

Jornadas PERIN
Horizonte Europa
Assuntos Legais e Financeiros
Alexandre Marques

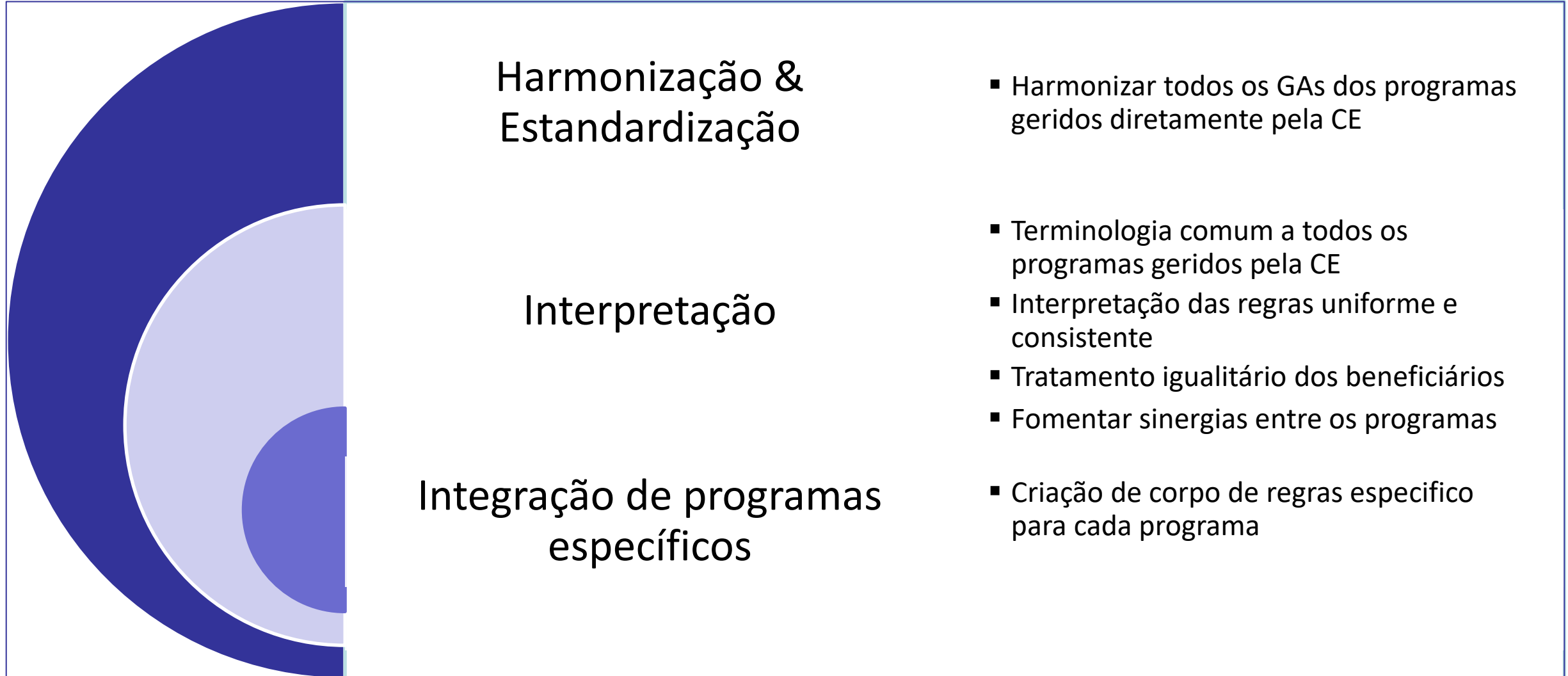
Delegado Nacional e NCP - Assuntos Legais e Financeiros e EIC
Model Grant Agreement National Expert
National Representative - EIT
20 de janeiro de 2023

Lisboa

- **Aspetos Legais**
- **Aspetos Financeiros**
- ***Third parties***
- **Template da proposta**
- ***Lump Sum***
- ***Amendments***

Aspetos legais

Racional – Grant Agreement Comissão Europeia



Regras de Participação do Horizonte Europa – Contexto

Regulamento
Financeiro

- Maior nº de remissões para este regulamento,
- Possibilidade de atribuir *blended finance* e *reimbursable grants*,

Regras de Participação
Horizonte Europa

Work Programme

Model Grant
Agreement

Mesmo modelo de Grant
agreement para todos os
projetos geridos diretamente
pela CE

- E-Grants – gestão
contratual
eletrónica



Blind Evaluation

Regulamento Horizonte Europa- Article 28 Award criteria and selection

1.A proposal shall be evaluated on the basis of the following award criteria:

(a)excellence;

(b)impact;

(c)quality and efficiency of the implementation.

...

4. The Commission and other funding bodies shall take into account the possibility of a two-stage submission and evaluation procedure and where appropriate, **anonymised proposals may be evaluated during the first stage of evaluation** based on one or more of the award criteria referred to in paragraph 1.

