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**REGULATORY BASES FOR GRANTING OF AIDS TO FINANCE THE  
HIRING OF SUPPORT SERVICES FOR THE DIGITALISATION OF SMES IN  
CASTILLA Y LEÓN PROVIDED BY DIGITAL INNOVATION HUBS IN THE  
FRAMEWORK OF THE DIHNAMIC PROJECT**



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This project has received funding from the European Union's Horizon 2020 research and innovation programme under grant agreement n° 824186



## CHAPTER I

### General provisions.

#### ***First. - Purpose and scope of application***

1. The subsidies regulated in this bases are intended to finance the hiring of advisory and experimentation services to promote the digitalisation of SMEs whose activity is developed in the autonomous community of Castilla y León. The digitalisation process understood as the application of digital capabilities to processes, products, services and assets, in order to improve their efficiency, better manage risk, increase customer value and discover new opportunities for revenue generation. The services will be provided by Digital Innovation Hubs.

2. These regulatory bases and the corresponding call are part of the DIHNAMIC project (grant agreement No. 824186), funded by the European Commission in the INNOSUP-2018-06-two-stage of the Horizon 2020 programme). The Institute for Business Competitiveness of Castilla y León is the sole beneficiary. One of the objectives of the DIHNAMIC project is to design and launch a call for digitalisation support services provided by the Digital Innovation Hubs, focused at SMEs based in Castilla y León. In addition, a Randomized Controlled Trial will be carry out to measure the impact of subsidised services. Companies can only apply once for such a call.

3. These bases shall not apply in the areas excluded in Commission Regulation (EU) 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid (hereinafter the De minimis Regulation).

#### ***Second. – Legal regime.***

1. These bases are subject, in all their considerations, to the content of the following provisions:

- a) [Regulation \(EU\) 1291/2013](#) of the European Parliament and of the Council of 11 December 2013 establishing Horizon 2020, the Framework Programme for Research and Innovation (2014-2020) and repealing Decision No 1982/2006/EC.
- b) [Regulation \(EU\) No 1290/2013](#) of the European Parliament and of the Council of 11 December 2013 laying down the rules for participation and dissemination applicable to Horizon 2020, Framework Programme for Research and Innovation (2014-2020) and repealing Regulation (EC) No 1906/2006.
- c) [2013/743/EU: Council Decision of 3 December 2013](#) establishing the specific programme implementing Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020) and repealing Decisions 2006/971/EC, 2006/972/EC, 2006/973/EC, 2006/974/EC and 2006/975/EC



- d) [Commission Regulation \(EU\) No 1407/2013 of 18 December 2013](#) on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid (hereinafter referred to as the "de minimis Regulation").
- e) Basic State legislation on subsidies ([Law 38/2003, of 17 November 2003](#), [General Subsidies Law](#)) and [Royal Decree 887/2006, of 21 July 2006](#), approving the Regulation of Law 38/2003, of November 17 2003, General Subsidies.
- f) [Law 5/2008, of 25 September 2008](#), on Subsidies of the Community of Castilla y León.
- g) [Law 39/2015, of 1 October 2015](#), of the Common Administrative Procedure of Public Administrations.
- h) [Law 40/2015, of 1 October 2015](#), on the Legal Regime of the Public Sector.
- i) Other applicable regulations.

### ***Third. – General definitions.***

In the scope of these bases and respective call for proposals, the following terms and/or expressions shall have the below meanings:

1. A «Micro-enterprise» is defined as an enterprise which employs fewer than 10 persons and whose annual turnover and/or annual balance sheet total does not exceed EUR 2 million, according to the criteria set out in the Annex I to the [Commission Regulation \(EU\) N° 651/2014 of 17 June 2014](#).
2. A «Small enterprise » is defined as an enterprise which employs fewer than 50 persons and whose annual turnover and/or annual balance sheet total does not exceed EUR 10 million, according to the criteria set out in the Annex I to the [Commission Regulation \(EU\) N° 651/2014 of 17 June 2014](#).
3. A «Medium-sized enterprise» is defined as an enterprise which employs fewer than 250 persons and whose annual turnover does not exceed EUR 50 million, and/or whose annual balance sheet total does not exceed EUR 43 million, according to the criteria set out in the Annex I to the [Commission Regulation \(EU\) N° 651/2014 of 17 June 2014](#).
4. «Large enterprises»: Enterprises not included in the definition of micro, small and medium-sized enterprises.
5. «Single undertaking»: includes, for the purposes of the de minimis Regulation, all enterprises having at least one of the following relationships with each other:



- a) one enterprise has a majority of the shareholders' or members' voting rights in another enterprise;
- b) one enterprise has the right to appoint or remove a majority of the members of the administrative, management or supervisory body of another enterprise;
- c) one enterprise has the right to exercise a dominant influence over another enterprise pursuant to a contract entered into with that enterprise or to a provision in its memorandum or articles of association;
- d) one enterprise, which is a shareholder in or member of another enterprise, controls alone, pursuant to an agreement with other shareholders in or members of that enterprise, a majority of shareholders' or members' voting rights in that enterprise.

Enterprises having any of the relationships referred to in points (a) to (d) of the first subparagraph through one or more other enterprises shall also be considered to be a single undertaking.

