Under these rules, a candidate and a responsible researcher may only appear as such in a single application per call.

The standard application form consists of a general form and a standard annex to be attached to it. The information to be provided in the annex includes: a brief curriculum vitae of the candidate; a description of the most prominent elements of the research group, the researcher who will receive the fellowship and the entity to which the candidate is affiliated; a brief description of the scientific activity to be carried out, including the work plan for the scientific and teaching activities to be carried out; the impact, communication and dissemination of this activity; and the ethical implications of the proposed research project. This information should be divided into the following sections: curriculum vitae, host institution, project, research and training activities, impact and ethical implications. The ethical implications section of the annex shall include a non-evaluative ethical self-assessment table to be completed by all applicant researchers and entities.

As this is a competitive procedure, no improvements to the applications shall be accepted after the application submission deadline.

The evaluation shall be based exclusively on the information provided in the form and annexes. If the annex is blank or illegible, the evaluation shall be based solely on the information provided in the application form during the initial submission period.

##### b. Second stage (to be carried out by the beneficiary entity):

To access the second stage, applicant entities must have previously signed the agreement for processing personal data within the framework of the calls for proposals managed by AGAUR, as well as the agreement for access to its grant management application (BOGA), following the procedure available on the AGAUR website (<http://agaur.gencat.cat/ca/lagaur/procediment-de-presentacio-de-persones-juridiques/>>).

Once the deadline for submitting provisional applications has passed, as specified in the relevant call, a period will be opened for applicant entities to access the AGAUR grant management application (BOGA) to confirm or reject the applications submitted by candidate researchers. To confirm a provisional application, the legal representative of the entity must sign the confirmation document generated by BOGA and submit it to AGAUR via the EACAT platform, or any other valid official electronic register, within the deadline specified in the relevant call.

The confirmation document must include a self-declaration of compliance with the requirements established in Rule 6. By signing this document, the entity's legal representative also certifies that the applicants have a statutory or employment affiliation, or a membership agreement with the beneficiary entity, sufficient to guarantee the supervision and monitoring of the candidate during the three-year fellowship, in accordance with Rule 8 of this Resolution. Failure to comply shall result in rejection of the application.

In order to continue with the procedure, the confirmation document must be duly signed and submitted to the AGAUR electronic register within the deadline specified in the call.

17.2 The application must be submitted using the form made available and through the channel specified in the previous sections.

If the application form is submitted or any procedures are carried out through forms or channels other than those specifically established herein, such submissions shall be considered not to have been made, in accordance with Articles 16(8) and 66(6) of the Common Administrative Procedure Act. Accordingly, the date on which the application is understood to have been submitted, or the procedure is considered to have been carried out, is the date of receipt of the form specified herein.

17.3 AGAUR may, at any time during the processing of applications, request any documents it deems necessary to verify that the requirements set out in these rules and in the call for applications have been met. Failure to provide the required documents within the legal time limit may result in the fellowship being refused.

17.4 The deadline and method for submitting applications are those specified in the call.

17.5 In the event of an interruption due to unforeseen circumstances in the operation of the Electronic Office, any user accessing it must be able to view a message informing them of this circumstance and of the effects of the interruption on the calculation of deadlines. Therefore, if an unplanned interruption occurs in the operation of the electronic systems on the last day established for completing the corresponding procedure, the procedure may be carried out within the following three consecutive working days. This three-day extension shall be notified to the Electronic Office of the Government of Catalonia.

17.6 In accordance with Article 28 of Law 39/2015, as amended by the Organic Law on the Protection of Personal Data and Guarantee of Digital Rights (LOPDGDD in Catalan) – which guarantees the right not to provide documents already held by the Agency for the Management of University and Research Grants (AGAUR) or prepared by other administrations – AGAUR shall use, verify or collect the documents or certificates issued by other administrations, public bodies, research centres, universities and, in particular, the Spanish Tax Management Agency (AEAT), or any other relevant administration, to verify the data necessary for processing the fellowship in order to satisfactorily resolve the call for applications. Specifically, the following information shall be consulted:

- For candidates and applicants, identity documents (DNI, NIE).
- For beneficiary entities, taxpayer debts (AEAT, ATC, TGSS).

If it is necessary to process data of third parties associated with the applicant, the applicant hereby declares that these third parties have been informed of the conditions of this clause and consent to AGAUR processing their data under the terms set out herein.

17.7 Submission of the application form authorises the competent body to verify that the data contained and declared therein is accurate.

17.8 The inaccuracy, falsity or omission of any essential data in the application form or annex renders the procedure ineffective from the moment it is known and following prior hearing of the interested party, and consequently entails the rejection of the fellowship application. If such inaccuracy or omission is known after the fellowship has been awarded, it shall constitute grounds for revocation and/or sanction.

17.9 These rules do not provide for the reformulation of the application.

#### Rule 18. Evaluation and Selection

The fellowships governed by these rules are awarded through a competitive procedure, based on the evaluation of applications according to the evaluation criteria set out in this section.

In accordance with the mechanisms and criteria established by these rules and the AGAUR Evaluation Regulations, available on the agency's website, applications shall be evaluated by external experts from the scientific community.

Applications will be evaluated in two stages:

##### 18.1 First evaluation stage

Individual and online evaluation of each application by three external experts in their respective fields of expertise (peer reviewers), taking into account the specificities of the relevant research area, according to the following criteria and weightings:

(a) Curriculum vitae of the candidate (45%). The following elements will be positively considered: (i) research experience, the quality and relevance of the scientific contributions and results obtained, as well as the development of original and innovative ideas with the potential to contribute to the generation of new knowledge or benefit society; (ii) diversity of collaborations (with research groups, companies and other societal actors), international experience, a multidisciplinary approach, and creativity; (iii) autonomy, independent thinking and proven leadership ability; (iv) evidence of excellent research management (including good practices in open science, data reuse, valorisation of results or knowledge transfer) and complementary activities to the research career (teaching, mentoring of junior researchers, research evaluation, dissemination activities, etc.).

(b) Host institution (20%). The following elements will be taken into account: (i) scientific track record and international impact of both the researcher responsible for the fellowship and the host research group, as well as their suitability in relation to the proposed research project; (ii) experience of the responsible researcher, the host research group and the host institution in recruiting and training researchers, and their capacity to implement and coordinate the planned research and training activities, as well as their ability to integrate trained personnel into the research system.

(c) Research and training activities to be developed during the three-year period (10%). The following elements will be positively considered: novelty and originality of the proposed research activities, clarity in defining the problem and identifying the objectives, appropriateness of the methodological approach, and feasibility of the work plan, contingency measures and risk management plan; research stays and professional training activities of the candidate, and exchange of knowledge between the host research group and the candidate.

