

CONSIGLIO NAZIONALE DELLE RICERCHE



STATUTES

ENTRY INTO FORCE: 1 AUGUST 2018

MODIFIED IN ORDER TO COMPLY WITH LEGISLATIVE DECREE OF  
25 NOVEMBER 2016, NO. 218

TRANSLATION

## STATUTES OF THE CONSIGLIO NAZIONALE DELLE RICERCHE

Modified in order to comply with Legislative Decree of 25 November 2016, No. 218

### Article 1 (Legal personality)

1. The Consiglio Nazionale delle Ricerche (hereinafter “CNR”), is a national public research organization with general scientific competence, supervised by the Minister of Education, Universities and Research, hereinafter “Minister”, with legal personality under public law and scientific, financial, organizational, patrimonial and accounting autonomy in implementation of articles 9 and 33 of the Constitution.
2. The CNR adopts an autonomous system in conformity with Legislative Decree of 5 June 1998, No. 204, with Legislative Decree of 4 June 2003, No. 127, with the Legislative Decree of 31 December 2009, No. 213 and with Legislative Decree of 25 November 2016, No. 218, as well as the aforementioned provisions of the Constitution for all matters not foreseen by the above-mentioned Legislative Decrees.

### Article 2 (Institutional purposes)

1. The CNR, as a national public research organization with a central role of reference and enhancement of thematic and disciplinary communities at a national level, within a framework of European cooperation and integration, has the task of carrying out, promoting, and enhancing research in the main sectors of knowledge, pursuing the integration of disciplines and technologies, of transferring and applying the results for the scientific, cultural, technological, economic and social development of the country and of providing technical-scientific support to constitutional bodies and public administrations.

### Article 3 (Objectives)

1. Consistently with the National Research Programme (Programma Nazionale delle Ricerche) (PNR), with the guidelines and with the directives adopted by the Minister, the CNR:
  - a) carries out, promotes, coordinates and finances research activities, also by promoting interdisciplinarity;
  - b) promotes the enhancement and utilization of research results;
  - c) provides consultancy, certification and technical-scientific support to constitutional bodies and public administrations as well as providing services to third parties under private law;

- d) collaborates with the regions and local authorities, in order to promote the development of the specific productive realities of the country
- e) collaborates with universities and other research institutions for the promotion of scientific and technological knowledge, also by way of the mutual sharing of resources on the basis of specific agreements;
- f) promotes the internationalization of the Italian system of scientific and technological research in order to increase its competitiveness and visibility;
- g) participates in major research programmes, including the coordination of polar activities, and in international organizations, ensuring collaboration with entities and institutions of other countries in the scientific-technological field and in the definition of technical regulations and participates in the activities in the field of European Space Research and Technology;
- h) supports international institutions, the European Union, national and regional institutions in the evaluation and monitoring of scientific programmes;
- i) proposes and, also on behalf of the Government, coordinates and carries out research projects of national interest in collaboration with universities and companies, taking into account the needs of the regions in terms of research and innovation;
- l) promotes the training and scientific growth of research personnel; it also promotes and implements research doctorate courses;, in collaboration with universities, on the basis of specific agreements, also with the involvement of the business world;
- l-bis) promotes the application of the European Charter for Researchers, the code of conduct for the recruitment of researchers and European actions for the definition of a reference framework for careers in the European research area;
- m) contributes to the integration between the education and training systems and the research and technological innovation system by collaborating to this end with national, regional and local institutions for the improvement of the quality of the national education system;
- n) contributes to the analysis of the national and international scientific and economic context and development prospects, in order to be able to provide support to the State, the regions and the system of local authorities in the planning of policies for research and innovation;
- o) promotes the dissemination of knowledge within society;
- p) supports new ideas for projects and new emerging sectors in order to promote the advancement of knowledge and innovation for the competitiveness and social and cultural development of the country;
- q) promotes, contributes to the establishment, or participates in, of investment funds together with public and private investors in accordance with the aims indicated in article 16 of Legislative Decree 31 December 2009, no. 213;

