



# Rules for Applicants and Beneficiaries – Specific Part

## Calls “Long-term Intersectoral Cooperation” and “Long-term Intersectoral Cooperation for ITI”

### Operational Programme Research, Development and Education Programming period 2014–2020

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## 1. CHAPTER – INTRODUCTION

The specific part of the Rules for Applicants and Beneficiaries of Priority Axis 1 calls – Long-term Intersectoral Cooperation and Long-term Intersectoral Cooperation for ITI supplements the Rules for Applicants and Beneficiaries – General Part.

While the general part governs the rules for all applicants and beneficiaries of OP RDE, this specific part contains additional/supplemental rules of the calls Long-term Intersectoral Cooperation and Long-term Intersectoral Cooperation for ITI for relevant chapters. This specific part of the rules applies to both calls (i.e. Long-term Intersectoral Cooperation, as well as Long-term Intersectoral Cooperation for ITI). The parts which are relevant solely for the call Long-term Intersectoral Cooperation for ITI are marked in the text.

The binding nature of the rules' versions for the preparation and subsequent implementation of the project is defined in Chapter 1 of the Rules for Applicants and Beneficiaries – General Part.

The Rules for Applicants and Beneficiaries – Specific Part, **Version 0** have informative character and are issued by the OP RDE Managing Authority together with the Advice of the Call, i.e. before the publication of the Call in IS KP14+. Version 1 of the Rules for Applicants and Beneficiaries – Specific Part is mandatory for all applicants and beneficiaries of the call, and will be published no later than on the date the call is made available in IS KP14+.

The Managing Authority has the power to issue other versions of the Rules for Applicants and Beneficiaries containing additional conditions for applicants and beneficiaries. The applicants and beneficiaries are informed about the publication of these updates through the news on the website of the MEYS under Operational Programmes, or through internal dispatches in IS KP14+.

## 2. CHAPTER – DEFINITIONS

### **Application sector**

Any organization where the results of R&D activities can be applied. These may involve industrial and development firms, other scientific and research facilities, healthcare and related fields, non-profit and public sectors, etc.

### **Applied (targeted) research**

Experimental and theoretical work to acquire new knowledge, but whose use is clearly focused on specific, predetermined objectives. Applied research can be divided into: general applied research, i.e. systematic research aiming to acquire new knowledge, which has yet to reach the stage with a clear specification of objectives for its application and; specific applied research, i.e. also systematic research aiming to acquire new knowledge, but directed at a specific practical objective with a clear application of the results.

### **Excellent worker**

A worker whose results are comparable internationally (a researcher whose H-index and publication activity are comparable internationally). The inclusion of this type of a worker in the professional project team is possible, but not required (mandatory).

### **Experimental development**

Acquiring, combining, shaping and using the existing scientific, technological, commercial and other relevant knowledge and skills for the development of new or improved products, processes or services. This may include activities aimed at defining the concept, planning and documentation of new products, processes or services.

### **GBER**

General Block Exemption Regulation. It is Commission Regulation (EU) No 651/2014 of 17 June 2014, declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty, ~~(General Block Exemption Regulation~~ with effective date on 1 July 2014). Block exemptions mean a range of categories and types of State aid which, subject to certain conditions, are presumed to be compatible with the EU internal market and can be provided without the need for a detailed review by the European Commission.

### **Integrated Territorial Investments (ITI)**

Under OP RDE, ITI will be used in accordance with Article 36 of Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006, as subsequently amended (hereinafter "General Regulation") and based on their definition in the Regional Development Strategy of the Czech Republic 2014–2020. Within the meaning of this call (and OP RDE), ITI concerns urban development strategies requiring an integrated approach involving investments from the ERDF. ITI will be used in the largest metropolitan areas of national importance (for more details on ITI, see the text of OP RDE). The following integrated strategies were submitted under OP RDE: ITI Ústí-Chomutov agglomeration, ITI Pilsen agglomeration, ITI Hradec Králové-Pardubice agglomeration, ITI Ostrava agglomeration, ITI Olomouc agglomeration.

### **Key worker**

A worker who is necessary for project implementation (e.g. research project leader, researcher or a lawyer preparing patent applications). The inclusion of this type of worker in the project team is possible, but not required (mandatory).

## Business corporations

According to Act No 90/2012 Coll., on business corporations and cooperatives (“Business Corporations Act”), as amended, it is a specific form of an enterprise.

## Normal market conditions

Normal market conditions mean that the conditions of a transaction between the parties do not differ from those which would be agreed between independent enterprises, and that they do not include any element of collusion. The principle concerning normal market conditions is presumed fulfilled in the case of a transaction which was preceded by an open, transparent and non-discriminatory procedure.

## Aid scheme

In this call, two aid schemes are combined within a single project:

Option A: aid not constituting State aid. Relevant for entities that meet the definition of a research and knowledge dissemination organisation (hereinafter the “research organisation”) under the Framework for State aid for research and development and innovation (2014/C 198/01): These entities will receive aid to implement non-economic activities defined in paragraph 19 of the Framework, or ancillary economic activities complying with paragraph 20 of the Framework (~~within the meaning of Article 107(1) TFEU~~, such funds do not constitute State aid within the meaning of Article 107(1) TFEU).

Option B: compatible State aid provided through the ‘Block Exemption’ (GBER). Aid for enterprises (i.e. business corporations, State enterprises or research organizations that do not meet the conditions of paragraph 20 of the Framework at the entity level) will be provided in accordance with Article 25 of the GBER for the implementation of research ~~and development~~ projects in the field of fundamental and industrial research. This aid is compatible with the internal market within the meaning of Article 107(3) TFEU, which is exempted from notification pursuant to Article 108(3) TFEU.

The aid scheme affects especially the eligibility of expenditure, the amount of aid and its intensity. State aid is detailed in Chapter 15, the eligibility of expenditure is defined in Chapter 8.7.

## State enterprise

An entity pursuant to Act No 77/1997 Coll., on State enterprise, as amended.

## Building alterations

In the context of this call, building alterations exclusively involve alterations related to the acquisition and installation of instruments and equipment.

## Entity aided under GBER

An undertaking (any entity carrying out an economic activity, for example: business corporation, State enterprise or research organization that does not meet the requirements of paragraph 20 of the Framework at the entity level) will receive compatible State aid under Article 25 of the GBER for the implementation of a research ~~and development~~ projects in fundamental and industrial research.

### Feasibility study

Feasibility study means the evaluation and analysis of project potential which aim to support the decision-making process by objectively and rationally determining the strengths and weaknesses of the project, its opportunities and threats, and identifying the resources needed for its implementation, as well as its prospects for success.

### Upgrade

Replacement of technical equipment or its parts with a newer/better version, which increases the quality or extends the functionality of the technical equipment.

### Research organisation

An entity that meets the definition of a research and knowledge dissemination organisation [defined in art. 15 ee\) under of](#) the Framework for State aid for research and development and innovation (2014/C 198/01).

### Start of works

Under the GBER, start of works means the earlier of either the start of construction works relating to the investment, or the first legally binding commitment to order equipment or any other commitment that makes the investment irreversible. Purchase of land<sup>1</sup> and preparatory works, such as obtaining permits and conducting feasibility studies, are not considered start of works. In the case of take-overs, start of works means the moment of acquiring the assets directly related to an acquired establishment.

## 3. CHAPTER – LEGAL BASIS AND OTHER UNDERLYING DOCUMENTS

Covered in Rules for Applicants and Beneficiaries – General Part The key documents of this Call include:

- Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty (hereinafter “GBER”)<sup>2</sup>;
- Communication from the Commission Framework for State aid for research and development and innovation 2014/C 198/01 (hereinafter the “Framework”)<sup>3</sup>

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<sup>1</sup> Generally, the purchase of land does not constitute start of works; however, all works (such as renovation or adaptation of buildings) associated with the investment represent start of works. [Costs incurred in connection with such land purchase or preparatory work \(permit, feasibility study\) can not be included in the eligible expenditure.](#) However, if the price of the land is included in the eligible expenditure, any purchase of the land is considered the start of works.

<sup>2</sup> EU Official Journal, L187, 26.06.2014, pp. 1-84

<sup>3</sup> EU Official Journal, C198, 27.06.2014, pp. 1-29

## 4. CHAPTER – CONTACTS AND COMMUNICATION WITH APPLICANTS AND BENEFICIARIES

Covered in Rules for Applicants and Beneficiaries – General Part.

## 5. CHAPTER – PROCESSES AND RULES FOR THE SUBMISSION OF AN AID APPLICATION, EVALUATION AND SELECTION OF PROJECTS

### 5.1. Announcement of calls

Calls for Long-Term Intersectoral Cooperation and Long-Term Intersectoral Cooperation for ITI are designated as round-based calls, using the single-round model of evaluation, i.e. the applicants submit their aid applications by the deadline specified in the Call. Before submitting the application, all applicants have the opportunity to discuss their questions concerning the Call with the representatives of the MA – the contact person specified in the call (see Chapter 8.1 of the Call).

### 5.2. Preparation of the aid application

Beyond the rules specified in the Rules for Applicants and Beneficiaries – General Part, the following applies to applicants/beneficiaries:

The applicant must submit the aid application through IS KP14+, including the mandatory/elective annexes. The overview of the mandatory/elective annexes is shown in the table in Annex 18.10. This overview contains the form and the method of submission of individual annexes.

#### 5.2.1. Eligibility of an applicant/partner

An eligible applicants is defined in the text of the Call.

An eligible partner is defined in the text of the Call.

The applicant or, where relevant, other entity which contributes to the eligible expenditure of the project (“partner”) which is a research and knowledge dissemination organisation (hereinafter the “research organisation”) must always meet all the following conditions based on the definition of **research organisation, as defined by the Framework**, and must ensure that these conditions will be met throughout the project implementation and sustainability.

- a) The primary objective of an entity is to independently conduct fundamental research, industrial research or experimental development, or to widely disseminate the results of such activities by way of teaching, publication or knowledge transfer.
- b) Enterprises (i.e. entities engaged in economic activities) which can exert a decisive influence upon the entity, for example in the quality of shareholders or members, may not enjoy preferential access to the results generated by the applicant/partner.
- c) Where such entity also pursues economic activities, the financing, the costs and the revenues of those economic activities must be accounted for separately. Separate accounting must be

kept so that the beneficiary can at any time provide credible, current and verifiable information on the management of the project funds.

- d) The obligations referred to in (a) to (c) must be incorporated in the internal guidelines of the entity (e.g. Articles of Association, formation deed) no later than on the date of submission of the aid application.

**Documents required to verify the eligibility of an applicant/partner which is a research organization**

The documents confirming the formal setting to meet the requirements arising from the definition of a research organization, which show that the internal setting of the operation of the competent entity (principal activities, division of economic and non-economic activities, prevention of influence of undertakings, etc.) meets the definition of the Research organization according to the Framework. These documents may include, for example: formation deed, articles of association, memorandum of association, formation charter, etc. These documents necessary to assess the fulfilment of the conditions following from the definition of research organization are to be submitted only by applicants/partners that meet the definition of a research organization according to the Framework, but are not a public higher education institution, State higher education institution conducting research, or a public research institution.

**Eligible applicant/partner is also obliged to meet all the following criteria:**

- **applicant/partner type** is included in the list of eligible applicants/partners in the Call;
- applicant/partner with a financial contribution which is a legal person<sup>4</sup> must demonstrate its **ownership structure**.

Assessment is made whether the applicant/partner has demonstrated its ownership structure in accordance with Section 14(3)(e) of Act No 218/2000 Coll., on Budgetary Rules, and on amendment to certain other acts, as amended (hereinafter “Budgetary Rules”) i.e. whether the applicant/partner has submitted the identification of:

- the persons acting in its name, stating whether they act as its governing bodies or under a power of attorney;
  - persons with a share in this legal person;
  - third persons in which the applicant/partner has a share, and the amount of that share.
- The applicant submits the ownership relation structure in the aid application on the ‘Project Entities / Entity Persons’ tab; partners with financial contribution submit the ownership relation structure through the mandatory annex to the aid application – Demonstration of the ownership structure (see Chapter 18.10. Annex 10: List of annexes to the aid application and how they are submitted).

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<sup>4</sup> Excluding State organisational units.

- At the same time, an applicant/partner with financial contribution other than a natural person or a legal person under public law<sup>5</sup> is obliged to accompany the aid application with a **list of its beneficial owners** in accordance with the provisions of Section 4(4) of Act No 253/2008 Sb., on certain measures against the legalization of proceeds from crime and financing of terrorism, as amended (hereinafter the “AML Act”). If such beneficial owners cannot be identified under the AML Act because a particular legal form of the beneficiary is not expressly provided in the AML Act, the applicant/partner shall provide information on the natural person or persons working as the applicant’s top managers. Demonstrated by both the applicant and the partner with fin. contribution through the Demonstration of ownership structure (see Chapter 18.10).

In connection with the publication/demonstration of the ownership structure and in order to avoid any potential conflict of interest, the applicant/partner with financial contribution must, at the request the OP RDE and/or other entities (PCA, AA, EC or ECA), submit documents proving the facts specified on the ‘Project Entities / Entity Persons’ in the annex ‘Demonstration of ownership structure’.

- The applicant/partner is **not subject to insolvency proceedings, private enforcement proceedings, or liquidation;**
- the applicant/partner **meets the conditions of absence of debt** with State and self-government authorities, tax office and health insurance companies;
- the applicant/partner is not an **undertaking in difficulty** within the meaning of GBER;
- the applicant/partner has a **clean criminal record;**
- the applicant/partner must submit authorization to carry out **scientific and research activities as primary or secondary activities**, which is to be proved by means of its articles of association or constitutive documents (no to be submitted by State and public higher education institutions and public research institutions) – this condition is only relevant for research organizations;
- each applicant/partner is also obliged to have been registered with the relevant register for at least 2 years preceding the date of filing the application in IS KP14+ (i.e. it is necessary to demonstrate **at least a 2-year history** of the company/institution);
- The applicant<sup>6</sup> is required to demonstrate through an annex to the aid application that the **annual turnover of the organization/company** is at least 30% of the estimated total eligible project expenditure specified in the aid application, less the estimated expenditure of the budget chapter

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<sup>5</sup> For the purposes of these Rules for Applicants and Beneficiaries, a legal person under public law especially means the Czech Republic, State organizational units, State co-funded organizations, State funds, territorial self-governing units and its publicly co-funded organizations, voluntary associations of municipalities, Regional Council of a cohesion region, European Grouping of Territorial Cooperation, public higher education institutions, public research institutions, professional associations established by law, State-owned and national enterprises, State organizations, VZP (the General Health Insurance Company of the Czech Republic), the Czech National Bank, the Czech Radio, the Czech Television, and the Czech News Agency.

