

RESOLUTION

Resolution UNI/962/2005 of February 1, which approves the rules governing the award of grants and scholarships called by the Agency for Administration of University and Research Grants.

Article 3 of Law 7/2001, of May 31, which creates the Agency for Administration of University and Research Grants (AGAUR), establishes that the Agency is responsible for the implementation of programmes of grants and scholarships, loans, subsidies and other activities for the promotion of university education, scientific and technical research and technological innovation in Catalonia.

Pursuant to article 11 of the Agency's Statutes, approved by the Decree of the Autonomous Government of Catalonia dated June 11, 2002, which establishes that the Board of Management is responsible for approving the calls for applications for grants and scholarships, as well as their resolution;

Pursuant to the provisions of chapter 9 of the Law of Public Finances of Catalonia, which regulates the legal system of the subsidies and transfers of the Autonomous Government of Catalonia, and Law 38/2003, of November 17, General for subsidies;

Whereas article 92, with regard to article 93 of the Law of Public Finances of Catalonia, establishes that the Agency is responsible for approving the regulations governing subsidies pertaining to its area of competence;

The Board of Management, through the use of its functions, in a session dated January 24, 2005, adopted a series of agreements, and consequently,

I hereby resolve:

Single article

To approve the regulations governing the procedure and the management of the grants and scholarships convened by the AGAUR, which figure in the annex of this Resolution.

Additional provision

This Resolution exhausts the administrative procedure, although interested parties may lodge, within the term of one month as of the day following the publication of the resolution, a request for review before the Board of Management of the AGAUR, or a contentious-administrative appeal directly before the Contentious-Administrative Court of Barcelona within the term of two months as of the day following its publication, pursuant to the provisions set forth in articles 116 and 177 of Law 30/1992, of November 26, on the legal system of the public administrations and the common administrative procedure, amended by Law 4/1999, of January 13, and articles 8, 14 and 46 of Law 29/1998, of July 13, governing contentious-administrative jurisdiction.

The interested parties may also lodge any other appeals they deem fitting to defend their interests.

Transitory provision

The calls for applications for grants and scholarships in the execution phase when this Resolution takes effect will continue to be applicable in their own terms and will be governed by the procedures pursuant to which they were passed.

First final provision

This Resolution will take effect on the day following its publication in the Official Gazette of the Autonomous Government of Catalonia (DOGC).

Second final provision

Resolution UNI/84/2003, of January 14, approving the general regulations governing the award of scholarship for 2003, as well as Resolution UNI/256/2004, of February 11, which extends the aforementioned regulations, are expressly repealed.

Barcelona, February 1, 2005

Carles Solà Ferrando

President

Annex

Regulations

—1 Object

The object of the grants and scholarships governed by these regulations is the execution of actions established in the current Research Plan of Catalonia, and of programmes of grants and scholarships, loans, subsidies; and other activities for the promotion of university education, scientific and technical research and technological innovation in Catalonia, telecommunications and the information society, and any other action or measure targeting the promotion of an activity of public utility or social interest or the promotion of a public purpose.

—2 Period

The period in which the subsidisable activities should be executed is determined in the legal framework of the respective calls for applications.

—3 Parties involved (definitions)

Beneficiaries:

Eligible beneficiaries are natural or legal persons, public or private, or groupings thereof with none of the prohibitions for eligibility as a beneficiary established in article 13 of Law 38/2003, of November 17, General for Subsidies, who should carry out the activity substantiating the award or when the circumstances envisaged in the regulations and in the call for applications concur, and who pass the process of evaluation and selection provided that their application is within the budget credits allocated to each one of the calls for applications and that they carry out the activity on which the award of the grant is based.

The beneficiaries of the grant must accredit concurrence of the requirements established in the call for applications on submitting the application; otherwise, the call for applications must specify this expressly.

Applicant:

The natural or legal person who has to submit the application in the place and the form established in the call for applications will have the condition of applicant.

Manager:

Natural or legal person acting as the recipient of the public funds awarded and who has been commissioned with transferring these funds to the beneficiaries in the form established by the corresponding call for applications.