## Article 4 (Principles of organization)

### 1. The CNR:

- a) defines its organization on the basis of the principle of separation between planning tasks and strategic direction, managerial skills and responsibilities, and evaluation and control functions;
- b) promotes scientific and technological merit as well as the identification and application of the best administrative practices and, in line with the European Charter for Researchers, the integrity of research;
- c) promotes administrative simplification also through the tool of service conferences;
- d) in line with the principles of the European Charter for Researchers, annexed to the Commission Recommendation no. 2005/251 / EC of 11 March 2005, adopts organizational measures aimed at protecting the professionalism and autonomy of researchers, as well as anti-discriminatory measures and promotes equal opportunities and research integrity;
- e) adopts measures for the mobility of employees between research institutions, Italian and foreign universities, international research institutions and companies, also in order to obtain actions for the transfer of skills and experiences between public and private sectors;
- f) articulates the scientific network into Departments and Institutes;
- g) periodically evaluates the performance of the Institutes and Departments for the purpose of rationalizing the structures, of allocating resources and defining strategies, and ensuring the impartiality of the evaluation procedures, stability of the criteria and consistency with the criteria adopted by the Agenzia Nazionale di Valutazione del Sistema Universitario e della Ricerca (ANVUR) (National Evaluation Agency of the University and Research System) for the evaluation of the quality of research results.

## Article 5 (Bodies)

### 1. The bodies of the CNR are:

- a) the President;
- b) the Board of Directors;
- c) the Scientific Council;
- d) the Audit Board

## Article 6 (The President)

1. The President is the legal representative of the organization; he is responsible for institutional relations, oversees and supervises the correct performance of the activities of the organization.

The President:

- a) convenes and chairs the Board of Directors, establishing the agenda;
- b) convenes and chairs the Council of the Directors of the Departments, establishing the agenda;
- c) convenes the Scientific Council, establishing the agenda and chairs it without the right to vote;
- d) appoints the Director General on the basis of the resolution adopted by the Board of Directors.

2. In case of urgency, he adopts measures within the competence of the Board of Directors, which are to be submitted for ratification at the first subsequent meeting of the Board itself.

3. The President is chosen from among persons with a high scientific profile and technical-organizational skills in accordance with the procedures referred to in article 11 of Legislative Decree 31 December 2009, n. 213; he remains in office for four years and can be reconfirmed only once.

4. In the event of absence or impediment, the President is replaced by the Vice-President elected by the Board of Directors from among its members.

## Article 7 (The Board of Directors)

1. The Board of Directors is composed of five members, appointed by decree of the Minister pursuant to article 8, paragraph 2, of Legislative Decree 31 December 2009, No. 213, chosen from personalities of high technical-scientific qualification in the field of research, with proven managerial experience of public or private bodies and institutions, of which three, including the President, are designated by the Minister according to the following procedures: the President is chosen in accordance with the procedures indicated by article 11 of the Legislative Decree 31 December 2009, no. 213; one is designated by the Minister on the basis of three candidates proposed by the Conference of Rectors of Italian Universities (Conferenza dei Rettori delle Università Italiane) (CRUI); one is designated by the Minister on the basis of three candidates proposed by the Italian Union of Chambers of Commerce and Confindustria.

The other components are chosen as follows: one on the basis of the designation of the President of the Permanent Conference for Relations between the State, the Regions and the Autonomous Provinces (Conferenza Permanente per i Rapporti tra lo Stato, le Regioni e le Province Autonome) and one is elected by the CNR personnel among researchers and technologists employed on a permanent basis by way of consultation procedures, including telematic procedures,

defined in the Regulation Governing Organization and Operations. The members of the Board of Directors remain in office for four years and can be reconfirmed only once.

