



UNIVERSITÀ DEGLI STUDI DI BERGAMO

SERVIZI AMMINISTRATIVI GENERALI SELEZIONI E GESTIONE GIURIDICA

Volume No. 533/2016
Decree prot. no. 115521/III/13

PUBLIC SELECTION BASED ON QUALIFICATIONS AND INTERVIEW FOR THE AWARDING OF NO. 1 GRANT LASTING 12 MONTHS FOR CONDUCTING RESEARCH IN ACCORDANCE WITH ART. 22 OF LAW OF 30.12.2010 NO. 240 AT THE DEPARTMENT OF LAW OF THE UNIVERSITY OF BERGAMO (ACADEMIC RECRUITMENT FIELD 12/G2 – CRIMINAL PROCEDURE – ACADEMIC DISCIPLINE IUS/16 – CRIMINAL PROCEDURE (CUP: F12I14000230008) AS PART OF THE PLAN FOR EXTRAORDINARY RESEARCH CALLED ITALY® (TALENTED YOUNG ITALIAN ®ESEARCHERS) - YOUTH IN RESEARCH INITIATIVE FOR THE YEAR 2016 - TRANCHE II – TYPE D – CUP: F12I14000230008

THE RECTOR

GIVEN the law of 9 May 1989, No. 168;
GIVEN the law of 30 December 2010, No. 240 containing "Rules on organisation of universities, academic personnel and recruitment, as well as enabling the Government to boost the quality and efficiency of the university system" and, in particular, article 22 on research grants;
GIVEN the Bergamo University Statute enacted with D.R. Deed No. 92/2012 of 16 February 2012;
GIVEN the current university regulations for granting awards for research activities enacted with D.R. Prot. no. 7599/I/003 of 8 April 2011 and last amended with D.R. Deed No. 519/2014 of 30 September 2014;
GIVEN the Ministerial Decree, prot. no. 102 of 9 March 2011, recorded at the Court of Auditors on 13 May 2011, which revalued the minimum gross annual amount of grants for conducting research;
GIVEN Law of 27 February 2015 No. 11 that converted into law, with amendments, the Decree-Law No. 192 of 31 December 2014, extending the terms provided for by law and, in particular art. 6 paragraph 2 bis which extended by two years the total duration of grants established under art. 22 of law 240/2010 making it from four to six years;

Referring also to:

- the law of 7 August 1990, No. 241 and subsequent amendments and modifications laying down rules on administrative procedure and the right of access to administrative documents;
- the law of 5 February 1992, No. 104 and subsequent amendments and modifications governing the assistance, social integration, and rights of persons with disabilities;
- the Prime Minister's Decree of 7 February 1994, No. 174, that regulates access of nationals of EU Member States to jobs in public administration;
- the Presidential Decree of 9 May 1994, No. 487 and subsequent amendments and supplements, whose rules govern access to public service in public administration and procedures for conducting competitions, amended with the Presidential Decree of 30 October 1996, No. 693;
- the Presidential Decree of 28 December 2000, No. 445 "Consolidated laws and regulations relating to administrative documentation" and subsequent amendments and supplements;
- the Legislative Decree 30 June 2003 No. 196 "Personal data protection code" and subsequent amendments and supplements;
- the Legislative Decree of 11 April 2006, No. 198 establishing rules on equal opportunities between women and men and subsequent amendments and supplements;
- the Presidential Decree of 30 July 2009, No. 189, and in particular article 2, "Recognition of foreign qualifications for access to public competitions;
- the Law of 12 November 2011, No. 183 (Stability Law 2012) and in particular art. 15 laying down provisions relating to certificates and affidavits;
- the Code of Ethics of the University issued with D.R. Prot. no. 14405/I/3 of 19 July 2011;
- the Law of 23 November 2012, No. 215 containing provisions on equal opportunities in the composition of the competition boards in public administration;
- the Legislative Decree of 14 March 2013, No. 33 establishing requirements of publicity, transparency and disclosure of information by public administration, and in particular art. 19 on invitations to tender, as amended by the Legislative Decree of 25 May 2016, No. 97;