<sup>6</sup> Does not apply to State organisational units and publicly co-funded organisations established by State organisational units.

Expenditure on direct activities – investment. Where one or several financial partners are involved in project implementation, the applicant may demonstrate the relevant part corresponding to the share of the partner(s) through the partner(s). The condition for achieving the required turnover is met for the last two consecutive closed accounting periods<sup>7</sup> lasting 12 months (that exist)<sup>8</sup>, for which the applicant / partner with financial contribution was to file a tax return, and which predate the filing of the application. The applicant / partner with financial contribution demonstrates this fact by submitting the profit and loss statement or an annual or other report on economic management for the above accounting periods.

Annual turnover is defined in Section 1d(2) of Act No 563/1991 Coll., on accounting, as amended (hereinafter “Act on Accounting”): “For the purposes of this Act, annual aggregate net turnover means the amount of revenue net of sales discounts, divided by the number of months or parts thereof, for which the accounting period lasted, multiplied by twelve.” Publicly beneficial payers as defined in Section 17a of Act No 586/1992 Sb., the Income Tax Act, as amended, (a payer that, in accordance with its constitutive juridical act, statute, articles of association, law or a decision of a public authority, performs, as its principal activity, an activity other than a business activity. A publicly beneficial taxpayer excludes (a) a business corporation, (b) the Czech Television, Czech Radio and Czech News Agency, (c) a professional association or a taxpayer founded for the purpose of protecting and defending the business interests of its members whose membership fees are not tax exempt, with the exception of employers' organizations, (d) health insurance companies, (e) association of unit owners, (f) foundations 1. which, according to their forming juridical act, serve to support close persons of the founder, or 2. which carry out activities towards supporting close persons of the founder.) shall indicate the annual net turnover from total activity, i.e. from the principal activity and economic activity. Taxpayers who keep tax records shall indicate the total of all revenues in the taxable period, or the period for which they filed the last income tax return.

**For entities aided under GBER, the following applies:**

- Aid can not be paid to an entity which is subject to an **outstanding recovery order** (i.e. an order to repay illegal aid) following a previous Commission decision declaring an aid illegal and incompatible with the internal market in accordance with Article 1(4)(a) of GBER. This condition must be met for the entire group, i.e. all linked enterprises, not only at the entity level.

**For business corporations / State enterprises, the following applies:**

- they must comply with the obligation under Section 21 of Act on Accounting, namely the obligation to publish financial statements in the register in accordance with Act No 304/2013 Sb., on public

<sup>7</sup> That means that the applicant / partner with financial contribution demonstrates compliance with the turnover conditions for each of the preceding two consecutive closed accounting periods separately.

<sup>8</sup> In the event that when filing the aid application, the last accounting period of the applicant / partner with financial contribution is not closed, the applicant shall provide, as a mandatory annex to the aid application, a statutory declaration that the turnover for the last closed period will be demonstrated before issuing the legal act. The proof of sufficient annual turnover (i.e. at least one half of total eligible project expenditure) is a mandatory condition for the legal act to be issued. If the applicant / partner with financial contribution does not demonstrate a sufficient level of turnover no later than when submitting the documentation needed for the issuance of the legal act on the granting/transfer of aid, its aid application will be excluded from the approval process, i.e. will not be aided.

registers. This condition applies to entities subject to such an obligation by law; the financial statements must be published for at least the last two accounting periods within the statutory time limit (the due date for the financial statements to be entered in the Commercial Register ends, in accordance with Section 21a of Act on Accounting, on the last day of the next accounting period, i.e. the 2015 financial statements had to be entered by 31 December 2016). If this condition is not met, the entity is not an eligible project partner. A reference to the location of the published financial statements must be provided by the applicant in the annex to the application for aid - Statement of fulfillment of the condition according to §21 of Act No. 563/1991 Coll.

### **More information on submitting project applications**

The applicant must not submit an identical aid application / identical research project under a call intended for projects within and outside the ITI. If an applicant submits an identical aid application / identical research project in the call 'Long-term Intersectoral Cooperation and Long-term Intersectoral Cooperation for ITI, all relevant aid applications of the applicant will be excluded from the evaluation process.

## **5.2.2. Territorial eligibility of OP RDE projects**

Projects under this Call can be implemented in the programme area "less developed regions". In this call, it is possible to benefit from the exemption under Article 70(2) of the General Regulation, i.e. it is also possible to implement projects outside the programme area (territory of Prague and the EU).

### **5.2.2.1. Permissible impact location of the project**

In the aid application, the applicant must define how the programme area will be impacted by the project. The applicant must define the territory where project activities benefiting the target group will be implemented.

If a project is implemented outside the programme area, i.e. in the territory of Prague/EU, and the beneficiary is unable to demonstrate impact only on less developed regions (13 regions outside Prague), the impact of such a project is always on the entire Czech Republic.

If the project is implemented within the "less developed regions" programme area (13 regions outside Prague), there is no need to further assess the impact of such a project on each category of regions, and the impact of the project is always on a less developed region.

If a project is implemented outside the selected programme area, i.e. in the territory of Prague/EU, and the impact is only on less developed regions (13 regions outside Prague), the impact of such a project is always on a less developed region.

The ratio determining the breakdown of resources between less and more developed regions is given in Chapter 8.1.5.

Applicants must complete the breakdowns in section 8.1.5. in the aid application on the tab “Specific Objectives”.

Example: The beneficiary is a research organization from Prague. This beneficiary automatically selects a breakdown to more and less developed regions of 26/74.

The beneficiary is a research organization based in Prague but with a branch outside Prague for which the project will be implemented. Here, the beneficiary selects a breakdown between more/less-developed regions of 0/100.

The beneficiary is a research organization from Ostrava. This beneficiary automatically selects a breakdown between more/less-developed regions of 0/100.

During project implementation, the beneficiary does not demonstrate relation of the target group to the programme area.

#### 5.2.2.2. Permissible location of the project

The project must be implemented in the European Union.

#### 5.2.3. Eligibility of target groups

The call defines the target groups as workers of research organizations, higher education institution students, researchers in private sector, public administration workers in the field of research, development and innovation, and workers in public administration (State administration and self-government).

#### 5.2.4. Eligibility of project activities

The activities are divided into mandatory, elective, optional and excluded.

Mandatory/elective/optional activities to be implemented within the project are to be selected by the applicant from a predefined list in the MS2014+.

#### **For partners from among entities aided under GBER:**

**These entities will only be reimbursed for eligible expenditure associated with their involvement in a research project within activity (d) Cooperation on implementing joint research activities/projects; such involvement is only permitted in the field of fundamental and industrial research. The substantive definition of eligible expenditure is set out in Chapter 8.7.2. In the event that these entities are involved in the implementation of other activities, they will not be reimbursed for any expenditure associated therewith.**

#### **For foreign partners (research organizations):**

**These entities will be reimbursed for the expenditure associated with their involvement in these activities:**

Mandatory activities: (b), (c), (d)

Elective activities: (e), (f), (g)

Optional activities: (i), (l)

Activity (l) is eligible only in the Czech Republic (i.e. the representative of the foreign partner will provide teaching in the Czech Republic).

**For applicants:**

**Mandatory activities**

The applicant is obliged to implement all of the following mandatory activities:

- a) **Project management** – the content of this activity is described in the Rules for Applicants and Beneficiaries – General Part; see Chapter 5.2.4.
  
- b) **Establishing, implementing or enhancing cooperation under partnerships of research organizations with industry.**

This activity may contain:

**Cooperation within the partnership:** The project must involve at least one partnership between the applicant and a business corporation or State enterprise.

Furthermore, this activity may involve the **establishment and development of cooperation with the application sector**, which is realized by the project team as part of project activities, and mainly serves to analyse the applicability of research results and transfer of practical knowledge and experience from the application sector to the research sector, and vice versa.

Research on behalf of enterprises (e.g. contract research, provision of R&D services, etc.) cannot be part of the project implementation. The cooperation is mainly focused on two-way transfer of knowledge and experience between research and application sectors, which is beneficial for all the parties involved.

In this process of cooperation, the project supports and expects the following benefits:

- Benefits and development of cooperation for a research organization include, in particular, obtaining practical data and feedback to validate the applicability of research results and to set further direction of pre-application and subsequent applied research.
  
- Benefits and development of cooperation for an application sector entity include, in particular, obtaining information for possible applicability of research results, obtaining information about current technological possibilities of research results for innovation and about future direction of research, and thus the possible direction of innovation in the application sector derived from/through joint research work with the applicant (a research organization).

**Expected results and outputs:**

The following indicators represent the monitored result (for details on individual indicators, see Annex 1 to the Call):

CO 26/ 2 00 00 Number of undertakings cooperating with research institutions

5 43 10 Number of aided cooperations (only relevant if cooperation involves other entities)

The prerequisite for cooperation in a partnership is the description of the setting of the necessity and cooperation within the partnership and a partnership agreement, which must be submitted together with the aid application.

Cooperation may be declared, for example, through a Memorandum of Understanding, or another appropriate contractual relationship. Such a declaration of a relationship must contain the plan which is related to the research activities of the project, and the expected form of possible cooperation beneficial to the parties involved. Further cooperation may develop based on the transfer of research knowledge to the application sector and vice versa (feedback on research results from the application sector), and may take the form of effective collaboration based on the research results achieved within the project.

The output of an established cooperation is the Memorandum of Understanding (MoU), or another contractual relationship used as a basis for research cooperation or a two-way transfer of knowledge and experience. Commercial cooperation (e.g. contractual research / provision of R&D services) may not be part of the project.

The outputs of the cooperation and its development include joint activities, such as the organization of joint seminars with the representatives of the application sector, visits to the application sector entities, participation in trade fairs, twinning with application sector entities (including foreign entities), publication of research results together with application sector, joint acquisition of grant projects, creation of intellectual property, or contract for further joint activities.

**c) Preparing and drawing up a strategy of long-term cooperation between research organizations and application sector.**

Long-term cooperation strategy contains at least the type and form of the expected cooperation, expected objectives and procedures for establishing, implementing and maintaining cooperation. This should include clarification of rights and obligations in this process.

**Rights and obligations of the research organization (RO):** creation or update of the Strategic Development Plan or the relevant internal document where cooperation is laid down.

**Rights and obligations of the application sector:** creation or update of an internal strategy in the form of internal guidelines for cooperation with the research sector.

**Expected results and outputs:**

The following indicators represent the monitored result (for details on individual indicators, see Annex 1 to the Call):

2 15 02 Number of new products modernizing strategic management systems in organizations

– only relevant for research organizations.

In the application sector (individual entities involved in partnerships), the outcome of this activity will involve an updated or newly created internal document / regulation governing cooperation with research organizations in the field of R&D.

Any updated / newly created strategy, document or internal directive must be approved and in effect by the completion of physical implementation of the project.

**d) Cooperation on implementing joint research activities/plans.**

The project is to include the current research plans which will stand up to comparable high-quality international research. The quality of a research project will be subject to substantive evaluation. Simultaneously, the applicant shall indicate the potential of these plans for future use in the application sector. It is expected that after the completion of the project, the project results will be finalised so that they can be put into practice. Project implementation is not conditional on such finalisation.

The project cannot include research projects that focus only on fundamental research. Concerning technological advancement, projects cannot include product-type plans. Expressed by TRL (Technology Readiness Level), this concerns TRL 1 to TRL 3<sup>9</sup> technology.

The aid application must include at least one research plan. Individual research plans must be assigned to a single principal sector group. Where relevant, plans may be further assigned to one or more secondary sectors or sector groups.

Sector groups are designated according to the Professions Tree and OP RDE sectors<sup>10</sup>. Primary sector(s) of research plans in one application must fall under one of the following sector groups. Please note the creation of multiple groups from sectors 1AB9 Industry. Admissible primary sector groups for this Call are defined as follows:

1AB1 – Social sciences

1AB2.1 – 1AB2.4 – Mathematics

1AB2.5 – 1AB2.15 – Physics

1AB3 – Chemistry

1AB4 – Earth, atmosphere and environment sciences

1AB5 – Biology

1AB6 – Medicine

1AB7 – Agriculture

1AB8 – Informatics

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<sup>9</sup> [https://ec.europa.eu/research/participants/data/ref/h2020/wp/2014\\_2015/annexes/h2020-wp1415-annex-g-trl\\_en.pdf](https://ec.europa.eu/research/participants/data/ref/h2020/wp/2014_2015/annexes/h2020-wp1415-annex-g-trl_en.pdf)

<sup>10</sup> See link: [www.msmt.cz/uploads/OP\\_VVV/Priloha\\_1\\_Strom\\_OP\\_VVV.xlsx](http://www.msmt.cz/uploads/OP_VVV/Priloha_1_Strom_OP_VVV.xlsx)

1AB9.1 – 1AB9.4 – Industry: Electrical engineering and robotics  
 1AB9.5 – 1AB9.6 – Industry: Energy sector  
 1AB9.7 – 1AB9.12 – Industry: Materials  
 1AB9.13 – 1AB9.14 – Industry: Engineering and construction  
 1AB9.15 – Industry: Land transport systems and equipment  
 1AB9.16 – Industry: Industrial processes and processing  
 1AB9.17 – 1AB9.20 – Industry: Mechanical engineering  
 1AB9.21 – 1AB9.23 – Industry: Aviation and space technology  
 1AB9.24 – Industry: Military engineering

The applicant is to assign the project to the primary sector group identically in IS KP14+ and in the Feasibility Study. In the IS KP14+, the applicant is to select for the application only sectors (one or several) that fall into only one of the above sector groups, thereby determining one primary sector group of the project. IS KP14+ does not check whether the project has been correctly included in only one sector group. The correctness of the inclusion of the project in only one sector group is checked by the applicant. IS KP14+ does not allow secondary sectors to be selected for the project.

The applicant is to **assign the project to secondary sectors or sector groups** in the Feasibility Study. Projects cannot be assigned under IS KP14+.

An example of the sectoral structure of a project:

A project contains two research plans:

Plan 1: Medical cannulas

Plan 2: Pacemakers

The primary sector of the project (i.e. of all research plans): 1AB6 – Medicine.