(d) Impact (25%). This will be assessed according to the following elements:

d.1) Impact of the fellowship on the development of the candidate's research career, according to the training activities for the acquisition of new transversal skills and in the scientific field set out in the proposal (in line with the [European Competence Framework for Researchers](#)). Credibility of the planned activities to improve the researcher's career and employability prospects, as well as appropriateness of the proposal to their scientific career (10%).

d.2) Scientific impact: demonstrable contribution of research excellence to academic advances within and across disciplines, including significant advances in understanding, method, theory and application (5%).

d.3) Measures to maximise impact: dissemination activities aimed at members of the scientific community or interested parties, activities for the exploitation of results (where applicable) and communication and dissemination activities aimed at non-specialised audiences and raising awareness of the value of science for society (5%).

d.4) Societal and economic impact: demonstrable effects or benefits of the research beyond academia. The proposed pathway towards impact shall be assessed, from the results and contributions of the research activities to the expected impacts after the completion of the project, including the identification of the final beneficiaries and the impact indicators that provide evidence thereof. The impact may arise from scientific findings (new knowledge) or from research processes (i.e., the practice of research acting as a catalyst for change) (5%).

As a result of this first evaluation stage, three evaluation reports will be issued with scores on a scale from 0 to 10, with two decimal places, as follows:

- 0 Not assessable
- 1 Deficient
- 2 Poor
- 3 Unsatisfactory
- 4 Adequate
- 5 Satisfactory
- 6 Fair
- 7 Good
- 8 Very good
- 9 Excellent
- 10 Outstanding

In order to ensure full independence and autonomy of judgement, all experts in this first stage evaluate the applications remotely and individually, without knowing the identity of the other members participating in the evaluation process. They are also required to sign a declaration of no conflict of interest and confidentiality. In accordance with the provisions of the Catalan Science Act, the scientific evaluation reports prepared by independent experts are considered internal documents and shall remain confidential in order to guarantee the anonymity of the evaluator.

## 18.2 Second evaluation stage

After the first stage of individual and online evaluation of each application, evaluation panels will be set up for each scientific field. Each panel will meet to discuss all assigned applications.

The evaluation panels will calibrate and assign the final score for each application on the basis of the individual evaluations received, an overall assessment of its strengths and weaknesses, and taking into account the evaluation criteria and weightings set out in this regulation, the specificities of the different areas of knowledge within each field, and the complementary interdisciplinary assessment provided by the members of each panel. The procedure shall be supervised by the coordinators for each area of knowledge. The evaluation panels shall act according to the principles of impartiality, absence of conflicts of interest, objectivity and scientific rigour.

In the event of a numerical tie at the end of the entire evaluation process, priority shall be given to applications submitted by female candidates. In the event of a tie between candidates of the same gender, priority shall be given to the applications with the higher scores for evaluation criterion a (curriculum vitae of the candidate).

### 18.3 Scientific fields and evaluation panels.

The assessment based on peer review shall be carried out according to the distribution of areas among the seven evaluation panels, which cover all areas of knowledge. The list of scientific fields and the areas of knowledge associated with each field is available on the AGAUR website.

<https://agaur.gencat.cat/web/.content/Documents/Avaluacio/ACS-per-ambit-catala-des2021.pdf>

All candidates, according to the areas of knowledge indicated in their application, shall be included in one of the seven evaluation panels.

The initial assignment of the proposal to a panel will be based on the preference expressed by the candidate. However, where necessary due to the expertise required for the evaluation, the application may be reassigned to another panel with the agreement of the relevant scientific coordinators. In such cases, applicants will be informed of such reassignment after the fact in the evaluation report.

The participation of female evaluators in the evaluation process shall be at least 40% and AGAUR shall endeavour to achieve parity between male and female evaluators in the overall process.

18.4 Candidates have the right to request, on a confidential basis, that AGAUR exclude up to three evaluators, stating the reasons. Recusal is independent and additional to AGAUR's conflict of interest management policy, which all experts must be aware of and comply with.

18.5 Each applicant shall receive an evaluation report justifying the final score obtained.

18.6 The selection of candidates shall be made by the Selection Committee, which shall take into account AGAUR's general rules, the evaluations made, the assessment criteria, the balanced distribution across areas of knowledge and budgetary availability.

Its composition is set out in the call for applications and must ensure a balanced presence of men and women in accordance, with the provisions of Article 2(i) of Law 17/2015, of 21 July, on effective equality between women and men. The call for applications must in all cases incorporate positive action measures, pursuant to Article 31 of Law 19/2020, of 30 December, on equal treatment and non-discrimination, and Article 5 of Law 11/2014, of 10 October, on guaranteeing the rights of lesbians, gays,

bisexuals, transgender and intersex persons and on eradicating homophobia, biphobia and transphobia.

The operating regime of the Selection Committee, in all matters not provided for in these rules, shall be governed by the regulations applicable to collegiate bodies, in accordance with Article 17 of Law 40/2015, of 1 October, on the legal regime of the public sector.

The Selection Committee shall set the minimum cut-off score for each scientific field to qualify for the fellowships. It may also propose a duly prioritised reserve list consisting of applications that could not be accepted due to insufficient budget, but that meet the required technical quality to receive the fellowship.

This Selection Committee may receive advice from external expert bodies, and its meetings may be attended by technical staff from AGAUR.

#### Rule 19. Draft Award Decision and Acceptance of the Fellowship

19.1 The administering body shall draw up a draft decision to award the fellowships based on the report issued by the Selection Committee.

19.2 The draft award decision shall be notified by publication on the electronic bulletin board of the Administration of the Government of Catalonia (<http://tauler.gencat.cat>), without prejudice to the use of additional electronic means. This publication replaces individual notification and has the same legal effects, in accordance with Article 45(1)(b) of the Common Administrative Procedure Act.

19.3 The draft decision must include the list of applicants proposed as fellowship beneficiaries who have obtained the minimum required score in accordance with the assessment criteria, as well as the applicants included on the reserve list. If any of the applicants proposed as beneficiaries do not accept the fellowship or withdraw their application, the fellowship may be awarded to an applicant on the reserve list in order of score, provided that sufficient funds have been released to cover subsequent applications with the same score.

19.4 The researchers proposed as beneficiaries must formalise their acceptance of the fellowship within two months from the day following the publication or notification of the draft award decision.

The acceptance form is available on AGAUR's website and must be submitted to AGAUR's electronic register via the EACAT platform or through the procedure associated with the relevant AGAUR file (submission of documents and other requests), which is available in the 'Procedures' section of the website of the Government of Catalonia (<<http://web.gencat.cat/en/tramits/>>).

