

Call 2013 – Spanish national eligibility criteria and funding rates



A.- Spanish eligibility criteria

1) Beneficiaries:

Must belong to one of the following categories:

- Enterprises, SME or LE, established in Spain.
- Private Research Organizations, including Private Universities.
- Groups and Associations of Enterprises.
Public Universities must be subcontracted by an enterprise

2) Local consortium criteria:

- Consortium agreement signed by all participants once the proposal is elected
- Minimum recommended, three independent entities: one SME, one IND, one RES
- Minimum 50% budget of Spanish industry on the project
- Coordinator must be an enterprise
- Enterprises should be experienced in the matter of the project

3) Administrative requirements (3 docs):

- Type of organization justification (LE, SME, RES, etc.)
- Justification of no debts with the Administration This certificate is available in the Web page <http://WWW.MINETUR.ES/ARTEMIS> as a statement of responsibility that has to be sent electronically signed by the representative of the company.
- Solvency justification.
- The documents must be included in the proposal at the FPP stage.
- Following documents must be up-to-date at provisional resolution time during the national phase:
 - Due taxes Certification (Hacienda, Foral)

- Social security due payments Certification

4) Budget requirements

- Provided consortium budget excel sheet must be sent to MINETUR at FPP stage
- BU minimum 500.000 € per project, in terms of total eligible costs.
- BU breakdown per year/per concept in three annuities (3 years maximum duration)
- Earliest starting date for charging costs: 01/01/2014
- Maximum indirect costs authorized = 20% of personnel costs (including travelling expenses)
- Subcontracting \geq 20% of grant: written contract among parts needed previously approved by MINETUR at national provisional resolution phase
- Eligible costs in 5 concepts: MATERIALS, PERSONNEL, SUBCONTRACTS, GENERAL, OTHERS

5) National part once proposal is elected:

- The opening data of the local call will be communicated to coordinators in due time
- The coordinator will send the form of the total project of the Spanish consortium, electronically signed by the representative of the company
- Each participant will send the form of its own part
- Each participant must comply with the conditions of beneficiary (same as coordinator)
- Every member will be responsible for the amounts received. Received money must be immediately transferred to public universities in case of subcontracting.
- Annual justification of expenses with ROAC audit certificate is mandatory.

6) Legal / administrative / financial conditions

6.1) Administrative requirements

- Every national participant has to be established in Spain.
- Every participant must include the Spanish "Entity Identification Code" (*CIF*) in the proposal.
- All Spanish participants must be included in the Registry for R&D entities of the Spanish Ministry of Industry, Energy and Tourism. The registration number must be included in the proposal.

6.2) Legal requirements

- Participants which have received any other national public funding for the same or very similar project, activities or tasks will not be considered eligible. At the FPP stage this must be stated for each Spanish participant in the provided documentation.

It will be mandatory to fulfill all Spanish current legal requirements for applying for public grants:

- Articles 29 and 31 of the Spanish General Law of Grants (LGS) establish several requirements related to subcontracting :
 - When the amount of the contract exceeds 30.000 € in the case of civil works, or 18.000 € for equipment supplies and services, the beneficiary must obtain a minimum of three bids. Contracts have to be awarded to the bid offering best value for money, under conditions of transparency and equal treatment. This must be proved at the national justification stage.
 - The cost of subcontracting must not exceed 50% of the total cost for the Spanish participants.
 - A written contract must be signed when the subcontracting exceeds 20% of the grant and the total amount of the contract is higher than 60.000 €. The contract will be provided at the national justification phase.
 - Public Research Institutes and Universities can be subcontracted by enterprises but are not eligible as members of the consortium.

It will be mandatory as well to fulfil other applicable legal requirements ruled in the following legal texts:

- Community Framework for State Aid for Research and Development and Innovation (2006/C 323/01).
- Ley 38/2003, de 17 de noviembre, General de Subvenciones.
- Real Decreto 887/2006, de 21 de julio, por el que se aprueba el Reglamento de la Ley 38/2003, de 17 de noviembre, General de Subvenciones.
- Leyes anuales de Presupuestos Generales del Estado.
- Ley 47/2003, de 26 de noviembre, General Presupuestaria.
- Ley 30/1992, de 26 de noviembre, de Régimen Jurídico de las Administraciones Públicas y del Procedimiento Administrativo Común.
- Ley 30/2007, de 30 de octubre, de Contratos del Sector Público.
- According to the Article 13.6.b of the Statutes of the ARTEMIS JU, other financial and legal requirements in force at the moment of the adoption of a particular administrative decision.

The Spanish legal texts can be found on <http://WWW.BOE.ES>

6.3) Financial requirements

- Eligible costs will be those defined in the Community framework for State Aid for Research and Development and Innovation, adopted by the Commission on 22 November 2006 and published in the Official Journal of the European Union

on 30 December 2006 (OJ C 323, 30.12.2006, p. 1), taking into consideration the article 31 of the mentioned LGS.