—4 Calls for applications

The Board of Management of the AGAUR is the organ with competence for approving the regulations of the grants and scholarships, as well as for interpreting them, and will be the organ with competence for issuing the different calls for applications published in the DOGC, which must include at least:

- a) The object, conditions and the purpose of the grant or scholarship; the objectives; the application assessment criteria and, as applicable, their deliberation; the requirements for requesting it; the documents and the information that should be attached to the application, and the deadline for presenting it. The deadline for the submission of applications may be extended when the Board of Management of the AGAUR or the president of the Executive Commission perceives the concurrence of exceptional circumstances that render it advisable.
- b) Grant or scholarship award procedure.
- c) The maximum amount allocated, indicating the budget year to which the expense should be allocated.
- d) The possibility or not of subcontracting the total or partial execution of the activity which is the object of the subsidy. By default, the maximum percentage permitted for subcontracting the activity subsidised will be 50%, unless the call for applications excludes this possibility or indicates another percentage.
- e) The possibility of making advanced payments on the grant or scholarship awarded in the terms provided for in these regulations.
- f) The organ with competence for the planning, instruction and resolution of the call for applications, and the term for resolving it.
- g) The means of notification of the resolution and whether or not it exhausts the administrative procedure, indicating the appeals and the organs before which the appeals may be lodged.
- h) If necessary, the criteria for assessing degrees of possible non-fulfilments of conditions imposed in the award of grants or scholarships.

—5 Applications

5.1 The applications must be formalised according to a standard model and should be addressed to the president of the competent organ to issue a resolution in the place and the form established in each call for applications by means of the procedures provided for in article 38.4 of Law 30/1992, of November 26, on the legal system of the public administrations and common administrative procedure.

The application form, for the purpose of notification to the applicant, should state that once the term established in the call for applications for the notification of the resolution has elapsed, if the award or rejection of the grant or scholarship has not been notified or published, the application will be deemed to have been rejected.

5.2 The application forms and regulations governing calls for applications may be obtained at the offices of the AGAUR (Via Laietana 28, 2a planta, 08003 Barcelona), the AGAUR'S web site (<http://www.gencat.net/agaur/>), or that of the Ministry of Universities, Research and Information Society (DURSI) (<http://gencat.dursi.net>).

5.3 The applications may be submitted through the platform of the Open Administration of Catalonia (hereinafter AOC), when thus provided for by the call for applications. In these cases, an order by the autonomous minister of the DURSI's chancellor of Information Formalities for the electronic processing of the procedure for the award of the grant or scholarship of the AGAUR must be published in the DOGC.

5.4 The applications, submitted on the standard model, may not surpass the characters established. Otherwise, a legal term of 10 days will be opened to remedy defects of form, in accordance with article 71 of Law 30/1992, of November 26, on the legal system of the public administrations and common administrative procedure.

5.5 The applications should clearly define the activity to be developed or the investment proposed, the amount of the aid applied for, the itemisation of the sources of funding and the budget.

5.6 If applicable, the applications must contain the declaration that any grants or scholarship awarded in the past, charged to the budgets of the Autonomous Government of Catalonia, have been duly justified.

5.7 In the case of applications for grants convened with a fixed amount per awardee, the amount need not be specified in the corresponding application. However, if the amount established in the regulations is a maximum amount, the applicant must expressly specify the amount requested, and must present, in detail, the different items of expenditure and the estimated amounts justifying the application.

—6 Documentation

6.1 The application will be submitted on the standard model provided for this purpose and must include, as applicable, copies or originals of all the documentation required in the call for applications and, in any case, that which is detailed below, unless the call for applications establishes a different system.

a) Natural people:

ID card, VAT card or passport of the applicant.

b) Public or private non-profit organisations:

Documentation accrediting the constitution and registration of the organisation and its VAT no.

Document (power of attorney, etc.) accrediting the powers granted to the representative of the organisation and their ID card.

c) Companies:

If it is an individual entrepreneur: VAT No.

When it is a corporate body: deed of incorporation of the company and its articles of association, VAT number of the company and deed of power of attorney and representative's ID card.