2. The Board of Directors has the task of directing and planning the general activity of the organization; it approves the acts of a general or basic nature for the organization, and the operation, administration and management. In particular on the proposal of the President:

- a) it approves the guidelines for the preparation of the ten-year strategic plan and the three-year activity plan;
- b) it approves, in accordance with article 5 of Legislative Decree of 31 December 2009, No. 213 and article 7 of Legislative Decree of 25 November 2016, No. 218, after consulting the Scientific Council, limited to the scientific and research aspects, the ten-year strategic plan and the three-year activity plan, including the consistency and changes in the workforce and the staff requirements plan.;
- c) it determines the consistency and changes in the workforce and plan in accordance with the three-year business plan, within the limits indicated by current legislation;
- d) it approves the budget, the final account, the related reports, including an annual report verifying the economic and managerial results prepared by the Director General and any changes;
- e) it approves, after consulting the Scientific Council, limited to scientific and research aspects, the Statute, the Regulations of the organization and the related amendments, in compliance with the provisions of Article 3 of Legislative Decree 25 November 2016, no. 218, in accordance with the procedure indicated in article 4 of the same Legislative Decree;
- f) it can delegate powers to the President;
- g) it defines the organizational structure, it determines the basic lines of organization of the offices, the thematic macro-areas, the Departments and the Institutes;
- h) it decides, on the proposal of the Director General, the organizational procedures for the application of the provisions concerning safety in the workplace and the processing of personal data;
- i) it decides on the participation of the CNR in, or participation of the CNR in the constitution of, consortia, foundations, companies or associations with public and private organizations, Italian and foreign, which are to be submitted for ministerial approval;
- l) it approves the establishment or participation of the organization in investment funds pursuant to article 16 of Legislative Decree of 21 December 2009, No. 213;
- m) it approves framework agreements with universities and other national, European or international public or private bodies and organizations;
- n) it elects the Vice President from among its members;
- o) it appoints the Director General;

- p) it appoints the Scientific Council, the Directors of the Departments and the Directors of the Institutes;
- q) it expresses a binding opinion on the curricula of the persons proposed by the Director General for managerial positions;
- r) it defines the annual objectives of the Director General and the Directors of the Departments;;
- s) it entrusts the Departments with interdepartmental research tasks;
- t) it periodically checks the results of the activity of the organization, also on the basis of the reports of the Director General;
- u) it defines, after consulting the Scientific Council, the timing, criteria and methods of evaluating the Institutes and the Departments;
- v) it provides the Departments with the resources necessary for the implementation of programmes and projects as defined in the planning of activities;
- z) it deliberates on major investments in infrastructures and approves the projects of national interest referred to in article 3, paragraph 1, letter i), after consulting the Scientific Council;
- aa) it approves the funding of research activities in accordance with the ten-year strategic plan;
- bb) it proposes to the Government research projects considered to be of high strategic value for the country;
- cc) it approves the criteria and the methods for carrying out accreditation, certification and testing activities, for collaboration in the field of technical regulations with national, European and international bodies and institutions and for the activities indicated in article 3, paragraph 1, letter c);
- dd) it approves any other matter of interest to the organization not delegated by law to other bodies, by these Statutes and by the Regulations.

3. The Board of Directors can be convened at the request of at least two members. It is validly constituted when at least three members are present, it approves resolutions taken by a majority of those present. In the event of a tie, the vote of the President prevails. The financial statements, the three-year activity plan, the ten-year strategic plan and the appointment of the Director General are approved by the majority of the members of the Board of Directors.

4. It is possible to participate in meetings of the Board of Directors via videoconference.

5. The resolutions of the Board of Directors are immediately enforceable, with the exception of those which, in accordance with current legislation, require external approval.

6. The Director General participates in the meetings of the Board of Directors without the right to vote, the members of the Audit Board and the Magistrate of the Court of Auditors (Magistrato della Corte dei Conti), since they carry out audit activities, also participate;

7. The Board of Directors elaborates further provisions for its own functioning with an internal document.

#### Art. 8 (The Scientific Council)

1. The Scientific Council formulates proposals, within the strategic programming activities of the organization;

2. The Scientific Council is made up of ten members, seven of which are chosen from among Italian and foreign scientists of high qualification at an international level with professionalism and experience representative of the CNR's macro-areas of research; three are elected by CNR researchers and technologists from among researchers and technologists of the CNR, in accordance with the consultation procedures, including telematic ones, defined by the Regulation Governing Organization and Operations. The members of the Scientific Council remain in office for four years and can be reconfirmed only once.