6. «Company in difficulty»: Company defined so in accordance with the provisions of the Community guidelines on State aid for rescuing and restructuring companies in difficulty, or the document that replaces it.
7. «Date of grant»: date on which the beneficiary is legally entitled to receive the aid under the applicable national legal scheme.
8. «Period of execution»: period established for the execution of the project or activity, or the adoption of the behaviour subject of the grant.
9. «Period for justification»: Period for the accreditation of the fulfillment of the conditions established in the regulatory bases, in the call, and in the granting resolution.
10. "Digital Innovation Hubs": are groupings of entities that facilitate access to companies and the public administration of a given territory to the information, services and facilities they need to successfully address their digital transformation processes. For the purposes of this regulatory bases, Digital Innovation Hubs will be considered to be those included as "fully operational" in the catalogue of Digital Innovation Hubs published by the European Commission in the Smart Specialisation Platform <https://s3platform-legacy.jrc.ec.europa.eu/web/guest/digital-innovation-hubs-tool> and available on the Institute's website <https://empresas.jcyl.es/web/es/fondos-europeos/proyecto-dihnamic.html>.



11. «Digital transformation»: Application of digital capabilities to processes, products and assets to improve efficiency, enhance customer value, manage risk and uncover new revenue-generating opportunities.
12. «Digital maturity»: The degree to which a company is able to take advantage of technological developments to improve in all possible aspects, from economic performance to customer relations, including business processes, production processes, internal relations, etc.
13. «Randomly»: Depending on chance or luck.
14. « Technological solution »: Process through which, after a critical analysis of the object, a problem is identified and a response is created that, using the available resources, seeks to achieve the greatest efficiency.
15. «Innovation advisory services»: Consulting, assistance and training in the fields of knowledge transfer, acquisition, protection and exploitation of intangible assets, and the use of standards and regulations incorporating them.
16. «Industry 4.0»: Refers to the fourth industrial revolution, which consists of the introduction of digital technologies in industry to improve its competitiveness. These technologies allow devices and systems to collaborate with each other and with others, making it possible to modify products, processes and business models.
17. «Internet of Things» (hereinafter IoT): Systems of physical devices that receive and transfer data over wireless networks without human intervention, making it possible to integrate simple computing devices with sensors in all kinds of objects.
18. «Cybersecurity»: A set of tools, policies, security concepts, security safeguards, guidelines, risk management methods, actions, training, best practices, insurance and technologies that can be used to protect organizational and user assets in the cyber environment.

#### ***Fourth. - Beneficiaries.***

1. Companies defined as micro, small or medium-sized enterprises in the third base of this regulatory bases, which have their headquarters, or at least one work center in Castilla y León and which wish to promote the digitalisation of the aforementioned regional work center with the support of the services provided by the Digital Innovation Hubs, may be considered as beneficiaries.

2. Companies belonging to the sectors excluded in Commission Regulation (EU) 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid may not be beneficiaries, in particular:



- a) Companies active in the fishery and aquaculture sector.
  - b) Companies active in the primary production of agricultural products.
  - c) Aid granted to companies active in the sector of processing and marketing of agricultural products, where the amount of the aid is fixed on the basis of the price or quantity of such products, purchased from primary producers, or put on the market by the companies concerned, or where the aid is subject to pass, partly or entirely, to primary producers.
  - d) Aid to export-related activities towards third countries or Member States, namely aid directly linked to the quantities exported, to the establishment and operation of a distribution network or to other current expenditure linked to the export activity;
  - e) Aid conditional on the use of domestic over imported goods.
3. Communities of goods, civil societies, foundations and non-profit associations may not be beneficiaries.
4. SMEs in which any of the following circumstances apply cannot be beneficiaries:
- a) To be subject to any of the prohibitions established in section 2 and 3 of Article 13 of Law 38/2003, of November 17 2003, General Subsidies Law. The beneficiary will be able to make a declaration of honour to justify not being subject to these prohibitions.
  - b) Those considered as "companies in difficulty" according to the definition established in the *third base of this regulatory bases*, or as the case may be, in the Community regulations that replace it.
  - c) Companies that do not comply with the provisions of Decree 75/2008, of October 30, which regulates the accreditation of compliance with the regulations for the labour integration of people with disabilities and the establishment of evaluation criteria and preferences in the granting of subsidies and public aid from the Administration of the Community of Castilla y León.

#### ***Fifth. - Obligations of the beneficiary.***

The beneficiary's obligations are as follows:

1. Fulfill the purpose of the grant, collaborate with the performance of the service and adopt the behaviour that is the basis for the granting of the subsidies.
2. Justify to the Institute the fulfillment of the requirements and conditions, as well as the correct performance of the service and the compliance of the purpose for which the subsidy was granted.



3. Complete the Self-diagnosis Reports that will be requested at the time of accepting the participation in the call and at the end of the intervention of the selected Digital Innovation Hub and make available to said DIH, the means and information necessary for the proper provision of the service.

4. Submit to the verification actions carried out by the Institute, as well as any other verification and financial control actions that may be carried out by the competent control bodies such as the General Intervention of the Administration of Castilla y León, the Board of Auditors, The European Innovation Council and SME Executive Agency (EISMEA), the European Commission, the European Court of Auditors-ECA (under Article 287 of the [Treaty on the Functioning of the European Union-TFEU](#) and Article 161 of [Financial Regulation No. 966/2012](#)), the European Anti-Fraud Office-OLAF (under Regulations [\(EU\) nº 883/2013](#) and [\(EU\) nº 2185/96](#)), or any authority having powers to do so and which include:

- Carry out reviews about the correct execution of the action. The reviews will be officially notified to the beneficiary and will be considered to have started on the date of such official notification.
- Request additional information; the information provided must be accurate, precise and complete and in the requested format, electronic if applicable.
- Conduct investigations, including on-the-spot checks and inspections, to determine whether fraud, corruption or any other illegal activity affecting the financial interests of the EU has occurred.
- Conduct audits at any time, during or after the execution of the action. The ECA shall have the right of access for control and audit purposes.