19.5 In addition to the acceptance form, the following documents, where applicable, must be provided:

(a) A copy of the candidate's DNI, NIE or passport. If the identity number has changed from that given in the application, a copy of both the current ID document and the one given in the application must be provided.

(b) A copy of the candidate's doctoral degree certificate or a document certifying that the candidate has requested the issue of the doctoral degree certificate. If applicable, a



document indicating the date of the thesis defence (the date of the defence and approval of the thesis shall be considered the date of the award of the doctoral degree).

(c) If applicable, the mandatory documents accrediting the candidate's maternity leave, paternity leave, care of children under 6 years of age, care of people with physical, mental or sensory disabilities, or dependants over 65 years of age requiring special care; or documents evidencing serious illness or accident requiring major surgery or hospital treatment and causing temporary incapacity to carry out their regular work or activity for at least six consecutive months.

(d) A letter certifying the postdoctoral stays outside Spain, stating the dates of these stays. This letter must be signed by a representative of the host institution, which may be the legal representative, the management or the human resources department.

(e) A copy of the deed of incorporation and statutes of the entity with which the fellowship holder is affiliated.

(f) A copy of the identity document of the legal representative of the beneficiary entity and a document certifying the powers of attorney.

(d) Pursuant to Article 15(2) of the Catalan Transparency Act, if the amount of the grant awarded exceeds €10,000, a self-declaration must be provided containing information on the remuneration of the management or administrative bodies of the beneficiary entity, for publication in accordance with the adopted corporate criteria or, where applicable, the relevant regulatory provisions. This document may be replaced by a self-declaration from the entity's legal representative stating that this information is available on the entity's website, under the terms and conditions established by the Catalan Transparency Act and the other applicable regulations.

If any of these documents have already been submitted in previous AGAUR calls, they need not be submitted again, provided that the applicant entity submits a statement specifying the documents, indicating the date of original submission, and confirming their validity. As provided in section (d) of Article 53 of the Common Administrative Procedure Act, the Administration of the Government of Catalonia already holds this information for institutions that have signed an agreement with AGAUR. These institutions are therefore exempt from submitting the documents referred to in sections (e), (f), and (g) of this rule.

Entities that fail to submit the acceptance form and the other required documents within the legal time limit and under the conditions set out in these rules and the relevant call for applications shall, without the need for prior request, be deemed to have tacitly renounced the fellowship.

19.7 Applicants may submit allegations within ten days of notification of the draft award decision. The allegations shall be taken into account when issuing the final decision without any separate decision or report being issued in response.

19.8 The allegations shall be reviewed for possible procedural flaws, but shall not entail a new scientific evaluation in the event of disagreement with the expert opinion. Likewise, within the aforementioned deadline, applicants may withdraw their fellowship application, without prejudice to the possibility of withdrawal at any other stage of the procedure prior to the award decision.

Submission of allegations does not exempt beneficiary entities from the obligation to submit the acceptance form within the deadline set out in these rules.



## Rule 20. Rejection and Withdrawal of Applications

20.1 Failure to comply with the non-modifiable requirements or the application submission deadline established in these rules and the call for applications shall result in the rejection of the application.

20.2 Applicants may withdraw their grant application in writing prior to the award of the fellowship.

20.3 If the applicant fails to meet the requirements established in these rules or the call for applications, the administering body shall require the applicant to supplement or amend the application.

If the requirements made by the administering body are not fulfilled within ten working days, it shall be deemed that the applicant has withdrawn the fellowship application.

20.4 The administering body must decide on the rejection or withdrawal of applications prior to the award of the fellowship and notify such rejection or withdrawal decisions to the interested parties by publishing them on the electronic bulletin board of the Administration of the Government of Catalonia (<https://seu.gencat.cat/ca/informacio-publica.html>), without prejudice to the use of other electronic means. This publication shall supersede individual notification and have the same effect.

## Rule 21. Final Award Decision and Notification

21.1 The award decision must indicate the purpose and object of the fellowship, the maximum amount of the fellowship, the conditions that the beneficiary must meet, the deadline for implementing the subsidised actions, the source of the funds with which the fellowship is financed, and the corresponding appeal procedure. Likewise, the award decision must state that the finality of the decision implies that the beneficiary entity tacitly declares that it complies with its obligations to the Tax Administration, the Social Security Treasury and the Government of Catalonia, without prejudice to the administering body verifying the declaration made.

21.2 The awarding body must issue a reasoned award decision and notify the interested parties within the period specified in the call.

21.3 Notification shall be made by publication on the electronic board of the Electronic Office of the Administration of the Government of Catalonia (<https://tauler.seu.cat/inici.do?idens=1>). This publication shall replace individual notification and have the same effect in accordance with the terms established in Article 45(1)(b) of the Common Administrative Procedure Act.

21.4 If an express award decision has not been issued and notified once the maximum time limit specified in the call has elapsed, applicants may deem their application to have been tacitly rejected, in accordance with the provisions of Article 55(1)(a) of Law 26/2010, of 3 August, on the legal regime and procedure of the public administrations of Catalonia, and Article 25(5) of the General Subsidies Act.

Whenever the interested parties are required to submit amendments, additional documentation or other necessary elements, the deadline for the award decision and its notification shall be suspended during the period between the notification of the requirement and its effective compliance by all interested parties, or during the period

established in Article 22(1)(a) of the Common Administrative Procedure Act, to fulfil such requirements.

This time limit may also be suspended in the event of any of the other causes listed in Article 22 mentioned above, a circumstance that must be notified to the interested parties where the law so requires.

21.5 In accordance with the Common Administrative Procedure Act, and Law 26/2010, of 3 August, on the legal regime and procedure of public administrations in Catalonia, beneficiaries may lodge an administrative appeal or, where appropriate, an appeal for judicial review against the decision awarding and denying the fellowships, in the terms specified in the award decision.

## Rule 22. Proof of Employment and Payment

22.1 Payment of the fellowship shall be made after verification of compliance with the requirements for obtaining the status of beneficiary entity and upon prior justification by the beneficiary entity of carrying out the subsidised activity.

22.2 The right to receive all or part of the fellowship shall be lost in the event of a lack of justification or if any of the causes established in Article 37 of the General Subsidies Act or Article 98 of Legislative Decree 3/2002, of 24 December, approving the consolidated text of the Catalan Public Finances Act, apply.

22.3 Advance payments may be made, involving the delivery of funds prior to justification, as necessary funding to carry out the actions inherent to the fellowship.

