

Catalogue of eligible costs under the Measure 4.4 Increasing the human potential in R&D sector for state aid beneficiaries

**Eligible costs of beneficiaries under the Measure 4.4 of the SG OP include the following cost categories:**

Direct costs	Remunerations <b>(W)</b>  Subcontracting <b>(E)</b>  <i>Cross-financing (C):</i> <ul style="list-style-type: none"><li>- stipends</li><li>- fellowships</li><li>- training courses</li></ul> Other direct costs <b>(Op)</b> , including: <ul style="list-style-type: none"><li>- costs of equipment and intangible assets</li><li>- costs of land and buildings</li><li>- other operational costs</li></ul>
Indirect costs <b>(O)</b>	

## W – Remuneration costs

This category includes the eligible **remuneration costs along with non-payroll labour costs**, such as social security and health insurance contributions of **individuals employed for conducting research** (research workers, technical personnel, and other auxiliary staff members) and **technology brokers**, as far as these remunerations are directly connected with the realisation of the project subject to co-financing.

### Documenting the works performed for the project:

- for **employment contracts – the payroll**

If the given employee is not involved in the project on a full-time, the eligible part of the remuneration is determined basing on:

- **delegating** the employee to the project on a part-time, with the specification of their scope of duties within the project (optimal solution),
- **work time sheet** containing the description of performed tasks – for employees who work for the co-financed project on an irregular basis;

- for **contracts of mandate – the invoice**, list of duties within the project, acceptance protocol.

Expenditures connected with the hiring of a person who performs tasks within the project(s) are eligible provided that:

- the resulting workload does not prevent the person from proper and effective realisation of all tasks entrusted to them;
- the total professional involvement of such person in the realisation of all projects financed from structural funds and activities financed from other sources, including own funds of the beneficiary and other entities, does not exceed 276 hours per month;
- in the case of mandate contracts – the performance of tasks is confirmed by an acceptance protocol, confirming: the proper realisation of tasks, fulfilment of the conditions specified in points 1 and 2 and the number and specification of hours devoted to the performance of tasks under the project in the given month.

The above conditions should be met throughout the whole period of eligibility of the remuneration of the given employee in the project.

The following payroll and non-payroll elements of personnel remuneration constitute eligible costs, **proportionally to the involvement of the given employee in the project realisation**:

- base remuneration, bonuses and awards (apart from service anniversary awards), including appreciation bonuses resulting from the internal remuneration rules of the given organisation that determines uniform principles for all employees (also those not involved in the realisation of projects co-financed from the SG OP);
- allowances for the performance of tasks or duties in the project, provided that the base remuneration of the worker receiving such allowance is not financed from the funds of the project co-financed from SG OP;
- function allowance for performing managerial functions in the given organisation;
- special allowance resulting from the specificity and nature of the performed tasks;
- allowance for long-term work;
- remuneration for the period of holiday leave (proportionally to the percentage of involvement of the given employee in the realisation of the project in the month when the leave took place; if it is impossible to determine – in the month preceding the month in which the leave took place);

- remuneration for the period of inability to work pursuant to binding social security regulations (proportionally to the percentage of involvement of the given employee in the realisation of the project in the month when the inability to work occurred; if it is impossible to determine – in the month preceding the month in which the inability occurred);
- additional annual remuneration<sup>†††††</sup> including social security and non-insurance funds contributions is eligible proportionally to the period during which the employee performed the tasks for the purposes of the project;
- contributions for:
  - pension security, including the Employee Pension Plan,
  - disability insurance,
  - sickness insurance,
  - health insurance,
  - accident insurance,
- Labour Fund contributions;
- contribution for the Guaranteed Employment Benefit Fund;
- advance personal income tax payment.

## **E – Subcontracting costs**

Subcontracting costs should be understood as **subcontracting to third parties part of the substantial works under the project** that are not performed on the premises and under direct supervision of the beneficiary and the costs of resources made available by third parties, i.e. the costs of lease of the laboratory along with research equipment.

Auxiliary services necessary for the realisation of project-related tasks, such as legal or accounting services, are not deemed as subcontracting.

**All contracts for the performance of specific work should also be settled within this category.**

**NOTE:** In the case of contracts for the performance of specific work the performance of tasks has to be confirmed by an acceptance protocol, confirming: the proper realisation of tasks and the number and specification of hours devoted to the performance of tasks under the project in the given calendar month.

**Subcontracting costs are excluded from the basis for calculating the lump sum of indirect costs of the project.**

**NOTE:** The call for proposals documentation may specify a limit for the E category, defined as a specific percentage of eligible costs.

