

**CONDITIONS OF THE FUNDACIÓ LA MARATÓ DE TV3 FOR THE AWARD
OF FINANCIAL ASSISTANCE TO RESEARCH PROJECTS ON
CARDIOVASCULAR HEALTH – LA MARATÓ 2022**

1. Object of the call

To encourage scientific research of excellence on aetiological, pathogenic, physiopathological, clinical, prevention, therapeutic, epidemiological, public health, and health services aspects in the field of cardiovascular health, as a core element of the projects.

2. System to be applied to the call

Both this call and its outcome and execution are governed by these conditions.

The presentation of an application implies full acceptance of these conditions.

3. Projects

3.1. Unitary project. A unitary project is understood to be one that has single beneficiary principal investigator (PI).

3.2 A co-ordinated project is understood to be one that has different beneficiary principal investigators (PI) and, therefore, different subprojects that are represented by one of the beneficiaries and by the centre where this beneficiary performs the research, who shall be the

interlocutor (co-ordinating principal investigator) with the Foundation and shall be the channel of communication with the Foundation.

4. Funding of the call

4.1 The funding of this call, both in its processing and the financial awards that are granted to the research projects that are chosen, will be charged to the sums that, in the form of donations, business collaboration agreements or other income, the Fundació La Marató de TV3 obtained in the course of the 2022 edition of La Marató.

4.2 The maximum amount of the financial assistance shall not exceed €200,000 for unitary projects. For projects in which two groups participate the maximum amount shall be €300,000. For co-ordinated projects of three or more groups the maximum amount payable shall be €400,000.

In no case may the participating teams (individually) apply for more than €200,000. The awarded sum includes an item valued at 25% of the total amount, destined to the centre where the investigator performs the research (hereinafter, the centre), for support activities and to foster research and innovation (overheads cost).

In view of the financial resources of the Foundation with a great amount of effort on the part of society, the financial items of projects and subprojects must strictly follow the work plan and the development of it.

If, when the project has been completed the budget has not been fully used, the remaining amount must be returned to the Foundation, which will use it for its own ends.

4.3 In order to guarantee a balanced distribution, if the centre allocates a part of the sum received for the project to paying research staff, the following maximum sums (gross annual income in euros for full-time work) must be taken as guidelines: technical staff with higher education, €25,000; technical staff with vocational training, €20,500; predoctoral

investigators, €21,000; junior predoctoral investigators, €28,000; senior postdoctoral investigators, €34,000. Employer's costs shall be added to these sums. These amounts are for guidance purposes and do not apply to the principal investigators.

The grant awarded by the Foundation may not be linked to the payment of salaries or remuneration of the principal investigator in the case of unitary projects, co-ordinating principal investigators in the case of co-ordinated projects or of the investigators of the subprojects, which shall be on the account of the centre where they work.

The principal co-ordinating investigator in the case of co-ordinated projects or the investigators of the subprojects, must be in active employment throughout the duration of the project.

4.4 If an application for funding is made for the purpose of subcontracting services, this must not exceed the duration of the project.

Likewise, the items for fungible material, inventoriable material, staff, other expenses, travel, cost by patient, subcontracting, shipping and publications, must be specified in detail in the proposal. In this regard, the grants must not cover daily allowances.

The item for publications must not exceed a total amount of €6,000 for each subproject.

The item for patents has to be adjusted to the needs of the project.

The budget of project must not include: payment or remuneration in kind for the volunteers who take part in the projects presented in response to this call.

Annual financial items of the budgets of each subproject must be expressed in euros

4.5 This call from the Fundació La Marató is not open to the principal investigator in the case of unitary projects, and the principal co-ordinating investigator in the case of co-ordinated projects or the investigators of the

subprojects that have this same project that they present, already funded by the Fundació La Marató or other funding, received or applied for from other bodies, whether public or private, Spanish or international calls. It shall be understood to be the same project when the research has the same goals in the field of cardiovascular Health.

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4.6 The sums granted may cover the assistance that is applied for in whole or in part but in no case may the real cost of the subsidised activity be exceeded.

4.7 The sums paid shall be subject to retentions determined at all times by tax regulations or double taxation agreements or any other legal or fiscal rules. If taxes have to be paid, these are understood to be included in the amount awarded and there may be no increase of funding on the part of the Fundació. In no case may taxation imply an increase in the amount funded. The centre must undertake to carry out the project in spite of les possible retentions, without endangering the good development of the project.