When it is a partnership or non-profit entity: the private or public document of constitution of the organisation, VAT number of each one of the members and the document appointing the member of the organisation who acts as the representative in the call for applications.

d) Group of natural or legal individuals, public or private, without legal personality: VAT number of each one of the members, document of constitution of the group, as applicable, and document appointing the member of the group who acts as the representative in the call for applications and with sufficient power of representation to fulfil the obligations that correspond to the group, indicating the execution commitments taken on by each one of the members of the group, as well as the amount of the subsidy applied corresponding to each one of them.

e) Responsible declaration that neither the applicant nor the members of the group are prohibited from being beneficiaries pursuant to article 13 of Law 38/2003, of November 17, General for subsidies specifying that they are up to date in obligations pertaining to the reimbursement of subsidies in the terms specified.

f) Accreditation that the applicant or the members of the applicant group are up to date in the payment of any tax and social security obligations provided for by the law.

g) For public or private companies with 50 or more workers: declaration of the fulfilment of the social integration of the disabled obligations, to employ at least 2% of workers with disability out of the total number of workers in the organisation, according to the applicable legislation.

6.2 For the record, the copy of the documentation submitted must be certified or attested by the organ with competence of the management unit processing the application or by the registry where it has been presented, when requested by the applicant, in accordance with the provisions of article 38.5 of Law 30/1992, of November 26.

6.3 Documentation already in the possession of the AGAUR or any other organ of the administration of the Autonomous Government of Catalonia need not be submitted, provided that not more than five years have elapsed since it was submitted. The applicant must specify in writing the date and the organ where it was presented and the corresponding procedure. This section will not apply for documents that have to be

periodically updated or if the documents have been modified after submission to the Autonomous Government of Catalonia.

6.4 If the application does not fulfil the requirements established in the call for applications or not all the required documentation is attached, the competent unit managing the application will give the applicant a term of 10 working days as of the day following receipt of the notification for it to remedy the deficiencies detected or provide the documentation required, indicating that failure to do so will be regarded as a withdrawal of the application, in accordance with the provisions of article 71 of Law 30/1992, of November 26, on the legal system of the public administrations and common administrative procedure.

—7 Assessment and selection

7.1 The criteria and mechanisms of assessment and selection of the grant or a scholarship should be specified in the corresponding call for applications.

7.2 The general principles applied in the evaluation and selection of the applications of all the calls for applications of the AGAUR will be those of objectivity, independence and quality of the evaluations.

7.3 The selection of the applications corresponds to a commission appointed by the president of the organ with competence for resolving them or the person delegated by the latter. The composition of this commission will be determined specifically in each one of the calls for applications. The commission will issue a deed of its deliberations and will refer its proposal to the organ with competence for it to issue a resolution.

7.4 These commissions may enjoy the assessment of evaluation organs or external experts, which may interview the applicants to obtain complementary information and ask for further information to be furnished.

7.5 These commissions may draft stand-by lists of the applicants that did not receive an award, if the call for applications provides for this possibility and for the determination of possible replacements.

—8 Resolution

8.1 Each call for applications will determine the competent organ for the resolution of the calls for tenders, as well as the organ with competence for the management and resolution of any doubts or incidents that may arise in their implementation.

The executive director of the AGAUR will be responsible for resolving any doubts and incidents that may arise in their implementation, unless provided for otherwise in this call for applications.

8.2 The resolution of the award or rejection of the grants or scholarships should be justified and contain at least:

a) The identification of the physical or legal person to whom the grant or scholarship is awarded. In the case of groups of public or private physical or legal persons, without legal personality, this should be stated in the implementation commitments taken on by each member, as well as the amount of subsidy applied to each one of them.

b) The amount of the grant or scholarship and, as applicable, the items for which they are awarded, as well as the subsidisable percentage of the budget of the activity or the project submitted.

c) The form of justification of the implementation of the object of the grant or scholarship.

d) If advances are authorised, their amount and the guarantee which, as applicable, must be presented by the beneficiary of the grant or scholarship.

e) If the application is rejected, the reason for the refusal.

f) The stand-by list of unsuccessful applicants, if the call for applications envisages the possibility of replacements.

g) That notification exhausts administrative procedure, indicating the appeals that may be lodged, the body with which they should be lodged and the term, without prejudice to the possibility of the interested parties lodging any other appeals they deem fitting.

8.3 Without prejudice to the resolution obligation, applications for grants or scholarships not notified or published within the term of six months as of the day after the date of submission of applications set in the call for applications, will be regarded as rejected, in accordance with article 3 of Law 23/2002, of November 18, on suitability of administrative procedures with regard to the system of administrative silence and term of resolution and notification, and the first amendment of articles 81, 82 and 83 of Law 13/1989, on the organisation, procedure and legal system of the Autonomous Government of Catalonia.

