



ФОНД
НАУЧНИ
ИЗСЛЕДВАНИЯ

GENERAL GUIDELINES ON NATIONAL SCIENTIFIC
PROGRAMS "PETER BERON. SCIENCE AND INNOVATION
WITH EUROPE "/ PETER BERON AND NIE / AND"
EXCELLENT RESEARCH AND PEOPLE FOR THE
DEVELOPMENT OF EUROPEAN SCIENCE "/ VIHREN /

1. Objectives of the national scientific programs

The objectives of the programs are defined in the relevant National Science Program (NSP) adopted by the Council of Ministers and in the respective Guide for Applicants for each program.

1.1. Territorial coverage:

The program is designed for joint applications of an individual researcher and a Bulgarian higher education institution or a research organization. The beneficiary is the Bulgarian higher education institution or the research organization.

The main activity of the project will be carried out on the territory of the Republic of Bulgaria. Eligible activities include fundamental research activities, including wide dissemination in non-exclusive and non-discriminatory terms, of research results in other countries.

1.2. Indicators:

The outcome indicators for the NSP are defined in the General Guidelines for the National Research Programs and in the specific terms and conditions for each program.

1.3. Applicable definitions for the purpose of the procedure:

Applicable to this procedure are the definitions of research and development, and innovation defined in Art. 15 of the Framework for State Aid for Research, Development and Innovation¹ and in paragraph 1 of the Supplementary Provisions of the Law for the Promotion of Scientific Research. In addition, the following terms have been used for the purposes of this procedure:

"Administrator" of this call for proposals is the Bulgarian Science Fund.

"Applicant" is an entity that develops and submits a project proposal for future implementation in case of approval.

"Beneficiary" is an entity that is a party to the contract of an approved project, for which is granted funding and is responsible for the implementation of the project activities.

"Project proposal" is a proposal for carrying out fundamental scientific research through the implementation of a project financed by the Fund and meeting the requirements of Art. 41 of the Rules of the Bulgarian Science Fund², including an application form and other accompanying forms and documents required under this procedure.

"Project" is a set of interrelated and complementary activities with predetermined objectives, necessary resources (costs) and timeframe for implementation, leading to the achievement of specific measurable results.

"Financing Contract" is an administrative contract signed between the Bulgarian Science Fund (Funding agency) and the Beneficiary to provide funding for the implementation of an approved project.

"Host organization" is a legal entity, an institution in which the project is to be implemented, the personal carrying out the project will be recruited on an employment contract, and which provides the necessary conditions for the implementation of the project as well as administrative and financial servicing of the project activities.

¹Communication from the Commission - Framework for state aid for research and development and innovation (OJ C 198, 27 June 2014, pp. 1-29).

² Promulgated SG №41/31.05.2016, modified SG №42/28.05.2019.

"Project Report" includes a written statement of project activities and a financial statement of the eligible costs incurred under the project or a project stage.

"Evaluator" is an expert in the scientific field of the project proposal who is independent of the activity of the project proposal and fulfils the conditions for an evaluator, specified in the Fund's Rules.

2. Financial terms

2.1. Total budget under the national research programs:

The budget of the NSP is defined in the text of the program and in the specific terms and conditions for each of the programs.

2.2. Minimum and maximum funding amount for a specific project:

The amount of funds for a specific project is defined by the specific conditions for each of the programs.

Artificial division of projects is not allowed to circumvent the above thresholds.

Public funding must not exceed 100% of the total eligible costs of the project.

3. Eligibility conditions

3.1. Eligible applicants:

3.1.1. Eligible applicants

Under the Vihren program, an applicant-researcher will apply with a Bulgarian higher education institution or scientific organization in which the project will be implemented (applicant - host organization).

Under the "Petar Beron and NIE" program, an applicant-researcher and a Bulgarian higher education institution or a research organization in which the project will be implemented (applicant – host organization) apply jointly.

Funding under the NSP is provided to the host organization that provides administrative and financial support to the project and provides the necessary conditions for its implementation.

The conditions for the researcher are defined in the text of the NSP and the specific conditions of the program.

Eligible host organizations under the current procedure for project selection are only applicants that are:

1) accredited higher education institutions under Art. 85 para. 1, item 7 of the Higher Education Act (HEA), which are accredited by the National Evaluation and Accreditation Agency (NEAA) to carry out education in the educational and scientific degree "doctor"

2) research organizations under Art. 47, para. 1 of the HEA, which are accredited by NEAA to carry out education in the educational and scientific degree "doctor"

The register of NEAA will be used for verification of compliance with the aforementioned criteria. On the basis of the accreditation of the former National Institute of Meteorology and Hydrology - BAS for the educational and scientific degree "doctor" provided by NEAA until 2020, the newly established scientific organizations National Institute of Meteorology and Hydrology at the Ministry of Education and Science and the Institute for Climate, Atmosphere and Water Studies – BAS are eligible candidates for this procedure.