If at the moment of the award the centre cannot comply with this point, the project will not be funded and the grant will be awarded to the project of the reserve list of projects in order.

4.8 The payment of the grant shall be conditional on compliance at all times with legal regulations, by which is meant restrictions imposed by Spain, the EU or other international bodies with regard to the sending of funds to third countries.

These restrictions shall also be applicable in cases where this situation arises during the running of the project.

5. Beneficiaries

5.1 Applications may be presented, as persons in charge of the scientific and technical execution of the research projects to which these conditions refer, the principal investigator in the case of unitary projects, co-ordinating principal investigators in the case of co-ordinated projects, who do their research work in public centres or not for profit organisations that have the necessary infrastructure, who work mainly within the territorial limits set out in the statutes of the Foundation., who hold the academic qualification of a doctorate, who can prove a professional career of excellence in research with:

- 5 publications (in the field of cardiovascular health) in first quartile (Q1) journals during the last 5 years.

Or

- 2 publications in first or last author position (in the field of cardiovascular health) in first quartile (Q1) journals during the last 5 years.

Publications as members of consortia will not be considered as individual publications of the principal investigators.

In the co-ordinated projects, a co-ordinating principal investigator is understood to be the one who leads the project and will be interlocutor with the Fundació and will channel the investigation and shall be responsible for presenting and co-ordinating the global execution of the project.

Who leads a project is understood as the lead investigator.

A member of the research team is understood to be all the participants in a subproject, who perform specific activities and that are related directly with the subproject. Such persons may or may not receive financial retribution, and/or be registered in a research centre other than the centre of the principal investigator.

5.2 The projects that are to be led by the principal investigator in the case of unitary projects, and the principal co-ordinating investigator in the case of co-ordinated projects may include research groups of accredited research ability that belong to not-for-profit public and private entities, with detailed explanation of the participation of each of these research groups in the presentation form, with the goal, the necessity and the value contribution of each group. In the case of co-ordinated projects the principal investigators responsible for these subprojects must meet the same academic requirements as the co-ordinating principal investigators and have to do their research work in public centres or not-for-profit entities that have the necessary infrastructure.

5.3 In the case of co-ordinated projects the research groups of the projects must not be from the same centre.

5.4 Investigators may present themselves in this call as:

- **PI 1 PROJECT:** An investigator may present himself or herself as principal investigator in a single project or subproject.
- **PI 1 PROJECT + MEMBER OF RESEARCH TEAM:** An investigator may present himself or herself as principal investigator in a single project or subproject, and also as a member of the research team of another project or subproject.
- **MEMBER OF RESEARCH TEAM IN 1 OR 2 PROJECTS:** An investigator may form part of one or two research teams of projects or subprojects.

5.5 The principal investigator in the case of unitary projects, and the principal co-ordinating investigator in the case of co-ordinated projects and the principal investigators of the subprojects, who at the moment of presenting the application of the project to this call have a current project funded by the Fundació La Marató de TV3 cannot apply to this call, although they may form part of a team as collaborating investigators. Exceptionally, presentation of proposals will be accepted from principal investigators who have an active project of the Marató 2020 call dedicated to COVID-19, provided that it is not the same project funded by the

Fundació and does not affect the completion of the active agreement signed or the schedule for completion.

A project is considered active until:

- the final closing scientific and financial report has been presented
- the corresponding act of social return of La Marató of TV3, or any form of presentation of results that The Foundation may deem appropriate, has been held and participated in.
- unused money has been returned if appropriate
- the closure of the project has been approved by the Fundació

5.6 No centre may take part in this call if any of the following circumstances are applicable to it:

- a) Having been sentenced in a final judgment to ineligibility to receive public subsidies or assistance.
- b) Having applied for a statement of voluntary insolvency, having been declared insolvent in any procedure, being declared bankrupt, despite having reached an effective agreement, being subject to judicial intervention or having been declared unfit under mercantile law, without the period of disqualification set in the bankruptcy judgment having expired.
- c) Not being up to date with tax or Social Security obligations imposed by current regulations.
- d) Proposals for subprojects presented from centres in countries which, under current international regulations, are subject to financial restrictions may not present projects to this call. (See point 4.8).
- e) The beneficiary centres may not be in countries listed as tax havens.
- f) Projects from research centres of that in previous editions, after the grants have been awarded, have not agreed to formalise the

signature of award agreement of the Foundation may not opt to be funded by this call.