5. The beneficiary must ensure that the Board of Auditors, The European Innovation Council and SME Executive Agency (EISMEA), the European Commission, the European Court of Auditors (ECA) and the European Anti-Fraud Office (OLAF) can exercise their competences to evaluate the impact of the action, and may carry out mid-term and final evaluations of the impact of the action in relation to the objective of the EU program. These evaluations may be initiated during the implementation of the action and up to five years after the payment of the balance. The evaluation shall be deemed to start on the date of its official notification to the beneficiary. The beneficiary must provide any information relevant for assessing the impact of the action, including in electronic support.

6. Notify the Institute of any other subsidies, aid, income or resources that finance the subsidized activities, as well as notify the total aid obtained during a period of three fiscal years. It will also be necessary to communicate the de minimis aid granted to related companies. This communication must be made as soon as it is known and, in any case, prior to the justification of the application given to the funds received.





7. Accredited, prior to the issuance of the resolution of concession and prior to the payment of the grant, that they are up to date with their tax and Social Security obligations, in accordance with the provisions of Decree 27/2008, of 3 April, which regulates the accreditation of compliance with both tax and Social Security obligations with regard to grants.

8. Proof of compliance with the regulations on labour integration of people with disabilities, or exemption from this obligation, or, where appropriate, the non-application of the same at the time of applying for the grant. Submit the justification within the deadline for justification of the grant by submitting the documentation provided in the call for applications or in the award resolution, in accordance with the provisions of Decree 75/2008, of October 30.

9. Proof of compliance with the obligations of a social nature, in accordance with the provisions of Agreement 82/2020, of 12 November, of the Junta de Castilla y León, approving binding guidelines for the promotion of social responsibility in public spending by the General and Institutional Administration of the Community of Castilla y León.

10. Have the accounting books in the terms required by the commercial legislation applicable to the beneficiary in each case, as well as any specific accounting statements and records required in the call for applications for the grant.

In order to ensure the proper exercise of the powers of verification and control, the beneficiary is obliged to keep separate accounts or an appropriate accounting code for all transactions carried out under the project. This obligation shall be deemed to be fulfilled where each of the expenses and their corresponding transactions is perfectly identified in the beneficiary's accounts.

11. Keep the supporting documents of the application of the funds received, including electronic documents, as long as they may be subject to verification and control actions.

12. Comply with the obligations arising from the specific requirements of H2020 as described in [Regulation \(EU\) No 1290/2013](#) of the European Parliament and of the Council of 11 December 2013 laying down the rules for participation and dissemination applicable to Horizon 2020. Applicable obligations include:

#### 12.1. Conflict of interests

The beneficiary must take all measures to prevent any situation where the impartial and objective implementation of the action is compromised for reasons involving economic interest, political or national affinity, family or emotional ties or any other shared interest ('conflict of interests').

#### 12.2. Confidentiality

During implementation of the action and for four years after the end of the project, the beneficiaries must keep confidential any data, documents or other material



(in any form) that is identified as confidential at the time it is disclosed ('confidential information').

### 12.3. Dissemination of the action - Visibility of EU funding

The beneficiary must disseminate the action and its results, providing targeted information to various audiences (including the media and the public) in a strategic and effective manner.

The dissemination of the action and the visibility of EU funding shall comply with the conditions set out in the *twenty first base of this regulatory bases*.

13. To certify by means of a declaration of honour with the provisions of Article 45 of Organic Law 3/2007, of 22 March, for equality between men and women.

14. Proceed to reimburse the funds received in the appropriate cases, in accordance with Article 37 of Law 38/2003, of 17 November 2003, General Subsidies Law and Article 47 of Law 5/2008, of 25 September 2008, on Subsidies of the Community of Castilla y León.

15. Those indicated in the call for applications and/or deriving from the conditions imposed in the resolution of concession or any mandatory regulations.

### ***Sixth. - Eligible services, duration and amount of the grant.***

1. Subsidised advisory and/or experimentation services provided by Digital Innovation Hubs are of two types, Service A and Service B:

a) Service A. Specialized and individualized advice of 20 hours, which will cover the following actions:

- General diagnosis of the state of digitalisation: study of the company's level of maturity in the implementation of digital technologies.
- Weakness analysis: shortcomings in digitalisation.
- Prospective of existing technological solutions and possibilities for the development of ad hoc solutions.
- Business plan and possible funding sources: advice on the preparation of a business plan detailing the necessary investments and assisting companies in the search for financing for their digital transformation projects, examining whether the digitalisation of the company is executable and economically viable.



The advice provided will be materialized in a report that will be delivered to each company by the chosen Digital Innovation Hub and will include at least the four points indicated above.

b) Service B. Specialized and individualized advice and experimentation of 80 hours, which will cover the following actions:

- General diagnosis of the state of digitalisation: study of the company's level of maturity in the implementation of digital technologies.
- Weakness analysis: shortcomings in digitalisation.
- Prospective of existing technological solutions and possibilities for the development of ad hoc solutions.
- Business plan and possible funding sources: advice on the preparation of a business plan detailing the necessary investments and assisting companies in the search for financing for their digital transformation projects, examining whether the digitalisation of the company is executable and economically viable
- Experimentation of at least one digital solution that has been concluded as decisive for the boost of to its digitalisation, according to the previous points. The digital solution/s will be developed according to the nature of the needs analysed and responding to the concept of "test before invest". Companies will also receive the necessary support and advice to interpret the results of this test and thus, establish the basis for the next step in their digital development.