Blind Evaluation

Novidade

- Concursos de 2 fases
- 1ª Fase
 - Não é apresentada a parte A do projeto
 - Na parte B não se pode identificar os beneficiários

Applicants submitting a proposal under the blind evaluation pilot must not disclose their:

- *organisation names,*
- *acronyms,*
- *logos nor*
- *names of personnel in Part B of their first-stage application.*

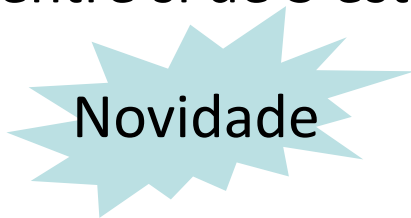


Part B

- *If proposals include any identification of the applicant in Part B, the proposal **will be declared inadmissible and will be rejected***

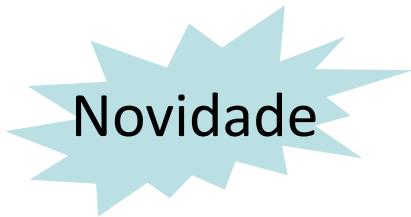
Condições de Participação

- CONDIÇÃO MÍNIMA – 3 entidades jurídicas, independentes entre si de 3 estados membros ou países associados
 - Pelo menos um estado membro (artigo 18º RfP)
- CONDIÇÕES ADICIONAIS - Estabelecidas pelo Programas de Trabalho (WP) e/ou Programas Específicos
 - WP pode limitar participação de países
 - Uso de diferentes formas de financiamento
 - Taxa de financiamento



Novidade

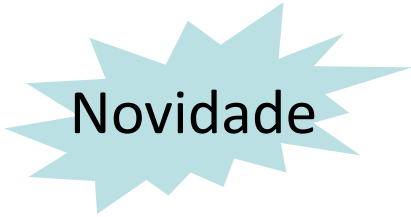
Condições de Participação – artigo 22.5



Novidade

- 5. No que diz respeito às ações relacionadas com os **ativos estratégicos, os interesses, a autonomia ou a segurança da União**, o programa de trabalho pode prever que a participação **se possa limitar a entidades jurídicas estabelecidas exclusivamente** nos Estados-Membros, ou a entidades jurídicas estabelecidas em determinados países associados ou outros países terceiros para além das que estão estabelecidas nos Estados-Membros.

Condições de Participação



Novidade

Artigo 39 Exploitation and dissemination

6. If the plan provides for the exploitation of the results primarily in non-associated third countries, the legal entities **shall explain how that exploitation is still to be considered to be in the Union interest.**

Artigo 40 Transfer and licensing

...

4. Where justified, the grant agreement shall provide for the right for the Commission or the relevant funding body to **object to transfers of ownership of results**, or to grants of an exclusive licence regarding results, if:

- (a) the beneficiaries which generated the results have received Union funding;
- (b) the **transfer or licensing is to a legal entity established in a non-associated third country; and**
- (c) **the transfer or licensing is not in line with Union interests**

Países terceiros

List of Participating Countries in Horizon Europe

https://ec.europa.eu/info/funding-tenders/opportunities/docs/2021-2027/common/guidance/list-3rd-country-participation_horizon-euratom_en.pdf

EU Grants: List of participating countries (HE): V2.3 – 15.09.2022

List of Participating Countries in Horizon Europe

Third countries associated to Horizon Europe

Association to Horizon Europe is governed by the Horizon Europe Regulation 2021/695¹. Legal entities from associated countries can participate under equivalent conditions as legal entities from the EU Member States, unless specific limitations or conditions are laid down in the work programme and/or call/topic text. Such measures could include the limitation of participation in certain actions to legal entities established in the EU alone, or in the EU and specified non-EU countries, in order to safeguard the EU's strategic assets, interests, autonomy or security. Limitations or conditions may also be attached to the participation of legal entities established in an eligible country but which are controlled directly or indirectly by an ineligible country². The eligibility will be clearly defined in the work programme. There could also be criteria on the place of establishment of the legal entity to take into account specific policy requirements or the nature and objectives of the action³.

EU restrictive measures → <https://www.sanctionsmap.eu>

Cooperação internacional

- 22% dos tópicos encorajam a cooperação internacional
- 31 tópicos são vedados a países terceiros ao Horizonte Europa