The justification by the centres that they are not disqualified from obtaining status of beneficiary as described in sections a and b above shall be made by means of an affidavit in the form available online for this call, and in relation to section c) it shall be done through a certificate issued by the competent authority or body.

If the centres are not resident in Spain, these points shall be accredited by means of equivalent documents.

5.7 The principal investigator in the case of unitary projects, and the co-ordinating principal investigators in the case of co-ordinated projects and the principal investigators of the subprojects, must belong to the staff of the centre in which the project is run and have a formal link at least during all the period of the project.

If after the notification of the award of the project, the principal investigator loses his or her link with the project centre, an application must be made for change of centre or change of investigator.

6. Applications

6.1 The scope of this call does not include financing of projects or clinical trials promoted by industry.

6.2 The maximum reference duration of the projects is three years. In case of reasoned necessity this duration may be extended, but never beyond 5 months before the holding of the act of social return or any form of presentation of results that the Foundation may consider appropriate, corresponding to the call.

The extension will affect all subprojects.

6.3 The projects must set out clearly and specifically what is the expected social scientific and financial return. There must also be reasoned description of the impact of the project on people's health, as well as the communication and dissemination plan for achieving them. We understand the impact of the real benefits that derive from the results of the research to be a wide range of beneficiaries, including the scientific community, the health system, the professionals, patients and society in general. These benefits may be through changes in treatments, diagnosis, prevention, products, processes and healthcare practices and include both positive benefits and the avoidance of harm. The communication and diffuse plan must be presented with detailed breakdowns of each of the budget items.

The proposals must include an informative summary of the goals of the research and of the expected impact of the project that is understandable to the general public of the goals of the research and of the expected impact of *the* project. This summary must be written in colloquial language and must be accessible to the non-scientific or health-professional reader. The purpose of this summary is to explain to the donors what research is to be done and how the purpose of the call can be achieved with their contributions. These summaries may be published in the communication channels of the Fundació La Marató and of the Corporació Catalana de Mitjans Audiovisuals, so they must not contain confidential information.

6.4 The projects must include the gender perspective transversally throughout all the stages of the research.

6.5 The following must be presented with the documentation that must accompany the abovementioned form:

a) with relation to the investigators:

- Copy of DNI [national identity document]
- Current private address (if it is not the same as shown on the ID document)
- Personal telephone number and e-mail address

If the investigators are not resident in Spain a photocopy of the passport must be presented.

b) with relation to the centres, if they have not been supplied in previous calls or when the information as supplied has varied:

- Memorandum or document of association, the by-laws or foundation charter showing the legal name, legal form, domicile, identity of the administrators, tax identification number, and the rules that govern the activity of the centre, duly recorded in the appropriate public registry.
- National identity document of the person signing the application to take part in this call and document certifying that he or she has the authority to represent the centre.
- Declaration of “real title” in the cases described in articles 8 & 9 of Royal Decree 304/2010 which approves the regulation of Law 10/2010 of prevention of money-laundering and financing of terrorism.

If the centres are not resident in Spain the certification under point 6.6 shall be done by documents equivalent to an entry in the registry provided according to the legislation of their country. In this case a certificate of tax residency issued by the competent authorities must also be presented.

6.6 The signature of the legal representative of the applicant entity is the commitment on his or her part to support the correct performance of the activity, if the assistance is granted, and of having verified and confirmed the truthfulness of the data and documents that make up the application.

6.7 The co-ordinating investigator, may apply for the withdrawal of a proposal that has been presented before the deadline for closing or of the resolution of the call. In this case he or she must send an explanatory communication stating the reason for withdrawal to The Foundation, (projectesrecerca@ccma.cat).

7. Formulation and presentation of applications

7.1 The application of the scientific party to take part in the call must be presented in English with a summary in Catalan, in digital format. The application shall be presented by the principal investigator or co-ordinating principal investigator of the project and the legal representative of the co-ordinating centre.

The digital forms are available on the online platform:<http://www.ajutsmarato.com>

No applications made through other channels will be accepted

The conditions and the project must be presented duly signed by all the investigators and by the legal representatives of their centres. They must be presented with digital signature before the deadline of the call.

7.2 If the application as submitted contains any error or is incomplete, the principal investigator in the case of unitary projects or the co-ordinating principal investigator in the case of co-ordinated projects will be asked to resolve this or to supply the documents that are missing within a period of ten working days. If this period elapses without a reply, it shall be understood that the researcher has withdrawn the application.