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- the law of 6 August 2013, No. 97 containing "Provisions for fulfilment of obligations arising from Italy's EU membership – European law 2013" and, in particular, article 7 amending the rules on access to jobs for public administration;
- the Ministerial Decree of 30 October 2015, No. 855 "Restatement of macro and bankruptcy sectors" and Ministerial Decree of 22 June 2016, No. 494 of rectification of Annex D of the Ministerial Decree 855/2016;
- the University regulations for research integrity and ethics, enacted with D.R. deed No. 387/2016 of 18 July 2016;

Noting that the Council of Department of Law in the meeting of 20.09.2016 approved the design proposal for a research grant under the leadership of scientific director Prof. Filippo Dinacci, on the research subject "The ideological value of nullities strict interpretations in criminal procedure" for the Academic recruitment field 12/G2 Criminal Procedure, Academic discipline IUS/16 Criminal Procedure lasting 12 months for an annual gross amount charged to the recipient of Euro 20.000,00, with funding from the fund 06.60.01 - CUP: F12I14000230008;

DECREES

Art. 1

Call for public selection

A public selection is launched based on qualifications and interview for the awarding of 1 grant for conducting research in accordance with art. 22 of law 240/2010 at the Department of Law under private law contracts for 12 months.

The grant will be carried out under the Academic recruitment field 12/G2 – Criminal Procedure, Academic discipline IUS/16 – Criminal Procedure for the research project entitled "The ideological value of nullities strict interpretations in criminal procedure" as set out in Annex B to this announcement.

The Scientific Director of research (tutor) under the contract is Prof. Filippo Dinacci.

The yearly gross amount charged to the beneficiary (to which Administration burdens will be added) amounts to € 20.000,00 and will be paid to the successful bidder in monthly instalments of equal amount. The latest instalment of the grant will be provided only upon delivery of the final report.

Art. 2

Grant duration, renewal and extension

The grant under art. 1 may be renewed, subject to the availability of financial resources and to the positive assessment of the research carried out by the contract holder.

For renewal purposes, at the end of the grant's duration, the Rector, upon the related Board's proposal, appoints a committee, responsible for the evaluation of research carried out by the holder.

Before the grant's expiry, the Research Structure Board, upon request of the scientific tutor, may propose an extension to a delay in the conclusion of the research project by allocating appropriate funds.

The total duration of relationships established according to art. 22 Law 240/2010, including any renewal, may not exceed six years, except for the period when the grant has been received in connection with a PhD in the maximum legal duration of its course.

Art. 3

Relationship rules and incompatibilities

The grant cannot be combined with other scholarships of any kind, except with those granted by national or foreign institutions which are useful to supplement, with visits abroad, the research activity of grant holders.

The ownership of the grant is not compatible with participation in undergraduate courses, post-graduate courses or PhD, with scholarship or medical specialization, in Italy or abroad, and involves placing on unpaid leave for employees of the public administration.

The grant is individual. Beneficiaries cannot combine it with income from professional activities or employment continuous relationships. Free-professional activities or continuous conducting of work relationships are prohibited for the entire duration of the grant.

The total duration of grant contracts referred to in this announcement and researcher contracts referred to in art. 24 Law 240/2010, also signed with different state, non-state or online universities, as well as with the bodies referred to



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in article 22 paragraph 1 of law 240/2010, with the same subject, cannot in any case exceed twelve, also non-continuous, years. For the duration of these relationships, the period spent on unpaid leave is not relevant for maternity leave or for reasons of health in accordance with current legislation.

Art. 4

Requirements for admission to the selection

The selection process is open to **scholars in possession of professional scientific curriculum suitable for carrying out research activities under this announcement, as well as with the following requirements:**

- **Master's degree (DL)** in Law obtained according to the procedures preceding the entry into force of the Italian Ministerial Decree 509/1999 and subsequent amendments and supplements and equivalent qualifications or post graduate degrees in Law classes (22/S and 102/S) and (LMG/01);

In order to compare degrees of the old legislation, specialist degrees and master's degrees look at the following link: <http://attiministeriali.miur.it/UserFiles/3160.pdf>

The decrees enshrining equivalences between Italian academic qualifications for the purposes of participation in public competitions are available at the following link: <http://hubmiur.pubblica.istruzione.it/web/universita/equipollenze-titles>

The qualifications obtained abroad must be recognised as valid in the Italian territory. Additionally, this qualification should be equivalent, solely for purposes of selection, by nature, level and subject correspondence (degree category or CUN Area for PhD qualifications) to the relevant Italian qualification required by this announcement. In the event of doubts in identifying ex officio the equivalence of a foreign degree to the Italian one required, the Commission is responsible, solely for purposes of selection.