- To be eligible, at the FPP stage each Spanish participant has to demonstrate clearly in the proposal its solvency and financial capacity to carry out the project, and the Spanish Public Authorities have to assess it positively.

7) Conditions on the technical content/scope

- The documentation has to include, for each participant, a breakdown and a schedule of the activities to be carried out. At the FPP stage these must be detailed at task level.
- A short résumé of all key researchers CV must be included.
- Fundamental research activities will not be funded by Spanish National Authorities.
- At the FPP stage, large enterprises should describe the incentive effect of the aid on their R&D activities, according to the Community Framework for State Aid for Research and Development and Innovation.
 - *Increase in project size*: increase in the total project costs (without decreased spending by the aid beneficiary by comparison with a situation without aid); increase in the number of people assigned to R&D&I activities;
 - *Increase in scope*: increase in the number of the expected deliverables from the project; more ambitious project illustrated by a higher probability of a scientific or technological break-through or a higher risk of failure (notably linked to the higher risk involved in the research project, to the long-term nature of the project and uncertainty about its results);
 - *Increase in speed*: shorter time before completion of the project as compared to the same project being carried out without aid;
 - *Increase in total amount spent on R&D&I*: increase in total R&D&I spending by the aid beneficiary; changes in the committed budget for the project (without corresponding decrease in the budget of other projects); increase in R&D&I spending by the aid beneficiary as a proportion of total turnover.
- The provided documentation will include for each Spanish participant a budget breakdown per concept and per year, according to the categories of eligible costs of the Community Framework for State Aid for Research and Development and Innovation.
- To be eligible, a project must account for some kind of Spanish leadership. The fulfilment of one of the following criteria at the PO and FPP stage may be used to demonstrate it:
 - Leadership of the whole project.
 - Leadership of two work-packages.
 - Leadership of one work-package and two tasks.
 - Leadership of four tasks.

8) Conditions on budget distribution/exploitation/impact.

- To be eligible, the provided documentation has to include at the FPP stage for each Spanish participant a detailed explanation at European and Spanish levels about:
 - The future exploitation of the results of the project.
 - The estimation of its potential impact in terms of competitiveness, employment, market position, returns on investment and added value.
- The BU distribution and project local targets should be in line with the national requirements, and must be accepted by the national PA.

9) Specific requests for Spanish participants.

- After the evaluation and selection procedure of the ARTEMIS Joint Undertaking, the Spanish participants in the selected proposals must complete all the forms and documents requested by the Spanish Public Authorities, in order to conclude national grant agreements.
- These forms and documents must be electronically submitted to the Spanish Public Authorities before a specific deadline set by the Spanish Public Authorities. The submission should be made using an electronic signature.
- Every Spanish participant in the selected proposals must be registered and updated in the Registry for R&D entities of the Spanish Ministry of Industry, Tourism and Trade, according with Ministerial Order ITC/570/2006.

10) Preparation of part C.

Each coordinator must prepare the budget conforming provided excel sheet and send it to email address artemis@minetur.es at application stage.

Each participant (including coordinator) must fulfill the provided form and create a file with the information requested by the Spanish authorities in order to check the eligibility criteria. Each participant must send it to email address artemis@minetur.es. Specific information on how to create this file can be found at:

<http://WWW.MINETUR.ES/ARTEMIS>.

- *A Part C is compulsory and must be submitted to the Ministry of Industry, Energy and Tourism via mail to artemis@minetur.es for the participant to be declared eligible. Budget must be approved by the Ministry in order to be eligible.*

B.- National funding rates

For the Call 2013 the Joint Undertaking's percentage (JU%) will be 16,7%

Type of activity Type of Organization	Percentage of costs covered by national funding			
	Large Enterprises, Groups and Associations of Enterprises (1)	Medium Enterprises (1)	Small Enterprises (1)	Small Private Research Institutes and Universities (*)
Fundamental/Basic Research (3)	0%	0%	0%	0%
Industrial/Applied Research projects	23,3%	33,3%	43,3%	43,3%
Experimental development projects	23,3%	33,3%	43,3%	43,3%
JU additional %	16,7%	16,7%	16,7%	16,7%
TOTAL GRANT	40%	50%	60%	60%

(*) Other Private Research Institutes and Universities will be funded as enterprises.

Notes to the national funding rates:

(1) **Fundamental research costs** will not be funded by Spanish Public Authorities.

(2) **Costs breakdown:** The proposal (PO or FPP) will include for each Spanish participant a budget breakdown per concept and per year, according to the categories of eligible costs of the Community Framework for State Aid for Research and Development and Innovation. The concepts for the breakdown will be:

- **Costs of instruments and equipment** to the extent and for the period used for the research project. If such instruments and equipment are not used for their full life for the research project, only the depreciation costs corresponding to the life of the research project, as calculated on the basis of good accounting practice, are considered as eligible.