In this case, payments for the different grant components are made as follows:

1. The first payment consists of 50% of the amount for the recruitment of the candidate and 100% of the additional amount, and shall be processed once the host institution certifies the recruitment of the researcher, within two months from the day after it becomes effective, by submitting the following documentation:

(a) A standard form certifying the recruitment of the candidate and providing ethical information, duly signed.

(b) A copy of the signed contract stating the gross annual remuneration, the duration and dates of the contract, and the place where the researcher is to provide their services.

(c) If the research project includes aspects that require ethical assessment, a copy of the favourable report issued by the relevant ethics committee and linked to the host institution. If this report is not available at the time of joining the host institution, the candidate must declare that they have initiated the procedure and indicate the expected date of obtaining it in the standard form specified in point (a) of this rule.

2. The second payment consists of 30% of the amount for the recruitment of the candidate and must be made when the beneficiary entity submits the scientific and technical follow-up report to AGAUR, in accordance with the provisions of Rule 27.

3. The remaining payment – which consists of 20% of the amount for the recruitment of the candidate and, where applicable, 100% of the end-of-contract compensation – will be made once the justification for the fellowship has been submitted and reviewed, in accordance with the provisions of these rules.

22.4 In accordance with Article 24 of Law 5/2007 of 4 July on fiscal and financial measures, AGAUR shall verify *ex officio*, at the time of acceptance and prior to payment

of the fellowship, that beneficiary entities are up to date with their tax and Social Security obligations. If such verification is not possible, AGAUR shall require the beneficiary entities to submit valid certificates confirming compliance with their tax obligations.

22.5 Under no circumstances may advance payments be made to beneficiary entities that have applied for a declaration of voluntary insolvency; that have been declared insolvent in any proceedings; that have been declared bankrupt — unless a bankruptcy agreement has become effective —; that are subject to judicial intervention; or that have been disqualified pursuant to Royal Legislative Decree 1/2020 of 5 May, approving the consolidated text of the Bankruptcy Act, where the disqualification period established in the judgment declaring the bankruptcy has not yet expired.

22.6 Payment of the grant shall be made by bank transfer to the account specified by the beneficiary entity, without the need to submit guarantees.

#### Rule 23. Amendment of the Award Decision Changes and incidents

23.1 The awarding body has the power to review the fellowship awarded and amend the award decision if the circumstances taken into account when awarding the fellowship change.

23.2 The beneficiary entity must carry out the subsidised activity in accordance with the project submitted. However, in duly justified circumstances, the Executive Management of AGAUR may, at the request of the beneficiary entity, authorise any modification to the work plan or to the proposed project, as well as resolve any incident that does not involve a change relating to the candidate, in accordance with these rules and the relevant call, or with the conditions and purpose of the fellowship.

23.3 Exceptionally, and in duly justified circumstances, the awarding body may authorise a change of host centre at the prior request of the person concerned, the researcher in charge and the legal representatives of the organisations involved, provided that the requirements of the call are met and that a positive scientific assessment report is obtained regarding the new proposal and the suitability of the change in relation to the originally proposed project.

23.4 The awarding body has a period of three months to respond to the amendment request. The request shall be deemed tacitly rejected if the Administration has not responded within the specified time limit.

#### Rule 24. Taxation of the Fellowship

Grants, in general, are subject to tax regulations.

#### Rule 25. Research Stays

25.1 Recruited researchers may spend time in other academic and research institutions outside the beneficiary entity to carry out tasks related to their project, provided that they have the approval of the supervising researcher and the beneficiary entity.

25.2 Recruited researchers may also spend time in non-academic organisations, including public administrations, non-governmental organisations and private companies, provided that this contributes significantly to their research careers.

Recruited researchers must have a supervisor at the institution where they are staying in order to receive cross-sectoral guidance and to ensure the continuity and implementation of the project.

25.3 Stays shall not exceed nine months, either in a single period or divided into shorter periods.

#### Rule 26. Teaching

Where applicable, the host institution may, at the request of the recruited researchers, establish a programme of collaboration in teaching activities for training purposes, up to the annual maximum provided for in Article 22 of Law 17/2022, of 5 September, which must be included in the employment contracts.

Collaboration in teaching activities must be certified by the beneficiary entity for inclusion in the researchers' curriculum vitae.

#### Rule 27. Monitoring

In order to assess the fulfilment of the objectives set out in the application, the beneficiary entity shall submit the following documents during the eighteenth month of the fellowship contract:

(a) The scientific and technical monitoring report, in accordance with the model available on AGAUR's website.

(b) The data management plan of the research project, in accordance with the provisions of Rule 36 herein.

After the end of the fellowship period, AGAUR may request information from the beneficiary entities and the candidates in order to monitor the impact of the programme on the research careers of the candidates.

#### Rule 28. Financial Reporting and Accountability

28.1 Financial reporting and accountability of the expenses governed by this Resolution must be carried out using the supporting accounts modality, without the need to provide proof of expenditure, in accordance with Articles 69, 72 and 84 of the Regulations of the General Subsidies Act.

28.2 Beneficiary entities must justify the effective execution of the subsidised activities and provide evidence within two months following the end of the fellowship, using the standard forms available on AGAUR's website (<http://www.gencat.cat/agaur>).

Supporting documents must be submitted to AGAUR's electronic register via the EACAT platform or through the procedure associated with AGAUR files (submission of documents and other requests), available in the Procedures section of the website of the Government of Catalonia (<<http://web.gencat.cat/en/tramits/>>).

28.3 The documents to be submitted are the following:

(a) A scientific and technical report detailing the activities carried out and the results obtained, signed by the recruited candidate and the supervising researcher. This report shall follow the standard model. Where appropriate, the beneficiary entities shall update the ethical implications section and provide all relevant documentation. This report must also include a certificate accrediting the work performed and the dates on which it was carried out, signed by the entity's legal representative.