Secondary sector of research plan 1:

11AB9.7 – 1AB9.12 – Industry: Materials

Secondary sector of research plan 2:

1AB8 – Informatics

1AB9.1 – 1AB9.4 – Industry: Electrical engineering and robotics

The research plan will be implemented by an expert project team. In the expert team, it is possible to identify key or excellent members. In the aid application, the applicant shall specify the lead researchers of the expert team (by name, or as a list of requirements for expertise and experience for the position). A lead researcher is a researcher who leads and is responsible for the research plan. Attached to the aid application are CVs of named lead, excellent and key researchers (including a description of their experience).

The implementation of research activities also involves the regulation of intellectual property

(IP) – taking steps to identify and regulate relationships to intellectual property in relation to the nature of the research project results. This includes activities in the entire process of working with IP, from IP identification, planning of its regulation, implementing the plan to regulate and protect IP in relevant cases, to maintaining IP. This concerns IP directly related to the implementation of the respective project research plan, or created under a project plan.

**Expected results and outputs:**

The outcome involves implemented research projects in accordance with the definition of activities under (b) and (c). Emphasis is especially placed on research cooperation between the two entities. Research cooperation cannot have the character of an economic activity (e.g. contractual research, provision of R&D services, etc.)

The following indicators represent the monitored result (for details on individual indicators, see Annex 1 to the Call):

CO 24/2 04 00 Number of new researchers in aided entities

2 02 11 Publications created by aided entities (selected types of documents)

2 02 13 Publications in co-authorship of research organisations and enterprises (selected types of documents)

20216 Publications in co-authorship with researchers from abroad created by the aided entities (selected types of documents)

2 20 11 International patent applications (PCT) created by aided entities

Other types of results can also be implemented; however, these do not reflect in the indicators. Possible expected partial outcomes of implementing the activities are the results, which are defined according to the definitions of types of research and experimental development results for the RIV database.

**Elective:**

The applicant must choose at least **one** elective activity:

**e) Activities leading to the establishment and intensification of international cooperation with foreign research entities and application sector entities.**

Activities and outputs of this activity are identical with activity (b); they require extending cooperation to include an international research entity or an application sector entity.

If project partners include a foreign entity already upon the submission of the project application, the applicant must always select this activity.

The main part of the project must be implemented in the Czech Republic. Activities implemented outside the Czech Republic (in the EU – see permissible place of implementation) must only be complementary (e.g. acquisition of data, documents, measurements, materials,

etc.).

**Expected results and outputs:**

The same as for activity (b); in addition, the output is the number of foreign cooperating entities.

**f) Activities leading to establishing and enhancing intersectoral partnerships.**

Activities and outputs of this activity are identical to activity (b) or (e); they require intersectoral cooperation. Sectors are designated according to the Professions Tree and OP RDE sectors. The project has only one primary sector. There may be multiple sectors if the primary and secondary project sectors differ.

If cooperation involves multiple sectors already upon the submission of the project application, the applicant must always select this activity.

**Expected results and outputs:**

The same as for activity (b) or (e); in addition, the output is the number of intersectoral partnerships.

**g) Preparation of jointly designed international project applications related to the activities and focus of the project.**

As part of the activity, project applications will be prepared for international grant projects which are related to the project being implemented. This requires such applications (at least one) to be submitted during project implementation. An application must be submitted with a provider from outside the Czech Republic rather than with a provider from the Czech Republic; no other constraint is defined. Grant titles are considered to exclude contracted cooperation with a commercial entity, such as contract research, or other forms which do not constitute grant title.

**Expected results and outputs:**

Minimum expected output, which is not reflected in the indicators, is the confirmation of the submission of project application during project implementation. The form depends on the nature of the grant title. It may be, for example, a confirmation from a filing system. If there is no adequate confirmation available, the applicant shall provide a statutory declaration that the application has been submitted, together with a list of the organizations involved and a brief description stating the relation of the application to the project being implemented.

The following indicators represent the monitored result (for details on individual indicators, see Annex 1 to the Call):

2 03 12 Number of participations of aided research teams carried out in international cooperation programmes

## **Optional activities**

The applicant may choose any of the following optional activities:

### **h) Establishment or development of joint research centres, incl. the acquisition of infrastructure (incl. building alterations related to the installation).**

The instruments/equipment acquired under the activity must be properly justified and the purchase must be essential for the implementation of the described research plan.

Building alterations constitute a permitted activity only if they are directly related to the installation of acquired infrastructure.

#### **Expected results and outputs:**

The following indicators represent the monitored result (for details on individual indicators, see Annex 1 to the Call):

2 41 01 Number of expanded or modernised research centres

2 05 00/CO 25 Number of researchers working in modernised research infrastructures

The output takes the form of instruments/equipment purchased.

### **i) Activities leading to the dissemination of the results of joint research activity and its outputs.**

Promotional activities must have a direct relation to the research activities of the project. These include e.g. conferences, workshops, seminars, fairs – active participation, presentation of the results to potential clients (presentation in the application sector, research sector and to interest organizations).

This must always include the dissemination of the results of joint research activity and its outputs.

#### **Expected results and outputs:**

The following indicators represent the monitored result (for details on individual indicators, see Annex 1 to the Call):

5 10 17 Number of organised one-off events

### **j) Professional training of researchers, related to the activities and focus of the project.**

Aid is provided to education in the form of specialized courses, seminars and similar educational activities that have a direct relation to the research activities of the project. It is not a long-term and lifelong education or courses aimed at developing soft skills.

#### **Expected results and outputs:**

Completed specialised courses, training and similar educational activities.

**k) Membership in professional organisations / platforms / consortiums**

The membership must be directly related to the professional activities of the project.

**Expected results and outputs:**

The number and type of completed memberships.

**l) Involvement of application sector representatives in teaching, incl. professional guidance of student papers/projects.**

This activity will be financed through wage/salary bonus. The employer may only be a research organization.

**Expected results and outputs:**

Implemented teaching (type and length), the number of student papers/projects guided by business sector representatives.

A partner with financial contribution can be involved in the research project only through effective collaboration between the partner and a research organisation (the applicant), in order to prevent the provision of indirect State aid to the partner involved in the project. Projects are considered to be implemented through effective collaboration if at least two independent parties pursue a common goal based on the division of labour, jointly determine the scope of the project, participate in its drafting, contribute to its implementation and share the financial, technological, scientific and other project risks, as well as its results. The conditions of project cooperation, particularly with regard to contributions to its costs, sharing of risks and results, dissemination of results, access to intellectual property rights and rules governing the allocation of these rights, must be determined before starting the project. Forms of cooperation are considered to exclude contract research and provision of research services.

**Excluded activities**

- Any other building alterations not directly related to the installation of acquired infrastructure;
- activities related to the finalising and marketing of a product, including marketing studies and market research;
- outsourcing of the aided activities (the implementation of the aided activity cannot be commissioned as a whole to another entity);
- Accreditation of study programmes
- Implementation of experimental development
- Activities in sectors excluded from the scope of GBER.

### 5.2.5. Setting of the project budget and financial plan

Specified in the Rules for Applicants and Beneficiaries – General Part. Furthermore, the following applies to projects under this Call:

Projects under this call are subject to the following budget chapter/item limits:

- Budget item Outsourced services – the limit for this budget item is max. 35 % of the total eligible expenditure of Project.
- Budget chapter Direct Activity Expenditure – investment – the limit for this budget chapter is max. 30 % of the total eligible expenditure of Project.
- Budget chapter Local Office – the limit for this budget chapter is max. 15 % of the total eligible expenditure of Project.

The projects under this Call are also subject to the following procedures for project budgeting and reporting of eligible expenditure:

- the applicant compiles a detailed project budget in MS Excel (see ‘Detailed budget’, a mandatory annex to the aid application);
- in the aid application in IS KP14+, the applicant specifies only the aggregate budget (for capacity reasons related to the breakdown of the budget for the expenditure of individual entities and the breakdown of expenditure by type of aid – outside the State aid under GBER);
- During project implementation, also binding on the beneficiary is the detailed budget in which the beneficiary makes budget changes and disbursement of the individual budget items (the beneficiary submits this detailed budget as the mandatory annex to the Implementation Report / Request for Payment).

#### 5.2.5.1. Financial milestones

Regulated in the Methodical Letter No 1 to the Rules for Applicants and Beneficiaries – General Part, version 4.

### 5.2.6. Cost-benefit analysis (CBA)

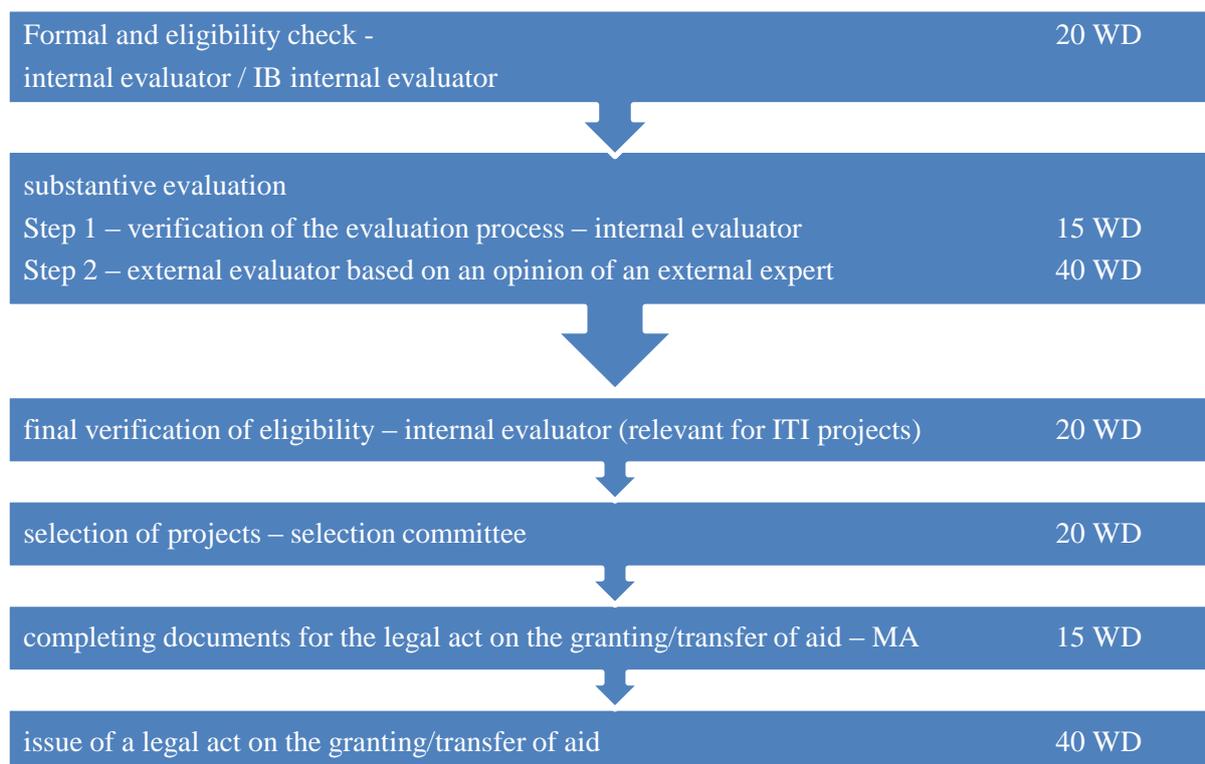
The submission of a CBA for projects where the amount of investment expenditure does not exceed 50% of the total eligible project expenditure is not required. A CBA is not required for this call (for more information, see Rules for Applicants and Beneficiaries – General Part).

## 5.3. Receipt of aid applications

Specified in the Rules for Applicants and Beneficiaries – General Part.

## 5.4. Approval phase

Phases of the approval process, incl. partial time limits<sup>11</sup> (WD – working day):



In the approval process, the applicant is not entitled to make any changes to the aid application or its annexes beyond those required by the MA (Requests for completion as part of the formal and eligibility checks, Notice of recommendation of aid application for financing). In the case of failure being detected to comply with this rule, the applicant will be invited by MA to put the application in the state prior to the change. If the applicant fails to remedy (sufficiently according to the requirements of the MA and within the deadline, as a rule, without delay), or if the applicant does not respond to the call, the aid application will be excluded from the next evaluation process.

Any other changes to the project prior to the release of the legal act are governed by standard change management rules.

### 5.4.1. Eligibility check and formal check

The phase of checking eligibility and formalities will be ensured by MA internal evaluators / internal evaluators of intermediate bodies (IB) in CSSF14+. For the call Long-term Intersectoral Cooperation (i.e. outside ITI), the check is conducted by an internal evaluator. For the call Long-term Intersectoral Cooperation for ITI, the check is conducted by the IB evaluator. The eligibility and formal check is to be

<sup>11</sup> Partial time limits are indicative

completed within 20 working days from the end of receipt of aid applications. The result of the evaluation phase is notified to the applicant by an internal dispatch.

The criteria of eligibility and formal check, incl. the description of the evaluation method, form a separate annex to the Call. The criteria have an exclusionary function, they are evaluated as a YES/NO, i.e. pass/fail (or irrelevant for the project). The criteria for formal and eligibility checks are divided into correctable (i.e. the applicant may make additions during the approval process at the request of the MA OP RDE), and non-correctable (i.e. non-compliance always means exclusion from the approval process without the applicant being allowed to make any additions).

If the applicant fails to comply with any of the correctable criteria as part of formal check, the applicant is requested once to add through IS KP14+ the missing information within a period of 10 working days from the date on which the request is delivered. If, at the request of the OP RDE to add data, the applicant fails to add the missing information/documents (sufficiently as required by the MA OP RDE and within the time limit), the aid application is excluded from the approval process.

Failure to meet any of the non-correctable criteria leads to the project being excluded from further approval process.

**5.4.2. Substantive evaluation**

Substantive evaluation is provided for by experts – external evaluators and experts selected from the Database of Evaluators of the MA with respect to the thematic/sectoral focus of the submitted aid application (the expert is always from abroad). All evaluators and experts pass through a proper selection procedure, and subsequently a specialized training focused on the evaluation of aid applications in Priority Axis 1 and the specificities of the Call. Step 1 of the substantive evaluation phase will be completed no later than 15 working days after the completion of the previous approval phase. Step 2 of the substantive evaluation phase will be completed no later than 40 working days after the completion of the previous substantive evaluation step. In the case of ITI projects, final verification of eligibility forms a separate evaluation phase (see chapter 5.4.3.). The result of the substantive evaluation will be notified to the applicant by an internal dispatch.