**Complementary
funding
mechanisms in
third countries**

Países não elegíveis automaticamente

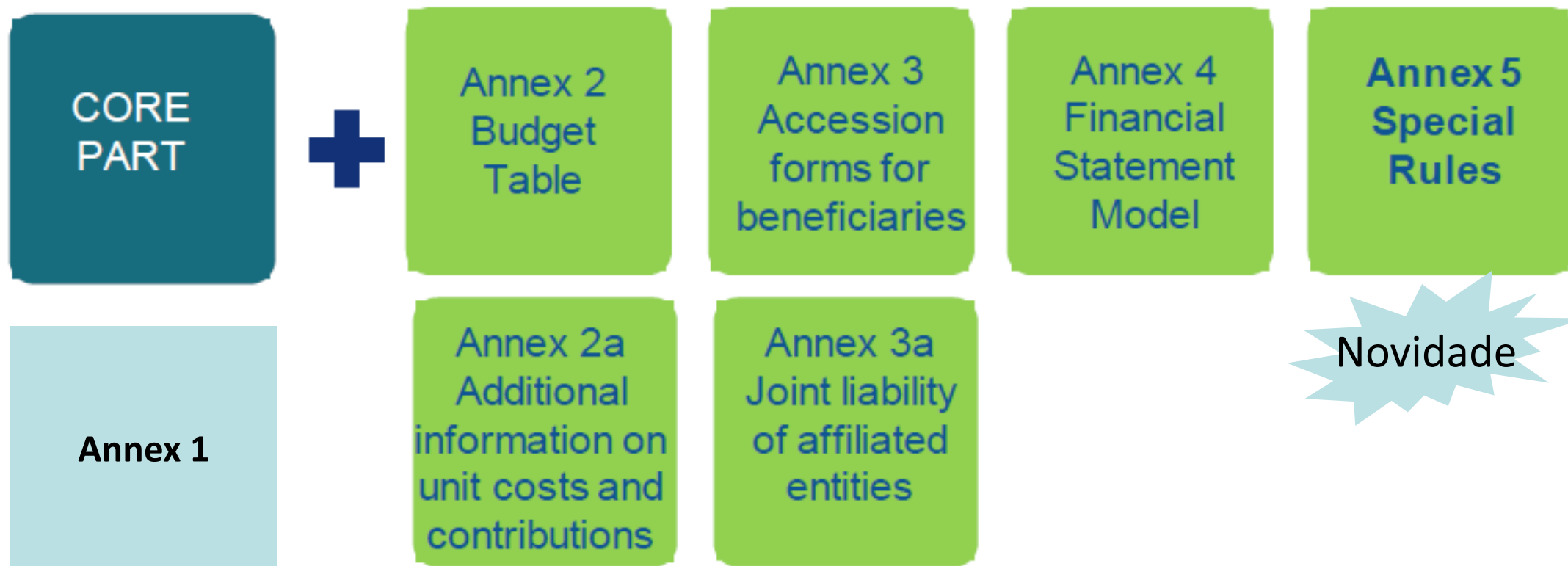
- High Income Countries

(com várias exceções, p.e. EUA no Cluster 1)

- ~~Brasil Russia India China~~

- Outros casos (Territórios ocupados Israel, Bielorrússia, Coreia do Norte, etc) → **EU restrictive measures**

Corporate MGA – Estrutura

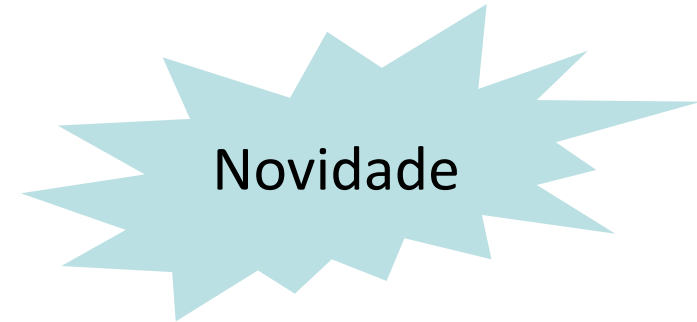


Anexo 5 – Novidades

- Values (i.e. gender main streaming) (Article 14) 
- **IPR (Article 16)**
- Specific rules for carrying out the action (Article 18)
 - recruitment and working conditions,
 - specific rules for access to research infrastructure actions,
 - specific rules for **PCP and PPI procurements**,
 - specific rules for **co-funded partnerships**, 
 - specific rules for ERC actions,
 - specific rules for **EIT-KIC actions**, 
 - specific rules for **MSCA actions**
 - specific rules for **EIC actions** 
- **Gender Equality Plan** – obrigatório calls 2022 e seguintes
- **Public emergency provision** - obrigações adicionais de exploração/direitos de acesso preferenciais
- **Novidade**
- **Novidade**
- **Novidade**

Data Sheet

1. General data
2. Participants
3. Grant
4. Reporting, payments and recoveries
 - 4.1 Continuous reporting
 - 4.2 Periodic reporting and payments**
 - Reporting and payment Schedule**
 - Prefinancing payments and guarantees**
 - Reporting and payment modalities**
 - 4.3 Certificates
 - 4.4 Recoveries
5. Consequences of non-compliance, applicable law & dispute settlement forum
6. Other



Acordo de consórcio

- Organização interna do consórcio;
- Gestão de acesso ao Funding & Tenders Portal;
- Distribuição de financiamento da UE;
- Regras adicionais sobre os direitos e obrigações relativos ao conhecimento pré-existente e resultados (incluindo os **direitos de acesso**);
- Resolução de litígios internos;
- Responsabilidade, indemnização e confidencialidade acordos entre os beneficiários

Aspetos financeiros

AGA – Annotated Grant Agreement

<u>General > Article 6 – Eligible costs/contributions</u>	25
<u>General > Article 6.1 General eligibility conditions</u>	25
<u>General > Article 6.1 In-kind contributions for free</u>	30
<u>General > Article 6.2 Specific eligibility conditions</u>	31
<u>General > Article 6.2.A Personnel costs</u>	32
<u>General > Article 6.2.A.1 Employees</u>	33
<u>General > Article 6.2.A.2, A3 Natural persons with direct contract and seconded persons</u>	42
<u>General > Article 6.2.A.4 SME owners and natural person beneficiaries</u>	46
<u>General > Article 6.2.A.5 Volunteers</u>	48
<u>General > Article 6.2.A.X Other personnel costs</u>	50
<u>General > Article 6.2.B Subcontracting costs</u>	54
<u>General > Article 6.2.C Purchase costs</u>	57
<u>General > Article 6.2.C.2 Equipment</u>	63
<u>General > Article 6.2.C.3 Other goods, works and services</u>	70
<u>General > Article 6.2.D Other cost categories</u>	73

Formas de financiamento

Custos reais

Custos unitários

Lump Sum

Flat rate

Outras formas de financiamento:

- Reimbursable advance
- Equity/Blended Finance
- Prémios

+ 220 tópicos



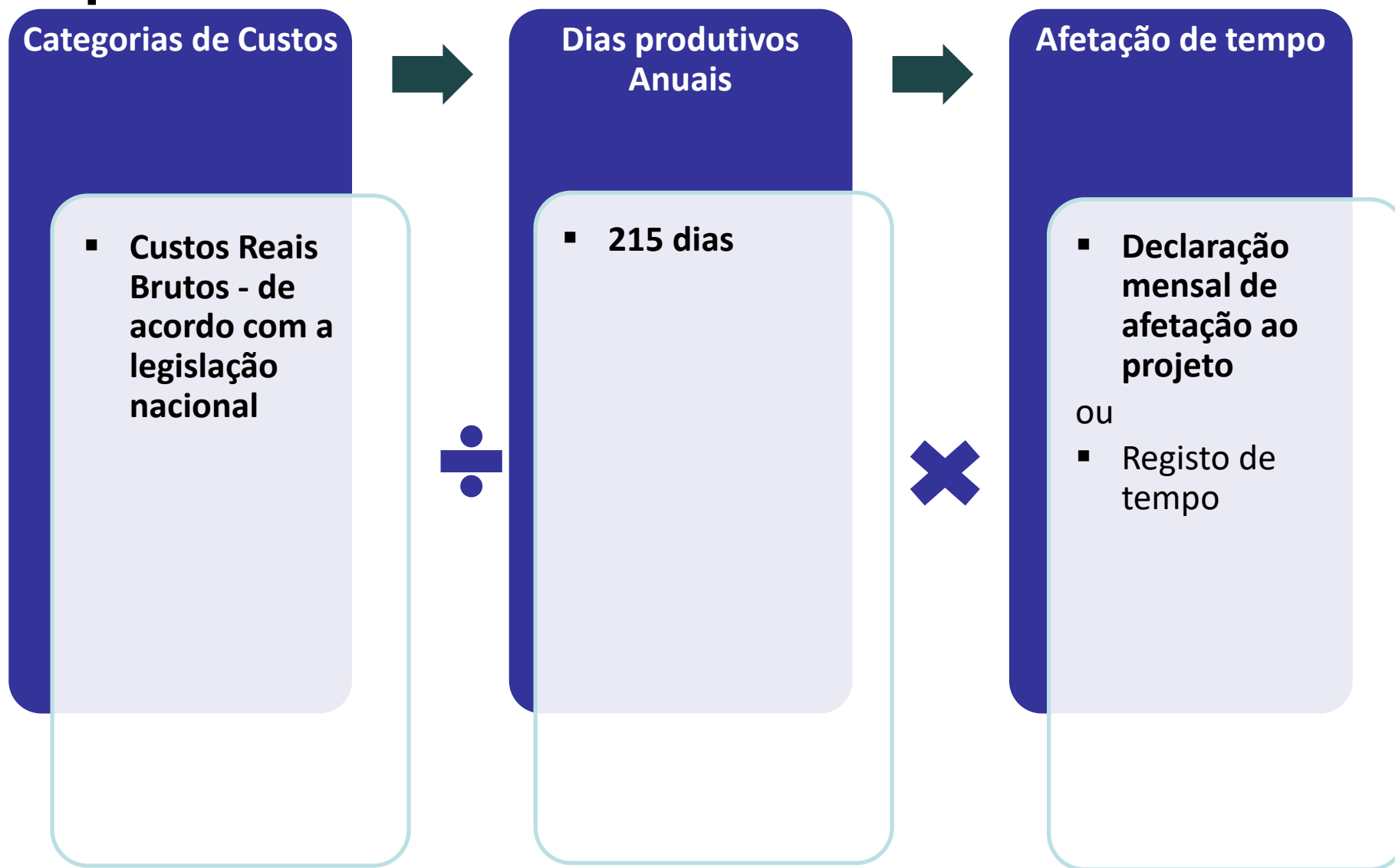
Taxas de Financiamento

Esquema de financiamento	Taxa de financiamento
Ação de Investigação e Inovação (RIA)	Até 100%
Ação de Inovação (IA)	Até 70%
Ação de coordenação e suporte (CSA)	Até 100%
Ação Marie Skłodowska-Curie	Até 100%
Ação ERC	Até 100%
Ação PCP	Até 100%
Ação PPI	Até 50%
Ação de inovação e implementação no mercado	Até 70%

+ **25%**
Custos indiretos

Novidade

Custos com pessoal



Declaração de tempo

Project: [insert number] — [insert acronym] — [insert call identifier]

EU Grants: Time declaration: V1.1 – 01.05.2022

EU GRANTS DECLARATION OF DAYS WORKED ON A PROJECT <i>To be kept on file in case of audits.</i>			YEAR:	
Project acronym:		Project number:		
Participant name:				
Name of the person:		Type of personnel: (employee/ natural person under direct contract/ seconded/ other)		

Month	Days worked in the action ¹ (e.g. 15, 7,5, 0,5)	Work Packages worked on (e.g. WP2; WP5)	Date and signature of the person	Name, date and signature of the supervisor
January			Signature: Date:	Name: Signature: Date:

Abordagem corporativa dos custos com pessoal

Custos Reais Brutos

215



Não existe a obrigação de utilizar o último ano encerrado

Daily rate



Dias de trabalho

Conversão de horas em dias

1. Fixa – 1 dia equivale a 8 horas
2. Com base no contrato de trabalho
3. Com base nas horas produtivas médias da instituição (com limite de 90%)

Purchase costs

- **Travel and subsistence (custos reais)**
- **Equipment → Depreciação**
- **Other goods, works and services (todos os outros custos)**

D. Other cost categories

- **D.1 Financial support to third parties**
- **D.2 Internally invoiced goods and services (unit costs - usual accounting practice)**
- D.3 Transnational access to research infrastructure (unit costs)
- D.4 Virtual access to research infrastructures (unit costs)
- D.5 PCP/PPI procurement costs
- D.6 Euratom/Cofund staff mobility costs (unit costs)
- D.7 ERC additional funding