- (b) A certificate of the candidate's recruitment costs, detailed monthly for the entire duration of the fellowship (salary expenditure and employer's contribution), signed by the entity's legal representative. If required, beneficiary entities must provide AGAUR with the necessary documentation to manage any incidents relating to the recruitment.
- (c) A copy of the document issued by the General Treasury of Social Security, titled 'Contribution Data Report / Employees on Behalf of Others' (Informe de datos para la cotización / Trabajadores por cuenta ajena).
- (d) An itemized report of the expenses incurred with the additional amount, signed by the legal representative, indicating the concept, the creditor, the invoice number or document of equivalent probative value, the amount, the date of issue and, where applicable, the date of payment. This list of expenses must follow the standard form provided. In the event of a partial withdrawal before at least eighteen months of the fellowship have elapsed, the maximum justifiable amount of the additional payment is halved, as stated in the relevant call.
- (e) Where applicable, a detailed list of other income or grants that have financed the subsidised activity, indicating the amount and the source. Where receipts for expenses are partly covered by other grants, the exact amount or percentage of each grant must be provided, together with an indication of the awarding bodies.
- (f) A self-declaration from the beneficiary entity, which must include at least the following statements:
  - The expense justifications have been allocated across the various sources of funding in such a way that the unit amount of each justification is not exceeded.
  - The total amount of funding from all sources does not exceed the total cost of the subsidised activity.
  - A separate accounting system has been put in place, or the supporting documents for the expenditure have been assigned an identifiable accounting code specific to the transactions related to the subsidised activity.

28.4 Extensions of the justification period for the proposed project shall not be accepted without prior justification, which must, where applicable, be approved by the Executive Director of AGAUR. Requests for extensions must be submitted before the end of the initial justification period.

28.5 Beneficiary entities must retain all supporting documents regarding the use of the funds received, including electronic records, for the entire period during which they may be subject to verification and control. Invoices and proof of expenditure must be issued in the name of either the recruited researcher or the beneficiary entity. Any invoices or proof of expenditure in the name of third parties shall not be eligible for funding.

28.6 The awarding body may, where specified in the call, verify any supporting documents it deems appropriate in order to obtain evidence of the proper implementation of the fellowship. To this end, it may require beneficiaries to submit selected proof of expenditure.

28.7 Cash payments are regulated by Article 7 of Law 7/2012, of 29 October, whereby transactions in which one of the contracting parties is an entrepreneur or self-employed professional with an amount equal to or greater than €1,000 (one thousand euros), or the equivalent in foreign currency, may not be paid in cash.

28.8 The awarding body may check, using sampling techniques, any supporting documents it deems appropriate in order to obtain evidence of the proper implementation of the subsidy. To this end, it may require beneficiaries to submit selected proof of expenditure.

28.9 If the fellowship contract ends before the initially scheduled date, the amount corresponding to the unexecuted portion of the contract shall be revoked in proportion to the days of effective work, calculated on the basis of the total amount awarded, and the corresponding amount shall be settled.

The contracting cost for the executed period shall be calculated from the annual amount, dividing it by twelve months and each month by thirty days to obtain the daily amount.

#### Rule 29. Repayment Procedure

29.1 The beneficiary entity or person must repay the amounts received in the following cases:

- a. Total or partial waiver of the fellowship through the procedure authorised by the awarding body.
- b. Revocation of the fellowship through the procedure authorised by the awarding body.
- c. Nullity of the fellowship awarded through the procedure authorised by the awarding body.
- d. Imposition of a sanction, or any other measure decided by an administrative or judicial authority, as a result of a financial control.

29.2 Likewise, the causes for repayment established in Article 37 of the General Subsidies Act shall also apply.

29.3 Pursuant to Article 100 of the consolidated text of the Catalan Public Finance Act, approved by Legislative Decree 3/2002 of 24 December, the repayment procedure must be concluded within twelve months from the date of the decision initiating the proceedings, which must be issued by the body that signed the award decision or by the body to which it delegates.

This period may be extended, for good reason, for a maximum of six months, in accordance with the regulations governing the common administrative procedure.

If the period for the repayment procedure elapses without the express decision having been notified, the procedure expires, without interrupting the statute of limitations.

#### Rule 30. Waivers and Substitutions

30.1 Beneficiary persons or entities may expressly renounce the fellowship awarded, in accordance with the provisions of Article 94 of the Common Administrative Procedure Act. The waiver must be made before the scheduled date for submitting the financial justification for the fellowship. However, the beneficiary entity must repay the amounts received under the fellowship, together with any applicable late-payment interest, calculated from the date of payment of the fellowship, and any advances made until the date on which the waiver decision is issued or until the date on which the beneficiary entity makes the payment.

30.2 Repayment of the amounts received, together with any late-payment interest, may be made effective through the procedure specified in the call.



30.3 The total or partial waiver must be notified in writing to the Executive Management of AGAUR by the beneficiary person, signed by the legal representative of the entity, within one month from the day after the date on which the withdrawal takes effect. In all cases, the supporting documents for the period of use of the fellowship must be submitted in accordance with the provisions of these rules.

30.4 In the event of a total or partial waiver, or if the acceptance form is not submitted under the conditions and within the period established in these rules and the corresponding call, the awarding or administering body may award the fellowship to applicants on the reserve list. The decision to make such substitutions shall be notified to the interested person either individually or by publication on the electronic board of the Government of Catalonia, in accordance with Articles 40 and 41 of the Common Administrative Procedure Act, provided that it occurs after the decision awarding the fellowships.

#### Rule 31. Revocation

31.1 The causes for revocation are those established in Article 37 of the General Subsidies Act, together with Article 92 bis of the aforementioned Law and Article 99 of the consolidated text of the Catalan Public Finance Act, approved by Legislative Decree 3/2002 of 24 December 24, and are as follows:

- a. Failure to comply with the justification obligation.
- b. Obtaining the fellowship without meeting the required conditions.
- c. Failure to comply with the purpose for which the fellowship was awarded, in whole or in part, due to having allocated the amounts received to purposes other than those intended.
- d. Failure to comply with the conditions imposed on beneficiary persons and entities for the purpose of awarding the fellowship, including obstructing or resisting control actions in such a way as to prevent verification that the object of the fellowship has been carried out.
- e. In the case provided for in Article 94(1), rule four, of the consolidated text of the Catalan Public Finance Act, obtaining amounts in excess of the cost of the activity carried out.
- f. Non-inclusion or improper use of the means specified in Article 92(7) of the consolidated text of the Catalan Public Finance Act.

Likewise, the following are causes for revocation:

- (a) If a specific contract established in the award decision is not executed within the period indicated in the corresponding call, the full amount of the fellowship shall be revoked.
- (b) If the contract funded by the fellowship ends before the scheduled date for reasons attributable to the beneficiary entity, the full amount of the fellowship shall be revoked.

31.2 The awarding body, after completing the legally established procedure, shall revoke the fellowships awarded, in whole or in part, and the beneficiary shall repay the amount received, together with the corresponding late-payment interest, in the cases established in the consolidated text of the Catalan Public Finance Act, approved by Legislative Decree 3/2002 of 24 December, and in the General Subsidies Act.