Substantive evaluation of each aid application is carried out in step 1 by an internal evaluator in the evaluation table in CSSF14+. Criteria in step 1 are exclusion criteria. Criterion V1.2 Verification of the evaluation process is relevant only for ITI projects. In step 2, each aid application is always evaluated separately by two evaluators in the scoring table in IS KP14+; the final score is calculated as the average score assigned by both evaluators. In their evaluation, the evaluators use the opinion of an external expert on selected evaluation criteria of the substantive evaluation. The external expert will prepare his/her opinion on those criteria at the start of the evaluation process (no later than in step 1 of substantive evaluation), so that the opinion is available to both evaluators. The evaluators will take the opinion into account and will use it in their evaluation. Overall, substantive evaluation results in two scoring tables of evaluators.

If at least one of the following conditions is met, another independent evaluator called arbitrator is assigned to the evaluation:

- individual evaluators differ in their opinion to recommend / not recommend the aid application for funding under any of the combined or exclusion criteria, or root criteria, i.e. one of the evaluators recommends the aid application within one of these criteria, the other does not;
- for at least one of the evaluation criteria or root criteria for which the annex to the call “Evaluation criteria” specifies a minimum score difference for the use of an arbitrator, the variance in the scores of evaluators is equivalent to at least the score difference;
- the overall scores of the evaluator differ significantly, i.e. the score difference is at least 20% of the total score;
- individual evaluators differ in their opinion to recommend / not recommend an aid application, i.e. one evaluator recommends the application and the other does not.

The overall score of the project evaluation is the number of points awarded by the arbitrator, and the scoring table of the arbitrator.

The **arbitrator** carries out a complete evaluation of the aid application. In performing the evaluation, the arbitrator has the previous two evaluations produced by both evaluators and the expert opinion at his/her disposal. The arbitrator’s score for individual evaluation criteria must fall within the score range awarded by the previous two evaluators. The overall score is defined by the arbitrator's scoring table. The arbitrator completes the table based on the scores of individual criteria and based on his/her own evaluation. The overall score of the project evaluation is the score awarded by the arbitrator, and the scoring table of the arbitrator.

Substantive evaluation criteria incl. their function and description of the evaluation method form a separate annex to the Call. Substantive evaluation criteria have evaluation, exclusion, or combined function:

- Evaluation criteria are those where compliance/non-compliance with the criterion is scored.
- Exclusionary criteria are those whose non-compliance implies the exclusion of the aid application from the approval process.
- Combined criteria are those where compliance/non-compliance with the criterion is scored; failure to reach the minimum score set by the Call means exclusion of the aid application from the approval process.

The evaluator/arbitrator records the evaluation in the scoring table, awarding scores to various criteria and providing a comment/justification for each evaluation. The maximum score that can be awarded in the substantive evaluation by one evaluator is specified in the annex “Evaluation criteria”. At the end of the table, the evaluator fills out the overall comment. The score awarded by the evaluator/arbitrator determines whether or not a project advances to the next phase of the approval process:

**YES** – if a project receives at least the minimum score to advance to the next evaluation phase (see annex “Evaluation criteria”) and, at the same time, reaches the minimum score of all combined (sub-) criteria and simultaneously fulfils all the exclusion criteria, the aid application advances to the next phase of the approval process.

**NO** – if the project receives less than the minimum score to advance to the next evaluation phase (see annex “Evaluation Criteria”) and/or fails the minimum score limit of at least one of the combined (sub-) criteria and/or fails at least one exclusion criterion, the aid application is excluded from further approval process.

#### 5.4.3. Final eligibility verification:

This is a specific phase of the project evaluation process, relevant only to integrated ITI projects. Verification of compliance with the programme, meeting the eligibility rules and an overall verification of the evaluation process is carried out by an internal evaluator based on exclusion criteria. The evaluation phase will be completed no later than 20 working days after the completion of the previous phase. The rule of four eyes must be applied in the verification, i.e. one evaluator carries out independent evaluation, which is checked by an approver. The approver is also the second evaluator, i.e., the approver approves the evaluation and also verifies the accuracy of the evaluation of the first evaluator (i.e. also carries out evaluation).

Internal evaluators carry out the evaluation according to pre-defined criteria and fill in the form in MS2014+. For each criterion, they state a clear and understandable justification for the evaluation result (excluding criteria which are clear and objectively verifiable from the results of the verification).

The MA cannot change the sequence of the projects, it can only state that the project is or is not eligible for funding or is eligible with an objection (i.e. only if a certain condition is met, e.g. if the budget is modified, an ineligible item of expenditure is excluded, etc.).

If all uncorrectable criteria are met (or cannot be evaluated for lack of information in the aid application) and one or more correctable criteria are not fulfilled, the applicant must be requested (at least once) to complement the aid application via MS2014+ within no less than working days after the request is delivered. After the applicant provides the requested information, the evaluators verify again whether the application has been duly supplemented and evaluate again the originally unfulfilled criteria of the final eligibility verification.

#### 5.4.4. Project selection

Projects are selected by a selection committee composed of experts – external national and/or foreign evaluators selected from a Database of Evaluators of the Managing Authority with respect to the thematic/sectoral focus of the aid application, and internal evaluators/representatives of the Managing Authority. All evaluators pass through a proper selection procedure, and subsequently a specialized training focused on the evaluation of aid applications in Priority Axis 1 and on the specificities of the call. The project selection phase will be completed no later than 20 working days after the completion of the previous approval phase.

The rules and criteria according to which the selection committee evaluates aid applications are determined by the Statute and Rules of Procedure of the selection committee, the model of which is available at <http://www.msmt.cz/strukturalni-fondy-1/vzory-dokumentu-op-vvv>.

The selection committee decides whether or not the aid application will be recommended for funding, or recommended with an objection. In the case of recommendations with an objection, the project receives aid only once all the objections specified by the selection committee have been addressed.

In addition to objections, the selection committee may also formulate recommendations for successful applicants in the minutes of the meeting. Respecting the recommendation of the selection committee or the failure to do so by the applicant has no effect on the recommendation / non-recommendation of the aid application. It is up to the applicant to decide whether or not to reflect the recommendation in the aid application.

In the case of a call outside ITI:

After the discussion/formulation of any objections and (non-)recommendation of all the projects, the selection committee ranks the projects according to an algorithm described below and, in the resulting ranking, sets a limit to be reached by recommended projects with regard to the financial allocation of the Call. If the threshold of the available allocation is between projects with the same score, the MA decides to increase the allocation so that all projects with the same score are aided, or to aid none of the projects on the borderline of available allocation, i.e. the allocation of the Call will not be fully disbursed.

In the case of an ITI Call:

After the discussion/formulation of any objections and (non-)recommendation of all the projects, the selection committee ranks the projects in each allocation for individual ITIs using an algorithm described below and, in each resulting ranking, sets a limit to be reached by recommended projects with regard to the financial allocation for individual ITIs. If the threshold of the available allocation is set between projects with the same score, the MA must decide to increase the allocation so that all projects with the same score are aided, or to aid none of the projects on the borderline of available allocation, i.e. the allocation of the call will not be fully disbursed.

The list of (non-)recommended aid applications is signed by the Deputy Minister for the Management of the Operational Programmes Section.

Project selection concerning aid applications recommended with an objection/recommendation, is followed by negotiation, in which the applicant modifies the aid application in accordance with the objections/recommendations of the selection committee, and subsequently sends the supplemented/modified aid application to the MA.

**Determining the final ranking of projects**

Concerning projects recommended for funding, the first step is the conversion of project ranking according to their classification in sector groups. Reflecting sector classification of projects aims to take

account of sectoral differences in project evaluation by examiners. The score of projects which are comparable in terms of quality varies depending on the project's sector classification<sup>12</sup>.

Each project application is currently classified under one primary sector, as defined in Chapter 5.2.4. According to this primary sector, each project application then falls under one of the following sector groups:

- Group 1: 1AB1 – Social sciences
  
- Group 2: 1AB2.1 - 1AB2.4 – Mathematics  
1AB8 – Informatics  
1AB9.1 – 1AB9.4 – Industry: Electrical engineering and robotics
  
- Group 3: 1AB3 – Chemistry  
1AB4 – Earth, atmosphere and environment sciences  
1AB2.5 - 1AB2.15 – Physics
  
- Group 4: 1AB5 – Biology
  
- Group 5: 1AB6 – Medicine
  
- Group 6: 1AB7 – Agriculture
  
- Group 7: 1AB9.13 – 1AB9.14 – Industry: Engineering and construction  
1AB9.15 – Industry: Land transport systems and equipment  
1AB9.16 – Industry: Industrial processes and processing  
1AB9.21 – 1AB9.23 – Industry: Aviation and space technology  
1AB9.24 – Industry: Military engineering
  
- Group 8: 1AB9.5 – 1AB9.6 – Industry: Energy sector  
1AB9.17 – 1AB9.20 – Industry: Mechanical engineering
  
- Group 9: 1AB9.7 – 1AB9.12 – Industry: Materials

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<sup>12</sup> Doing Hirsch proud; shaping H-index in engineering sciences: L. Czarnecki, M.P. Kaźmierkowski, A. Rogalski<sup>3</sup>, Bulletin of the Polish Academy of Sciences: Technical Sciences. Volume 61, Issue 1, Pages 5–21, ISSN (Print) 0239-7528, May 2013.

The final ranking of projects including projects sorted according to sector groups is created as follows (see also the figure below):

**(A) Preparation of sector groups:**

A.1 Projects are ranked in each sector group by score, in descending order from the project with the highest score.

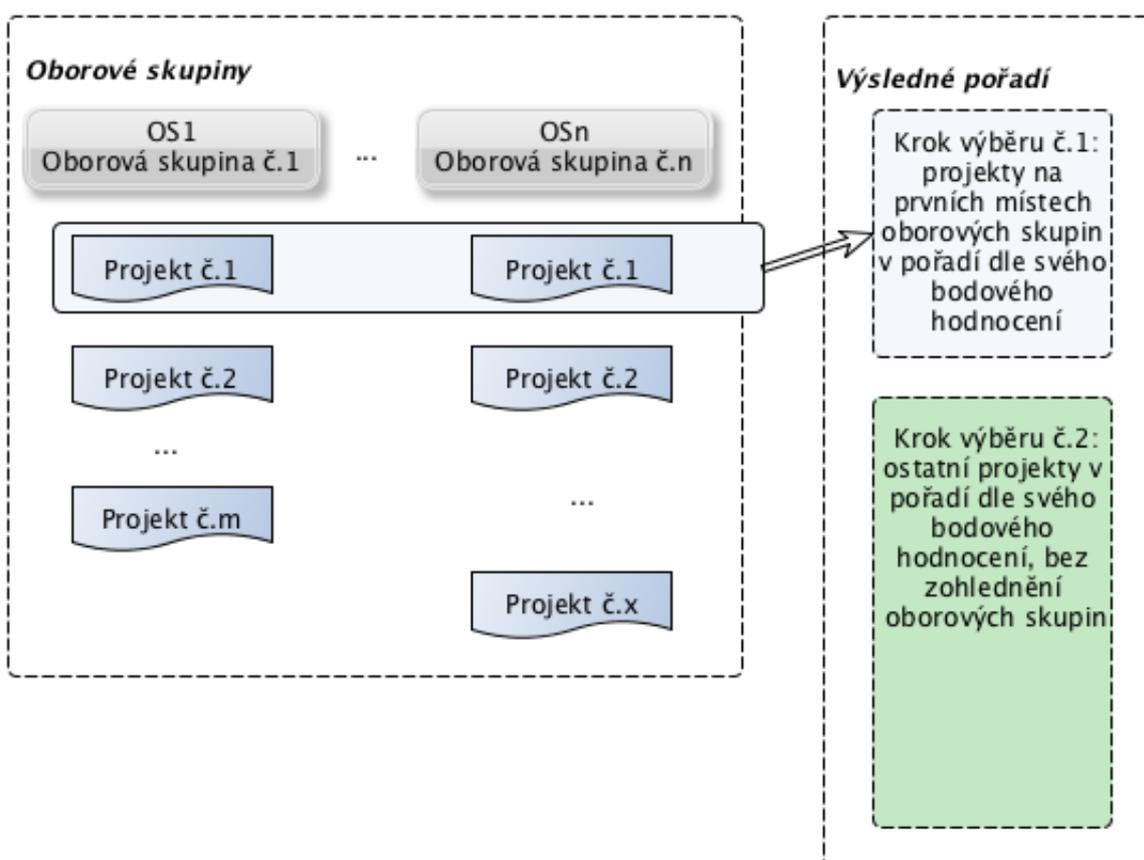
**(B) Selection step 1 (the best projects from sector groups):**

B.1 The final ranking includes projects which placed first in sector groups; they are ranked depending on their scores in descending order from the project with the highest score.

Where the sector group is empty, no project from that group will be included in the final ranking.

**(C) Selection step 2 (projects not taking account of sector groups):**

C.1 Projects remaining after selection step 1 are included in the final ranking according to their scores in descending order from the project with the highest score, regardless of the sector group.



**5.5. Method of notification of the approval process results to the applicant**

Covered in the Rules for Applicants and Beneficiaries – General Part.

**6. CHAPTER – PROCESSES AND RULES FOR THE ISSUE OF A LEGAL ACT ON THE GRANTING/TRANSFER OF AID**

**6.1. Provision of financial aid to the applicant**

Specified in the Rules for Applicants and Beneficiaries – General Part.

**6.2. Forms of allocation of funds**

Specified in the Rules for Applicants and Beneficiaries – General Part.

**6.3. Notification of approval of aid application from OP RDE**

Successful applicants are notified about the recommendation of the grant application for financing in the form of the Notification on Grant Application for Financing. This notification is sent to the successful applicants (or the statutory bodies provided in the grant application) through IS KP14+, typically within 10 business days from signing the list of recommended / not recommended projects by MA OP RDE. The content of the notice is described in the Rules for Applicants and Beneficiaries – General Part (Chapter 6.3).

If the grant application is recommended for financing (without reservations), the applicant is asked to complete the documents for the issuance of the legal act on grant award/transfer (including the deadline of 15 days for their delivery) – see Chapter 6.4.