3. The selection of the seven non-elective members is carried out on the basis of a shortlist of no fewer than fourteen candidates, expressed by a selection committee composed of five experts appointed by the Board of Directors upon the recommendation of leading international research institutions, and of primary trade associations in the business and economic world;

4. The President of the CNR convenes, determines the agenda and chairs the Scientific Council, participating in the meetings without the right to vote.

5. The Scientific Council:

a) elects an internal Vice President;

b) expresses an opinion: on the ten-year strategic plan and the three-year activity plan, on the Statutes and the Regulations of the organization; on large investments in infrastructures; on proposals for the establishment, transformation and suppression of Departments and Institutes, on the establishment of territorial research areas, on the frequency, criteria and methods of evaluation of the Institutes and the Departments. It also expresses an opinion on the topics proposed by the President and in those cases indicated by laws and/or regulations;

c) expresses an opinion on projects of national interest, also making use of international peer reviews;

c) carries out analyses and reviews useful for the preparation of the ten-year strategic plan.

6. The Vice President exercises the powers that are delegated to him by the President.

7. The Scientific Council determines with an internal act the rules for its own functioning.

8. In those cases where the Statutes or the Regulations foresee an opinion of the Scientific Council, such opinion must be made within thirty days in order to be validly considered.



## Article 9 (The Audit Board)

1. The Audit Board oversees compliance with the law, the Statutes, the Regulations and compliance with the principles of correct administration by carrying out the tasks required by law. The auditors attend the meetings of the Board of Directors.
2. The Audit Board is made up of three permanent members and two alternate members. The members are registered in the Register of Statutory Auditors (Registro dei Revisori Legali) pursuant to Legislative Decree of 27 January 2010, No. 39, and are appointed by the Minister with his own decree. Two effective members and one alternate member are chosen by the Minister; one effective member and one alternate member are designated by the Minister of Economy and Finance. The effective member designated by the Minister of Economy and Finance performs the functions of President of the Audit Board. The members of the Audit Board remain in office for four years and can be reconfirmed only once. The remuneration of the effective members is determined by a decree of the competent Minister, in agreement with the Ministry of Economy and Finance and in accordance with the relevant directives. No compensation is due to the alternate members.
3. The Audit Board establishes the rules of its own operations with an internal act.

## Article 10 (Performance Assessment Body)

1. According to the relevant legal provisions, the Board of Directors, upon proposal of the President, establishes the Performance Assessment Body in a collegial form.
2. Any additional bodies foreseen by laws and regulations are established in accordance with the same procedure indicated in paragraph 1.

## Article 11 (The Director General)

1. The Director General is responsible for the management of the organization and takes care of the implementation of the resolutions of the Board of Directors and the measures adopted by the President; he also directs the central administration in accordance with the provisions indicated in article 17 below; he attends the meetings of the Board of Directors without voting rights. The Director General:
  - a) prepares the budget and the final balance of the organization and any modifications;
  - b) draws up, in accordance with the guidelines reported in article 7, paragraph 2, letter a) and on the basis of the indications of the Departments, the preliminary proposal for the three-year activity plan, the annual staff training plan and the annual report regarding verification of the managerial and economic results, which is to be submitted to the President, who presents them to the Board of Directors;
  - c) prepares the draft Regulations to be submitted to the President, who presents them to the Board of Directors;
  - d) identifies and appoints the managers, having acquired a binding opinion of the Board of Directors regarding the validity of their curricula;

- e) appoints the Directors of the Departments and the Directors of the Institutes following the approval of the Board of Directors;
  - f) gives instructions and operational guidelines to the structures of the organization, taking into account the provisions of article 15, paragraph 2, of Legislative Decree of 30 March 2001, No. 165;
  - g) proposes to the Board of Directors the organizational methods and procedures for the application of the provisions concerning safety in the workplace and the processing of personal data;
2. The Director General is chosen from among people of high technical-professional qualification and proven managerial experience, with in-depth knowledge of the regulations and organizational structures of public bodies.
3. The Director General's employment relationship is governed by a private law contract, with a term coinciding with the expiry of the mandate of the President. In the event of the termination of the office of the President, the Director General's contract is terminated after ninety days. The Director General is paid a fee, the amount of which is set by the Board of Directors on the basis of the criteria indicated in article 15, paragraph 5, of Legislative Decree of 4 June 2003, No. 127. The remuneration includes a portion based on the annual results achieved, the amount and payment of which are set by the Board of Directors.