31.3 Failure to comply with the requirements established in these rules shall also constitute grounds for revocation.

#### Rule 32. Nullity and Voidability

In accordance with Article 36 of Law 38/2003 of 17 November, if the award is affected by any case of nullity or annulability, the awarding body must proceed *ex officio* with a review or, where appropriate, with a declaration of harmfulness and subsequent challenge, pursuant to Articles 106 and 107 of the Common Administrative Procedure Act and Articles 71 *et seq.* of Law 26/2010 of 3 August, on the legal regime and procedure of the public administrations of Catalonia.

#### Rule 33. Publicity of the Awarded Fellowships

33.1 The Register of Grants and Subsidies of Catalonia must provide the National Subsidies Database with information on calls for grants and subsidies and the corresponding award decisions, under the terms set out in Articles 18 and 20(8) of the General Subsidies Act.

33.2 In accordance with Article 15(1)(c) of the Catalan Transparency Act, information relating to public subsidies and grants awarded – indicating the amount, purpose and beneficiaries –, must be published in the Electronic Office and on the website of the body issuing the call, without prejudice to the provisions of Article 45(2) of Decree 8/2021 of 9 February, on transparency and the right to access public information, according to which information relating to subsidies and grants awarded must be published by sending such information to the Register of Grants and Subsidies of Catalonia, which must be accessible from the Transparency Portal on the website of the Government of Catalonia.

33.3 In accordance with Article 15(2) of the Catalan Transparency Act, when the beneficiary of the fellowship is a legal person, information relating to the remuneration of its management or administrative bodies must be published on the website of the body issuing the call if the fellowship amount exceeds €10,000.

33.4 Fellowships are also subject to the publicity and transparency requirements established in the applicable regulations.

#### Rule 34. Notifications

34.1 As a general rule, actions requiring notification to applicants are published on the electronic board of the Administration of the Government of Catalonia(<https://seu.gencat.cat/en/informacio-publica.html>) and, for information purposes, on AGAUR's website.

34.2 This notification replaces individual notifications and has the same legal effect. For the purpose of broader dissemination and information, the result of the award decision shall also be made available on AGAUR's website.

34.3 In accordance with the Common Administrative Procedure Act, all other administrative acts issued in relation to this procedure must be notified electronically. To this end, the address for notification purposes must be indicated in the application form. The notification shall be considered delivered for all legal purposes when its contents are accessed.

If, with evidence of the notification being made available, ten calendar days elapse without its content being accessed, the notification shall be deemed rejected, unless *ex officio* or upon request of the recipient it is proven that the recipient was unable to access it.

34.4 All other communications from AGAUR that are not considered notifications shall be sent by electronic means to the e-mail address provided by the applicant in the application.

#### Rule 35. Intellectual property and Copyright

The intellectual property rights arising from the object of the fellowship belong to the persons who produced the subsidised works. The works may not be used or exploited without the explicit consent of the authors.

#### Rule 36. Open Access to Scientific Results

36.1 Beneficiary entities and recruited candidates must provide open access to any scientific papers produced under the project funded by this fellowship. This must be done by depositing the final version accepted for publication, along with the associated data, in institutional or thematic repositories at the time of publication. Additionally, the open dissemination of all results produced within the framework of the project (including research data, codes, and methodologies) is recommended, as well as the management of research data in accordance with the international FAIR principles (Findable, Accessible, Interoperable, and Reusable).

36.2 All of the above is compatible with the possibility of protecting the intellectual property rights of research and innovation results prior to their publication, in accordance with Spanish and European regulations.

36.3 According to the Catalan Open Science Strategy, research activities that receive public funding from the Government of Catalonia must establish a data management plan following the international FAIR principles. This plan must be submitted together with the scientific and technical monitoring report during the eighteenth month of the contract (Rule 27 herein) and must be signed by the candidate and the supervising researcher.

36.4 The data management plan must include at least the following information: a description of the data to be collected or generated during the project; the methodology and standards to be applied (formats, metadata, structuring, etc.); how the data will be processed and stored; when and how they will be made available (choice of repositories, possible access restrictions, etc.); and how they will be preserved after the end of the project.

36.5 To draw up this plan, it is recommended to use eiNa DMP, a tool developed by the Catalan Consortium of University Services, and to consult the corresponding guidelines (<https://www.csuc.cat/ca/serveis/cora-eina-dmp>). However, other formats suitable for the research project may also be used.

#### Rule 37. Acknowledgement of Funding and Dissemination

During the lifetime of the project, the beneficiary researchers and entities must encourage initiatives to maintain open communication with the public and the media regarding the research project under the BP fellowship.

In the publications and other results that may be produced thanks to this fellowship, the support of the Beatriu de Pinós Postdoctoral Fellowships Programme of the Ministry of Research and Universities of the Government of Catalonia must be mentioned, and the reference number of the fellowship must be included.

Additionally, the beneficiary entity must display on its website the corresponding logo from the Visual Identification Program (PIV), available at <http://www.gencat.cat/piv/>.

#### Rule 38. Data Protection and Processing

38.1 In accordance with Regulation (EU) 2016/679 of 27 April 2016 and Organic Law 3/2018 of 5 December, on the protection of personal data and the guarantee of digital rights, personal data shall be processed for the purpose of managing and administering the calls governed by these rules, in accordance with the principles of security and confidentiality established by data protection regulations.

38.2 In accordance with the General Data Protection Regulation (GDPR), the personal data provided shall be processed by the administering body for the management of applications under the General Subsidies Act. Applicants/beneficiaries may exercise their rights of access, rectification, objection, erasure, portability and restriction of processing before the administering body, and may also, where applicable, submit a complaint to the data protection supervisory authority.

38.3 The disclosure or transfer of data relating to the fellowship between ministries, autonomous entities, and other entities attached to the Ministry of Research and Universities of the Government of Catalonia is permitted, by virtue of the exercise and supervision of the Administration's grant-making powers, provided that the purpose of the data processing is compatible with the purpose for which the data was initially collected, in accordance with Regulation (EU) 2016/679 of 27 April 2016. The administering body must inform the data subjects of the processing of their data in accordance with Articles 13 and 14 of the GDPR.

38.4 Likewise, if applicants do not exercise their right to object, their data shall also be processed to send them information – via email, post or SMS – relating to university activities, research and knowledge transfer, including calls, conferences, workshops and training that may be of interest to them, as these relate to the purpose of this call.

38.5 The data of particularly vulnerable persons are subject to special protection, in accordance with the provisions of Article 28(2)(e) of the Organic Law on Data Protection; therefore, processing of these data by persons or units other than the administering body must have the explicit consent of the data subjects or be authorised by law.