7.3 Information will be requested about other research groups that are working in the same line of research, explaining the possible collaborations and/or overlaps with the applicant project as well as the added value of the applicant project.

7.4 Projects that involve research in humans or the use of biological samples of human origin must comply with Spanish Law 14/2007 of 3 July of biomedical research and other current legislation in the matter.

Projects that involve animal experimentation must comply with current legal regulations and, in particular, Law 32/2007, of 7 November, for the care of animals in their use, transport, experimentation and sacrifice, and

Royal Decree 53/2013, of 1 February, which establishes the basic rules applicable for the protection of animals used in experimentation and for other scientific purposes.

The principal investigator in the case of unitary projects, and the co-ordinating principal investigator in the case of co-ordinated projects and the principal investigators of each subproject must have in the moment of the presentation:

- a) **Report from the Research Committee** or equivalent body of the centre to which the principal investigator who has to declare the viability of the projects in all its terms belongs.

If this document is not available in the moment of the formalisation of the application, a certificate must be provided that accredits that this application has been presented.

- b) **Report from the Clinical Research Ethics Committee of the centre (CREC)** which must state the approval and viability in all its terms. This report will only be required of the principal investigator in the case of unitary projects, and the principal co-ordinating investigator in the case of co-ordinated projects and the principal investigators of each subproject, whose project, after the resolution of the call, is favourable for funding.

At the moment of the application, the principal investigators must have a pending evaluation letter, with the commitment of the centre, that the project has been sent to the CREC for its evaluation.

In the pending evaluation letter, the investigator must give a signed commitment that the CREC with the approval and viability in all its terms, will be presented after receiving the communication of the resolution of the call. The deadline for presentation of the final, approved Report from the Clinical Research Ethics Committee of the centre (CREC) will be 31 December 2023. If in this term this document is not available, the project will not be funded and the grant will be awarded to the project of the reserve list of projects in order.

If this is not necessary because of the type of research/nature of the projects, this must be justified by means of a document signed by the centre.

- c) **Report from the Animal Experimentation Committee of the centre** which must state the approval and viability in all its terms. This report will only be required of the principal investigator in the case of unitary projects, and the principal co-ordinating investigator in the case of co-ordinated projects and the principal investigators of each subproject, whose project, after the resolution of the call, is favourable for funding.

At the moment of the application, the principal investigators must have a pending evaluation letter, with the commitment of the centre, that the project has been sent to the Animal Experimentation Committee for its evaluation.

In the pending evaluation letter, the investigator must give a signed commitment that the Animal Experimentation Committee with the approval and viability in all its terms, will be presented after receiving the communication of the resolution of the call. The deadline for presentation of the final, approved Report from the Animal Experimentation Committee of the centre will be 31 December 2023. If in this term this document is not available, the project will not be funded and the grant will be awarded to the project of the reserve list of projects in order.

If this is not necessary because of the type of research/nature of the projects, this must be justified by means of a document signed by the centre.

If the centres are not resident in Spain, this point shall be accredited by means of equivalent documents in English.

7.5 The data provided during the application phase cannot be modified during the period between the presentation of the project and the resolution of the call. The centres and investigators who figure in the application form will be those considered at the time of making the award.

7.6 The centres must register on the form of the following website:

<http://www.entitats.ajutsmarato.com>

8. Deadlines

The call will open at 10.00 on 14 February 2023. The deadline for online presentation of projects will close at 14.00 on 8 of March 2023.

This deadline cannot be extended.

9. Evaluation of the projects

9.1 The projects are evaluated with the collaboration of the Catalan Agency for Health Technology Assessment and Research (hereinafter AQuAS).

The applications presented will be submitted previously to an ad hoc committee to check that the proposal meets the scientific and technical points and the appropriateness of the projects presented to the conditions of this call.

The applicant projects will be evaluated by a system of international expert peer-review independent and multidisciplinary evaluators of international scope, without conflicts of interest, who undertake to maintain the confidentiality of the proposals that are examined.

This phase of the evaluation will be done through an online platform.

The external evaluation will make it possible to order the projects in categories according to their quality.

A part of the international evaluators taking part in the previous evaluation process will make up a panel that will meet in September and October to debate and order the projects that have been evaluated favourably.