If the aid application is recommended for financing (with reservation), the applicant is asked to modify the grant application in IS KP14+ and complete the documents for the issuance of the legal act on grant award/transfer (including the deadline of 15 days for their delivery) – see Chapter 6.4.

**6.4. Documents needed to issue a legal act on the granting/transfer of aid**

The required documents for the issuance of a legal act on grant award/transfer, including the method of delivery, are described in detail in Chapter 6.4 of the Rules for Applicants and Beneficiaries – General Part.

**List of documents before issuing the legal act on the granting/transfer of aid<sup>13</sup>:**

- (1a) Certificate of indebtedness<sup>14</sup> – where relevant;
- (2) Power of attorney / authorisation for representation – where relevant;

<sup>13</sup> The numbering of the documents is maintained according to the numbering given in the Rules for Applicants and Beneficiaries – General Part.

<sup>14</sup> not to be demonstrated by SOU and PCO SOU

- (3) Affidavit on the active data box and the commitment to have the data box active during the whole period of implementation and sustainability of the project – where relevant;
- (4) Partnership Agreement – unless submitted with the grant application;
- (5) Affidavit of the partner;
- (7) Declaration on size of enterprise – only applicable to entities which are to receive aid under GBER;
- (9) Document on bank account / sub-account;
- (10) Document on the bank account of the founder<sup>15</sup> – where relevant;
- (12) Construction Annexes<sup>16</sup> – relevant only to projects containing activities of building nature;
- (13) The demonstration of the fact that all the entities participating in the project ~~is~~ are not an undertaking in difficulty (applicant / partner with financial contribution).

The Applicant shall submit a modified grant application in the KP14 IS+, as instructed by the MA OP RDE administrator, including:

- updated pre-financing and billing plan (if necessary to make budget cuts based on the evaluation/selection), which will serve to set binding financial indicators of the project and to determine the amount of the first advance payment to be specified in the legal act on grant award/transfer;
- updated start date of project and (physical) project implementation (these dates will be subsequently provided in the legal act on grant award/transfer).

If the applicant has accompanied the grant application with a power of attorney / authorisation for representation in the form of an original/certified **scanned** copy, the applicant shall present these documents in the form of an original/certified copy before issuing the legal act on grant award/transfer.

## 6.5. Granting of aid

Covered in the Rules for Applicants and Beneficiaries – General Part.

## 7. CHAPTER – PROCESSES AND RULES OF PROJECT MANAGEMENT

### 7.1. Monitoring

Specified in the Rules for Applicants and Beneficiaries – General Part.

<sup>15</sup> Optional if the founder is also the aid provider.

<sup>16</sup> For more information on building annexes – see Rules for Applicants and Beneficiaries – General Part, Annex 10.

### 7.1.1. Interim Project Implementation Report

Specified in the Rules for Applicants and Beneficiaries – General Part. Furthermore, the following applies to projects under these calls:

The beneficiary is obliged to submit the first interim Project Implementation Report / Request for Payment within 20 working days after the expiry of three months from the date on which the legal act on the granting/transfer of aid was issued. The beneficiary must submit the next interim Project Implementation Report / Request for Payment within 20 working days after the expiry of six months from the end of the previous reporting (monitoring) period.

The procedure for the administration, returning for revision and approval of the Project Implementation Report / Request for Payment is described in the Rules for Applicants and Beneficiaries of OP RDE – General Part, Chapter 7.1.

If the beneficiary incurred the eligible expenditure on the project before the legal act on the granting/transfer of aid was issued, the beneficiary may submit its first Interim Implementation Report / Request for Payment earlier in accordance with Chapter 7.1.1. of the Rules for Applicants and Beneficiaries of OP RDE – General Part (in the part Earlier submission of the Project Implementation Report / Request for Payment).

### 7.1.2. Information on progress towards project implementation

Covered in Rules for Applicants and Beneficiaries – General Part.

### 7.1.3. Final Project Implementation Report

The beneficiary is obliged to submit to the MA OP RDE the final Project Implementation Report / Request for Payment within 40 working days after the completion of physical implementation of the project.

### 7.1.4. Final project report for the entire project implementation period (hereinafter “Final IR for the entire implementation period”)

The beneficiary must submit this type of the Final Report if the project meets one of the conditions specified in the Rules for Applicants and Beneficiaries of OP RDE – General Part. The beneficiary submits the Final Report within 40 working days after the completion of the physical implementation of the project. If the beneficiary is required to submit this type of the Final Report, the beneficiary does not submit the final Project Implementation Report (mentioned in the previous Chapter 7.1.3.).

### 7.1.5. Interim Project Sustainability Report

The beneficiary must submit the interim Project Sustainability Report for a period of five years from the date when the project acquired the status “Project financially terminated by the MA” for each completed year in accordance with the Rules for Applicants and Beneficiaries of the OP RDE – General Part. The fulfilment of the conditions during the project's sustainability period is based on Article 71 of the General Regulation .

**7.1.6. Final Project Sustainability Report**

The beneficiary must submit the final Project Sustainability Report within 10 calendar days after the end of the sustainability period for 5 years, in accordance with the Rules for Applicants and Beneficiaries – General Part.

**7.2. Changes and additions to the project**

Covered in Rules for Applicants and Beneficiaries – General Part. Furthermore, the following applies to projects under these Calls:

If there is a change in the position of a key/excellent worker, it is necessary for the new worker to have a similar qualification as the worker being replaced. The required qualification will be evaluated according to the worker’s CV. Change in a key/excellent worker is a substantial change.

The project may be subject to a change in progress towards the research plan, which is considered a non-substantial change; however, the expected outputs/indicators must remain unchanged. A change in a Research Objective constitutes a substantial change not requiring a change in the legal act on the granting/transfer of aid.

**The following also applies to projects submitted under ITI:**

The obligation to accompany a request for a substantial change with an Opinion of the ITI Steering Committee on a Request for a Project Change. The changes concerned are described in the Guideline on Integrated Instruments; this document also contains a model “Opinion of the ITI Steering Committee on a Request for a Project Change”.

**7.3. Project completion and sustainability**

Covered in Rules for Applicants and Beneficiaries – General Part.

**7.3.1. Timeframe for closure of projects**

Covered in Rules for Applicants and Beneficiaries – General Part.

**7.3.2. Project completion in terms of formal aspects**

Covered in Rules for Applicants and Beneficiaries – General Part.

**7.3.3. Project completion in terms of monitoring and financing**

Covered in Rules for Applicants and Beneficiaries – General Part.

**7.3.4. Failure to achieve the purpose of the grant upon project completion**

Covered in Rules for Applicants and Beneficiaries – General Part.

### 7.3.5. Early termination of the project

Covered in Rules for Applicants and Beneficiaries – General Part.

### 7.3.6. Project sustainability

Project sustainability is 5 years from the date when the project acquired the central status “Project financially completed by the MA”. The fulfilment of the conditions during the project's sustainability period is based on Article 71 of the General Regulation.

Sustainability covers all infrastructure acquired and created as part of project implementation and from project funds. The acquired infrastructure is primarily used in accordance with its intended objective, and also in accordance with the State aid rules, see chapter 15. Building alterations carried out in connection with the installation of the acquired infrastructure (instruments) are considered in terms of lifetime with regard to the equipment’s design lifetime.

The beneficiary may not sell or otherwise alienate the tangible and intangible fixed assets whose acquisition expenditure is included in the eligible expenditure of the project throughout the implementation and sustainability of the project. This does not affect the simple replacement of assets, particularly in the context of technological development, where assets of the same type are replaced with technologically more advanced ones. Assets may be pledged or mortgaged, encumbered with easement, rented for the long term or otherwise legally encumbered only with the prior express written consent of the Managing Authority (Application for a substantial change, see chapter 7.2).

The expenditure associated with the financing of the sustainability of project outputs during project sustainability are not covered from the approved budget funds allocated for project implementation. This expenditure may be paid either from the beneficiary's own resources, or the beneficiary may ensure the sustainability of project outputs by engaging in sustainability facilitating programmes.

## 7.4. Keeping of documents

Covered in Rules for Applicants and Beneficiaries – General Part.

## 8. CHAPTER – PROCESSES AND RULES OF FINANCIAL MANAGEMENT

### 8.1. Funding of the project

#### 8.1.1. Ex-post funding

Specified in the Rules for Applicants and Beneficiaries – General Part Furthermore, concerning projects in this Call, this type of financing is relevant where the applicant/beneficiary is a State organisational unit (SOU) or a publicly co-funded organization established by a State organisational unit (PCO SOU) whose founder is an SOU other than the MEYS.

### 8.1.2. Ex-ante funding

Specified in the Rules for Applicants and Beneficiaries – General Part Furthermore, concerning projects in this Call, this method of financing is specified for all applicants/beneficiaries, except those who are mentioned in Chapter 8.1.1. The beneficiaries will receive the first advance payment in the amount calculated as the sum of the planned expenditure for the first two reference periods specified in the financial plan; however, the amount shall not exceed 45 % of the estimated total eligible project costs. For the first advance payment to be sufficient and reasonable, it is essential that information on planned expenditure for each reference period is determined based on a real estimate of when the actual eligible expenditure will be incurred.

### 8.1.3. Financing by combined payments

For projects in this Call, this type of funding is irrelevant.

### 8.1.4. Making payments of SOUs publicly co-funded organizations of SOUs (PCO SOU)

Covered in Rules for Applicants and Beneficiaries – General Part.

### 8.1.5. Co-financing in OP RDE projects

Specified in the Rules for Applicants and Beneficiaries – General Part Furthermore, the following applies to projects under this Call:

In the projects of this Call, the co-financing rate of each project will be determined by a calculation which will take into account the default ratio of funding sources (depending on the beneficiary entity) and the share of expenditure incurred by entities where such expenditure constitutes State aid, in the total project expenditure.

The amount of co-financing is to be determined using the following principles:

- For each project, the default ratio of funding sources is determined in accordance with the Rules for Applicants and Recipients – General Part, chapter 5.1.8.  
In order for an applicant/beneficiary to be able to be categorized as “Public higher education institutions and research organizations” to determine the co-financing rate, it is necessary for the applicant/beneficiary to meet the definition of a research and knowledge dissemination organisation according to Article 15(ee) of the Framework, as well as the conditions for the provision of institutional support in accordance with Act No 130/2002 Sb., on the support of research, experimental development and innovation, as amended. If the entity is not an SOU or PCO SOU, its co-financing rate is at least 5% of the total eligible project expenditure. If the applicant/beneficiary meets the above definition, and at the same time it is an SOU or PCO SOU, its co-financing rate is 0%.
- The default share of funding sources is then re-calculated for each project, depending on the amount of project expenditure realized by entities aided under GBER, as described in Chapter 8.7.1. and chapter 15). The recalculated share of funding sources can be indicatively calculated by the applicant through the table ‘DMS\_výpočet poměru zdrojů financování projektu’ (DMS calculation of the share of project funding sources) available at [www.msmt.cz](http://www.msmt.cz) for each Call.

The procedure to determine the ratios of funding sources, including the project's co-financing rate (from drawing up project application to project completion):

- in the aid application, the applicant unambiguously assigns all budget items to the relevant beneficiary/partner entity (thereby calculating the estimated eligible project expenditure not constituting State aid, and the estimated eligible expenditure under the GBER);
- the applicant shall use the default share of funding sources in accordance with the Rules for Applicants and Beneficiaries – General Part, Chapter 8.1.5.;
- MS2014+ calculates in the aid application the recalculated share of funding sources – see table 'DMS\_výpočet poměru zdrojů financování projektu' (DMS calculation of the share of project funding sources);
- the recalculated share of project funding sources may be adjusted depending on budget adjustments before issuing the legal act on the granting/transfer of aid based on the requirements of the selection committee;
- converted ratio of funding sources is used throughout the project implementation to make advance payments and accounting;
- when approving expenditure specified in the final Implementation Report / Request for Payment, the provider shall calculate the actual ratio of funding sources based on the actual amount of the approved eligible project costs and adjusts the amounts of advance payments through refunds or extra payments.

Example:

A project is implemented by a beneficiary that meets the requirements for inclusion in the entity type “public higher education institutions and research organizations”. The project has two partners from among entities aided under GBER; it is being implemented in a less-developed region area with an impact on the less-developed region area. Total estimated eligible expenditure specified in the legal act on the granting/transfer of aid is CZK 100 million, of which CZK 28 million constitutes expenditure incurred by partners (entity aided under GBER). The expenditure of the beneficiary from among public higher education institutions and research organizations does not constitute State aid; the expenditure of partners aided under GBER constitutes State aid and only 50% may be financed. The default breakdown of funding sources of this project is 85% EU, 10% State budget and 5% own share (co-financing), depending on the applicant/beneficiary entity. During project implementation, the project budget was disbursed only partially; the beneficiary used CZK 60 million (out of max. CZK 72 million) and the partners (entity aided under GBER) used CZK 26 million (of max. CZK 28 million).

Determining the share of project funding sources:

- Default share of funding sources: EU 85%, SB 10% and own share 5%;
- Converted share of funding sources: EU 85%, SB 1 % and own share 14 %;  
(the calculation is based on the approved budget before the issue of the legal act; 50% of the expenditure of partners (entities aided under the GBER) in the amount of CZK 28 million is covered by the EU and 50% from own funds. Of the total eligible budget expenditure, own resources in the amount of CZK 14 million represents 14%. Because the default share of funding sources of this project is 85% EU, 10% State budget and 5% own share, the own share

of 14% will cover the full amount of co-financing and even cover part of the State budget share).

- Final share of funding sources: EU 84.88 %, SB 0 % and own share 15.12 %

The approved total eligible expenditure is CZK 86 million, of which own share of partners is CZK 13 million. CZK 13 million accounts for 15,12% of CZK 86 million. Own share of 15.12% of the total eligible expenditure will cover the entire amount of the State budget share and even reduce the EU share.

In this example, the final share of project funding sources is EU 84.88%, SB 0% and own share 15.12%.

If the beneficiary is obliged to co-finance the project, it shall describe the method of co-financing in the aid application.

Each approved payment automatically breaks down in the monitoring system to public and private resources. The beneficiary receives to its account only funds in the amount of the public resources (EU and State budget share). The beneficiary contributes the funds in the amount of own resources to the project by itself.