Controle Ex-Ante

- Todos os programas geridos pela CE com a mesma abordagem
- Entidades publicas isentas de *Financial capacity assessment*
- Grants abaixo de 60.000€ isentos de *Financial capacity assessment*

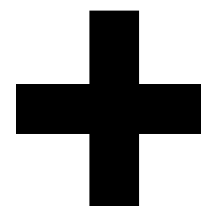
Rules for Legal Entity Validation, LEAR Appointment and Financial Capacity Assessment



EU Funding & Tenders

Novidade

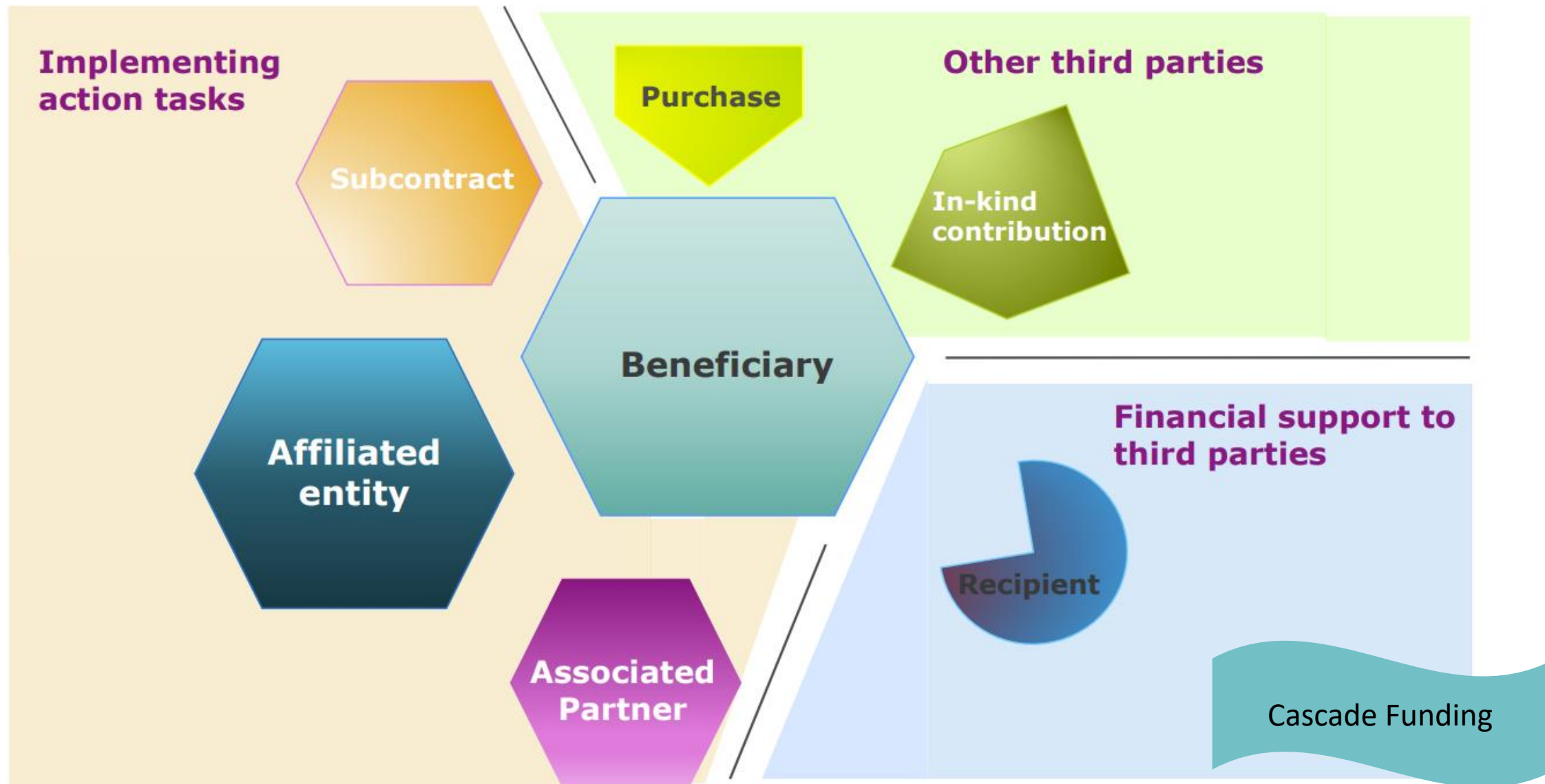
Online Manual



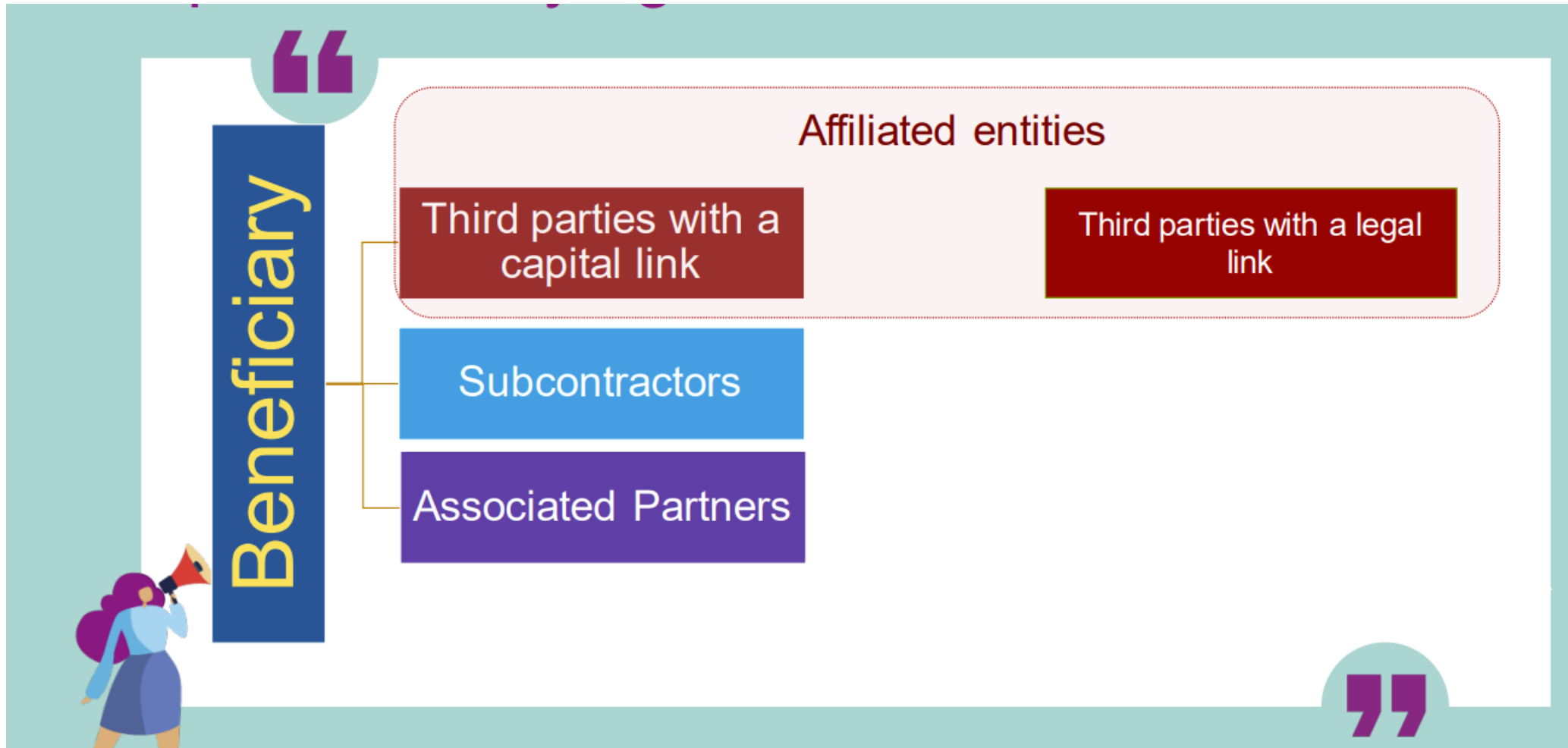
EU Funding Programmes 2021-2027

Third parties

Third parties no Horizonte Europa



Third parties desenvolvendo trabalho para a ação



Third parties – Affiliated Entities

Entidades Afiliadas de acordo com artigo 8º do Grant Agreement:

“...which are linked to a beneficiary will participate in the action as ‘affiliated entities’”

Complementando com o artigo 187 do Regulamento Financeiro da UE:

1. *For the purpose of this Title, the following entities shall be considered as entities affiliated to the beneficiary:*
 - (a) *entities forming the sole beneficiary in accordance with paragraph 2;*
 - (b) *...that have a link with the beneficiary, in particular **a legal or capital link**, which is **neither limited to the action nor established for the sole purpose of its implementation.***

***Third parties* desenvolvendo trabalho para a ação – subcontratação**

- Carater excecional
- Garantir o *best value for money* e evitar conflito de interesses
- Subcontratação entre beneficiários não é permitida
- Beneficiários mantêm-se os únicos responsáveis pela implementação da tarefa
- Artigo 8º do Grant Agreement

Third parties* desenvolvendo trabalho para a ação – *Associated partners