- **Professional scientific curriculum suitable for carrying out scientific research referred to in art. 1;**
- **knowledge of the English language.**

The following are also required:

- Italian **citizenship** (Italians not belonging to the Italian Republic will be treated as nationals); the selection is also opened, according to the provisions of art. 38 of Legislative Decree No. 165/2001 as amended and supplemented by art. 7 of law No 97/2013, to citizens of an EU Member State or their family members who are not nationals of a Member State that have the right of residence or the right of permanent residence, as well as third-country nationals who are holders of EU residence permit for long-term residents or who have been holding refugee status or subsidiary protection status;
- **at least 18 years old;**
- **enjoyment of civil and political rights;**
- **no criminal convictions or ongoing criminal proceedings that would prevent, in accordance with the current legislation, the establishment of the working relationship.**

As regards qualifications obtained abroad, required by the announcement for the purpose of admission to the selection, the applicant is required:

- in the event of qualifications already recognised as valid in the Italian territory, to indicate in the participation request the details of the provision, attesting to their recognition in Italy under the applicable law;
- in the event of qualifications not yet recognised, to attach the application request, a certified copy of the declaration of qualification equivalence, issued by the competent Italian diplomatic and consular authorities abroad, or the degree supplement. In order to ensure the widest participation in the selection, the applicant who is not in possession of the above documentation can include a copy of the qualification and relevant affidavit (see Annex D) with a translation into Italian or English; should this applicant be the winner, he/she will have to submit, under penalty of invalidation, the above documents in the terms peremptorily assigned by the Office before the signing of the contract.

The selective procedure does not allow:

- the regular personnel at universities, institutions and public entities of research and experimentation, the Italian National Agency for new technologies, energy and sustainable economic development (ENEA) and the Italian



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Space Agency (ASI) and institutions whose scientific specialization diploma was recognised equivalent to a PhD pursuant to the fourth paragraph under article 74 of Presidential Decree of 11 July 1980, No. 382;

- those who have a degree of kinship or affinity or marriage, up to and including the fourth degree, with a professor from the relevant institution or with the Rector, the General Director or a member of the Board of Directors of the University;
- those who have been holders, including any renewals, of research grants awarded in accordance with art. 22 of the law 240/2010 for a period which, added to the duration of the contract under this announcement, exceeds a total of six years, except for the period when the grant has been received in connection with a PhD in the maximum legal duration of the relevant course;
- Applicants enrolled in a degree course, post-graduate degree, PhD degree, with scholarship or medical specialization in Italy or abroad can participate in the selection; should they be the winners, the research grant will be conferred subject to withdrawal from studies or PhD grant.

The holder of grants can attend PhD courses in subjects related to research activities connected with the grant, even notwithstanding the number given, for each University, under University regulations, for the establishment and operation of PhD courses and PhD schools subject to the passing of admission tests. The research grant is still incompatible with the enjoyment of a PhD scholarship.

Applicants who do not have Italian citizenship and allowed to participate as indicated above must possess the following requirements:

- a) enjoy civil and political rights also in the Countries of belonging or of origin;
- b) be in possession, except for holding the Italian citizenship, of all the other requirements laid down for citizens of the Republic of Italy;
- c) have appropriate knowledge of Italian.

These requirements are to be held on the date of expiry of the deadline for submitting the application for admission to this selection.

This administration guarantees equality and equal opportunities between men and women for access to employment and treatment at work.

Art. 5

Exclusion from the procedure

The following reasons are causes of exclusion:

- lack of signing the application form;
- lack of eligibility requirements under art. 4;
- failure to meet the deadline and procedures for submitting a participation application referred to in art. 5.

Applicants may be admitted subject to the selection, in case an additional investigation is needed; in such a case they are required to regularize their own application within the time peremptorily assigned.