Table: The distribution of funds between programme areas of the OP RDE (between less and more developed regions) is to be completed by the applicant in the aid application in the tab Specific Objectives.

| <b>Project location:</b>                        | <b>Project impact location:</b>                 | <b>Less developed region</b> | <b>More developed region</b> |
|-------------------------------------------------|-------------------------------------------------|------------------------------|------------------------------|
| Less developed region                           | Less developed region                           | 100 %                        | 0 %                          |
| More developed region                           | Less developed region                           | 100 %                        | 0 %                          |
| More developed region and less developed region | Less developed region                           | 100 %                        | 0%                           |
| More developed region and less developed region | More developed region and less developed region | 74 %                         | 26 %                         |
| More developed region                           | More developed region and less developed region | 74 %                         | 26 %                         |

Table: The distribution of funds between programme areas of the OP RDE in ITI projects (between less and more developed regions) is to be completed by the applicant in an aid application in the tab Specific Objectives.

| <b>Project location:</b> | <b>Project impact location:</b> | <b>Less developed region</b> | <b>More developed region</b> |
|--------------------------|---------------------------------|------------------------------|------------------------------|
| Less developed region    | Less developed region           | 100 %                        | 0 %                          |

|                                                 |                       |       |     |
|-------------------------------------------------|-----------------------|-------|-----|
| More developed region and less developed region | Less developed region | 100 % | 0 % |
|-------------------------------------------------|-----------------------|-------|-----|

## 8.2. Accounting and documentation

Specified in the Rules for Applicants and Beneficiaries – General Part.

## 8.3. Bank account

The following applies to projects under this Call:

The project beneficiary and partners with a financial contribution are obliged to use a separate bank account (hereinafter the “project account”) for project-related banking operations.

Before issuing the legal act on the granting/transfer of aid, the beneficiary is requested to identify its project account. The project account may be opened with any bank authorized to operate in the Czech Republic and must be maintained exclusively in CZK. Payments to the beneficiary may be only be made to the account specified in the legal act on the granting/transfer of aid. For the purposes of the granting/transfer of the aid, the entities listed in Section 3(h) of the Budgetary Rules having their account with the Czech National Bank (CNB) must provide only these accounts opened with the CNB<sup>17</sup>.

The beneficiary must retain its bank account even after the completion of the project until the financial settlement, see Chapter 7.3.3.

When demonstrating direct expenditure, the payment must be proven by a scan of the project account statement from which the payment was actually made. The statement must clearly show that it is the beneficiary’s project account and individual expenditure items must be properly marked (e.g. with a number according to the list of documents). If the beneficiary/partner makes payments concerning project expenditure from its other bank accounts, the beneficiary/partner must reimburse the project expenditure from the project account.

## 8.4. Cash

Covered in Rules for Applicants and Beneficiaries – General Part.

## 8.5. Value added tax

Covered in Rules for Applicants and Beneficiaries – General Part.

## 8.6. Reporting of expenditure

Covered in Rules for Applicants and Beneficiaries – General Part.

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<sup>17</sup> These beneficiaries are entitled to transfer project funds from the CNB bank account to the project account.

### 8.6.1. Full reporting of expenditure

Covered in Rules for Applicants and Beneficiaries – General Part Furthermore, concerning projects under this Call, this method of expenditure reporting applies to all types of eligible applicants/beneficiaries under this Call.

### 8.6.2. Simplified expenditure reporting

Not relevant to projects under this Call.

## 8.7. Eligible expenditure

### 8.7.1. General conditions for eligibility of expenditure

Specified in the Rules for Applicants and Beneficiaries – General Part. Furthermore, the following applies to projects under this Call:

#### Temporal eligibility

For entities, granted in the regime not constituting State aid, applies that Expenditure is eligible from the time of publication of the Call in IS KP14+. However, the physical implementation of the project may start no earlier than on the day following the submission of the aid application. Only the preparatory activities of the project may be carried out from the announcement of the Call in IS KP14+ until the date of submission of the aid application.

For entities granted under the GBER applies that expenditure is eligible from the date on which the aid application is submitted, and that these costs can only be incurred after the aid application is submitted.

#### Substantive eligibility

Each project under this Call includes:

- (a) expenditure incurred by an entity which does not constitute State aid within the meaning of Article 107(1) of the Treaty on the Functioning of the European Union – relevant for research organizations meeting the conditions of paragraph 20 of the Framework, and simultaneously
- (b) expenditure implemented by the entity or entities(s) aided under the GBER is funded in accordance with Article 25 of GBER – entities aided under GBER.

An entity aided under the GBER may be involved in a project only through direct participation in a research and development project within activity (d) Cooperation on implementing joint research activities/plans; such involvement is only permitted in the field of fundamental and industrial research.

The specific types of eligible expenditure that an entity aided under the GBER is entitled to claim are defined in Chapter 8.7.2.

### 8.7.2. Eligible expenditure by type

Specified in the Rules for Applicants and Beneficiaries – General Part In addition, the following applies to Calls Long-term Intersectoral Cooperation and Long-term Intersectoral Cooperation for ITI:

**Only the following types of expenditure are eligible for entities aided under GBER:**

|                                                                                                                                                                   |  |                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----------------------|
| <b>PA1 Calls “Long-term Intersectoral Cooperation” and “Long-term Intersectoral Cooperation for ITI” – Rules for Applicants and Beneficiaries – Specific Part</b> |  |                      |
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- personnel costs: researchers, technicians and other support staff to the extent necessary for the project. Expenditure incurred under an employment contract concluded before the announcement of the Call in IS KP14+ / before the date when the aid application is submitted (in Round 1) may be recognized as eligible only if the activity was carried out after day when the aid application is submitted. However, the work tasks related to the project must be modified by an amendment to such an employment contract, or otherwise by a method consistent with internal regulations of the applicant/beneficiary/partner;
- costs of non-investment instruments/devices and equipment to the extent and for the period when they are utilized for project purposes. If these instruments/devices and equipment are not used within the project throughout their life, eligible expenditure is considered to only include depreciation for the duration of the project, calculated in accordance with generally accepted accounting principles;
- the costs of contractual research, knowledge and patents purchased or acquired under a license from external sources under normal market conditions, as well as costs of patent applications, patent fees, consultancy services used exclusively for project purposes;
- additional overheads and other operating costs, including costs of materials, supplies and similar products incurred directly as a result of the project.

The following applies to all personal expenditure of the project, regardless of the aid scheme:

#### **Direct non-investment expenditure**

##### ➤ **Personnel expenditure:**

In accordance with chapter 8 of the Rules for Applicants and Beneficiaries – General Part, projects under this Call use the below options to set the salaries, which are defined in Version 2 of the document List of salaries and possible methods to determine the salaries of employees/workers involved in the implementation of projects of Operational Programme Research, Development and Education, available at <http://www.msmt.cz/strukturalni-fondy-1/zpusobilost-mezd-platu-op-vvy>:

ad 1 – Determination of the salary using ISAE;

ad 2 – An alternative method to calculate the salary/remuneration (the method to determine the salary/remuneration can be used only for experts from international organizations);

ad 3 – Determination of salary for key/excellent employees/workers (key and excellent workers are defined in Chapter 2).

The following restrictions apply to employees/workers of projects under this Call:

The hours worked within the employee's employment relationships must not overlap and it is impossible for an employee to be paid for the same work multiple times.

The person whose remuneration is partially covered by an OP RDE project may, for all the entities (beneficiaries and partners) involved in the implementation of the project, work in each calendar month for a number of hours not exceeding 1.0 hours of the working time banking of the given month – 1 FTE (i.e. the sum of all hours worked by the employee, including any agreements to complete a job and agreements to perform work for the beneficiary and partners must not exceed the number of hours of the working time banking for the given month) in all calendar months throughout the implementation of the OP RDE project.

In exceptional cases, the number of hours worked per employee for all the entities involved in project implementation may total up to 1.2 times the working time banking of the given month. An exception for this amount of hours worked can only be granted in justified cases to selected members of the project expert team.

In accordance with the Labour Code and related legislation, the number of hours worked includes leave from work, paid holidays, days of incapacity for work and other obstacles to work.

Maternity/parental leave is not counted towards the number of hours worked in the given month. At the same time, the beneficiary must ensure that the application of the above-mentioned exception does not violate the Labour Code or any other relevant regulations.

If the project includes activity (g) Preparation of jointly designed international project applications related to the activities and focus of the project, the beneficiary is required to accompany the project's Implementation Report with the annex 'Overview of project/grant applications submitted'.

**8.7.3. In-kind contributions in OP RDE**

Not relevant to projects under this Call.

**8.7.4. Indirect costs**

Not relevant to projects under this Call.

**8.8. Ineligible expenditure**

Specified in Rules for Applicants and Beneficiaries – General Part.

All expenditure related to the excluded activities and not related to the implementation of the aided project are ineligible.

**8.9. Project revenues**

Specified in the Rules for Applicants and Beneficiaries – General Part.

**8.10. Financial penalties (sanctions) for breach of duties of the beneficiary/partner**

Specified in the Rules for Applicants and Beneficiaries – General Part.

**9. CHAPTER – PROCESSES AND RULES OF CONTROLS AND AUDITS**

Specified in the Rules for Applicants and Beneficiaries – General Part.

**10.CHAPTER – PROCESSES AND RULES OF APPEALS**

Specified in the Rules for Applicants and Beneficiaries – General Part, as specified in the Methodical Letter No 1 to the Rules for Applicants and Beneficiaries – General Part, version 4.

## 11.CHAPTER – OP RDE INDICATORS

### 11.1. Definitions

Specified in the Rules for Applicants and Beneficiaries – General Part.n

### 11.2. Guidelines for applicants

When preparing an aid application, the applicant is required to select **all** relevant output and result indicators.

“Overview of key outputs contributing to the ERDF project indicators” is attached as an annex to the aid application.

In this annex, the applicant specifies partial key outputs of indicator 2 41 01 *Number of expanded or modernised research centres* (e.g. acquired instrumentation and necessary building alterations, functional units and modules) exceeding CZK 1 million, which are necessary for the achievement of the indicator. This overview must financially quantify the partial indicator output, specify the link to the project budget and a clear link to the project schedule. These partial outputs should be determined per unit of the target indicator value.

For example, if the target value of the indicator 2 41 01 *Number of expanded or modernized research centres* is two, the applicant must clearly separate the partial indicator outputs, the purpose and link to the schedule per unit 1, unit 2, etc. if their content is different.

### 11.3. Instructions for beneficiaries

As part of the project, the annex Overview of key outputs contributing to the ERDF project indicators is attached to the Project Implementation Report (see Chapter 7.1) with a list of key outputs generated in the reporting (monitoring) period. The change in the key outputs in the plan is governed by the procedures set out in Chapter 7.2.2 of the Rules for Applicants and Beneficiaries – General Part, as a substantial change not constituting a change to the legal act; other changes, such as adjustment to the schedule, amounts and brief description constitute non-substantial changes.

**Indicator system for the Call “Long-term Intersectoral Cooperation”**

| Type   | NCI code           | Indicator                                                          | Monitoring and documentation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|--------|--------------------|--------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Output | 2 04 00<br>(CO 24) | Number of new researchers in aided entities                        | <p>The indicator values are monitored regularly during the project.</p> <p>In each project implementation report, the beneficiary must submit:</p> <p>“The list of researchers by category”, where the beneficiary must differentiate between newly created and existing jobs, see the model on the website of the MEYS.</p> <p>The values must be achieved by the date of project completion specified in the legal act on the granting/transfer of aid.</p> <p>It is necessary to submit a copy of the employment contract of the employee (or agreement to perform work, agreement to complete a job, etc.). If submitted as part of documents for accounting, it is not necessary to submit it again, it is sufficient to make a reference. The contract/agreement or another appropriate document (e.g. work sheet) must clearly define the FTE share in the professional team.</p> |
|        | 2 04 02            | Number of new researchers in aided entities – women                | <p>The indicator values are monitored regularly during the project.</p> <p>Submitted only within indicator CO 24.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|        | 2 05 00<br>(CO 25) | Number of researchers working in improved research infrastructures | <p>The indicator values are monitored regularly during the project.</p> <p>In each project implementation report, the beneficiary must submit:</p> <p>“The list of researchers by category”, where the beneficiary must differentiate between newly created and existing jobs, see the model on the website of the MEYS.</p> <p>The values must be achieved by the date of project completion specified in the legal act on the granting/transfer of aid.</p> <p>It is necessary to submit a copy of the employment contract of the employee (or agreement to perform work, agreement to complete a job, etc.). If submitted as part of documents for accounting, it is not necessary to submit it again, it is sufficient to make a reference.</p>                                                                                                                                      |

|                    |                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--------------------|--------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                    |                                                                                      | The contract/agreement or another appropriate document (e.g. work sheet) must clearly define the FTE share in the professional team.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 2 05 02            | Number of researchers working in improved research infrastructure facilities – women | The indicator values are monitored regularly during the project.<br><br>Submitted only within indicator CO 25.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 2 00 00<br>(CO 26) | Number of enterprises cooperating with research institutions                         | State indicator value in the year when the target value was reached.<br><br>Cooperation between entities will be monitored on an ongoing basis – in each project Implementation Report it will be documented in the form of a Cooperation Report.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 2 15 02            | Number of new products modernising strategic management systems in organisations     | The indicator values are monitored regularly during the project.<br><br>It is necessary to submit the product (i.e. an updated strategy document of the research organization, or a link to the product) and a Change Report.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 5 10 17            | Number of one-off events organised                                                   | The indicator values are monitored regularly during the project. The beneficiary accompanies the project Implementation Report with a list of organised one-off events aided from OP RDE of the project.<br><br>The list shows the focus of the event, the number of attendees, and the date of the event.<br><br>For an on-the-spot control of project documentation, the beneficiary shall keep attendance sheets, invitations, agenda, and presentation/minutes.                                                                                                                                                                                                                                                                                                                                                                                             |
| 2 41 01            | Number of expanded or modernised research centres                                    | The applicant is required to specify this indicator in the annex to the aid application / Implementation Report – Overview of key outputs contributing to the ERDF project indicators.<br><br>It is necessary to specify the indicator value in the year when the target value is reached, i.e. in the year when expanded or modernised research centre is delivered for use / purchased equipment is commissioned (e.g. issuing the use permit, approval of test/pilot operation, etc.).<br><br>Project Implementation Report:<br><br>It is necessary to submit a copy of the use permit, delivery and/or acceptance certificate or another relevant document, as well as an accounting document – proof of purchase, document on the inclusion into assets (e.g. inventory card) depending on the type of infrastructure. If such a document has already been |