Applicants - host organizations under this procedure must be directly responsible for the implementation of project proposal activities and shall not act as intermediaries as all the activities in the project proposal shall be carried out in their own name and for their own behalf.

Applicant - host organizations in the procedure must be:

Organization carrying out research;

And

Organization performing activities that are purely non-profit

Or

Organization performing activities both of an economic and non-economic nature, but these activities are clearly distinguished and it is possible to track revenues and expenses related to their implementation, by conducting analytical accounting reporting. When the applicant carries out both economic and non-economic activities, the funding, costs and revenue for each type of activity shall be taken into account separately on the basis of consistently applied cost accounting principles that can be objectively justified.

The assets acquired as a result of the provided financing under this procedure will be used only for the non-economic activities and it will not be permitted to use them for any kind of business activities, including the following:

commissioned research on contract with enterprises / industry;

consultancy or other services provided to enterprises / industry;

leasing of assets (infrastructure / equipment).

In order to be eligible for funding under this procedure, applicant organizations should demonstrate that they are a legal entity whose purpose is to carry out research activities and this entity is able to make a firm commitment to the wide dissemination of the results of fundamental research in non-exclusive and non-discriminatory terms, through teaching, free access databases, open publications or open source software, etc.

IMPORTANT! Any circumstance under 3.1.1 is subject to verification and the undue funding received shall be recovered together with statutory interest. Candidates approved for funding should declare and guarantee the above mentioned circumstances. The Bulgarian Science Fund carries out checks on the declared circumstances during the implementation of the project and after its completion until the expiration of the amortisation period of the assets purchased under the project. The mechanism for the periodic inspections of the declared circumstances is detailed in the internal rules for analysis, control and evaluation of the implementation of the projects financed by the Fund, carried out by the Executive Board to art. 76, para. 1 of the Rules of the BSF. The audits can be both administrative checks on the submitted accounting documents and an approved individual chart of accounts showing a split of economic and non-economic activities as well as on-the-spot checks and are carried out during the whole amortization period.

3.1.2. Applicants eligibility criteria

An applicant will be excluded from participating in calls for proposals or will be rejected from the award procedure if it is found that the applicant is under one of the conditions, described below :

a) the applicant is bankrupt, subject to insolvency; its activities and assets are being administered by a liquidator or by a court, it is in an arrangement with creditors, its business

activities are suspended, or it is in any analogous situation arising from a similar procedure provided for under national law;

b) the applicant or persons having powers of representation, decision making or control over them have been convicted of an offence concerning their professional conduct by a judgment of a competent authority of a Member State which has the force of res judicata;

c) the applicant has been guilty of grave professional misconduct proven by any means which the contracting authority can justify including by decisions of the EC and international organisations;

d) the applicant or persons having powers of representation, decision making or control over it have been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organisation, money laundering or any other illegal activity, where such an illegal activity is detrimental to the Union's financial interests;

e) fraudulently or negligently misrepresented information required for the verification of the absence of grounds for exclusion or the fulfilment of eligibility or selection criteria or in the performance of the legal commitment;

f) by the application date the applicant has due and not repaid amounts to the Bulgarian Science Fund from previous procedures and calls for applications, which is proved by a valid court decision before the date of the competition announcement;

g) Applicant is subject to an outstanding recovery order following a previous European Commission decision declaring an aid illegal and incompatible with the common market.

In order to be eligible for funding under the present procedure, applicant organizations should demonstrate that they are legal entities which purpose is to carry out research and to disseminate the results of fundamental researches on non-exclusive and non-discriminatory terms, through teaching, free access, open publications, or open source software, and more. ; publishing or transfer of technology. This should be demonstrated by presenting the following documents:

- Statute or instrument of constitution which shows the main activity the non-profit legal person is registered for. In case the relevant document is published in the State Gazette or an authoritative source of public information that can be pointed out, the applicant may only indicate the source;

- Rules of procedure of the Organization or other statutes, constitution acts or other rules governing the activities carried out and the manner in which they are financed;

- Approved individual chart of accounts showing a separation of economic and non-economic activities for the purposes of the project.

The above listed documents can be submitted in one copy by the eligible applicants under item 3.1.1 and are valid for all project proposals in which the applicant participates as a base or partner organization for the current year call for proposals. Before signing the contract, successful candidates should provide evidence and relevant documents that, in the case of developing both economic and non-economic activities, these two types of activities, as well as the means and costs for them, can be clearly distinguished by providing:

- Annual financial report of the applicant for the last financial year before the date of the submission of the application (including annual report on the cash implementation of the budget, if applicable);

- An information source related to the economic reporting of the applicant which traces back relevant assets for each type of the applicant's activities (profit and non-profit);

- Annual tax return with the accession number of the National Revenue Agency (NRA) of the applicant for the last completed financial year by the date of submission of the application.