The advice provided will be materialized in a report that will be delivered to each company by the chosen Digital Innovation Hub and will include at least the five points indicated above, reflecting the work done and the possible future steps to be taken by the company.

2. The company must identify at the time of application, the Digital Innovation Hub with which it will contract the service.

3. The company concerned, in its application, will not be able to choose whether to apply for the grant associated to one or the other service. This allocation will have to be made according to the random selection process set out in this call for proposals. This is due to the fact that this call is part of the DIH NÁMÍC project (grant agreement No 824186), funded by the European Commission under the Horizon 2020 programme call INNOSUP-2018-06-two-stage. In accordance with the provisions of this project, the companies participating in the call published under this regulatory bases, will also participate in a trial to measure the effectiveness of the subsidized digitalisation support services. This trial must obligatorily follow the Randomized Control Trial (RCT)



methodology, which establishes randomization as a way of determining the type of service subsidized to each applicant company, allowing an objective comparison of the real effect on the companies of both types of services.

4. The amount of the aid will be 100% of the service contracted to the Digital Innovation Hubs with a maximum of 2.000 euros for "Service A" and 10.000 euros for "Service B".

5. The maximum term for the execution of the services will be determined in the call for proposals.

**Seventh. - Evaluation criteria.**

1. Each application will be scored globally from 0 to 70 points. The applications whose proposals reach a minimum score of 20 points will be eligible for support on the basis of the scores obtained, in order from highest to lowest, and within the limits of the budget available under this call for proposals.

2. The evaluation criteria for the selection of beneficiaries will be:

CRITERIA	SUBCRITERIA	POINTS
<b>Prioritised topics: IOT, cybersecurity, Industry 4.0.</b>		<b>20</b>
<b>Expected impact on the company.</b>		<b>20</b>
	Improving process, product or service through digitalization.	10
	Improvement of company management processes and/or customer/supplier relations.	10
<b>Impact on the region</b>		<b>30</b>
	Hiring a DIH from Castilla y León.	20
	Geographical location: Municipalities in Castilla y León with no more than 10.000 inhabitants, in general, or 3.000 inhabitants if they are less than 30 kilometres from the capital of the province.	10
<b>TOTAL</b>		<b>70</b>

3. In case of a tie score, the following shall have preference:

a) Firstly, applicants contracting the services with a Digital Innovation Hub of Castilla y León.

b) Secondly, applicants located in municipalities of Castilla y León with no more than 10,000 inhabitants, in general, or 3,000 inhabitants, if they are less than 30 kilometres from the capital of the province.



c) Thirdly, the application that has been submitted at an earlier date.

### ***Eighth. – Limits.***

Each SME can only apply once for the call associated to this Regulatory Bases.

The amount of the subsidy cannot exceed the cost of the contracted services, with a maximum of €2.000 for "Service A" and €10.000 for "Service B", on the basis of the DIHnamic project.

Therefore the maximum amount received by each SME will be €2.000 or €10.000.

The total amounts of de minimis aid granted to a single enterprise shall not exceed two hundred thousand euros (€200.000) during any period of the last three fiscal years.

### ***Ninth. - Incompatibilities.***

Grants awarded under this Regulatory Bases shall be incompatible with any other grants for the same object and purpose.

## CHAPTER II

### Procedure

### ***Tenth. –Concession procedure.***

1. The procedure for awarding the subsidies provided for in these bases will be processed on a competitive basis in accordance with the provisions of Article 8 and Article 22.1 of Law 38/2003, of 17 November 2003, General Subsidies Law, and Chapter I of Title II of Law 5/2008, of 25 September 2008, on Subsidies of the Community of Castilla y León.

2. The calls for grants shall be approved by resolution of the Presidency of the Institute.

3. The extract of the call will be published in the Official Bulletin of Castilla y León, through the National Grants Database (BDNS), once the text of the call and the information required for its publication have been sent to the latter.

4. The present regulatory bases together with the corresponding call for proposals will be published on the website of the Institute for Business Competitiveness of Castilla y León (<https://empresas.jcyl.es/web/es/fondos-europeos/proyecto-dihnamic.html>). Information will also be available through the website of the Horizon 2020 Participant Portal (<https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/opportunities/competitive-calls>).



### ***Eleventh. - Applications, form of presentation and deadline***

1. According to Article 14.2 a) and 14.3 of Law 39/2015, of 1 October 2015, electronic processing will be mandatory at all stages of the procedure. Therefore, applicants are obliged to interact with the Institute by electronic means in order to carry out any procedure.

The application, accompanied by the documentation required in this regulatory bases and in the corresponding call, will be presented telematically by means of advanced electronic signature in the electronic registry of the Junta de Castilla y León. The electronic certificate must correspond to the applicant of the aid or his representative.

For this purpose, applicants must have an electronic DNI by this Administration. It must be compatible with the different enabling elements and corporate technological platforms.

The electronic registry, once the application has been admitted, will automatically issue a receipt supporting proof of the submission.