- Substitui a figura de *international partner*
- Não declara custos
- Pode ter ligação legal ao beneficiário (ou não)
- Não assina do GA
- Mas mantém obrigações:
 - Artigo 11º - Implementação adequada
 - Artigo 12º - Conflito de interesses
 - Artigo 13º - Confidencialidade e segurança
 - Artigo 14º - Ética
 - Artigo 17.2 – Visibilidade
 - Artigo 18º - Regras específicas para implementação da ação
 - Artigo 19º - Informação
 - Artigo 20º - Manutenção de registos

Outras *Third parties*

In-kind contributions free of charge – Artigo 9.2

- Excepção para o Horizonte Europa
- Declarados na respetiva categoria de custos

In-kind contributions against payment

- Não existe artigo específico
 - Pessoal – Seconded persons
 - Outros custos – Purchase costs

Template da proposta

Diferenças entre o template HE e H2020

Página 15 – Budget

3 – Budget for the proposal

[illegible]

Template HE e H2020

Página 10

Consorcio – Entidades independentes entre si

Links with other participants → Apenas no caso de existirem relações de controle

Página 12

Apenas dedicado a investigadores de acordo com a definição do Manual de Frascati

Researchers involved in the proposal

Include only the researchers involved in the proposal, (see below definition of 'researcher'). You do not need to include in the table the identity of other persons involved in the proposal who are not researchers.

'Researchers are professionals engaged in the conception or creation of new knowledge. They conduct research and improve or develop concepts, theories, models, techniques instrumentation, software or operational methods. (Frascati Manual 2015)'

Include also person in charge of the proposal if a researcher.