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|--|---------|------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  |         |                                                                                                      | submitted, e.g. as part of a submitted request for payment, it is sufficient to make a reference to it.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|  | 2 03 12 | Number of participations of aided research teams carried out in international cooperation programmes | <p>The indicator values are monitored regularly during the project.</p> <p>International Cooperation Programmes are funds which the applicant obtains in international tenders, e.g. in Horizon 2020 (2014–2020), the EU’s framework programme for research and innovation.</p> <p>This indicator will also include such participation of the aided research team, where the project financed by the international cooperation programme further develops/builds on the research of the aided OP RDE project from this Call, and where the project implementation also involves members of the OP RDE expert team (i.e. participation in project implementation by the beneficiary/partner).</p> <p>Attached to the Implementation Report is a copy of the valid Grant Agreement or a similar legal act which is concluded between the provider and the beneficiary / beneficiary group. If the research team aided from OP RDE (or the institution in which it operates) is not specifically mentioned in the Grant Agreement (e.g. because it is one of the consortium members, rather than the coordinator), it is also necessary to submit a copy of the Partnership Agreement of the consortium, or its equivalent.</p> <p>The originals are kept for on-the-spot control.</p> |

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|--|---------|-----------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | 2 02 11 | Specialised publications created by aided entities (selected types of documents)                                                  | <p>The reported value is the value since the start of the physical implementation of the project in the monitoring period. Specialised publications – must be related to the professional focus of the project.</p> <p>In the annex to the project implementation report, it is sufficient to present the list of publications. The list must include the exact link to the online version of the publication or DOI identifier which allows unequivocal tracing of the inclusion of the publication in Thomson Reuters Web of Science or Scopus, ERIH PLUS. It is also necessary to specify the author (or co-author) and the institution for which he/she publishes. For selected items of the list, it is possible to request copies of documents proving e.g. the link to the aided entity and its workers (especially applies to timesheets of workers with and FTE with the beneficiary/partner) or the very existence of the printed publication. The originals of these documents may be randomly checked on site. If the same publication is presented in several projects approved under the OP RDE, it will be factored in proportionally in favour of each aided beneficiary, e.g. depending on the prevailing number of authors of the result, or the number of chapters, etc. It is therefore necessary that when presenting jointly achieved results, the institutions aided from OP RDE always report only a proportion of the result based on mutual agreement.</p> |
|  | 2 02 16 | Scientific publications in co-authorship with researchers from abroad created by the aided entities (selected types of documents) | <p>The reported value is the value since the start of the physical implementation of the project in the monitoring period. Specialised publications – must be related to the professional focus of the project.</p> <p>In the annex to the project implementation report, it is sufficient to present the list of publications. The list must include the exact link to the online version of the publication or DOI identifier which allows unequivocal tracing of the inclusion of the publication in Thomson Reuters Web of Science or Scopus, ERIH PLUS. It is also necessary to specify the author (or co-author) and the institution for which he/she publishes. For selected items of the list, it is possible to request copies of documents proving e.g. the link to the aided entity and its workers (especially applies to timesheets of workers with and FTE with the beneficiary/partner) or the very existence of the printed publication. The originals of these documents may be randomly checked on site. If the same publication will be presented in several projects</p>                                                                                                                                                                                                                                                                                                                                                                                         |

|         |                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| 2 02 13 | Publications in co-authorship of research organisations and enterprises (selected types of documents) | <p>The reported value is the value since the start of the physical implementation of the project in the monitoring period. Specialised publications – must be related to the professional focus of the project.</p> <p>In the annex to the project implementation report, it is sufficient to present the list of publications. The list must include the exact link to the online version of the publication or DOI identifier which allows unequivocal tracing of the inclusion of the publication in Thomson Reuters Web of Science or Scopus, ERIH PLUS. It is also necessary to specify the author (or co-author) and the institution for which he/she publishes. For selected items of the list, it is possible to request copies of documents proving e.g. the link to the aided entity and its staff (especially applies to timesheets of staff with and FTE with the beneficiary/partner) or the very existence of the printed publication. The originals of these documents may be randomly checked on site. If the same publication will be presented in several projects approved under the OP RDE, it will be factored in proportionally in favour of each aided beneficiary, e.g. depending on the prevailing number of authors of the result, or the number of chapters, etc. It is therefore necessary that when reporting jointly achieved results, the institutions aided from OP RDE always report only a proportion of the result based on mutual agreement.</p> <p>The indicator is a subset of indicator 2 02 11.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 2 20 11 | International patent applications (PCT) created by aided entities                                     | <p>The reported value is the value since the start of the physical implementation of the project in the monitoring period.</p> <p>Included are patent applications in international phase of procedure which have successfully passed formal evaluation, depending on the year the application was filed.</p> <p>The data comes from the Office of Industrial Property (data taken from WIPO). For more information see</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

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|--|---------|------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  |         |                              | <p><a href="http://www.upv.cz/cs/prumyslova-prava/vynalezy-patenty/prihlasovani-do-zahranici/mezinarodni-prihlasky-pct.htm">http://www.upv.cz/cs/prumyslova-prava/vynalezy-patenty/prihlasovani-do-zahranici/mezinarodni-prihlasky-pct.htm</a>.</p> <p>Demonstrated by a link / copy of the International Search Report (ISR) performed for PCT Applications by the International Searching Authority (ISA), from which it will be possible to verify the existence of the application, the inventors, the name/text of the invention and information on the date of filing the patent application. For selected items, it is possible to request copies of documents proving e.g. the link to the R&amp;D centre workers. The originals of these documents may be randomly checked on site.</p> |
|  | 5 43 10 | Number of aided cooperations | <p>Collaboration will be established during the project; it is demonstrated for the first time no later than in the penultimate project Implementation Report by means of a contract / agreement / memorandum of cooperation, or a similar document, and a cooperation progress report.</p> <p>The contract/agreement/memorandum must generally include the following elements:</p> <p>The parties, purpose/objective, factual description of the cooperation and the period for which cooperation is established.</p> <p>The final progress cooperation report is submitted as part of the project's Final Implementation Report.</p> <p>It is necessary to submit copies; the originals are kept by the beneficiary with project documentation for on-the-spot controls.</p>                   |

The definitions of OP RDE Indicator are on the MEYS website <http://www.msmt.cz/strukturalni-fondy-1/monitorovaci-indikatory-op-vvv>; the specifications for the particular Call are specified in the Call. The website also contains document templates for submitting the indicators for project implementation report: <http://www.msmt.cz/strukturalni-fondy-1/prehled-vzoru-prilohy-monitorovacich-zprav>.

#### Method to measure jobs

The OP RDE uses the **Full Time Equivalent (FTE)**, which indicates the average registered number of R&D employees per FTE dedicated to R&D activities.

One FTE equals one year of (full time) work of an employee involved in R&D.

For employees who are engaged in activities other than R&D, only the relevant part of their working capacity is included. **As part of the project, for the purposes of the monitoring of indicators 2 04 00 / CO 24 – Number of new researchers in aided entities, 2 05 00 / CO 25 – Number of researchers working**

*in modernized research infrastructures, 2 04 02 – Number of new researchers in aided entities – women, 2 05 02 – Number of researchers working in modernized research infrastructures – women, it is not possible to report more than one FTE per individual.*

Employee of the beneficiary/partner means a person with links to the employer in the form of an employment contract or agreement to perform work (APW) or agreement to complete a job (ACJ). The maximum value reported for an employee working full-time is 1; for an employee working part time, it is the fraction of the full-time employment; and for external worker (working on APW or ACJ) it is the fraction of the working year that the worker actually worked.

#### **11.4. Penalties due to beneficiary irregularity**

Specified in the Rules for Applicants and Beneficiaries – General Part, and in the legal act on the granting/transfer of aid.

### **12. CHAPTER – PUBLIC PROCUREMENT**

#### **12.1. Effect**

Specified in the Rules for Applicants and Beneficiaries – General Part.

#### **12.2. General provisions**

Specified in the Rules for Applicants and Beneficiaries – General Part.

#### **12.3. Procurement procedure for contracts of small value and higher**

Specified in the Rules for Applicants and Beneficiaries – General Part.

#### **12.4. Inspection of selection and procurement procedures**

Specified in the Rules for Applicants and Beneficiaries – General Part.

#### **12.5. Project savings**

Only the project savings rules specified below are relevant to this Call.<sup>18</sup>

If during the procurement procedure a difference between the presumed price of the order and the contracted price appears, project saving is originated.

– The beneficiary is obliged (by means of change proceeding) to move the saved means to the budget item Saving for distribution. Such saving will always be a non-substantial change of the budget.

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<sup>18</sup> Procedures specified in Chapter 12.5 of the Rules for Applicants and Beneficiaries - General Part are not relevant for this Call.

– Whenever the cumulative amount of the savings exceeds 10 % from total eligible expenditure of the project, the beneficiary transfers the financial means (by means of nonsubstantial change) to the budget item Saving above 10%.

– From the item Saving for distribution the beneficiary transfers the financial means via substantial change without change to the legal act on grant award / transfer to the budget items, where it is able to use them in a meaningful and economic way. The beneficiary usually requests the transfer once a year. In case of current need the beneficiary may request the change at any time.

However, from the budget item Savings above 10 % the beneficiary shall not transfer the financial means. MA requests from the beneficiary, usually once a year, to submit to MA by means of application for substantial change the proposal for issuing of the change of the legal act on grant award / transfer, by which it decreases the total eligible expenditure of the project by the expenditure statement of the budget item Savings above 10 %. Also the fixed financial indicator is decreased by the same amount, if it is determined to date following the day after deadline for application for substantial change. The beneficiary is recommended to respond to the request by sending the appropriate application for substantial change.

### **13.CHAPTER – PARTNERSHIP**

The applicants may submit the project only in cooperation with one or more partners. One or more partners participate in the preparation and implementation of the project, and they are allowed to also implement a larger part of the project. The eligibility of a partner is defined in Chapter 5.2.1.

Partners with financial contribution must be involved in the project implementation through effective collaboration (for more information see Chapter 15.2).

In addition, under this call, if the applicant/beneficiary is a State organisational unit or a publicly co-funded organisation established by a State organisational unit, the projects of these applicants/beneficiaries may include partnerships with a financial contribution only if the financial flows between the applicant/beneficiary entity and the partner(s) with a financial contribution can be implemented in accordance with applicable legislation<sup>19</sup>.

### **14.CHAPTER – SYNERGIES AND COMPLEMENTARITIES**

Specified in the Rules for Applicants and Beneficiaries – General Part.

### **15.CHAPTER – STATE AID**

Specified in the Rules for Applicants and Beneficiaries – General Part. The following also applies to this Call:

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<sup>19</sup> That is, in accordance with Budgetary Rules, and other applicable legislation.

Research organizations will be granted aid under a scheme not constituting State aid within the meaning of Article 107(1) of the Treaty on the Functioning of the European Union for non-economic activities as defined in paragraph 19 of the Framework (with their possible additional economic use under paragraph 20 of the Framework). Procedures ensuring compliance with the conditions of paragraph 20 of the Framework are set out in the Methodology for the reporting of economic activities in terms of State aid (see Annex 11).

Other entities (e.g. business corporations, State enterprises or research organisations that do not meet the requirements of paragraph 20 of the Framework at entity level) involved in the project as partners with financial contribution will receive aid compatible with the internal market within the meaning of Article 107(3) of the Treaty on the Functioning of the EU, which is exempted from notification pursuant to Article 108(3) of the Treaty on the Functioning of the EU, such aid to be used for a research project concerning fundamental and industrial research, in accordance with Article 25 of GBER (entity aided under GBER).

The applicant and all its partners with a financial contribution are required to accompany the aid application with a Declaration of project compliance with State aid rules (see 18.10 Method to submit annexes to the aid application).

**15.1. Introduction to State aid**

Specified in the Rules for Applicants and Beneficiaries – General Part.

**15.2. Public funding for education and research and development not constituting State aid**

Specified in the Rules for Applicants and Beneficiaries – General Part. The following also applies to this call:

In order for aid granted to research organizations not to lead to indirect State aid of other entities involved in the project as partners, it is necessary that:

- collaboration between research organizations and partners with financial contribution took place jointly through effective collaboration within the research project in accordance with the provisions of Article 2.2.2 of the Framework;
- the relationship between research organizations and other entities involved in the project as partners does not constitute contract research or provision of research services by research organizations of the enterprise or enterprises within the meaning of Article 2.2.1 of the Framework;
- the conditions of cooperation between the applicant and other entities involved as partners, especially with regard to the contributions to its costs, sharing of risks and results, dissemination of results, access to intellectual property rights and rules governing the

allocation of these rights, is determined before starting the project by the applicant and other partners in the Partnership Agreement;

- the education of the workers of research organizations, which will be aided under the project, is limited to the acquisition of knowledge and skills of workers who carry out non-economic activities for the most part (within the meaning of paragraph 20 of the Framework);
- the assets acquired as part of the project are used for non-economic activities. Their potential economic use was only secondary in accordance with paragraph 20 of the Framework for the lifetime of the aided assets.

### 15.3. Exceptions that allow State aid without the need to notify the EC

Specified in the Rules for Applicants and Beneficiaries – General Part.

#### 15.3.1. Block exemptions

Specified in the Rules for Applicants and Beneficiaries – General Part.

Beyond the rules specified in Chapter 15.3.1 of the Rules for Applicants and Beneficiaries – General Part, the following also applies:

**The aided part of a research ~~and development~~ project which is implemented by an entity aided under the GBER must fall into the category of fundamental or industrial research.**

**Eligible expenditure:** the structure of eligible expenditure is specified in Chapter 8.7.

**Aid intensity** for an entity aided under the GBER may not exceed 50% of eligible expenditure in the areas of fundamental and industrial research, regardless of enterprise size. No further bonus is provided. For the purposes of calculating aid intensity and eligible costs, all figures used are shown before deduction of tax or other charges.

**Threshold of aid** – if the project/activities implemented by an entity aided under the GBER concern fundamental and industrial research, the amount of aid must not exceed the equivalent of EUR 20 million per enterprise per project in CZK according to the ECB exchange rate on the date the aid was provided (i.e. the date of legal act on the granting/transfer of aid). Such is the case if more than half of the eligible expenditure of the project is incurred from activities that fall within the category of industrial research or jointly within the categories of industrial and fundamental research. This is the maximum value and cannot be circumvented by artificially dividing the project.