The non-receipt of the confirmation message or, if applicable, the appearance of an error or deficiency message in the transmission, implies that the reception has not taken place correctly, and the presentation must be made at another time or with other available means.

The application form, as well as the annexes and the models of documentation to be provided will be available at <https://www.tramitacastillayleon.jcyl.es> and on the Institute's website (<https://empresas.jcyl.es/web/es/fondos-europeos/proyecto-dihynamic.html>). Information will also be available on the website of the Entrepreneurship and Innovation Network of Castilla y León (<http://www.redei.es>), as well as on the website of the Horizon 2020 Participant Portal (<https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/opportunities/competitive-calls>)

The mere submission of the grant application will entail the registration in the ADE Clients File, created by Order EYE/947/2006, of May 24, 2006, which creates and regulates the personal data file called ADE Clients.

The submission of the application entails, in accordance with Article 22 of the Regulations of Law 38/2003, of 17 November 2003, General Subsidies Law, and Article 28 of Law 39/2015, of 1 October 2015, the applicant's authorization for the granting entity to directly obtain accreditation of compliance with tax and Social Security obligations through telematic certificates, in which case, the applicant will not be obliged to provide the corresponding certification. However, the applicant may expressly deny consent, and must then provide the corresponding certification.

2. Means of notification. In accordance with the provisions of Article 41 of Law



39/2015, of 1 October 2015, of the Common Administrative Procedure of Public Administrations, the means of notification will be by electronic means, so that all communications and notifications made throughout the processing of the electronic file, including consultation of the status of the file, will be made by telematic means.

Likewise, the obligation of notification in accordance with article 40 of Law 39/2015, of 1 October, will be understood to be fulfilled with the availability of the notification in the electronic registry.

Notifications by electronic means shall be deemed to have been made at the time of accessing their content and shall be deemed to have been rejected when ten calendar days have elapsed since the notification was made available without access to its content, in which case it shall be recorded in the file, specifying the circumstances of the attempt and the means of notification.

3. Deadline for submission. Applications shall be submitted within the period established in the call for proposals.

Applications submitted after the deadline will be declared inadmissible by a specific decision.

### ***Twelfth. - Documentation.***

1. Once the extract of the call for applications has been published and within the period provided therein, the interested parties or, where appropriate, their legal representatives, shall submit together with the application, the documentation required in the call for applications, as established in Article 28 of Law 39/2015, of 1 October 2015, of the Common Administrative Procedure of Public Administrations.

2. The call shall determine which documents may be substituted, if applicable, by a declaration of honour in accordance with the provisions of Article 18.3 of Law 5/2008, of 25 September 2008, on Subsidies of the Community of Castilla y León. In this case, prior to the award resolution proposal, the presentation of the documentation that accredits the reality of the data contained in the aforementioned declaration may be required, within a term not to exceed ten days.

3. When the documents that must accompany the application were already in the possession of any body of the acting entity, the applicant may avail himself of the provisions of Article 53.d) of Law 39/2015, of 1 October 2015, of the Common Administrative Procedure of Public Administrations, provided that the date and the body or unit in which they were submitted or, where appropriate, issued, is stated, and no more than five years have elapsed since the end of the procedure to which the documents correspond.

If it were materially impossible to obtain the document, the examining body shall require the applicant, prior to the evaluation of the applications, to submit the document





or, failing that, to prove by other means the requirements set forth therein.

4. Likewise, the applicant may submit, and the Institute may request, any document necessary to verify compliance with the requirements for the corresponding resolution of the procedure, as well as those necessary by virtue of the exercise of the control powers that the Institute may exercise and those of financial control that correspond to the General Intervention of Castilla y León Administration, the audits of the Board of Auditors or any other type of audit subsequent to the receipt of the aid granted.

5. The verification of compliance with the obligations, as well as any aspect relating to the fulfilment of the requirements for obtaining the aid, including those accredited at the time of the application by means of a responsible declaration, will be carried out ex officio by the Institute, which reserves the right to carry out as many actions as are necessary for the fulfilment of the aforementioned purpose.

6. Correction of defects. If the application provided does not meet the requirements, is incomplete or contains errors that can be corrected, the interested party will be required to correct the deficiency or attach the corresponding documentation within a maximum and non-extendable period of ten working days, counting from the day following receipt of the request, indicating that, if this is not done, the application will be considered withdrawn, in accordance with the provisions of Article 68.1 of Law 39/2015, of 1 October 2015, of the Common Administrative Procedure of Public Administrations.

7. Personal data. The data provided will be included in the ADE Clients File that gives the necessary information for the management of grants, and may also be included into the registers by law. In accordance with the provisions of the General Data Protection Regulation [Regulation 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC], and Organic Law 3/2018 of 5 December 2018, on Personal Data Protection and guarantee of digital rights, the Institute for Business Competitiveness de Castilla y León with address at C/ Jacinto Benavente, number 2, 47195, Arroyo de la Encomienda (Valladolid), will process the personal data of the representatives of the applicant entities according to the model of Authorization for Registration and Processing of Personal Data established in the call.

In accordance with the provisions of Regulation (EU) 2016/679, of 27 April 2016, and Organic Law 3/2018, of 5 December 2018, on Personal Data Protection and guarantee of digital rights, the processing of personal data of applicants for these grants is considered to be based on the exercise of public powers by the data controller.