Title	First Name	Last Name	Gender	Nationality	E-mail	Career stage ¹	Role of researcher (in the project)	Reference Identifier	Type of identifier
			[Woman] [Man] [Non-binary]			[Category A – Top grade researcher] [Category B – Senior researcher] [Category C –	[Leading] [Team member]		[ORCID] [Researcher Id] [Other - specify]

Diferenças entre o template HE e H2020

Página 14 – Gender Equality Plan

Anexo 5

Gender equality plan

<i>Having a gender equality plan is an eligibility criterion for Public bodies, Higher education establishments and Research organisations from Member States and Associated Countries. Be aware that if the proposal is selected, having a Gender Equality Plan will be necessary before the grant agreement signature (applicable on calls with deadlines in 2022 and beyond).</i> Does the organisation have a Gender Equality Plan (GEP) covering the elements listed below? Minimum process-related requirements (building blocks) for a GEP – Publication: formal document published on the institution's website and signed by the top management – Dedicated resources: commitment of human resources and gender expertise to implement it. – Data collection and monitoring: sex/gender disaggregated data on personnel (and students for establishments concerned) and annual reporting based on indicators. – Training: Awareness raising/trainings on gender equality and unconscious gender biases for staff and decision-makers.	☐ Yes	☐ No
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Custos com pessoal – Person Months

Table 3.1f: Summary of staff effort

Please indicate the number of person/months over the whole duration of the planned work, for each work package, for each participant. Identify the work-package leader for each WP by showing the relevant person-month figure in bold.

	WPn	WPn+1	WPn+2	Total Person-Months per Participant
Participant Number/Short Name				
Participant Number/Short Name				
Participant Number/Short Name				
Total Person Months				

Página 46 – third parties free of charge

Table 3.1j: ‘In-kind contributions’ provided by third parties

Please complete the table below for each participants that will make use resources made available free of charge by third parties). In kind contributions are declared by the participants as eligible direct costs in the correct costs or purchase costs for equipment).

Participant Number/Short Name			
Third party name	Category	Cost (€)	Justification
	Select between Seconded personnel		

Lump Sum

Lump Sum

Novidade

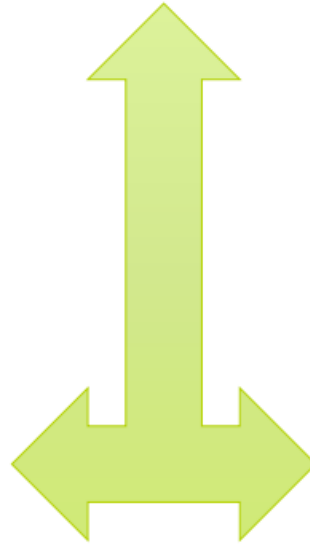
Two lump sum options

Type 1

Lump sum
fixed in the call
for proposal

Type 2

You define the
lump sum in
your proposal



Redação proposta Lump Sum

- Parte B mantém se igual
- Atividades detalhadas por Work Package
- Orçamento detalhado de acordo com o excel
- Estimativas de orçamento geram o orçamento por beneficiário (ou affiliated entity) e por work package
- Estimativas serão avaliadas sob o principio da razoabilidade tendo por base as praticas da instituição e o nível de custos apresentados por esta
- Regras de elegibilidade do HE aplicam-se nesta fase

Princípios básicos Lump Sum

- Pagamentos são desencadeados nos períodos de reporte estabelecidos no GA pela finalização de um work package
- Uma atividade não é um work package (WP)
- Uma tarefa não é um WP
- Percentagem de implementação não é um WP
- WP com a duração maior (Gestão, disseminação e exploração) podem ser divididos por vários WP de acordo com os períodos de reporte.
- Orçamento detalhado de acordo com o excel
- Estimativas de orçamento geram o orçamento por beneficiário (ou affiliated entity) e por work package

Folha de cálculo Lump Sum

BENEFICIARY 1 - CALCULATION SHEET		View Summary	
		BE1 name	
COST CATEGORY	UNITS	COST PER UNIT	BE TOTAL COSTS
COSTS WORK PACKAGE 1: WP1 name			
A. DIRECT PERSONNEL COSTS			
A.1 Employees (or equivalent)			
SENIOR SCIENTISTS (or equivalent in the private sector)			0,00
JUNIOR SCIENTISTS (or equivalent in the private sector)			0,00
TECHNICAL PERSONNEL (or equivalent in the private sector)			0,00
ADMINISTRATIVE PERSONNEL (or equivalent in the private sector)			0,00
OTHERS			0,00
A.2 Natural Persons under direct contract			0,00
A.3 Seconded Persons			0,00
A.4 SME owners and natural person beneficiaries		5 080,00	0,00
B. DIRECT SUBCONTRACTING COSTS			
			0,00
C. DIRECT PURCHASE COSTS			
C.1 Travel and subsistence			
C.2 Equipment (complete 'Depreciation costs' sheet)			
Equipment			0,00
Infrastructure			0,00
Other assets			0,00
C.3 Other goods, works and services			
Consumables			0,00
Services for meetings, seminars			0,00
Services for dissemination activities (including website)			0,00
Publication fees			0,00
Other (shipment, insurance, translation, etc.)			0,00
D. OTHER COST CATEGORIES			
D.1 Financial support to third parties (if applicable in the topic specific conditions)			0,00
D.2 Internally invoiced goods and services			0,00
D.3 Transnational access to research infrastructure unit costs (if mentioned as eligible in the topic specific conditions)			0,00
D.4 Virtual access to research infrastructure unit costs (if mentioned as eligible in the topic specific conditions)			0,00
D.5 PCP/PPI procurement costs (if mentioned as eligible in the topic specific conditions)			0,00
TOTAL DIRECT PERSONNEL COSTS AND PURCHASE COSTS (A+C)			
TOTAL DIRECT COSTS (A+B+C+D)			
E. INDIRECT COSTS (25% * (A+C))			
F. TOTAL COSTS (A+B+C+D+E)			