#### Article 12 (Departments)

1. The activities of the CNR are divided into macro-areas of scientific and technological research, hereinafter called "macro-areas", defined by the Board of Directors in relation to the mission and the research objectives identified by the Minister.
2. The Departments are the organizational structures of the macro-areas with tasks of promotion, effecting proposals, planning, coordination and supervision. The Institutes of the organization belong to one of the Departments established, in accordance with the relevant competences and strategic priorities. The Departments play a central role in the activities of the organization and enhancement of the respective scientific communities, also at national level.
3. The Departments are constituted, transformed or abolished, by the Board of Directors, after an analysis that takes into account the development of the scenarios and opportunities of science and technology at international, European and national level, after having obtained the opinion of the Scientific Council. The related resolutions are subject to the approval of the Minister.
4. The Departments, on the basis of the indications received from the Board of Directors and the directives given by the Director General:
- a) submit to the Board of Directors, through the Director General, the elements of the Department's three-year activity plan, taking into account the elements provided by the related Institutes, including an indication of the necessary resources, together with the opinion of the Department's Scientific Council;
  - b) coordinate the activities of the Institutes belonging to the Department by promoting, among other things, scientific collaboration and the sharing of equipment and infrastructures, also with Institutes belonging to other Departments;

- c) entrust to the Institutes belonging to the Department the realization of research programmes and projects, assigning to them the appropriate resources;
- d) verify ex post the consistency with the organization's planning of the research activities carried out with funds acquired independently by the Institutes;
- e) propose to the Board of Directors, through the President, research projects at national, European and international level; they also propose to the Board of Directors, through the President, initiatives for integration with the country, universities and businesses;
- f) propose to the Director General training and professional development initiatives for researchers, technologists, technical staff and administrators
- g) promote national and international relations, relating to their own macro-areas, as part of the activity plan in coordination with each other and with the relevant support structures of the central administration;
- h) promote the enhancement of research results and the protection of patent activities, in coordination with each other and with the relevant support structures of the central administration;
- i) verify the consistency of the results of the research activity of the Institutes with the provisions of the three-year activity plan;
- l) submit to the Board of Directors an annual report on the scientific activity carried out;
- m) may propose to the Board of Directors the participation in, or the establishment of, consortia, foundations, companies or associations with Italian and foreign public or private entities;
- n) prepare the management plan for the activities of the Department's competence;
- o) propose to the President the stipulation of agreements for research activities without charges with institutions both national and international, public or private;

5. Each Department is assigned a Director who makes use of the technical-scientific and administrative structures defined by the Regulation Governing Organization and Operations

6. The Director of the Department acquires a binding opinion of the Directors of the Institutes, gathered within the framework of the Council of the Directors of the Institutes, in order to exercise the competences reported in letters a), e) and f) of paragraph 4; the Director of the Department also acquires, a non-binding opinion for the exercise of the powers indicated in paragraph 4, letter l).

7. The Directorate of the Department is composed of researchers or technologists of the organization or other national, foreign and international research bodies, permanent university professors, public or private managers, with high qualifications and scientific, professional and managerial experience, on the basis of specific comparative assessment procedures defined by the Regulation Governing Organization and Operations. The appointment is made by the Director General following a resolution of the Board of Directors within the terms, methods and criteria established by law and by the Regulation Governing Organization and Operations. The Director of a Department can hold a maximum of two mandates, which are not necessarily consecutive.

8. Each Department has its own Scientific Council, convened and chaired by the Director of the Department, who determines the agenda. The Director of the Department does not participate in the

votes of the Scientific Council. The Scientific Council of the Department expresses an obligatory opinion on the elements within its competence of the three-year activity plan of the Department and of the Institutes that are part of the Department, on the resources assigned to them based on letter i) of paragraph 4 and on the verification of the results of the research activity carried out in implementation of the programmes.