### ***Thirteenth. - Instruction of the procedure.***

1. The body in charge of the instruction of the procedure will be the Directorate General of the Institute, who will carry out, ex officio, as many actions as it deems necessary to determine, understand and verify the fulfilment of the requirements, the





conditions imposed to acquire the condition of beneficiary described in base fourth, as well as the suitability of the project to the types of actions described in base sixth, and by virtue of which it will formulate the proposal for resolution.

The Analysis, Evaluation and Operations Committee will evaluate the grant applications, in order to verify compliance with the requirements demanded by applying the evaluation criteria established in the call for proposals. The composition of the Analysis, Evaluation and Operations Committee is established in the Agreement of May 4, 2012 of the Institute's Executive Committee.

2. Likewise, it is the responsibility of the Directorate General of the Institute to declare the inadmissibility of applications submitted after the deadline and the withdrawal of applications that have not been rectified under the terms established in Art. 68 of Law 39/2015, of 1 October 2015, of the Common Administrative Procedure of Public Administrations.

#### ***Fourteenth. - Resolution.***

1. Applications will be resolved by the Presidency of the Institute, at the proposal of the Directorate General of the Institute.

2. The maximum period to resolve and notify the resolution is of six months from day following the end of the deadline established in the call for proposals. The expiration of the aforementioned period without an express resolution having been issued and notified, entitles the interested parties to understand that the application has been rejected, in accordance with the provisions of Article 12 of Law 5/2008, of 25 September 2008, on Subsidies of the Community of Castilla y León.

3. The resolutions will be reasoned and will be based on the fulfillment of the requirements by the beneficiaries provided in the bases, as well as in those specific provisions established in the call, and will express the general and particular conditions they are subject to and their deadlines. Likewise, the nature of the de minimis aid of the Commission Regulation 1407/2013 of 18 December 2013 will be informed.

In addition, as well as containing the beneficiary or list of beneficiaries to whom the grant is awarded, the award resolution must expressly include, an ordered list of all the applications that, fulfilling the administrative and technical conditions established in the regulatory bases to acquire the condition of beneficiary, have not been considered because they have exceeded the maximum amount of the credit established in the call for proposals, indicating the score awarded to each one of them according to the evaluation criteria established in the same.

In this case, if any of the beneficiaries waives the grant, the awarding body will agree, without the need for a new call for applications, to award the grant to the next applicant or applicants in order of score in the list, as long as, with the waiver of any of the beneficiaries sufficient credit has been released to meet at least one of the rejected



applications.

The body granting the subsidy will communicate this option to the interested parties, so that they may accept the subsidy proposal within a non-extendable period of ten days. Once the proposal has been accepted by the applicant(s), the administrative body will issue the granting act and will proceed to its notification.

4. The resolution to grant or deny the requested subsidy will be notified in accordance with the provisions of Article 45 of Law 39/2015, of 1 October 2015, of the Common Administrative Procedure of the Public Administrations and will be published in the Official Bulletin of Castilla y León. Likewise, for the purposes of its knowledge, it will be publicized on the ICE website.

5. The identity of the beneficiaries, the amount of aid granted and the reimbursements requested will be published in the National Database of Subsidies (BDNS), in accordance with the provisions of Article 20.2 of Law 38/2003, of 17 November 2003, General Subsidies Law.

6. In accordance with [Regulation \(EU\) No 1290/2013](#) of the European Parliament and of the Council of 11 December 2013 laying down the rules for participation and dissemination applicable to Horizon 2020, beneficiaries are informed that the European Innovation Council and SME Executive Agency (EISMEA) and the Institute shall have the right to publish, in any form and by any means, the following information:

- The name of the beneficiary.
- The contact address of the beneficiary.
- The overall objective.
- The amount of the financial contribution planned for the project; after final payment, and the amount of the financial contribution actually received.
- The geographical location of the activities carried out.
- The publishable reports submitted to the project.

During the implementation of the action, and until four years after the end of the project, the European Innovation Council and SME Executive Agency (EISMEA) and the Institute will maintain the confidentiality of any data, documents or other material (in whatever form) designated as confidential at the time of disclosure ("confidential information").

7. It is also reported that the DIHNAMIC project participates in the Open Research Data Pilot of the European Commission and, therefore, in order to ensure open access and reuse of research data generated by the project, non-personal data collected from companies participating in the project activities may be published, ensuring their anonymity and non-identification. Likewise, it is informed that once the call has been launched, the submission of the participation request will imply the authorization of the mentioned publication by the applicants.



### ***Fifteenth. - Appeals.***

Against the resolution of the concession procedure, concluding the administrative proceedings, an appeal for reconsideration may be filed within one month before the Presidency of the Institute, or directly a contentious-administrative appeal within two months before the Contentious-Administrative Jurisdiction, both periods being counted from the day following receipt of the notification, in accordance with the provisions of Law 39/2015, of 1 October 2015, of the Common Administrative Procedure of Public Administrations and Law 29/1998, of 13 July 1998, Regulating Contentious-Administrative Jurisdiction.

### ***Sixteenth. - Acceptance.***

1. Beneficiaries must expressly accept the award of the grant, as well as its conditions, telematically, within fifteen working days from the day following notification.

2. In the event of non-acceptance, or if the indicated term elapses without having accepted the subsidy, it shall be understood that the beneficiary waives the subsidy, and this shall be declared by an express resolution.

### ***Seventeenth. - Modifications to the Resolution***

1. The beneficiaries of the subsidies must notify the Institute of any incident subsequent to the awarding of the subsidy, which may affect the grant.