The Administration may decide, at any time, by reasoned Rector's Decree, the applicant's exclusion from the selection called under this announcement.

Art. 6

Terms and conditions for submission of application form

To participate in the selection process applicants must apply on plain paper according to the diagram attached to this notice (attachment A) within the peremptory deadline of **18.11.2016**. If the deadline falls on a public holiday, the deadline is postponed to the next working day.

The application form, duly signed, must be addressed to the Rector and may be submitted exclusively in one of the following ways:

- a) hand delivery at the *Direzione e Affari Generali (Management and General Affairs)* Office in via dei Caniana, No. 2 (1st floor) on the following dates and times: from Monday to Friday from 09.30 to 12.00 (the universities will be closed the 31th October 2016);
- b) shipment by registered mail with acknowledgement of receipt or equivalent to Bergamo University – *ufficio Selezioni e Gestione giuridica (Selections and legal Management Office)* -Via Dei Caniana, No. 2, 24127



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Bergamo; in the event of placing a request using this procedure, the applicant must give the date and details of the shipment to the email address selezionipersonale@unibg.it;

- c) only for applicants with certified email address (PEC): shipping by certified electronic mail (PEC), sending in pdf format, at PEC protocollo@unibg.legalmail.it, the application and its annexes together with the identity document (with the subject "*Application for participation in the selection for No. grants for SSD research, code -name and surname* "). Sending the request may only be carried out by a PEC address. It should be noted that the validity of certified email message transmission is confirmed by receipt of acceptance and the acknowledgement of receipt provided by the e-mail handler, under art. 6 of the Presidential Decree of 11 February 2005, No. 68 (the system allows sending/receiving messages with maximum total size of 50 MB; you can send or receive a message with annexes of a total weight up to 37 MB).

In order to respect the deadline the arrival protocol will be taken in consideration for applications delivered by hand, the receiving post office date stamp will be considered when sending by registered mail or the PEC forwarding date will be considered for applications submitted by e-mail.

Applications submitted beyond the deadline established by this announcement, as well as, in the event of sending through internet, applications sent from a non-certified email address and anyway in cases where, as a result of sending through PEC, there is doubt about the subject that submitted the application for participation, will not be considered.

The envelope containing the application and its annexes must be marked "*Application for participation in the selection for No.....grants of SSD research, code ... - name and surname*".

Art. 7 Application for admission

In the application for participation, to be drawn up in accordance with the model attached to the following announcement (see annex B), available at www.unibg.it in the section *Competitions and selections - Postgraduate competitions - Research grants*, the applicant must declare its name and surname, date and place of birth, social security number and residence; The contact address for the purposes of the procedure as well as a telephone number and email address and/or PEC must be indicated as well.

The applicant must declare under his/her own responsibility in accordance with the provisions of the Presidential Decree 445/2000 and subsequent amendments and supplements, the following:

- their citizenship;
- possession of qualification referred to in art. 4, with indication of the degree category, date on which it was awarded, issuing institution and final vote achieved; applicants with qualification(s) obtained abroad must declare to have obtained the recognition indicating in the application the provision's details or attach the required documentation as specified in art. 4 of this announcement;
- possession of any other requirements referred to in art. 4;
- possession of other useful qualifications for assessment purposes;
- to know the foreign language required by this announcement; the applicant with citizenship other than Italian will also declare to have adequate knowledge of Italian;
- In case of Italian citizen: to be enrolled on the electoral lists, describing its Commune and optionally specifying the reasons for non-inclusion or deletion from the same lists; In case of foreign citizen (citizens of European Union Member States, or their families or third-country nationals referred to in the previous point): to enjoy civil and political rights in the countries of membership or of origin or the reasons for non-enjoyment;
- not to be excluded from active political electorate;
- to have no criminal convictions or any convictions reported, indicating the details of related judgements, and any pending criminal proceedings against them;
- to be/not be civil servant;