8.4 Grants or scholarships not awarded will not give rise to the entitlement of other grants or scholarships in future years, and the refusal of grants does not exclude the applicant from participating in future calls for applications.

—9 Notification of the decision and publicity

9.1 The resolution of the award or the rejection of the grant or scholarship, duly justified, will be notified individually to the interested party. The notification may be notified electronically, as provided for by section 3 of article 59 of Law 30/1992, of November 26. This will be the preferred medium.

9.2 The individual notification will be delivered by means of any medium that makes it possible for the applicant to have a record of its receipt, within the term of 10 working days as of the date of resolution awarding or rejecting the grant or scholarship, in accordance with the provisions of articles 58 and 59 of Law 30/1992, of November 26, on the legal system of the public administrations and common administrative procedure.

9.3 Due to the volume of the applications, individual notification may be replaced by publication in the DOGC or the AGAUR notice board. The organ with competence for issuing the call must decide whether the notification of the resolution in the DOGC or on the notice board damages legitimate rights or interests and must consequently choose the media it deems fitting to protect such rights or interests, in accordance with the provisions of article 61 of Law 30/1992 of November 26.

9.4 The organ with competence for approving the call for applications will agree to the form of notification that will be used and which must figure expressly on the corresponding resolution. The executive director of the AGAUR will guarantee the proper execution of the agreements taken for this purpose.

9.5 For the purpose of publicity, the resolutions will be published in the DOGC provided that the amount of the subsidies, individually, is 3,000 Euros or more, and the beneficiary must indicate the amount awarded, the purpose of the subsidy and the budget to which they have been allocated.

9.6 Without prejudice to the provisions of the preceding bases, and for the sake of greater dissemination, the call for applications and awards in which individual notification is replaced by publication, in accordance with the provisions of rule 9.3, may be disseminated on the AGAUR web site. If the means of notification is individual, it will be also possible to consult the status of the application presented on the web site, in personalised fashion and for purely informative ends.

—10 Acceptance of the grant or scholarship

10.1 The condition of beneficiary is obtained at the time of the acceptance of the grant or scholarship, when thus provided for by the call for applications. Acceptance, if it is provided for in the call for applications, is formalised by means of a standard document that must be signed by the beneficiary, in which the latter undertakes to fulfil all the conditions established in these regulations and in the call for applications of the grant or scholarship.

10.2 Beneficiaries that fail to submit the acceptance document within the deadline established in the call for applications will be understood to have waived the grant or scholarship. The resolution, as applicable, will declare the circumstances that gave rise to the waiver and its legal grounds, and will be notified to the interested party, likewise indicating the appeals that may be lodged.

—11 Obligations of the beneficiary

The beneficiary of the grant or scholarship is obliged to:

- a) Fulfil the conditions of these rules and the specific rules of the call for applications.
- b) Carry out the activity or adopt the behaviour that justifies the award of the grant or scholarship and accredit it before the organs with competence in the matter.
- c) Justify the destination of the grant or the fulfilment of the object of the grant pursuant to the provisions of rule 12 of this resolution and within the term determined in the call for applications.
- d) Keep the original receipts or vouchers and all the documentation related to the grant or scholarship for a period of at least five years.
- e) Propose to the organ with competence in the matter any change which, in accordance with the applicable legislation, may arise in the destination of the grant or scholarship, without changing its purpose. When thus established by the call for applications, changes must be duly authorised by the awarding organ.

f) Inform the organ awarding the grant or scholarship of any other grants or scholarships requested or awarded for the same purpose, any administrative or occupational contracts or any other form of public or private funding that affect the same activity which is the object of the grant or scholarship and any other alteration already mentioned so that compatibility may be evaluated.

g) Facilitate all the information required of them by the AGAUR, the General Audit Office of the Autonomous Government of Catalonia, the Public Audit Office or other organ with competences in accordance with the regulations in force.

h) Submit to any actions involving verification and control required by the organ with competences of the Administration in accordance with the applicable legislation.

i) Reimburse funds received in the case of revocation of the subsidy in the terms indicated in the resolution.

j) Adopt the dissemination measures established in rule 19 of this Annex.

k) Leave a record of the receipt and application of the subsidy in the accounts or in the books, which, as the case may be, the beneficiary has to keep in accordance with the applicable business or tax legislation.

l) Observe the obligations pertaining to subcontracting and to the nature and amount of the subsidisable expenses in accordance with articles 29 and 31 of Law 38/2003, of November 17, the general subsidies law, and in accordance with those specified indicated in the respective call for applications.

m) In the case of companies, fulfil the requirements established in articles 32.1, 32.3 and 36.4 of Law 1/1998, of January 7, on language policy, and any provisions issued by the Government of Catalonia in this matter.

n) Insurance: if the call for applications in question does not establish the existence of medical coverage and travel insurance, the beneficiaries must take out their own insurance.