These panellists will have information about the financial items and total budget requested and of the partial budgets by subprojects, in the case of co-ordinated proposals.

The final assessment panel may require additional information from the principal investigator in the case of unitary projects, and the principal co-ordinating investigator in the case of co-ordinated projects, in the format that it deems most convenient.

The detailed evaluation process will be published later on the AQuAS web site and on the Foundation's website.

9.2 Among different proposals of equal excellence, priority will be given to proposals for paediatric research.

9.3 Value will be given to research projects that have a clear translation of the research to the public, with impact on health in society.

9.4 The Scientific Advisory Committee will evaluate the report issued by AQuAS from the assessment made by the panel of experts and will make a proposal for a final decision to the Board of the Fundació La Marató de TV3, which will decide on the grants.

9.5 In the event of a project not having been selected, the principal researcher or co-ordinating principal researcher in the case of co-ordinated projects may apply in writing to the Foundation to be informed in a maximum period of one month of the formal, scientific or other relevant reasons that justify the decision that has been taken.

10. Adjudication of the awards

The outcome of the call will be made public through the Foundation's web site www.tv3.cat/marato and will state the amount of money allocated to each of the selected projects.

Prior to the publication on the website, the principal investigator in the case of unitary projects, and the principal co-ordinating investigator in the case of co-ordinated projects, will be notified of the resolution of their project, using the email address provided by themselves in the on-line application.

The amount of the award may be less than the application.

If any of the projects proposed as beneficiary of the grant does not accept it, or withdraws its application before the signature of the agreement to allocate the grant, the grant may be given to the project of the reserve list of projects in order.

The award made by the Fundació La Marató de TV3 is not open to any appeal or challenge by the participants in the call.

In the case of different priority projects for funding, with the same line of research, the funding will be subject to the recommendations and the proposal of the panel.

Participation in this call implies total acceptance of the conditions.

Applications that do not meet the requirements set out in these conditions will not be eligible, will not pass on to the evaluation phase and will remain outside this call. In such cases the reason will be communicated to the principal investigator in the case of unitary projects, and the principal co-ordinating investigator in the case of co-ordinated projects, using the email address provided by themselves in the on-line application.

11. Formalisation

11.1 The effectiveness of the resolution that grants the award is conditional on the signature of an agreement, which must also be signed by the principal investigator in the case of unitary projects, and the principal co-ordinating investigator in the case of co-ordinated projects and the principal investigators of each subproject, and the centres where they carry out their work, and which agreement must include the general

and particular conditions as well as the terms and conditions of payment that are to govern the awarding of the assistance. This agreement shall be signed by all the principal investigators, and by the centres where they are employed by digital signature.

11.2 The agreements must state the system for managing the intellectual and industrial property rights by the centre.

11.3 The signatures of the agreement must be resolved at the latest during the first six months of the year of execution of the project. If in this time the signature is not resolved by the centres and bodies responsible for the projects, the Foundation will deem the application for funding to be cancelled and will accept projects from the reserve list in order.

11.4 The agreements signed by the Foundation, the principal investigator in the case of unitary projects, and the principal co-ordinating investigator in the case of co-ordinated projects and the principal investigators of each subproject may be rescinded due to circumstances outside the control of the Foundation and of the beneficiary centre during the period of execution of the project.

12. Execution and justification of the projects

12.1 The research project must be carried out in the centre, in accordance with the following conditions:

- a) The financial provision will be made available to the principal investigator in the case of unitary projects, and the principal co-ordinating investigator in the case of co-ordinated projects and to the principal investigators of each subproject, through the administration of the centre, which will receive the sum corresponding to the award.

The payment of the award will be made to the centres where the principal investigators are employed and will be made in euros.

- b) The payment of the award will be made to the centres where the principal investigators are employed and will be made in euros. The funds destined for employing staff shall be managed by the principal investigators through the administration of the Centre. The resulting legal relationship shall be limited exclusively to the terms of the agreement that is reached, without this in any case leading to a legal connection with the Foundation.
- c) The inventoriable material included in the budget shall become the property of the Centre, with the possibility, if the Foundation so decides, of showing the origin of the resources that have made its purchase possible, with the wording that the Foundation shall in that case provide for this purpose. This material may not in any case be alienated from the Centre.

12.2 The financial management of the research will be done by the departments of the centre that are competent for this purpose or, failing that, by the management of the centre. Nevertheless, the Foundation may carry out such checks and monitoring as it deems appropriate, either directly or through such specialists as it may appoint.