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- to not have a degree of kinship or affinity, or marriage, up to and including the fourth degree, with a professor from the related institution or with the Rector, the General Director or a member of the Board of Directors of the University;
- If enrolled in degree courses, post-graduate degrees or PhD degree with scholarship or medical specialization, in Italy or abroad, to be aware that, in the event of grant awarded, attendance at such courses and the use of a PhD Scholarship are incompatible with the ownership of the contract;
- ownership of any research grants awarded in accordance with art. 22 of law 240 /2010;
- ownership of researcher contracts under art. 24 of Law 240/2010;
- possible attendance of a PhD indicating the period, University, date of graduation, study cycle, exact title of the course and CUN Area;
- period of enjoyment of any PhD Scholarship;
- delivery address for communications related to this competition; you must state a personal e-mail address as well;
- any request for conducting the interview via videoconference indicating the address and motivation.

In the application for participation in the competition, applicants, according to law of 5 February 1992, No. 104, must specify any aid necessary in relation to their needs, as well as any need for additional time for the completion of the tests outlined in this announcement.

The application for participation in the selection must be accompanied by the following documents:

1. a photocopy of a valid ID document of the applicant;
2. *curriculum vitae* in European format, dated and signed;
3. declaration in lieu of certification in accordance with art. 46 of the Presidential Decree 445/2000 (see annex C) certifying the qualifications declared by the applicant in the application and in the *curriculum*;
4. declaration in lieu of affidavit under art. 47 of the Presidential Decree 445/2000 (see annex D) certifying conformity to the original of qualifications attached to the application form;
5. list, signed by the applicant of documents and publications considered appropriate for purposes of selection such as specialization degrees, certificates of attendance to postgraduate courses, obtained in Italy or abroad, scholarships or research assignments both in Italy and abroad (see annex E);
6. in the case of foreign applicants they will need: copy of the residence permit (if the applicant is already in its possession).

The following attachments to the application form are also necessary:

- 1) With regard to qualifications obtained abroad required for admission to the selection:
 - If recognised as valid in the Italian territory, you must indicate in the application the details of comparability/equivalence of qualifications obtained abroad;
 - If not recognised as valid in the Italian territory: it is necessary to attach a certified copy of the Declaration of equivalent qualification, issued by the competent Italian diplomatic and consular authorities abroad or the degree supplement (see article 4).
- 2) As regards all other qualifications obtained abroad required by the announcement that the applicant intends to provide for the selection, you must attach to the application for participation the qualification copy, accompanied by the applicant's declaration on the conformity to the original of the submitted documents (annex D).

Please be informed that starting from 1 January 2012 in accordance with the provisions of Law 183/2011, public administration and public service officials are not allowed to ask individuals to submit or produce certificates issued by other public administrations in relation to states, personal qualities and facts. The University cannot, therefore, accept or request certificates, but only declaration in lieu of certification or affidavit produced to replace the certificates themselves (by filling in Annexes C and D). To that end, please note that the declarations in lieu of certification must be signed by the interested party and submitted together with an unauthenticated photocopy of a valid identity document of the subscriber.



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The Administration reserves the right to carry out suitable checks on the accuracy of the contents of the declarations in lieu in accordance with the provisions of the Presidential Decree 445/2000.

The qualifications requested must be owned at the expiry of the announcement.

It is compulsory to indicate a personal email address as address for communications regarding this selection. Any variation of the delivery address must be promptly communicated to the Office of Selections and legal management.

The University Administration will not be liable in the event of unavailability of the recipient and dispersion of communications dependent on inaccurate indication of delivery address by the applicant or on failed or late communication of address change indicated in the application. The University Administration also accepts no liability for late or failed delivery of communications related to the competition for reasons not attributable to the fault of the Administration itself, but to an internet or postal slip-up, made by third parties, due to unforeseeable circumstances or force majeure.

Reference to documents submitted at this and other administrations, or to documents attached to another application for participation in another competition is not allowed.

Art. 8

Selection Board

The selection referred to in art. 1 is made for the Academic recruitment field 12/G2 (Criminal Procedure) – Academic discipline IUS/16 Criminal Procedure by a Selection Board appointed by Decree of the Rector and composed of three professors or researchers (even temporary) and two deputy members, upon proposal of the Board of the relevant structure.

In respect of equal opportunities between men and women, the Selection Board must represent both genders.