**Incentive effect:** see Chapter 15.3.1 of the Rules for Applicants and Beneficiaries – General Part. The ~~start of work~~ ~~physical implementation~~ of the project may only start after the aid application ~~for support~~ is submitted.

**Accumulation:** specified in Chapter 15.3.1 Rules for Applicants and Beneficiaries – General Part.

This aid scheme excludes the payment of individual aid in favour of an undertaking which is subject to an outstanding recovery order following a previous Commission decision declaring an aid granted by the same member state (Czech republic) illegal and incompatible with the internal market.

The beneficiary is required to prove this fact within each payment request for all entities, involved in the implementation of the project, that were aided under GBER.

Disclosure: beyond the Rules for Applicants and Beneficiaries - The general part applies that the Transparency Award Module (the European Commission's TAM system) will be used to fulfill the transparency obligation.

### **15.3.2. De minimis aid**

Irrelevant for this Call.

### **15.3.3. Services of general economic interest**

Irrelevant for this Call.

## **15.4. Identification of State aid within the aided activities**

Specified in the Rules for Applicants and Beneficiaries – General Part.

## **15.5. Basic obligations of the applicant/beneficiary concerning State aid**

Specified in the Rules for Applicants and Beneficiaries – General Part.

## **15.6. Keeping records of State aid in MS2014+**

Specified in the Rules for Applicants and Beneficiaries – General Part.

## **15.7. Consequences of a breach of State aid rules**

Specified in the Rules for Applicants and Beneficiaries – General Part.

## **16.CHAPTER – HORIZONTAL PRINCIPLES (PURSUANT TO ARTICLE 7 AND 8 OF THE GENERAL REGULATION)**

Covered in Rules for Applicants and Beneficiaries – General Part.

## **17.CHAPTER – PUBLICITY RULES**

Covered in Rules for Applicants and Beneficiaries – General Part.

**18.ANNEXES**

**18.1. Annex 1: Model – Standard form for the processing of applications for the review of a decision**

Specified in the Rules for Applicants and Beneficiaries – General Part.

**18.2. Annex 2: Model – Interim/final implementation report**

Specified in the Rules for Applicants and Beneficiaries – General Part.

**18.3. Annex 3: Model – Final report for the entire project implementation period**

Specified in the Rules for Applicants and Beneficiaries – General Part.

**18.4. Annex 4: Model – Information on progress in implementation**

Specified in the Rules for Applicants and Beneficiaries – General Part.

**18.5. Annex 5: Model – Sustainability report**

Specified in the Rules for Applicants and Beneficiaries – General Part.

**18.6. Annex 6: Business conditions of works contracts**

Specified in the Rules for Applicants and Beneficiaries – General Part.

**18.7. Annex 7: Objected bias of an auditor**

Specified in the Rules for Applicants and Beneficiaries – General Part.

**18.8. Annex 8: Objection against audit findings**

Specified in the Rules for Applicants and Beneficiaries – General Part.

**18.9. Annex 9: Objection against the notice of partial non-payment of a grant**

Specified in the Rules for Applicants and Beneficiaries – General Part.

## 18.10. Annex 10: Method to present annexes to the aid application

Overview of the relevant annexes to aid application can be found in the table below. The current text of model annexes to grant application is available in IS KP14+ under the announced Call. Updates of model annexes to grant application do not constitute a change in the Call. Documents that do not have a model must be created by the applicant.

Forms to submit annexes:

- “electronic original” (primarily electronic statements or documents with certified electronic signature); or
- a certified copy in electronic form – documents created by an authorized conversion of the printed original to electronic form; or
- simple copy (scan).

Form to submit annexes in English:

These documents are relevant for evaluation by a foreign expert – for this reason, they must be inserted into the system as follows:

- Any annexes that have to be presented in English must be named in English;
- The file containing all documents in English must be compressed into .zip and uploaded to the system, for example under the name Documentation\_English (i.e. in reality it will be one annex containing all documents in English).

The mandatory annexes shall be attached by all applicants. Elective annexes are those that are submitted only under certain conditions (e.g. in the case of a partner in the project, when selecting the specified activities or if the applicant/partner is not a legal entity to which the exception applies). If the applicant/partner meets the above conditions, it is required to submit the elective annex.

| Name of <u>mandatory</u> annex to grant application   | Method of submission of annex, description of the submission                                                           | Form of submission (original/copy)                                                                                 | Language | Link to evaluation criteria    | Who makes submission                 |
|-------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|----------|--------------------------------|--------------------------------------|
| <b>Statutory declaration:</b><br>- initial<br>- final | Applicant – a statutory declaration in grant application (in IS KP14+)<br>Partner – annex to grant application (model) | Applicant – Original<br>Partner – Simple copy (then, before issuing the legal act, the original or certified copy) | Czech    | F3, P3, P4, F11 (co-financing) | Every eligible applicant and partner |

|                                                                                                                                                                                                                                                                                                                         |                                                                                                                                   |                                                                                                                               |              |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| <p><b>Declaration of eligibility:</b></p> <ul style="list-style-type: none"> <li>- own funds</li> <li>- founder's approval</li> <li>- private enforcement</li> <li>- absence of debt</li> <li>- clean criminal record of natural and legal persons</li> <li>- the entity is not an undertaking in difficulty</li> </ul> | <p>Applicant – a statutory declaration in grant application (in IS KP14+)</p> <p>Partner – annex to grant application (model)</p> | <p>Applicant – Original</p> <p>Partner – Simple copy (then, before issuing the legal act, the original or certified copy)</p> | <p>Czech</p> | <p>F3, P3, P4</p> | <ul style="list-style-type: none"> <li>- <u>Own funds:</u></li> <li>- Every eligible applicant and partner with financial contribution</li> <li>- not declared by State organisational units, publicly co-funded organisations established by State organisational units;</li> <li>- <u>Founder's approval:</u></li> <li>- Every eligible applicant and partner – declared only by publicly co-funded organisations established by State organisational units and publicly co-funded organisations established by territorial self-governing units;</li> <li>- <u>Private enforcement:</u></li> <li>- Every eligible applicant and partner;</li> <li>- <u>Absence of debt:</u></li> <li>- Every eligible applicant and partner with financial contribution;</li> <li>- not declared by State organisational units, publicly co-funded organisations established by State organisational units, publicly co-funded organisations established by territorial self-governing units and State higher education institutions;</li> <li>- <u>No criminal record of natural persons:</u></li> <li>- Every eligible applicant and partner, not declared by State organisational units and State higher education institutions;</li> <li>- <u>Clean criminal record of legal persons:</u></li> </ul> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|--------------|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                                                                  |                                                                     |                                           |                   |                                                               |                                                                                                                                                                                                                                                                                                                          |
|----------------------------------------------------------------------------------|---------------------------------------------------------------------|-------------------------------------------|-------------------|---------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                  |                                                                     |                                           |                   |                                                               | <ul style="list-style-type: none"> <li>- Every eligible applicant and partner,</li> <li>- not declared by State organisational units, territorial self-governing units and State higher education institutions;</li> <li>- <b>Undertaking in difficulty:</b></li> <li>- Every eligible applicant and partner.</li> </ul> |
| <b>Grant application, including all relevant annexes in English<sup>20</sup></b> | Annex to grant application (model not available)                    | Original                                  | English           | F3                                                            | Every eligible applicant                                                                                                                                                                                                                                                                                                 |
| <b>Schedule of key activities</b>                                                | Annex to grant application (model)                                  | Original                                  | Czech and English | F3, V3.4                                                      | Every eligible applicant                                                                                                                                                                                                                                                                                                 |
| <b>Feasibility study, including annexes</b>                                      | Annex to grant application (model)                                  | Original                                  | Czech and English | F3, V1.1, V2.1., V2.3, V3, V4.1, V5.2, V5.3, V7.1, V8.1, V9.1 | Every eligible applicant                                                                                                                                                                                                                                                                                                 |
| <b>Detailed budget</b>                                                           | Annex to grant application (model)                                  | Original                                  | Czech and English | F3, V5.1, V5.2                                                | Every eligible applicant                                                                                                                                                                                                                                                                                                 |
| <b>Compliance with RIS3</b>                                                      | Annex to grant application (model)                                  | Original                                  | Czech and English | F3, V8.1                                                      | Every eligible applicant                                                                                                                                                                                                                                                                                                 |
| <b>CVs of the expert team members</b>                                            | Annex to grant application (model not available)                    | Original                                  | Czech and English | V2.2, V2.3                                                    | Every eligible applicant                                                                                                                                                                                                                                                                                                 |
| <b>Declaration of project compliance with State aid rules</b>                    | Annex to grant application (model)                                  | Original                                  | Czech             | F3, P8                                                        | Every eligible applicant and partner                                                                                                                                                                                                                                                                                     |
| <b>Name of <u>elective</u> annex to grant application</b>                        | <b>Method of submission of annex, description of the submission</b> | <b>Form of submission (original/copy)</b> | <b>Language</b>   | <b>Link to evaluation criteria</b>                            | <b>Who makes submission</b>                                                                                                                                                                                                                                                                                              |
| <b>Partnership principles and declaration of partnership</b>                     | Annex to grant application (model)                                  | Original                                  | Czech and English | F3, P4, P7                                                    | Partner – if a Partnership Agreement is yet to be concluded                                                                                                                                                                                                                                                              |

<sup>20</sup> For an external expert's needs.

|                                                                                                                                                     |                                                                                                                                                                     |                            |                   |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|-------------------|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Partnership Agreement</b>                                                                                                                        | Annex to grant application (model)                                                                                                                                  | Original or certified copy | Czech and English | F3, P4, P7 | Applicant – if Partnership Agreement has already been concluded                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Demonstration of ownership structure</b>                                                                                                         | Annex to grant application (model)                                                                                                                                  | Original or certified copy | Czech             | F3, P3, P4 | Applicant and partner with financial contribution – for exceptions, see Chapter 5.2.1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Proof of turnover</b>                                                                                                                            | Annex to the grant application – profit and loss statement or another report on economic management                                                                 | Simple copy                | Czech             | F3, F12    | Applicant (in case the applicant demonstrates part of the turnover through a partner with financial contribution, the applicant also submits proof of the partner's annual turnover) - except for State organisational units, publicly co-funded organisations of State organisational units, territorial self-governing units, publicly co-funded organisations established by territorial self-governing units, voluntary associations of municipalities and applicants / partner with financial contribution registered in the Register of Schools and School Facilities |
| <b>Eligibility documents</b>                                                                                                                        | Annex to grant application – e.g. formation deed, statute, memorandum of association, formation charter, etc.                                                       | Simple copy                | Czech             | F3, P3, P4 | Applicant and partner except for State organisational units, territorial self-governing units, public and state higher education institutions and public research institutions                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Documents proving compliance with the definition of eligible applicant/partner from among research and knowledge dissemination organisations</b> | Annex to grant application – documents confirming the formal setting to meet the requirements arising from the definition of a research and knowledge dissemination | Simple copy                | Czech             | F3, P3, P4 | Applicant and partner except for State organisational units, public and state higher education institutions and public research institutions                                                                                                                                                                                                                                                                                                                                                                                                                                |

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|                                                                                                                     | organisation according to the Framework (e.g. formation deed, articles of incorporation, memorandum of association)                   |                            |                   |                   |                                                                                                                                                                                                                                                                                                                                    |
| <b>Certificate of legal personality</b><br><i>- not older than 90 days from the submission of grant application</i> | Annex to grant application – an extract from the commercial, associational, educational or other similar register (foundation, etc.). | Original or certified copy | Czech and English | F3, P3, P4        | <u>Foreign</u> applicant/partner – except for State organisational units, territorial self-governing units, public higher education institutions, public research institutions, publicly co-funded organisations established by territorial self-governing units other than legal persons acting as schools and school facilities) |
| <b>Overview of key outputs contributing to the ERDF project indicators</b>                                          | Annex to grant application (model)                                                                                                    | Original                   | Czech and English | F3, V3.1, V4.1    | Applicant, if relevant indicators are selected                                                                                                                                                                                                                                                                                     |
| <b>Declaration of compliance with the condition in accordance with Section 21 of Act No 563/1991 Coll.</b>          | Annex to grant application (model)                                                                                                    | Original                   | Czech             | F3, P3, P4        | Partner – business corporation / State enterprise                                                                                                                                                                                                                                                                                  |
| <b>CVs of the expert team members</b>                                                                               | Annex to grant application (model not available)                                                                                      | Original                   | Czech and English | F3, V2.2          | Partner if activity H is selected                                                                                                                                                                                                                                                                                                  |
| <b>Annexes to ITI: Compliance of grant application with a project submitted by the SC ITI</b>                       | Annex to grant application (model)                                                                                                    | Original                   | Czech             | F3, P11           | Applicant within individual calls of bodies responsible for the ITI strategy (relevant only for ITI calls)                                                                                                                                                                                                                         |
| <b>Annexes to ITI: Opinion of the SC ITI</b>                                                                        | Annex to grant application (model not available)                                                                                      | Original                   | Czech             | F3, P10, P11, P12 | Applicant within individual calls of bodies responsible for the ITI strategy (relevant only for ITI calls)                                                                                                                                                                                                                         |

### **18.11. Annex 11: Methodology of reporting economic activities in terms of State aid**

The methodology is available at: <http://www.msmt.cz/strukturalni-fondy-1/analyza-verejne-podpory-op-vvv>.

### **18.12. Annex 12: Justification for the intention to award a public contract in a negotiated procedure without prior publication**

Specified in the Rules for Applicants and Beneficiaries – General Part.

## **19. LIST OF ABBREVIATIONS**

|                     |                                                                                        |
|---------------------|----------------------------------------------------------------------------------------|
| CBA                 | Cost-benefit analysis                                                                  |
| GBER                | General Block Exemption Regulation / Commission Regulation No 651/2014 of 17 June 2014 |
| IS KP14+            | Information system of the final beneficiary                                            |
| CV                  | Curriculum Vitae                                                                       |
| EC                  | European Commission                                                                    |
| EU                  | European Union                                                                         |
| OP RDE              | Operational Programme Research, Development and Education                              |
| SOU                 | State organisational unit                                                              |
| PCO SOU             | Publicly co-funded organization established by a State organisational unit             |
| MA OP RDE Education | Managing Authority of the Operational Programme Research, Development and Education    |
| SB                  | State budget                                                                           |
| R&D                 | Research and development                                                               |
| IR                  | Implementation Report                                                                  |
| RfP                 | Request for payment                                                                    |