In the event that the applicants do not prove the above mentioned conditions, they will not be awarded a contract. If an organization participates as a host organization with more than one project proposals, it only submits the listed documents in one copy.

In case that the applicant signs an contract, it will be under a contractual obligation that the equipment acquired with the project funds will be used only for the non-economic activities according to item 19 of the Framework, namely:

(a) the main activities of research organizations and institutions, in particular:

- training more specialists with better qualifications;
- independent R & D for more knowledge and better understanding, including joint R & D, in which the research organization or structure participates in effective cooperation;
- wide dissemination of results of fundamental research in non-exclusive and non-discriminatory conditions, e.g. through teaching, free access databases, open publications or open source software, etc .;

(b) Knowledge transfer activities carried out by the research organization or structure (including its departments or subsidiaries), either jointly with the research structure or on behalf of other similar entities, and where all profits from those activities are reinvested in the main activities of the research organization or structure. The award of the relevant services to third parties through open tender procedures does not affect the non-economic nature of these activities.

IMPORTANT! The requirements under (b), (c) and (d) also apply to all persons empowered to represent the applicant. Applicants are required to declare that they do not fall into any of the categories listed in (a) to (g) by completing Declaration-Appendix 2.

3.1.3. Partnership and eligibility

Only one proposal per researcher may be submitted to each of the calls. Partner organizations are not eligible.

In the process of implementing the project activities, the beneficiaries may entrust external contractors the performance of certain complementary project activities through competitive, transparent, non-discriminatory and unconditional tender procedures corresponding to points 89-96 of the Commission Notice on the concept of State aid referred to in Article 107 (1) TFEU (2016/C 262/01). In cases where the beneficiaries are contracting authorities within the meaning of Art. 5 or Art. 6 of the Public Procurement Act (PPL)³, the selection of contractors is carried out according to the PPL. Contractors in awarded project implementation activities are not partners.

3.2. Criteria for ineligibility of project proposals

No project proposals are eligible under each call for proposals under the two programs if they include:

- activities already funded by other sources;
- activities the implementation of which started prior to the signature of funding contract under this call.

³ Promulgated SG № 13 /16.02.2016, Amended SG № 34/3.05. 2016.

IMPORTANT! Any circumstance under 3.2 is subject to verification and the undue financing shall be recovered.

3.3. Cost categories eligible for funding:

The financial management of the project shall be managed in accordance with the Regulations of Bulgarian Science Fund and the text of the relevant NSP.

Only the "eligible costs" detailed in each of the national research programs will be taken into account when providing funding under this procedure.

3.4. Rules of admissibility of costs

3.4.1. General conditions for admissibility of costs.

To be admissible, the costs of this project selection procedure must meet the following conditions:

- be carried out by an approved beneficiary (base project organization);
- be appropriate and carried out for activities included in the project;
- be financially sound and lawful in accordance with the national law;
- be necessary for the implementation of the project and comply with the principles of sound financial management - publicity, transparency and realism of the cost envisaged, together with economy, efficiency and effectiveness;
- have actually been incurred within the period from the entry into force of the contract until the end of the project implementation period;
- be reflected in the beneficiary's accounting and tax records;
- be identifiable and verifiable by type and size and traceable on the basis of the accounting records;
- be backed up by original supporting documents and documents with equivalent probative value according to the national law;
- not to be funded by any other source, including any other project, program or financial scheme financed by public resources, including resources of the European Union.

3.4.2. Inadmissible costs

The following types of costs are considered **to be inadmissible** under this call for proposals:

- costs on activities carried out before the date of entry into force of the contract under this procedure;
- costs already financed or subject to confirmed and secured funding from other sources;
- costs on the purchase of assets and the performance of activities not directly linked to the project proposal and the fundamental research envisaged therein;
- tax expenses, incl. refundable value added tax;
- the costs of fines, penalties and penalties incurred in the course of performance of the contract;
- consultancy services costs linked to the preparation of the project proposal;
- costs incurred depending on the preferred use of local rather than imported goods;

- all costs that do not fall within the admissible costs of the procedure.

3.5. Applicable State aid scheme:

The activities funded under this call go beyond the scope of Art. 107 of the Treaty on the Functioning of the European Union, in accordance with Art. 2.1.1. "Public funding of non-economic - activities" of the Framework for State Aid for Research, Development and Innovation, in accordance with the criteria and circumstances described in paragraphs 3.1, 3.6, 4.1 and 4.2 of these Guidelines. Inspection and control is performed according to the rules adopted by the Executive Board.