## **C – Cross-financing**

**The following types of costs are eligible within this category:**

- **stipends** for graduate and doctoral students involved in conducting research under the given project;
- **fellowships** of scholars or research team workers to the extent related to the research works conducted in the project, commercialisation of the research results and of works related to modern technologies or project management;
- **trainings** for scholars or research team workers to the extent related to the research works conducted in the project, commercialisation of the research results and of works related to modern technologies or project management;

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<sup>†††††</sup> Additional annual remuneration of project staff members is eligible only if it results from the regulations of labour law.

**NOTE 1:** Stipends for students and doctoral students involved in conducting research in the project are exempt from state aid regulations (i.e. they are financed in 100%, regardless of the state aid intensity in the project) provided that the relationships that occur between the students or doctoral students and undertakings may be governed, *per analogiam*, by the principles of effective collaboration between scientific units and undertakings, and that at least one of the conditions specified in item 28, points b-d of the Communication from the Commission - Framework for State aid for research and development and innovation is fulfilled, i.e.:

- the results of the collaboration which do not give rise to intellectual property rights may be widely disseminated and any intellectual property rights resulting from the activities of research organisations or research infrastructures are fully allocated to those entities, or
- any intellectual property rights resulting from the project as well as related access rights are allocated to the different collaboration partners in a manner which adequately reflects their work packages, contributions and respective interests, or
- the research organisations or research infrastructures (this applies to the units where doctoral students are affiliated) receive compensation equivalent to the market price for the intellectual property rights which result from their activities and are assigned to the participating undertakings, or to which participating undertakings are allocated access rights. The absolute amount of the value of any contribution, both financial and non-financial, of the participating undertakings to the costs of the research organisations or research infrastructures' activities that resulted in the intellectual property rights concerned, may be deducted from that compensation.

The said stipends are paid by the Foundation directly to the bank account of the student or doctoral student.

**NOTE 2:** As far as *cross-financing costs (category C)* are concerned, the total amount of eligible expenditures in the project must not exceed **30% of the total eligible costs of the project**.

**Cross-financing costs are excluded from the basis for calculating the lump sum of indirect costs of the project.**

## **Op – other direct costs**

### **I. Costs of research and development equipment and intangible assets**

**The following types of costs are eligible within this category:**

- expenditures on the **purchase** of technological know-how and patents, i.e. intangible assets (IA) in form of patents, licenses, know-how, technological knowledge not protected by patent, expert opinions, analyses and research reports, etc.

- **depreciation expenses or costs of paid use of:**

- **research equipment** and other equipment used for the purposes of research;

- technological know-how and patents purchased or used pursuant to licenses **obtained from third parties on market conditions**, i.e. **intangible assets (IA)** in form of patents, licenses, know-how, technological knowledge not protected by patent, expert opinions, analyses and research reports, etc.

**within the scope and during the period necessary for the realisation of the project subject to co-financing.**

**Where such equipment is not used for their full life for the project, only the depreciation costs corresponding to the life of the project, as calculated on the basis of generally accepted accounting principles are considered as eligible**

#### **1/ Depreciation**

Depreciation expenses due to value decrease constitute eligible costs if all of the following conditions are met:

- the equipment or IA is necessary for the proper realisation of the project and is used in direct connection with the project;
- the equipment or IA were purchased after the beneficiary had filed the application for funding;
- the equipment or other devices for research purposes are listed in the register of fixed assets of entities that purchase it;
- depreciation expenses have been calculated in compliance with accountancy laws and in compliance with the accountancy policy of the entity;
- the eligible value of depreciation expenses refers only to the period of realisation of the project;
- if the equipment or IA is also used for purposes other than the project realisation, then only the part of the depreciation expense corresponding to the proportional use of the asset in the project realisation is eligible;
- the purchase of equipment or IA was not co-financed from national subsidies or EU funds;
- the purchase of equipment or IA was not settled as eligible cost of the project;
- depreciation expenses refer to equipment or IA that has been purchased in a rational and efficient way, i.e. its prices do not exceed the market prices and rates.

The residual value of the fixed tangible asset or the IA after the completion of the realisation of the project does not constitute eligible cost.

## **2/ Paid use of equipment/IA**

Expenditures incurred as a result of paid use of equipment (leasing, hire) or intangible assets (license fees) constitute eligible costs to the extent and during the period necessary for the realisation of the project subject to co-financing.

As far as **leasing (operational or financial)** is concerned, the eligible cost is the amount of the **leasing instalment** issued for the beneficiary **connected with the repayment of the principal amount** (without interest and other fees) of the subject of the leasing agreement.