—12 Forms of justification

12.1 When the beneficiaries are natural individuals they should present the following documentation:

a) Accreditation that they have started in the host centre.

b) Certification by the head of the project or of the host centre where the subsidised activity is being conducted accrediting that the beneficiary is registered and is performing the activity suitably as provided for by the call for applications.

c) The report of all the work done in the global award period, stating the effective accomplishment of the objectives of the grant.

d) A report of all the publications, articles and work derived from the work, and the results obtained.

e) In the case of grants for the conduct of studies, accreditation that the registration has been formalised.

f) Accreditation that the beneficiary has started in the host centre, if the call for applications establishes complementary aid for travel expenses, according to the modules established in rule 13.3 or the original receipts of the travelling expenses for cases in which the grants include these items.

12.2 Aid awarded to public universities, the Open University of Catalonia and other organisations with research activity and non-profit must be justified by means of the following documentation:

a) A report on the activity performed.

b) A certificate issued by the manager of the university or by the director of the centre expressing that the aid has been posted in the accounts of the university or centre and that the funds received have been used to perform the activity for which they were granted.

c) A detailed list of the expenses incurred charged to this aid.

The original documentation accrediting the expenditure will remain in the offices of the university or organisation, available to the AGAUR, the General Audit Office of the Autonomous Government of Catalonia and the Public Audit Office, attaching a detailed list of the expenses of the activity, indicating those made chargeable to this subsidy, those charged to own funds or those charged to other subsidies or resources.

The call for applications for the aid may require the university or public centre to carry out, at their own cost, an external audit which will simply verify the use made of the grant.

12.3 Aid granted to local corporations will be justified by means of the following documentation:

a) A report on the activity performed.

b) A certificate issued by the controlling secretary of the corporation expressing that the amount of the aid has been posted in the accounts of the corporation and that the funds received have been used to perform the activity for which they were granted.

c) A detailed list of the expenses incurred charged to this aid.

The call for applications for the grant may require the local corporation to carry out, at their own cost, an external audit which will simply verify the use made of the aid.

The original documentation accrediting the expenditure will remain in the offices of the local corporation, available to the AGAUR, the General Audit Office of the Autonomous Government of Catalonia and the Public Audit Office, attaching a detailed list of the expenses of the activity, indicating those made chargeable to this subsidy, those charged to the own funds or those charged to other subsidies or resources.

12.4 The beneficiaries of the grant not included in sections 1, 2 and 3 of this rule must present:

a) A report by the head of the project or the applicant of the grant where it states that the activity has been performed.

b) A detailed list of the expenses of the activity, indicating those made chargeable to this subsidy, charged to own funds or charged to other subsidies or resources, made by the head accountant of the beneficiary organisation.

c) A numbered list of the receipts of expenses, in accordance with the items detailed in the budget attached to the application.

d) Original receipts of expenses above 3,000 Euros, unless the call for applications determines a lower amount according to the amount of the grant, regardless of the percentage subsidised, of which the unit in charge of the management of the application will keep an authentic copy, once the original has been stamped, and which will indicate the organ awarding the aid, its amount or the percentage subsidised.

e) Attested copy of the three offers requested for the implementation of the subsidisable expenses in excess of 30,000 Euros, in the case of work, or 12,000 Euros in the case of capital goods, services and consultancy and technical assistance, together with a report justifying the choice, as provided for by article 31 of Law 38/2003, of November 17, General for subsidies.

12.5 The VAT corresponding to the receipts is excluded from the aid if the beneficiary is not the end consumer and it is tax-deductible.

12.6 The beneficiaries must present additional documentation to that which is provided for in these rules if required to do so in the call for applications.