2. Once the grant resolution has been notified, the beneficiary may propose the modifications to its content, provided that they are duly justified, and do not alter the object or purpose of the grant, do not entail an increase in the grant awarded, do not affect the requirements that determine the condition of beneficiary and do not prejudice the rights of third parties, in the following circumstances:

- a) Changes of name or corporate circumstances, with or without change of ownership.
- b) Change of location of the headquarters or work center of the company. Changes of location may be in different municipalities, as long as they are in the Community of Castilla y León, and when this has not been a determining factor in obtaining the status of beneficiary.
- c) Changes of the selected Digital Innovation Hub, when this has not been determinant to obtain the condition of beneficiary.

These modifications will be resolved by the Presidency of the Institute.

3. All the amendments referred to in paragraph 2 will be submitted two months before the end of the period of execution established in the resolution, except for the amendments included in paragraph 2.a), which shall be submitted as soon as they occur



and, in any case, within two months following the date of their registration in the Commercial Registry.

4. The maximum period for resolving and notifying the modification resolution will be of six months and shall be counted from the date of entry of the application in the electronic registry of Institute.

5. Once these deadlines have elapsed without notification of the express resolution, the modification request shall be deemed to have been rejected.

### ***Eighteenth. - Resignations.***

Beneficiaries may expressly renounce the subsidies awarded by means of a reasoned letter addressed the Presidency of the ICE, which will issue the corresponding resolution.

### ***Nineteenth - Justification and payment of the grant.***

1. The justification of the fulfillment of the conditions imposed and of the achievement of the objectives of the granted subsidy will be made by means of the rendering of the supporting account with the provision of the supporting documents of expenditure, in accordance with article 72 of Royal Decree 887/2006, of 21 July 2006, approving the Regulation of Law 38/2003, of 17 November 2003, General Subsidies Law.

The supporting accounts shall include, under the responsibility of the beneficiary, the statement of the activities carried out, the classified list of expenses, the proof of expenditure, by means of invoices or any other document with legal validity and the payment receipts that allow accrediting the fulfillment of the purpose of the subsidy.

2. Deadline for presentation of the justification.

The beneficiary must justify the compliance of the conditions established in the resolution of concession and present the request for total payment in standard form, at the latest, within 1 month from the end of the term for the realization of the subsidized activity.

Failure to present the justification within the period established in this section will give rise to the initiation of the procedure for determining non-compliance and, if applicable, to the reimbursement and other responsibilities established in Law 38/2003, of 17 November 2003, General Subsidies Law. The presentation of the justification within the additional term established in this section shall not exempt the beneficiary from the corresponding sanctions.

3. Supporting documentation for payment.

The beneficiary shall submit, together with the application for payment or within the



term established for the justification of the subsidy, the supporting account containing, for the purposes of the provisions of section 2 of article 30 of Law 38/2003, of 17 November 2003, General Subsidies Law, the following documentation that accredits compliance with the conditions imposed in the resolution of concession:

- I. Report on the service performed delivered by the Digital Innovation Hub to the beneficiary company and validated by the same by signing a declaration of conformity with the service received.
- II. The invoice of the Digital Innovation Centre that has provided the service and, if it does not have legal personality, of the member entity of the same that has provided the service, or documents of equivalent probative value and bank documents accrediting the corresponding payment. In the event that the invoice is issued by an entity that is a member of a Digital Innovation Centre, proof of belonging to the same must be provided.  
  
The accreditation of expenses may also be made by means of electronic invoices, provided that they meet the requirements for their acceptance in the tax field.
- III. Declaration of honour of not having any other aid that have financed the subsidized activity with an indication of their amount and origin, as well as the aid received under the de minimis regime in the last three years.
- IV. Certificates accrediting that they are up to date with their tax and Social Security obligations, unless the Institute is authorized to obtain them directly by telematic means.
- V. The justification of not being subject to the prohibitions to obtain the condition of beneficiary, indicated in section 4 of the fourth base, may be made by means of a declaration of honour in accordance with Law 38/2003, of 17 November 2003, General Subsidies Law.
- VI. Documentation justifying the number of workers with disabilities and the percentage they represent of the total workforce in accordance with Decree 75/2008, of 30 October. The specific documentation to be provided to justify this point will be established in the call for applications.
- VII. Declaration of compliance with the obligations established in Article 14 of Law 38/2003, of 17 November, General Subsidies Law, as well as compliance with Agreement 82/2020, of 12 November, of the Junta de Castilla y León, approving binding guidelines for the promotion of social responsibility in public spending by the General and Institutional Administration of the Community of Castilla y León.
- VIII. Compliance with the information and dissemination obligations of the project in accordance with the provisions of Regulation (EU) 1290/2013 laying down



the rules for participation and dissemination applicable to Horizon 2020, in the twenty-first base of this regulatory bases and in the corresponding call.

All documentation of the performance of the subsidized service must be submitted telematically and with an advanced electronic signature. The telematic presentation does not exempt the beneficiaries from the obligation to keep the originals of the supporting documents of expenditure and payment, audit reports, etc., in case they are required later by the managing body of the subsidies or when carrying out the legally foreseen control actions.

The supporting documents for expenditure shall be kept for a period of five years after payment of the grant and the documents shall be kept either in the form of originals or certified copies, or on commonly accepted data carriers or documents existing in electronic version only.

In order for the grant payment request to be processed, it must relate to approved service elements, which must have been performed during the grant period and paid for by the grantee within the grant period.