- **Personnel costs** (researchers, technicians and other supporting staff to the extent employed on the research project)
- **Cost of contractual research, technical knowledge and patents** bought or licensed from outside sources at market prices, where the transaction has been carried out at arm's length and there is no element of collusion involved, as well as costs of consultancy and equivalent services used exclusively for the research activity.
- **Other operating expenses**, including costs of materials, supplies and similar products incurred directly as a result of the research activity.
- **Additional overheads**, including audit costs, ARTEMISIA fees and indirect costs.
 - Indirect cost: A maximum percentage of 20% of valid personnel costs justified can be applied, without any specific justification documentation. These indirect costs include travel expenses, so they cannot be included in other concepts.
 - Audit costs are calculated by the formula: minimum (1.500 euros, 1% budget per_year and per company)



C.- Spanish form “C”

Spanish partner verification of the eligibility criteria for funding

This information will be used to verify that the participants meet the national eligibility criteria for national funding described in the "Spanish Eligibility Criteria" document and the national eligible costs and the funding rates of the Guide for applicants.

For each proposal, every participant must create a **PDF file** with the information requested by the Spanish authorities in order to check the national eligibility criteria.

For each proposal, the Spanish coordinator must fulfill the Excel file, ARTEMIS Spanish Budget 2013 PartC.xlsx, available under www.minetur.es/ARTEMIS with the information requested. This file must be sent to artemis@minetur.es as part C.

Budget presented in part B in table 5a and table 5b must be calculated by the provided excel sheet. This part B Budget is binding.

Provided consortium excel sheet must be approved by MINETUR at FPP stage.

Once budget is approved must be exactly and precisely introduced in the national application once the proposal is elected.

Information requested in Part C for each Spanish participant

1.- IDENTIFICATION DATA:

- NAME (name of the entity)
- ACRONYM (acronym of the project)
- COORDINATOR (Spanish coordinator must be an enterprise).
- EMAIL (email of contact)
- CIF (Spanish Entity Identification Code)
- # REGISTER (Spanish MINETUR R&D Registry number)
- ORGANIZATION (Type: Large / Medium / Small enterprise; RES / UNI).

2.- ADMINISTRATIVE REQUIREMENTS

- Type of organization justification: Y/N
- Solvency justification (Bank certification, annual results etc.): Y/N
- Justification of no debts with Administration: Y/N

3.- PROJECT SPECIFICATION

- Incentive effect of the project (only LE's): Y/N
- Earliest starting date for charging the eligible costs (01/01/2014): Y/N
- Duration of the project (as agreed with JU, and 3 years maximum): Y/N
- Annual justification of expenses with ROAC audit certificate in all: Y/N
- Key researchers of the project short CV: Y/N
- Minimum Spanish leadership (Overall, 2 WP's, 4 tasks or equivalent): Y/N
- Technical memory as per FPP level: Y/N.

4.- SPANISH CONSORTIUM CRITERIA

- Consortium agreement signed by all participants at national phase: Y/N
- Minimum recommended 3 independent Spanish entities: one LE, one SME, one RES/UNI (private)
- Minimum 50% of Spanish industry on the local project: Y/N
- Coordinator must be one Spanish enterprise: Y/N.

5.- BUDGET CONSIDERATIONS

- BU minimum 500.000 €: Y/N
- BU breakdown per year/per concept in 3 annuities: Y/N
- Indirect costs, including travel expenses = 20% personnel costs: Y/N
- Expenses \geq 12.000€: 3 offers Y/N
- Subcontracting \geq 20% grant: previously approved contract needed: Y/N
- Eligible costs: Materials, Personnel, Subcontracts, General, Other: Y/N

6.- BUDGET BREAKDOWN FORMAT

- Consortium budget excel sheet ("ARTEMIS Spanish Budget 2013 PartC.xlsx") is attached to application as part of Part C: Y/N

(Date, place, name, surname and electronic signature of the person in charge of the project)

In summary, Proposals must fulfill following documents:

- “<proposal_name>_ARTEMIS Spanish **Budget** 2013 PartC.xlsx”

Entities must fulfill following documents:

- Signed “<proposal_name>_<entity_name>_National **requirements** 2013 form” in pdf format
- A pdf document called “<proposal_name>_<entity_name>_additional **information**” with all the required additional information:
 - Administrative requirements: Type of organization justification, Solvency justification, and Justification of no debts with Administration
 - Incentive effect description for Large enterprises

In conclusion, at European application stage:

3 files for the coordinator per proposal to be sent to artemis@minetur.es (budget, requirements and information)

2 files per participant to be sent to artemis@minetur.es (requirements and information)

Related and detailed information and files will be available under AyudaTEC website:

<http://www.minetur.es/ARTEMIS>

Files to download from this site:

- “ARTEMIS Spanish **Budget** 2013 PartC.xlsx” Spanish budget excel sheet for ARTEMIS 2013 Call
- “National **requirements** 2013 form” national eligibility criteria fulfillment document