Art. 9

Qualification evaluation and interview

The Board at the first meeting explicitly establishes the criteria and procedures for the evaluation of qualifications and the interview by fixing a minimum score for admission to the interview if necessary. It, immediately prior to the start of each interview, determines the questions to be made to individual applicants. These questions are drawn at random from each applicant.

At the end of each session dedicated to the interview, the list of applicants examined by the Selection Board with an indication of the score obtained by each will be posted at the headquarters of examinations.

The Board prepares the list in descending order, by adding the score of qualifications and of the interview.

The evaluation criteria of the single boards are determined, for purposes of global assessment, in hundredths as follows:

a) 60 points broken down as follows:

- 1) 10 points for a PhD;
- 2) up to 5 points for the final degree (Degree according to the Old Regulation, and post-graduate degrees according to the New Regulation);
- 3) up to 25 points for publications and scientific research approach;
- 4) up to 10 points for specialization degrees; certificates of attendance to postgraduate courses;
- 5) up to 10 points for other qualifications related to the service provided as a result of duly attested contracts, scholarships and positions in foreign or international national research institutions, showing the commencement and duration of the activity carried out;

b) 40 points for the interview.

In the context of its autonomy, the Selection Board will be able to integrate the above declaration without prejudice to the maximum score assignable expected altogether and per single category.

- Program of the interview: The interview will cover the topic of the research with a focus on European guidelines and may even develop into different topics of criminal procedural law;
- Preferential qualifications: Publications on issues related to the Criminal Procedure Law;



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The assessment of the foreign language (or foreign languages) knowledge under this announcement will take place during selection in the manner laid down by the Selection Board. With regard to foreign applicants knowledge of Italian will be assessed.

The results regarding assessment of qualifications must be made known to the parties concerned before the interview, by publication in the registry of the relevant institution.

The winning applicant for the vacant place or places is declared the one who is placed in first position in the merit list, prepared based on the overall score reported by each applicant, as a result of the evaluation of qualifications and score obtained in the interview.

Applicants will be placed on the list if they have achieved at least 30 of 40 points available for the interview and in accordance with the descending order of the final total score. In the event of equal score the younger applicant prevails.

The merit list, together with that of the contest winner is approved under the condition precedent of verifying the requirements prescribed by the announcement, by decree of the Rector and is published in the official registry of the University, as well as in the web site section *Competitions and selections – postgraduate Competitions – Research grants*. The terms for submitting any appeals will run from the date of publication in the registry of the University.

in the event of withdrawal of winning applicants or for revocation for non-acceptance or failure to sign the contract within the period specified by the Office in charge, grants can be awarded to successful applicants in the order of the merit list.

As regards applicants who are resident or domiciled abroad and for those who, for justified reasons, are unable to be present at the examination premises on the date scheduled by the announcement, the interview can be done also by videoconference provided that this is requested upfront, motivated by the applicant and approved by the Selection Board.

The date and place of the interview will be communicated through a notice published on the website of the University of Bergamo <http://www.unibg.it>, under "Tenders and selection contests for post-graduate research grants", care of the Selection and Legal Management Office with advance notice of at least 20 days.

That warning has notification value and effect. Any change in the date of the interview will be notified to successful applicants at least 20 days in advance by a warning published in the University web site section *Competitions and selections – postgraduate Competitions – Research grants*.

Art. 10

Establishment of the employment relationship

The winning applicant, possessing the above requirements, will sign a private law contract of employment with the Rector lasting 12 months from the first day of the month following the month in which the proceedings' approval occurred.

As regards foreign applicants for whom a permit to stay is necessary, the effective date of the contract will be deferred and subject to the completion of the procedure for its issue by the competent authorities.

In the event of admission subject to checking the applicant identified by the Selection Board as the winner, an investigation aiming at ascertaining the existence of the qualification claimed to participate to the selection must be concluded before the contract's signature.

Without prejudice to the performance of the relevant tasks, grant holders may perform official or integrative University teaching duties, conferred by contract under the University regulations regarding Professors at the University of Bergamo for a maximum of 6 credits with the approval of the relevant research facility Board.