12.3 The financial assistance must be used in accordance with the budget items approved by the Foundation. Any amendment to these, to the methodology and/or to the plan of work shall require the approval of the Foundation, which must be applied for with written justification in advance, using the form available on its web site, and with the appropriate authorisation. If, when the project is completed, the budget has not been used completely, the remaining amount shall be returned to the Foundation, which shall use it for its own purposes.

12.4 Any amendment to the methodology and/or work plan must be reported to, and have the prior approval of, the Fundació La Marató de TV3.

All changes that have occurred that may affect the investigators and the centres must also be reported and justified.

The Foundation will only authorise essential changes that guarantee the continuity and good running of the project as initially presented.

During the last six months of the project no application made be made for changes to the budget that affect the items of Inventoriable Material and Fungible Material. If, when the project is completed, the budget has not been used completely, the remaining amount shall be returned to the Foundation, which shall use it for its own purposes.

12.5 The principal investigator in the case of unitary projects, and the principal co-ordinating investigator in the case of co-ordinated projects and the principal investigators of the subprojects of the chosen projects must present an annual report and a final report, within the time periods established in this agreement, which agreement shall also set out the conditions that are to govern the payment of the grant.

12.6 The report shall include a summary of the original project, a description of the activities that have been carried out, the specific objectives that have been achieved, the preliminary results if appropriate, as well as the authorised modifications to the methodology and/original work plan with the technical or scientific justification, the publications or communications derived from the research and a financial report.

12.7 The scientific report will be evaluated by AQuAS by two assessors who will take into account the running of the project in accordance with the research proposal that has been funded, while the Foundation shall be responsible for the financial report.

Prior to each payment, the centre must accredit that it is up to date with its obligations for tax and Social Security, with the appropriate confirmatory certificate.

To maintain the continuity of the funding it is essential for the evaluations of the scientific / technical and financial reports to be favourable.

If the centres are not resident in Spain, these points shall be accredited by means of equivalent documents.

The printed forms for the reports can be found on the web site of the Fundació La Marató de TV3.

12.8 When the project is completed the closing final scientific/financial report for the Symposium or any form of presentation of results that the Fundació may consider must be presented, accompanied by, if appropriate, a photocopy of the document accrediting the repayment of the unused funds to the Foundation.

12.9 The principal investigator in the case of unitary projects, and the principal co-ordinating investigator in the case of co-ordinated projects and the principal investigators of the subprojects must take part in the act of social return or any other form of presentation of results that The Foundation may deem appropriate, which will be organised at the end of the period of funding of the projects submitted under this call ends in order to report on the medical advances that have been achieved thanks to the voluntary contributions of the general public.

12.10 Diffuse by any means that the Investigator may make of the results shall be governed by the following rules:

- a) The publications generated by the projects will be made public in the website of the Foundation, on the date when the corresponding act of social scientific return is held or any form of presentation of results that the Foundation considers.
- b) During the execution of the project the Foundation may hold follow-up meetings with the Coordinating Researcher of the project and with the PIs of the subproject, with the aim of finding out at first hand the development of the project and making better publicity if necessary.

- c) The Foundation may, in pursuance of its needs, ask the centres and/or investigators to participate in the publicity and social return projects a by media interventions radio, television, digital or their own intervention, in any act of communication and publicity with the aim of maximising the contribution in the social return.
- d) The Research Centres shall, whenever possible, allow organised visits subject to the judgement of the Foundation to help to explain during their project: goals, results of the projects funded by the Fundació La Marató de TV3.
- e) Likewise, the Fundació La Marató de TV3 may proceed to the publication of data relating to the project that have already been made public, with the aim of communicating its activities, by any medium of communication, its own or of third parties, be it written press, radio, television, electronic networks and any other that may be appropriate
- f) In the publications, presentations and other events in which the results of this research are presented with reference to the project, the principal Investigators must mention the award, making express reference a the Foundation as the funding entity, saying always with the support of the Fundació La Marató de TV3. This means including the logo of the Foundation in the informative and publicity items of the activity that is the object of the award.

13. Intellectual and industrial property

The centre or centres of the subprojects in the case of co-ordinated projects shall be the exclusive owners of the Results of the Research that derive from the projects funded with the moneys provided by the Fundació La Marató de TV3 to the centre, as well as the intellectual and industrial property rights that may derive from it, without prejudice to the agreements that the Centres and the participating investigators may make, which must at all times be reported to the Fundació La Marató de TV3.