9. The Scientific Council of the Department is made up of five members chosen from Italian and foreign scientists with proven experience and professionalism belonging to the relevant scientific and economic field. Two components are approved within the framework of the election procedures among the researchers and technologists of the relevant Institutes. The methods and the procedures for the appointment and any further provisions are established by the Regulation Governing Organization and Operations.

10. The Scientific Council of the Department is appointed by the President.

11. Participation in the Scientific Council of the Department is honorary, it can only give rise to the reimbursement of expenses incurred and documented according to the methods indicated by current legislation.

#### Article 13 (Council of Department Directors)

1. The Council of the Directors of the Departments consists of the President of the organization, the Director General and the Directors of the Departments. The President chairs, convenes and determines the agenda of the Council, for those aspects falling within his competence, with the Director General.

2. The Council of the Directors of the Departments has the task of coordinating the proposals of the elements of the three-year activity plan and of facilitating the management and conformity of the unitary policy of the activities of the organization. The Council of the Directors of the Departments ensures the necessary interdepartmental synergies.

#### Article 14 (Institutes)

1. The Institutes are operational units in which the organization's research activities are carried out. They have scientific autonomy within the framework of the organization's planning, as well as financial and managerial autonomy of the resources assigned for the implementation of the programmes and projects entrusted to them under the organization's programming, taking into account the operational guidelines given by the Director General and within the limits indicated in the Regulation of Administration, Accounting and Finance.

2. Each Institute, the organizational structure of which is defined by the procedures indicated in the Regulation of Administration, Organization and Finance, belongs to a Department. Institutes can participate in research activities assigned to Departments other than the one to which they belong. The Institutes are established, transformed or abolished after prior information to the trade unions admitted to the collective bargaining process, also on the basis of indications from the Director General, the Board of Directors, after a preliminary review by the relevant Department, which takes into account the scientific requirements, the development of the scenarios and the opportunities of science and technology at international, European and national level, having obtained the opinion of the Directors of the Departments concerned and of the Scientific Council.

3. The Institutes:

- a) provide the relevant Director of the Department or those in whose activities they participate, after consulting the Scientific Council of the Institute indicated in paragraph 7, the elements for the preparation of the three-year plan;
- b) draw up the management plan for those aspects falling within the Institute's competence;
- d) carry out, within the exercise of their autonomy, the research programmes and projects entrusted to them by the Director of the Department within the framework of the organization's planning;
- e) manage, in accordance with the three-year activity plan, research projects indicated in article 12, paragraph 4, letter d), maintaining relations at a European and international level;
- e) can participate in research projects coordinated by Departments other than the one to which they belong, according to the procedures defined by the Council of the Directors of the Departments.;
- f) can participate within their own research proposals in public tenders at national and international level promoted by public or private bodies as part of the organization's planning;
- g) prepare a development plan in line with the state of the art in research and with the indications of the strategic plan;
- h) draw up an annual report on the results of the activity carried out by the Institute to be transmitted to the Department to which they belong and to other Departments in whose activities they participate.

4. The Director of the Institute is responsible for the activities of the Institute.

5. The management of the Institute is attributed to people of high qualification and scientific and managerial experience on the basis of specific comparative assessment procedures defined by the Regulation Governing Organization and Operations. The appointment is made by the Director General following a resolution of the Board of Directors within the terms and the methods and criteria established by law and by the Regulation Governing Organization and Operations. The Director of the Institute can hold a maximum of two mandates, not necessarily consecutive.

6. Each Institute sets up a Council to represent the Institute's staff and to assist the Director in planning the development of the activities. The composition, the methods of appointment and the tasks of this Council are defined in the Regulation Governing Organization and Operations.

#### Article 15 (Incompatibility and indemnity of office)

1. In application of the current regulatory provisions on incompatibility and conflicts of interest, the President, the Director General, the members of the Board of Directors, the members of the Scientific Council and the members of the Audit Board cannot be directors or employees of companies that participate in research programs in which the CNR is present.