Without prejudice to the performance of the relevant tasks, grant holders may request, in exceptional circumstances, to carry out external mandates, with the approval of the Research Structure Board, provided that the activity:

1. is occasional and of short duration;
2. does not lead to a conflict of interest with the specific task of research carried out by the grant holder;
3. does not cause any injury to the University image or interests.

Grant holders who wish to carry out, or continue to carry out, a working activity involving services provided free of charge at non-profit voluntary associations or cooperatives of social-welfare nature, can perform this activity, subject to the integral performance of their own research tasks.



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The grants do not give rise to rights regarding access to the staff of universities, institutions and public research and experimentation entities, the Italian National Agency for new technologies, energy and sustainable economic development (ENEA) and the Italian Space Agency (ASI) as well as scientific institutions whose scientific degree has been recognised equivalent to a PhD in accordance with art. 74, fourth paragraph, of the Presidential Decree of 11 July 1980, No. 382.

In accordance with the research assigned to them and with the approval of the Research Structure Board, grant holders can participate in research and consulting for third parties commissioned from the University under art. 66 of the Presidential Decree 382/80 and distribution of relevant proceeds in accordance with the rules laid down by current regulations.

In accordance with the Ministerial Decree of 12 July 2007 the working relationship is mandatorily suspended in cases of pregnancy and puerperium in the terms indicated by articles 16, 17 and 20 of the Legislative Decree 151/2001. The employment relationship is subsequently extended, as a result of the above obligation to refrain, for a period of up to 180 days.

The research activity and the grant may be suspended for sick leave of over 30 days in one year, provided that the duration of the grant cannot be reduced because of that suspension. A total justified absence of not more than thirty days per year does not constitute suspension and, consequently, should not be recovered.

From 2011, grants will abide by, as regards taxation, the provisions referred to in art. 4 of the law of 13 August 1984, No. 476, as well as, with regard to social security, those referred to in art. 2, paragraphs 26 and following, of the law of 8 August 1995, No. 335, as amended, with regard to obligatory maternity leave, the provisions referred to in the Decree of the Minister of Labour and Social Security of 12 July 2007, published in the Official Journal No. 247 of 23 October 2007, and with regard to sick leave, art. 1, paragraph 788, of the law of 27 December 2006, No. 296, as amended. In the period of obligatory maternity leave, the allowance paid by INPS in accordance with art. 5 of the above decree of 12 July 2007 is integrated by the University up to the full amount of the research grant.

The University provides insurance cover for accidents and for civil liability against third parties in favour of grant holders in the frame of carrying out their research activities.

At the end of the contract the grant holder will submit to the Research Structure Board a report on the entire activity carried out. In the event of non-delivery of the final report, the latest instalment of the grant will not be allocated.

The contract holder is required to observe the provisions of the University regulations in force as regards the research integrity and ethics.

Article 11

Processing of personal data

The data provided by applicants with the application for participation in the selection will be collected and processed by the University offices and used exclusively for purposes of management of this procedure under the Legislative Decree of 30 June 2003, No. 196 "Personal data protection code" and subsequent amendments and supplements.

Article 12

Responsible for the proceedings

The head of the selection procedure referred to in this announcement is Dr. William Del Re, Executive Director of the General Administration Services, in Via dei Caniana, 2 - 24127 Bergamo, Tel.- 035 2052 876 - fax 035 2052 862, email address: selezionipersonale@unibg.it.

Article 13

Publication

This announcement is posted on the official registry of the University, on the site of the Conference of Italian University Rectors (www.cruir.it), on the website of the MINISTRY of EDUCATION (MIUR) to the link <http://bandi.miur.it> and on the website of the European Union to the link <http://ec.europa.eu/euraxess> in the form of a notice.

The full competition and related forms are available on the web page the University of Bergamo www.unibg.it in the special section *Competitions and selections - Postgraduate Competitions - Research grants*.



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Article 14 **Final provisions**

For all matters not provided for in this announcement law No. 240/2010 and subsequent amendments and supplements, the University regulations for the awarding of research grants, the University regulations in force and the law on labour relations in the public service will apply.

Bergamo, 19.10.2016

THE RECTOR
(Prof. Remo Morzenti Pellegrini)
Signed by Remo Morzenti Pellegrini