—13 Content of the grant

13.1 The grant or scholarship will only cover the items established in the respective call for applications.

13.2 The resolution of the award, as applicable, must expressly list the items subsidised, as well as their amount.

13.3 The call for applications may establish additional aid for travelling expenses. The maximum amount of the aid will be that which is established in the following table, according to the destination:

Return

Country	Amount in Euros
America	
Canada (east coast)	750.00
Canada (west coast)	1,000.00
United States (east coast)	750.00
United States (west coast)	1,000.00
Rest of America	1,375.00

Africa	
North Africa (Algeria, Egypt, Libya, Morocco, Tunisia)	570.00
Rest of Africa	1,375.00
Asia	
Korea	1,375.00
Japan	1,375.00
Middle East (Israel, Jordan, Lebanon, Syria)	750.00
Rest of Asia	1,125.00
Europe	
Germany	430.00
Andorra	100.00
Austria	430.00
Belgium	430.00
Spain	300.00
France	430.00
Greece	430.00
Ireland	430.00
Italy	430.00
Luxembourg	430.00
Netherlands	430.00
Portugal	430.00
United Kingdom	430.00
Switzerland	430.00
Nordic countries (Denmark, Finland, Iceland, Norway, Sweden)	570.00
Rest of Europe	680.00
Oceania (all countries)	1625.00

—14 Payment

14.1 Formalisation of payment will be initiated when the beneficiaries have accredited fulfilment of the conditions that gave rise to the award of the grant or scholarship in compliance with the provisions of these rules and in the call for applications pertaining to justification.

14.2 The calls for applications may envisage the possibility of partial payments of the aid granted, when the award may be divided and as the activity subsidised is carried out.

14.3 If thus provided for in the call for applications, advance payments of the grant or scholarship may be awarded, at the percentage established when such a procedure is necessary for the effective implementation of the project. In any case, advances may not surpass 90% of the total amount of the grant or scholarship, except when, for duly justified cases and at the proposal of the organ with competence for resolving the call for applications, and in accordance with the applicable legislation, advance payment of the full amount is expressly provided for. The rest of the amount will not be paid until the beneficiary fulfils all the justification requirements and the rest of the conditions established in the call for applications.

14.4 The beneficiary, barring cases of organisations exempted from providing warranties and bonds, must provide, if thus envisaged by the call for applications, a bank guarantee for the total amount of the advance payment. The guarantee will be returned when the beneficiary has fully justified the grant awarded. Otherwise, once the corresponding revocation procedure has been brought, the guarantee will be executed.

14.5 Before payment of the grant or scholarship is made, a check will be made to ascertain fulfilment of the relevant tax and social security obligations by the beneficiary. Otherwise the procedure for the compensation of the credits the beneficiary is to receive will be initiated until any outstanding debts have been covered.

14.6 If the beneficiaries of the grant have any debt pending with the AGAUR, be it for lack of justification within the term provided for in the call for applications or through failure to return any amounts received and not justified, payment of the grant will not be made until the beneficiary can substantiate compliance with the payment obligations, and neither will they be eligible for any other grant in accordance with the applicable legislation.

Exceptionally, and in accordance with the provisions of the applicable legislation, the amounts owing may be compensated by means of a reduction in the aid granted.

—15 Incompatibilities

The grants or scholarships regulated by these rules are incompatible with any other grant, scholarship or fund obtained for the same object, unless the call for applications expressly establishes compatibility, and in the terms indicated in the respective call for applications.

In any event, in no case may the amount of the subsidies be one which, either alone or in concurrence with other subsidies, aid, income or resources, surpasses the cost of the subsidised activity.

When a grant or scholarship and funding by a public or private organisation concur in the same activity, the awarding organisation may assess their compatibility, which it will resolve expressly.

In all such cases, the applicants must submit the standard model declaring with a duly signed declaration of these circumstances.

—16 Changes and incidents

16.1 When the circumstances of the case render it advisable, and are duly justified, the executive director of the AGAUR may resolve the incidents and authorise, at the request of the beneficiary, a variation in the plan of work proposed or the period of tenure of the grant or scholarship, according to the case, and resolve any incidents that do not entail a substantial change in the terms of the call for applications.

16.2 When the characteristics of the application render it advisable, the organ with competence for resolving the incidents may rechannel the applications to other calls for applications of their competence, with similar characteristics, with the applicant's consent.