3.5.1. Technical implementation of the projects

The delivery of equipment is carried out by the beneficiaries through competitive, transparent, non-discriminatory and unconditional tender procedures corresponding to points 89-96 of the Commission Notice on the concept of State aid referred to in Article 107 (1) TFEU (2016C 262/01) and in compliance with the provisions of the Public Procurement Act, and a representative of the Bulgarian Science Fund shall participate in the Committee for conducting the procedure. Beneficiaries - host organizations include the assets purchased under the project as their property in accordance with current legislation and accounting standards.

The Beneficiary is responsible for the storage and operation of the equipment and assets necessary for the implementation of the project with the general duty of care. The Beneficiary is under obligation to:

- create the necessary conditions by providing organizational, material, personnel and other services, consumables and etc. , ensuring the normal operation of the equipment;
- provide access to the specialized equipment of the participants in the project;
- maintains a regular logbook on the loading and operation of purchased equipment;
- ensure free access to the assets of the project to external natural and legal entities under fixed conditions for non-profit exploitation, for which the Fund is to be notified in writing.

Fixed tangible and intangible assets acquired by the beneficiaries in whole or in part with the funding provided by the Fund can not be transferred to third parties.

The results should be widely disseminated.

3.5.2. Financial implementation of projects and payment

The maximum amount of project funding is necessarily set in the funding contract and corresponds to the conditions set out in the text of the NSP and in the specific program conditions. The amount of funding fixed in the contract is based on the budget, which is a preliminary estimated by the amount of eligible costs necessary to implement the project. The amount of funding fixed in the contract is final and can not be increased but the actual amount of what should be repaid depends on the completion of all eligible project activities and on the proper certification and approval of the actual costs incurred.

Funding of the project is linked to the implementation of the activities included in the project and to the degree of achievement of the results set in the project.

All eligible costs (duly substantiated by the relevant invoice or other accounting document of equivalent probative value) may be submitted for payment only once, the costs for which funding is requested can not be made available for payment to other sources.

The Beneficiary is required to maintain a separate analytical account / subaccount and accounting documentation for the admissible costs of the project and the use of funds provided by the Fund under the contract .

In accordance with NF-5 / 28.07.2014 of the Minister of Finance on value added tax treatment as admissible costs, the beneficiaries are responsible for administering the value added tax process as admissible costs. "Repayable value added tax" is considered by the Fund an inadmissible costs.

3.5.3. Final amount of funding

The Bulgarian Science Fund provides final amount of funding on the basis of a contract for financing the project and of the Fund's Executive Board decisions.

The Bulgarian Science Fund has the obligation to carry out checks on the implementation of the administrative, financial, technical and other organizational aspects of the projects, as well as observing the conditions under Art. 2.1.1 of the Framework for State Aid for Research, Development and Innovation. Checks can be both administrative - verification of cost-justifying and other documents, as well as on-the-spot checks to inspect the implementation of the activities. On-site inspections shall be carried out by the Bulgarian Science Fund after prior notification, including the dates and program of the visit and the presence of the person or organization under inspection. In the event of uncovering of non-performance, the Fund reserves the right to unilaterally terminate the contract.

Each project proposal includes the following appendices in order to certify the circumstances under these general guidelines and requirements in relation to EU Regulation 2016/679:

- **Annex 1:** Declaration in relation to point 3.1.1.
- **Appendix 2:** Declaration in relation to point 3.1.2.
- **Annex 3:** Statement by each member of the scientific team in relation to the General Regulation on the protection of personal data (EU Regulation 2016/679). If such a declaration or a consent for storage and processing of personal data is absent, the entity is not permitted to include this information in the project proposal to the Bulgarian Science Fund.

If an organization submits more than one project proposal as a base organization, an official copy of Appendices 1 and 2 shall be submitted to the Fund Office and each project proposal shall present the incoming document number. Appendix 3 is submitted for each project proposal.

After approval of the project and before signing the contract, each approved applicant (base organization) **signs a declaration in four sections:**

Section A - to distinguish the non-economic from the economic activity of the applicant;

Section B - Confirmation that funding received under this call will only be used to fund fundamental research;

Section C - to confirm the obligation that the equipment acquired with project funding will be used only for non-economic activities as specified in point 3.1.2 of these Guidelines (item 19 of the Framework).

Section D - consent to provide access and information to the controller and the competent authorities required in the course of project implementation and reporting, as well as other relevant circumstances.

Section E - that the costs due to be funded under the project are not financed by another source.

Applicants may request clarifications from the Bulgarian Science Fund on the call documentation within 10 days before the deadline for submission of project proposals. Received and replied Questions are published on the Fund's website, no later than 5 days after receipt of the request. The clarifications do not provide information about the persons who have requested them.