The centre shall have sole responsibility, if it is thought that a financial return can be obtained from the Results of the Research from the funded projects, for marketing and exploiting these rights.

Nevertheless, the Fundació La Marató de TV3 shall have the right to receive a percentage of the positive returns obtained in the use of the said results of the investigation if there are any. To that end, if a financial return can be derived, the centre undertakes to sign in advance a document among all the parties, agreeing then rights and obligations of all of them. The centre, after obtaining the return, shall pay the Fundació La Marató de TV3 the relevant part in accordance with the above paragraph.

For this purpose, both the principal investigators in the case of unitary projects, and the principal co-ordinating investigator in the case of co-ordinated projects and the principal investigators of the subprojects and the and the centres must inform the Foundation of the registration of the patents, be it done in the act of social return. Whether it be to the act of social return or any form of presentation of results considered by the Foundation, of its call, if they had already been registered, or at the time of the registration of a patent.

If the results derived from the investigation of the project are the object of publication by the principal investigators and/or the centres, these undertake also to publish them also in Open Access format.

14. Liabilities

14.1 The Foundation is expressly exonerated from all claims that may arise from the funded project. The centres are solely responsible for any claims by any person and of any kind. This is liability of the centres with respect to the funded project. For this reason the Foundation shall not have any direct or indirect liability in respect of any claim that may be presented.

14.2 This liability includes compliance with the educational and legal aspects applicable to staff hired at the charge of the project, as well as the

obligation to repay funds in the cases mentioned in section 4.3, including funds received by the centre for which the investigator of the subproject works.

14.3 Likewise, the centres shall be liable for the accuracy, veracity and current validity of the data and of the information relating to the project, as well as compliance with appropriate obligations.

14.4 The Fundació La Marató de TV3 reserves the right to ask the principal investigator in the case of unitary projects, and the principal co-ordinating investigator in the case of co-ordinated projects and the principal investigators of the subprojects and their centres for the documentation that it considers necessary in order to accredit compliance with the said obligations, as well as the certificates from competent public authorities and institutions, relating to capacity, solvency and compatibility, at any time.

14.5 **If the principal investigator changes institutions**, for exceptional reasons, while the project is running, he or she must submit this change of centre for the project for approval by the Fundació La Marató de TV3, which may ask for scientific/technical evaluation reports that show that this change does not alter the quality of the original proposal. This must be done in the following terms:

- a) Applications for change of centre must include the acceptance of the change both by the investigator and the legal officers of both centres, a justification of the reasons for the change and the commitment to transfer the totality of the unused funds to the new centre. The application must also indicate the effective date of the change.
- b) It is essential for authorisation of a change of centre that the new receiving centre must comply with the requirements and obligations demanded to be a beneficiary of an award and accepts the conditions.

- c) The initial centre must transfer to the new beneficiary centre the outstanding quantity to be used in accordance with the financial justification presented and validated by the Foundation. The payment of the following years will be made to the new centre.

In all cases of change of centre, there must be proof of the employment links demanded in the relevant provisions of the call with the new centre.

If a change of institution arises, the former centre must transfer to the new centre the outstanding amount of the budget, in such a way that the items remain exactly equal, including the 25% of the overhead of the outstanding amount.

- d) In the case of co-ordinated projects these proposals for change must also have the approval of the co-ordinating principal investigator.

The Fundació La Marató may oppose this change if there is no sufficient guarantee of the continuity of the project in the terms in which it was presented and approved, or if substantial alterations arise of any of its elements. In these cases the grant will be revoked and the funds received will be repaid to Foundation in accordance with the criterion of proportionality.

These changes of centre or investigator must always be authorised by the Fundació by means of a new authorisation document and addenda to the signed agreements.

14.6 In a case of change of principal investigator, for exceptional causes, during the performance of the project, the approval of change of investigator must be submitted for approval by the Fundació La Marató de TV3, which may request scientific and technical evaluation reports that accredit that this change does not alter the quality of the original proposal and it must be done in the following terms:

Applications for change of principal investigator must include the acceptance of the change by the legal representatives of his or her centre,

a justification of the reasons for the change and the application must also show the date of effect of the change.