As far as leasing costs are concerned, the maximum amount of eligible costs must not exceed the market value of the goods subject to leasing. This means that the amount of eligible costs must not exceed:

- the amount stated on the receipt issued to the lessor by the provider of the co-financed goods – for goods purchased not earlier than within 12 months prior to submitting the project proposal by the beneficiary;
- the market value of the goods subject to leasing specified in the valuation prepared by a certified surveyor or in the valuation prepared basing on the methodology presented by the beneficiary – for goods purchased earlier than 12 months prior to submitting the project proposal by the beneficiary. The valuation may be replaced with documentation justifying the selection of the subject of leasing in tender procedure that guarantees compliance with the fair competition principle.

## **II. Costs of land and buildings**

Costs of land and buildings are eligible within the scope and during the period necessary for the realisation of the project.

**The following types of costs are eligible within this category:**

- **land lease** – only lease instalments, without interest;
- **perpetual usufruct of land** – only perpetual usufruct fees, without interest;
- **depreciation of buildings** – if the buildings are also used for purposes other than the project realisation, then only the part of the depreciation expense corresponding to the proportional use of the buildings for the realisation of the co-financed project is eligible;

As far as the **costs of land and buildings** specified hereinabove (land lease, perpetual usufruct of land, depreciation of buildings, and adaptation of space) are concerned, the total amount of eligible expenditures in the project **must not exceed 10%** of the total **eligible costs of the project**.

### **III. Other operational costs**

Other operational costs include, among others, the costs of materials, consumables and similar products, incurred in direct connection with the realisation of the co-financed project.

**The following types of costs are eligible within this category:**

- **materials** such as raw materials, semi-finished products, reagents;
- **laboratory equipment** (generally all purchases that do not meet the requirements to be qualified as fixed assets pursuant to the Accountancy Act);
- **cost of maintenance of technological lines**, experimental installations etc., during the period and proportionally to their use in the project;
- **lease of laboratory space** (i.e. premises suitable for conducting research, e.g. due to the required certificates or applied security systems, without laboratory equipment)<sup>\*\*\*\*\*</sup>;
- **elements used for the construction and permanently installed in the prototype, pilot or demonstration installation**;
- costs of the **publication of project results** in journals listed in the JCR and costs of **presentation of project results during conferences** (without business travel expenses that should be settled as part of indirect costs);
- costs of **intellectual property management**;
- **operating costs of research equipment** owned by the unit realising the project or granted for use to such unit free of charge;
- costs of **international collaboration within the project and collaboration with undertakings** (including the costs of realisation of part of the project under the supervision of a person delegated from a unit in a partner unit abroad or in a different unit co-operating within the project);
- **project promotion costs** (publication, website costs, etc. - without business travel expenses that should be settled as part of indirect costs) **up to 1% of the eligible costs of the project**;
- **cost of external audit** if the audit started after incurring at least 50% but not later than before 80% of the planned expenditures connected with the project realisation.

## **O – Indirect costs**

**Indirect costs include, among others, the following types of costs:**

- e) Building lease or maintenance costs, including:
- building lease, rent or depreciation costs;
  - utility costs (electricity, gas, water charges etc.)
  - cleaning and security costs of the premises;
  - costs of adapting the premises for the purposes of realisation of the project;
  - costs of property insurance;
  - costs of waste disposal;
  - costs of periodical maintenance and inspection of equipment;

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<sup>\*\*\*\*\*</sup> The costs of lease of spaces other than laboratory space shall be covered within the lump sum of overall costs.

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- f) Administration costs, including:
- stamp duties and notarial fees;
  - costs of postal service, telephones, Internet, courier mail etc.;
  - costs of banking services, except for the costs of maintaining a bank account;
  - costs of accounting, legal and similar services;
  - costs of office supplies;
- g) Costs of remuneration, including non-payroll elements of remuneration, of management and administrative personnel, including:
- Costs of remuneration, including non-payroll elements of remuneration, of project management personnel;
  - Costs of remuneration, including non-payroll elements of remuneration, of service personnel (e.g. human resources, finance, accounting, administration services);
- h) Travel expenses of persons involved in the realisation of the project.

Indirect costs incurred in connection with the realisation of the co-financed project are settled on a lump sum basis, as a percentage of the direct costs with the exclusion of subcontracting costs (category E) and *cross-financing* costs (category C), pursuant to the following formula:

$$O = (W + Op) \times \max 17\%$$

**Costs settled on a lump sum basis shall be deemed as expenditures incurred.** For the purposes of the project, the beneficiary is not obliged to collect or annotate accounting documents in order to confirm the incurred expenditures that have been settled as indirect costs.

**NOTE: Costs settled on a lump sum basis as part of indirect costs must not be listed as part of the direct costs of the project (in the W, E, C and Op categories).**