#### Rule 39. Ethical Principles in Research

39.1 Actions funded under this programme must respect ethical principles and applicable EU, Member State and international law, including the Charter of Fundamental Rights of the European Union, the European Convention for the Protection of Human Rights and

Fundamental Freedoms and their additional protocols, as well as the European Code of Conduct for Research Integrity (<https://allea.org/code-of-conduct/>) and the code of conduct of CERCA centres, where applicable. Special consideration shall be given to the recommendations issued by the Committee for Research Integrity in Catalonia (CIR-CAT in Catalan).

39.2 Activities funded under this programme involving the use of artificial intelligence must comply with Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024, laying down harmonised rules on artificial intelligence.

39.3 Special consideration shall be given to the principle of proportionality, the right to privacy, the right to the protection of personal data, the right to physical and mental integrity, the right to non-discrimination, and the need to guarantee the protection of the environment and to ensure high standards of human health protection.

39.4 Funded activities shall focus exclusively on civilian applications, and the following research fields shall not be funded: activities aimed at cloning human beings for reproductive purposes; activities aimed at modifying the genetic heritage of human beings that could make such modifications heritable (with the exception of research related to the treatment of gonadal cancer, which may be funded); activities aimed at creating human embryos exclusively for research purposes or for the procurement of stem cells including by nuclear transfer of somatic cells, resulting in the destruction of human embryos.

Researchers must complete an ethical self-assessment form, included in the standard annex to the application, stating whether their research falls within any of the fields described above.

Beneficiary entities participating in the call must submit a self-declaration stating that the funded activities comply with the European Code of Conduct for Research Integrity and that they will not undertake any research activities expressly excluded as outlined in this section. This declaration must be included in the acceptance documents required by Rule 19.

39.5 Beneficiary entities must have the necessary licensing and control measures in place to carry out the requested research and innovation activities with guarantees. They must also obtain the authorisation of the relevant ethics committees when their research and innovation activities raise ethical issues to be considered. These documents must be submitted to AGAUR when the recruited researcher joins the host institution, in accordance with Rule 22.

39.6 Where applicable, funded activities must comply with the principle of not causing significant harm to any of the six environmental objectives of the EU Taxonomy Regulation.

39.7 Research and innovation activities that do not comply with the ethics and integrity rules, and are therefore unacceptable from an ethical point of view, shall not be funded. All activities carried out outside the EU must comply with European legislation and the applicable legislation in Catalonia, rather than that of the country of destination.

Funding may also be withdrawn if systematic non-compliance with ethical aspects is found during the course of the project.

#### Rule 40. Ethical Principles, Rules of Conduct and Consequences of Breach

In accordance with Article 55(2) of the Catalan Transparency Act, the ethical principles and rules of conduct that beneficiaries of subsidies or grants must follow are made public, as are the consequences of any breach of these principles, without prejudice to the call for applications including, where appropriate, codes of conduct, due to the specificity of the subject matter, or specific requirements to comply with certain ethical principles or rules of conduct, in order to safeguard the public or social interest of the subsidised activity and to fulfil the object and purpose of the corresponding grants.

These principles and rules of conduct are considered minimum standards and can be supplemented or made more stringent depending on the amount of the subsidy or grant, or the type and characteristics of the beneficiaries, as specified in the rules of the corresponding call.

Ethical principles and rules of conduct:

1. Beneficiaries must adopt exemplary ethical conduct, refrain from engaging in, encouraging, proposing or promoting any form of corrupt practice, and report to the competent authorities any manifestation of such practices they believe are occurring or may affect the procedure. They must, in particular, refrain from any actions that may contravene the principles of equal opportunity and fair competition.
2. In general, beneficiary persons and entities, in the exercise of their activities, assume the following obligations:
  - a. Respect the principles, rules and ethical standards specific to the activities, trades or professions eligible for the grant or subsidy.
  - b. Not engage in any activity that could jeopardise the public interest.
  - c. Report any irregularities arising in the context of calls for grants or subsidies, or in the processes derived from these calls.
3. In particular, beneficiary persons and entities must:
  - a. Immediately notify the competent authority of any potential conflict of interest.
  - b. Not directly or indirectly request a public official or employee to influence the award decision.
  - c. Not offer or provide personal or material advantages to public officials or employees, for themselves or third parties, with the intention of influencing the grant awarding procedure.
  - d. Collaborate with the competent authority in monitoring or evaluating compliance with the obligations established in the rules and the call, particularly by providing the information that is requested of them for these purposes related to the use of public funds.
  - e. Comply with the obligations to provide information imposed on beneficiaries by transparency legislation regarding the relevant public administrations, without prejudice to compliance with any transparency obligations directly applicable to them under law, as established in paragraph four of Article 3 of the Catalan Transparency Act.
  - f. Incorporate a gender and intersectional perspective into the activities, projects and services planned. The methodologies and gender indicators used in the project must be specified in the annexes to the application, as appropriate, including: a description of the specific imbalances and inequalities between women and men that the project aims to address; the initiatives proposed

(positive actions to correct the detected inequalities); and gender indicators (to monitor the impact of the project *in itinere* and *ex post*).

Effects of a breach of ethical principles and rules of conduct:

In the event of non-compliance with the ethical principles and rules of conduct, the sanctions regime established in the Catalan Transparency Act shall apply, together with the sanctions provided for in Article 84 regarding beneficiaries of grants or subsidies, without prejudice to any other consequences provided for under the applicable subsidies legislation.

#### Rule 41. Conflicts of Interest

The administering body must ensure that no situation arises which constitutes a conflict of interest.

As a general rule, and to prevent fraud, all persons involved in the selection of beneficiaries and in verifying compliance with the conditions set out herein shall sign a declaration of absence of conflicts of interest and undertake to update it if their circumstances change.

#### Rule 42. Infringements and Penalties

42.1 The infringements and sanctions established in Legislative Decree 3/2002 of 24 December, Law 38/2003 of 17 November, and Law 39/2015 of 1 October shall apply, without prejudice to any specific provisions that may arise from the applicable sectoral regulations.

Self-declarations imply that the person concerned holds the relevant supporting documents for the information declared. If the Administration verifies that the declared information is inaccurate or false, the procedure may be cancelled after hearing the person concerned. If this conduct qualifies as an infringement under the applicable legislation, it shall give rise to the initiation of the appropriate infringement proceedings in accordance with the sanctions regime referred to in the preceding section.

42.2 Natural or legal persons, public or private, as well as entities without legal personality, who, by action or omission, commit any of the acts classified as infringements under these rules, shall be held liable with respect to subsidies.