- a) It is essential for the authorisation of a principal investigator, that the receiving new investigator comply with the requirements and obligations required to be the beneficiary of a grant and accept the les conditions set out in point 5 of these conditions.
- b) In the case of co-ordinated projects, these proposals for change must also have the approval of the principal co-ordinating investigator.

14.7 No changes are considered in the subjects of the project that are not provided for in these conditions.

14.8 Failure to comply, in whole or in part, with the conditions imposed by the granting of the assistance, either on the part of the investigator or of the Centre, shall give rise to the obligation to return the moneys received in whole or in part, plus the corresponding default interest, in accordance with the following rules:

- a) A total failure to comply with the obligations and goals on the part of the people to whom the award has been made, including obtaining the financial assistance without fulfilling the required conditions, distorting the conditions or requirements, or concealing those that would have made it impossible, shall give rise to the repayment of the whole sum awarded and, if appropriate, the loss of the right to receive amounts pending payment.
- b) The amount to be repaid in a case of partial failure to comply in the execution or in the justification of actions or expenditure shall be determined in accordance with the criterion of proportionality, by the volume and the degree of non-compliance with the conditions imposed for the purpose of granting the award, and if appropriate, the loss of the right to receive amounts pending payment.

- c) The introduction of modifications that have not been authorised in the conditions of the award shall imply the return of the amount affected by the modification.
- d) The non-presentation or unfavourable evaluation, in accordance with the provisions of these conditions and the agreement that regulates the granting of the award, of the interim annual or final reports, either scientific-technical or financial, shall lead to the interruption of the funding of the award and the return of the amounts paid that are not justified.

14.9 In the event that a co-ordinator of the funded projects is obliged, for unexpected causes or force majeure, to leave it, depending on the year in which this departure takes place, the funding may be awarded to the applicant project from the reserve list of projects in order.

In the case of coordinated projects, if the requirements of these conditions are not met, this renunciation shall affect all the subprojects.

15. Data protection

15.1 The Foundation will handle the data from the investigators and the research teams in order to assess the proposals and the suitability of the projects, and also to communicate the results to the professionals who have made applications. The base of legitimation is the procedure contained in these conditions, as well as the consent of the interested party.

15.2 The Foundation will hold the information provided in the presented projects and will keep the information of the projects that are funded for as long as may be necessary to achieve the intended purpose.

For all proposals that are presented, the Foundation will keep the minimum essential content for statistical purposes, maintaining at all times suitable levels of guarantee under current legislation. At the end of

this period the Foundation will keep the essential content of all funded projects for historical and statistical purposes.

15.3 The data will be given to the assessment body as under point 9 of this call in order that it may proceed to its assessment of the different projects.

15.4 The Foundation will use these data to communicate with the investigator and inform him or her about activities that it carries out related to the presented projects. These communications can be stopped at any time and in any communication in accordance with current legislation.

15.5 The investigator may at any time exercise the rights of access, rectification, cancellation, opposition, limitation and portability by sending a communication to the following email address protecciodedades@ccma.cat. A claim may also be presented to the corresponding Control Authority.

15.6 The presentation of the application implies permission to handle the personal data and to communicate them for the purposes of assessment, monitoring and control in accordance with current legislation and as determined in the conditions of this call.

16. Transparency

The Foundation may make public, through its own website or that of the Catalan Media Corporation (Corporació Catalana de Mitjans Audiovisuals), the formalisation of the agreements, contracts and signed agreements; the signatory parties, the duration, the object and provisions to be made; the financial obligations agreed, the amendments and any question related to their effects, completion and extinction, in application of the principles and the terms set out in law 19/2014, of 28 December, of transparency, access to public information and good governance; law 21/2014, of 29 December, of the protectorate of foundations and of verification of the activity of associations declared to be of public utility, or other dispositions that may be applicable.

17. Jurisdiction

Before initiating any legal action, the parties undertake to try to resolve their differences amicably by means of formal negotiation in good faith. If the dispute remains unresolved after a period of negotiation greater than 45 days, either of the parties may, giving notice to the other, initiate such legal actions as it considers appropriate.

For the resolution of any controversies connected with the call that is the object of these conditions, the parties subunit themselves to the Courts of Law of the city of Barcelona, renouncing any other jurisdiction to which they may be entitled.

I HAVE READ AND ACCEPT THESE CONDITIONS AND, IN PROOF OF AGREEMENT I SIGN THEM DIGITALLY

Full name of the investigator:

Signature

Full name of the legal representative of the centre:

Signature