The following criteria shall be taken into account for the verification of expenditures and payments:

- a) The final invoice and the bank justification of the payment shall be presented. The date of realization of the investment or expenditure shall be considered as the date of the final invoice.
- b) Cash payments will not be accepted under any circumstances. The following are understood as cash payments:
  - Paper money and metallic currency, domestic or foreign.
  - Banker's checks payable to the bearer denominated in any currency.
- c) In any case, not only must the existence of the payment be justified, but also the recipient of the payment must coincide with the individual or legal entity that issued the invoice.

When the verification carried out reveals the existence of correctable defects in the justification presented by the beneficiary, the beneficiary will be notified and will be granted a period of ten days to correct them.

#### 4. Verification report.

The Institute, once the documentation has been examined and the necessary inspections and verifications have been carried out, will issue a report accrediting compliance with the requirements and conditions demanded up to that moment, in accordance with the provisions of Article 35.3 of Law 5/2008, of 25 September 2008, on





Subsidies of the Community of Castilla y León, formulating the proposal for the liquidation of the grant.

#### 5. Settlement and payment.

Once the verifications have been carried out and the report verifying compliance with the conditions established in the resolution has been issued, the settlement procedure will be initiated, in which the beneficiary will be guaranteed a hearing prior to the issuance of the final settlement resolution, provided that the amount to be liquidated differs from the subsidy granted in the grant resolution.

Said settlement proceeding will result in the corresponding liquidation of the grant, or the initiation of the corresponding non-compliance proceeding.

The payment of the subsidy established in each resolution will be made in a single payment by bank transfer to the account designated by the beneficiary and will be processed once the Institute has verified the justification of the performance of the subsidised service, after verifying that the beneficiary is up to date with his/her tax and Social Security obligations.

#### ***Twentieth. - Non-compliance and reimbursements.***

1. Failure to comply with the requirements established in this order and in the rest of the applicable regulations will give rise to the obligation to reimburse the grant received plus the corresponding interest on late payment, after processing the appropriate reimbursement procedure, in accordance with the provisions of Law 38/2003, of November 17, and Law 5/2008, of 25 September 2008, on Subsidies of the Community of Castilla y León.

2. The processing of the non-compliance procedure will be carried out in accordance with the regulations in force, and its initiation and resolution will correspond to the Presidency of the Institute, without prejudice to any deconcentrations or delegations that may be made, following a technical report from the competent area for the matter in question.

3. The maximum period for resolving and notifying the resolution shall be twelve months from the initiation of the procedure.

4. An appeal for reconsideration may be lodged against the resolutions of the non-compliance/reimbursement procedure of the Presidency of the Institute within a period of one month to the Presidency of the Institute or, directly, a contentious-administrative appeal within a period of two months to the Contentious-Administrative Jurisdiction, in both cases from the day following receipt of the notification, in accordance with the provisions of Law 39/2015, of 1 October, on the Common Administrative Procedure of the Public Administrations and Law 29/1998, of 13 July, Regulating Contentious-Administrative Jurisdiction.



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### ***Twenty-first. - Information and publicity measures for the public.***

1. The beneficiaries of the grant shall give adequate publicity to the public nature of the financing of the programme, in accordance with the provisions of Article 18.4 of Law 38/2003, of 17 November 2003, General Subsidies Law.

2. It shall be stated in any communication, external dissemination or publicity, including a conference or seminar, or any other type of informational or promotional material (brochures, dossiers, presentations, etc.), that the beneficiary has received funding through the Horizon 2020 Program, the European Union's Framework Program for Research and Innovation.

In this regard unless otherwise requested or accepted by the European Innovation Council and SME Executive Agency (EISMEA), or impossible, any communication activity related to the action (including in electronic format, through social media, etc.) and any major infrastructure, equipment or output funded by the grant shall:

- Display the EU emblem;
- Display the DIHnamic logo; and
- Include the following text:

«This project has received funding from the European Union's Horizon 2020 Research and Innovation Program under Grant Agreement nº 824186».

When displayed together with another logo, the EU emblem shall be appropriately highlighted.

For the purposes of its obligations under this basis, the beneficiary may use the EU emblem without obtaining prior authorization from the European Innovation Council and SME Executive Agency (EISMEA). However, this shall not constitute a right of exclusive use. Furthermore, the beneficiary may not appropriate the EU emblem, or any similar mark or logo, either by registration or by any other means.

3. In the promotion or public dissemination that the beneficiaries carry out of the subsidised project through any media, they must comply with the provisions of Decree 119/2003, of 16 October, which approves the corporate identity of the Junta de Castilla y León, in Agreement 27/2020, of 4 June, of the Junta de Castilla y León, which establishes guidelines on the dissemination of the corporate identity of the Administration of the Community of Castilla y León.

### ***Twenty-second - Liability for damages***

1. Liability of the European Commission and the European Innovation and SME Executive Agency (EISMEA)

The European Commission and the Executive Agency for Innovation and SMEs (EISMEA) cannot be held liable for any damage caused to beneficiaries as a result of





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participating in this call, even for gross negligence.

The European Commission and the European Innovation and SME Executive Agency (EISMEA) cannot be held liable for any damage caused by the beneficiaries as a result of participating in this call.

## 2. Liability of beneficiaries.

Except in case of force majeure, beneficiaries shall indemnify the European Commission and the European Innovation and SME Executive Agency (EISMEA) for any damage they may suffer as a result of the implementation of the actions financed under this call or because they have not been properly implemented.