—17 Waiver and replacement

17.1 Waivers must be notified by the beneficiary, in a letter of justification, to the organ with competence for resolving the call for applications or the executive director of the AGAUR, which will make an express announcement if they deem it necessary.

17.2 The calls for applications may expressly provide for the possibility of agreeing to replacements in duly justified cases and provided that the applicants proposed are on the stand-by list. The replacement will be carried out by the organ with competence for resolving the call for applications or the executive director of the AGAUR, in implementation of the agreement of the executive commissions, by means of a resolution publicising the waiver and authorising the corresponding replacement. The substitute is subject to the same conditions of the call for applications as the initial beneficiary for the remaining time period of tenure of the grant or scholarship.

—18 Renovations

18.1 The calls for applications may provide for the renovation of the grant or scholarship. In such a case, the beneficiary that has applied for it will be subject to the rules of the last call for applications published in the DOGC corresponding to the line of the grant or scholarship awarded initially and in the terms specified, as applicable, in the renovation announcement.

18.2 Renovations are conditioned to fulfilment of all the requirements established in the call for applications, and particularly to fulfilment of the obligations taken on by the beneficiary in the implementation of the subsidised activity.

—19 Advertising

The award of a grant or scholarship obliges the beneficiary to include the following expression in any advertising pertaining to the activity for which funding is provided: "With the support of the DURSI of the Autonomous Government of Catalonia".

—20 Ownership of work

The intellectual property of the work corresponds to their authors, without prejudice to the call for applications establishing different conditions regarding the rights of use derived from the work subsidised.

—21 Responsibilities

The AGAUR assumes no responsibility for the action of the beneficiary or regarding any damages befalling them during the period of implementation of the subsidised activity or with regard to any third parties.

—22 Verification and control

The unit with competence for the management of the application is entrusted with verification of the implementation of the subsidised activity in accordance with the purpose and the requirements envisaged in the call for applications, with the rules approved by this Resolution, and with any other applicable legislation, without prejudice to the control competences of other organs of the Autonomous Government of Catalonia.

—23 Revocation of the grant or scholarship

23.1 The following causes will constitute grounds for revocation of the grant or scholarship:

- a) Non-fulfilment of the justification obligation, as well as insufficient justification.
- b) Total or partial non-fulfilment of the purposes for which the grant or scholarship was awarded, resulting from the allocation of the amounts received to different purposes.
- c) Obtainment of the grant or scholarship without meeting the required conditions, falsifying the conditions or requirements, or concealing any that would have constituted ineligibility.
- d) Non-fulfilment of the conditions imposed on the beneficiaries pursuant to the award, including the obstruction of control activities or resisting the conduct thereof, thus impeding the accreditation of the implementation of the grant.
- e) When the amount of the grant awarded is such that, either in isolation or concurrently with others, it surpasses the cost of the activity to be developed by the beneficiary though the surplus obtained over the cost of the activity developed.
- f) Non-fulfilment of the provisions of these rules or of any other requirement established in the call for applications.

23.2 If the awarding organ, as a result of an inspection, or the General Audit Office, within the framework of the control procedure, verifies concurrence of any cause for revocation of the grant or scholarship awarded, they must initiate the corresponding procedure in accordance with the provisions of section four of chapter 9 of the Law of Public Finances of Catalonia; or if they appreciate any grounds for infringement they must initiate disciplinary proceedings, in accordance with the provisions of section five of chapter 9 of the Law of Public Finances of Catalonia and as provided for by Law 38/2003, of November 17, General for subsidies. Similarly, if during any controls performed the subject being monitored exhibited any behaviour that hampered, drew out or prevented the action, it will propose initiation of the revocation and penalty procedure to the organ with competence. The infringements and penalties in matters of subsidies are regulated in the fifth section of the aforementioned chapter 9 of the Law of Public Finances of Catalonia.

—24 Applicable legislation

Any eventualities not expressly provided for in these rules are governed by the precepts of chapter 9 of the Law of Public Finances of Catalonia, provided that it does not contravene the basic state regulations; the basic aspects of Law 38/2003, of November 17, General for subsidies; Law 13/1989, of December 14, on organisation, procedure and on the legal system of the Autonomous Government of Catalonia; Law 30/1992, of November 26 on the on the legal system of the public administrations and common administrative procedure, as well as the provisions of the budgets law of the Autonomous Government of Catalonia in force in the corresponding year and other applicable legislation.

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