Folha de cálculo Lump Sum – Amortização

[illegible]

Folha de cálculo Lump Sum – Anexo 2

	WP1	WP2	WP3	WP4	WP5	WP6	WP7	WP8	Total
Beneficiary A	250.000			50.000	300.000	250.000		300.000	1.150.000
Beneficiary B		250.000	350.000	50.000			100.000	150.000	900.000
Beneficiary C	100.000	100.000		50.000		280.000			530.000
Beneficiary D		120.000		50.000			100.000	150.000	420.000
Total	350.000	470.000	350.000	200.000	300.000	530.000	200.000	600.000	3.000.000

Responsabilização técnico científica e pagamentos finais

- Responsabilidade técnico científica é solidaria entre o consórcio (como em todo o HE)

 Acordo de Consórcio DESCA – **Clausula 5 Liability towards each other**

- Work packages incompletos podem requerer financiamento no reporte final

Table 3.1e: Critical risks for implementation #@RSK-MGT-RM@#

Description of risk (indicate level of (i) likelihood, and (ii) severity: Low/Medium/High)	Work package(s) involved	Proposed risk-mitigation measures

Amendments

Emendas ao Grant Agreement –artigo 39

Quando é necessário?

- Mudança de coordenador
- Mudança beneficiário/affiliated entity
- Alteração do anexo técnico (parte administrativa/financeira (parte A) ou parte técnico científica (parte B))

Emendas ao Grant Agreement –artigo 39

Quando não é necessário?

- Transferencias orçamentais previstas no artigo 5.5 – Flexibilidade orçamental
- Alteração de nome ou morada de um beneficiário F&T Portal
- Universal takeovers (Fusão/aquisição) de um participante - F&T Portal
- Alteração de dados bancários de um beneficiário - F&T Portal (exceção do coordendor)

Emendas ao Grant Agreement –artigo 39

- Coordenador desencadeia o processo no F&T Portal
- 45 dias para assinatura
- Processo no Funding and Tenders Portal



EU Grants

Amendment Guide

EU Funding Programmes 2021-2027

Version 1.0
15 October 2022



<https://webgate.ec.europa.eu/funding-tenders-opportunities/display/OM/Amendments>

Gestão do Projeto - Funding and tenders Portal

F&T Portal → How to Participate → Reference Documents → Guidance

SEARCH FUNDING & TENDERS ▾ HOW TO PARTICIPATE ▾ PROJECTS & RESULTS WORK AS AN EXPERT SUPPORT ▾ Get started

+ Simplified cost decisions

- Guidance

- HE Programme Guide > ←
- HE List of eligible countries > ←
- HE Complementary funding mechanisms in third countries > ←
- Online Manual > ←
- Rules for Legal Entity Validation, LEAR Appointment and Financial Capacity Assessment > ←
- Amendment Guide > ←
- AGA- Annotated Grant Agreement > ←
- Indicative Audit Programme (IAP) > ←
- Rules for Grant Reductions > ←
- Rules for Arbitration > ←

Annotated Template – Bridge2HE

<https://horizoneuropencppportal.eu/store/annotated-template-ia-ria>



Links úteis:

- Site DPI-ANI

<https://pq-ue.ani.pt/>

- Site PERIN

<https://perin.pt/>

- Funding & tenders Portal

<https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/home>

- Lump Sum

<https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/programmes/horizon/lump-sum>

- Horizon Europe Programme Guide

https://ec.europa.eu/info/funding-tenders/opportunities/docs/2021-2027/horizon/guidance/programme-guide_horizon_en.pdf

- Regulamento Financeiro

<https://op.europa.eu/en/publication-detail/-/publication/e9488da5-d66f-11e8-9424-01aa75ed71a1>

Destaques

[Consulta pública - Década digital da Europa: objetivos para 2030](#) - até 9 de março

[Consulta pública - Nova estratégia europeia para as florestas](#) - até 19 de abril

[Consulta pública - Nova estratégia europeia sobre proteção dos solos](#) - até 27 de abril

[EIT Manufacturing organiza Matchmaking Event para PME e Startups, 23-25 de fevereiro](#)

[Propostas ao Fundo de Inovação, projetos de pequena escala de tecnologias limpas](#) - 10 de Março

[Prémio de sustentabilidade Zayed abre candidaturas a PME inovadoras](#) - 6 de maio

Próximos eventos

FEV
19
2021
[Jornadas Horizonte Europa - Sessão Temática Assuntos Legais e Financeiros](#)
online

2nd great achievement from Portuguese Presidency Council EU (PPUE) - The official launch of Horizon Europe took place on the 2nd of February. It was organized by the PPUE, together with the European Commission.

[See all the information about the event here!](#)

PERIN STRATEGY 2021-2027

Portugal aims to DOUBLE the Portuguese Participation in the European Union funding Programmes, attract TWO BILLION EUROS for Research and Innovation and TRIPLING the number of students in mobility in Higher Education!

Thank you for your contribution. The open consultation is now closed (deadline 31st December 2020) and we highly appreciate all the contributions received.

[Know more](#)

Delegado Nacional e NCP - Assuntos Legais e Financeiros e EIC

MGA National Expert

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