42.3 In the event of non-compliance with the obligations established in these rules, the sanctions regime laid down in Title IV of the General Subsidies Act and Article 100(1) *et seq.* of the consolidated text of the Catalan Public Finance Act, approved by Legislative Decree 3/2002 of 24 December, shall apply if such non-compliance constitutes an infringement under the aforementioned legislation, regardless of the full or partial repayment of the fellowship.

42.4 Likewise, if, during its controls, the Comptroller of the Government of Catalonia identifies conduct by the controlled subject that tends to hinder, delay or obstruct its actions, it shall refer the matter to the competent authority for the initiation of infringement proceedings in accordance with Article 67 of the General Subsidies Act.

42.5 The following constitute administrative infringements with respect to subsidies, in accordance with Article 101(1) of the consolidated text of the Catalan Public Finance Act, approved by Legislative Decree 3/2002 of 24 December:

(a) By beneficiary persons and entities:



First. Obtaining a fellowship by falsifying the conditions required for its award or by concealing information that would have prevented or complicated its award.

Second. Using the amounts received, in whole or in part, for purposes other than those for which the fellowship was awarded.

Third. Failing, for reasons attributable to the beneficiary, to comply with the obligations imposed for the award of the fellowship.

Fourth. Refusing to allow inspection, verification and control actions by the awarding body, the collaborating entity, where applicable, the Comptroller, or other control authorities, or obstructing such actions.

Fifth. Failing to notify the awarding body or collaborating entity, where applicable, of any other subsidies or grants obtained for the same purpose from any public administration, as well as of any changes to circumstances that served as the basis for the award of the fellowship.

Sixth. Failing to justify, in whole or in part, the use of the funds received, or providing justification after the established deadline to prove the execution of the fellowship's purpose.

Seventh. Failing to demonstrate to the awarding body or collaborating entity, where applicable, compliance with the obligations imposed for the award of the fellowship.

(b) By collaborating entities:

First. Failing to deliver the funds received to the beneficiaries, in accordance with the criteria established by the rules governing the fellowship.

Second. Refusing to allow verification and control actions concerning the management of the funds received, carried out by the awarding body or control authorities, or obstructing such actions.

Third. Failing, where applicable, to verify compliance with the conditions set out in the award decision.

Fourth. Failing to justify to the awarding body the use of the funds received, or failing to provide the justification submitted to the beneficiaries.

(c) By third parties related to the purpose of the fellowship: Refusing to allow the verification and control actions regarding the completion of the fellowship's objectives, carried out by the control authorities, or obstructing such actions.

42.6 As established in Article 101(2) of the same Legislative Decree, the administrative infringements described in the previous section may be classified as very serious, serious or minor, according to the following:

(a) In the case of beneficiaries, the infringements defined in the first, second and third points of letter (a) of section 1 are considered very serious. In the case of collaborating entities, the infringement defined in the first point of letter (b) of section 1 is considered very serious. For both beneficiaries and collaborating entities, recurrence within three years of serious infringements is considered a very serious infringement when declared as such by a final administrative decision.

(b) In the case of beneficiaries, the infringements defined in the fourth and fifth points of letter (a) of section 1 are considered serious. In the case of collaborating entities, the infringements defined in the second and third points of letter (b) of section 1 are considered serious. In the case of a third party, the infringement defined in the letter (c) of section 1 is considered serious. For all parties, recurrence within three years of minor infringements is considered a serious infringement when declared as such by a final administrative decision.



(c) In the case of beneficiaries, the infringements defined in points six and seven of letter (a) of section 1 are considered minor. In the case of collaborating entities, the infringements defined in point four of letter (b) of section 1 are considered minor.

42.7 Beneficiary persons and entities, collaborating entities and third parties who engage in the conduct described in this rule shall be held responsible for the infringements.

42.8 Very serious infringements prescribe after five years; serious infringements, after three years; and minor infringements, after one year. The limitation period commences on the date the infringement was committed.

#### Rule 43. Verification and Monitoring of Eligible Activities

43.1 The competent bodies of the subsidising entity have the power to carry out the necessary verifications to confirm the actions and information justifying the award of the fellowship, and that the amounts paid have been allocated to cover the expenses incurred in carrying out the purpose of the fellowship.

43.2 The awarding body may carry out specific verification actions following complaints or evidence of fraud or irregularity in the execution of the activity funded by these fellowships.

43.3 Beneficiaries must submit to the verification actions deemed necessary by the awarding body, as well as those carried out by the competent bodies of the regional, national and EU administrations. Likewise, the awarding body may inspect the progress of subsidised projects and actions to verify compliance with the purpose of the fellowship, in accordance with current regulations.

43.4 Verification and inspection actions may also include the assessment of the accuracy of the information provided by the beneficiary in databases or commercial documents held by third parties.

43.5 In accordance with Article 46(2) of Law 38/2003, refusal by beneficiaries or third parties to comply with the obligation to collaborate and provide the documentation required in the exercise of these verification and inspection functions shall be considered resistance, excuse, obstruction or refusal and, therefore, shall constitute grounds for revocation and repayment, where applicable, of the fellowship, without prejudice to any sanctions that may apply.

43.6 Beneficiaries must provide all information required by the Comptroller's office of the Government of Catalonia, the Catalan Audit Office or other competent bodies, in accordance with Legislative Decree 3/2002 of 24 December, approving the consolidated text of the Catalan Public Finance Act.

Beneficiary entities and fellowship recipients must submit to administrative and on-site verification actions carried out by AGAUR, in accordance with its subsidy verification plan, as well as to control actions conducted by the competent bodies of the regional, national, and EU administrations.

The purpose of these administrative checks is to verify the proper implementation of the subsidised activities.

On-site verifications shall be undertaken during the execution of the subsidised activity and aim to verify its effective implementation and compliance with the obligations of the recipients and beneficiary entities.

#### Rule 44. Appeals Procedure

Against this Resolution, which exhausts the administrative proceedings, interested parties may lodge an appeal for reconsideration, prior to the administrative appeal for judicial review, before the person who signs these rules, within one month from the day after its publication in the DOGC, as established in Article 77 of Law 26/2010 of 3 August, on the legal regime and procedure of the public administrations of Catalonia, and Articles 123 and 124 of the Common Administrative Procedure Act, or any other appeal they consider appropriate to defend their interests.

Likewise, interested parties may file an administrative appeal for judicial review before the Judicial Review Chamber of the High Court of Justice of Catalonia within two months from the day following publication in the Official Gazette of the Government of Catalonia, in accordance with Articles 10(1)(a), 14, 25 and 46(1) of Law 29/1998, of 13 July, regulating judicial review, without prejudice to the possibility of filing any other appeal they consider appropriate.