2. Regarding leave, the provisions of the Decree of the President of the Republic of 11 July 1980, n. 382 apply; if he/she is an employee of a public administration the provisions of article 19, paragraph 6 of Legislative Decree of 30 March 2001, No. 165 and subsequent amendments apply.
3. The Director General, the Directors of the Departments, and the Directors of the Institutes, pursuant to article 15, paragraph 3, of Legislative Decree of 4 June 2003, No. 127, if they are university professors or researchers, they are placed on leave pursuant to article 12 of the Decree of the President of the Republic of 11 July 1980, n. 382; if researchers or technologists or employees of public administrations they are placed on unpaid leave pursuant to article 19, paragraph 6, of Legislative Decree of 30 March 2001, No. 165.
4. The Director General, the members of the Board of Directors and the members of the Scientific Council cannot be members of the Audit Board or members of the assessment bodies foreseen by law. All the offices mentioned above are incompatible with each other and with those of the Director General, the Directors of the Departments, the Directors of the institutes, and members of the Scientific Councils of the Departments. All the offices mentioned are also incompatible with elected political offices. The roles indicated are also incompatible in all the other cases foreseen by law. The positions of President, Director General, member of the Board of Directors, member of the Scientific Council, member of the Audit Board or of assessment bodies foreseen by law are not compatible with the responsibility of research projects managed by the CNR or where the CNR has a prevailing interest. The incompatibility established by previous periods does not apply to the members of the Board of Directors and the Scientific Council appointed following consultation of the staff between researchers and technologists.
5. The positions of Director of a Department and Director of an Institute are incompatible with each other.
6. Article 53 of Legislative Decree of 30 March 2001, No. 165 also applies to the Directors of the Departments and the Directors of the Institutes.
7. The indemnities for the office of President, for the members of the Board of Directors, the members of the Scientific Council and the members of the Audit Board are determined by decree of the Minister in consultation with the Minister of Economy and Finance. The Vice President of the CNR and the Vice President of the Scientific Council, for their respective substitute functions, do not receive additional fees or allowances. Alternate members of the Audit Board do not receive emoluments.
8. Procedures and application methods for verifying and contesting any situations of incompatibility are governed by the Regulation Governing Organization and Operations of the organization..

#### Article 16 (Territorial research areas)

1. The CNR promotes the concentration of Institutes in territorial research areas also with the aim of achieving a coordinated and rational management of infrastructures and services supporting the scientific network at national level.

2. The territorial research areas are established by resolution of the Board of Directors, after consulting the Board of the Directors of the Departments, the Institutes concerned and after having obtained the opinion of the Scientific Council, within the framework of the provisions established by the Regulation Governing Organization and Operations.

#### Article 17 (Central administration)

1. The central administration has support functions for the scientific network. It provides the general services of the CNR of an administrative and technological nature, ensures their decentralization and efficiency and adopts operational and organizational solutions in order to optimize spending.

2. The central administration is headed by the Director General and is divided into executive offices identified according to the procedures established by the Regulation Governing Organization and Operations of the organization in compliance with public finance constraints.

3. The Regulation Governing Organization and Operations governs the procedures for establishing administrative structures at a non-executive level and structures of a technical and / or scientific nature at a non-executive level.

4. Executive positions may be entrusted to administrative managers, researchers and technologists of the CNR in accordance with the personnel regulations.

#### Article 18 (Planning of activities)

1. The CNR operates on the basis of a three-year activity plan, updated annually, and a ten-year strategic plan.

2. The three-year activity plan defines the objectives, the research programmes, the scientific and socio-economic results expected, as well as the correlated personnel, instrumental and financial resources foreseen for each of the programmes and projects in which the plan is articulated, in compliance with the guidelines set out in the National Research Programme (Programma Nazionale per la Ricerca). The plan includes the three-year scheduling of personnel needs, both on a permanent basis and on a fixed-term basis. The plan will also provide elements relating to the use of the instruments indicated in letters b) and c) of article 19 and their impact on the production and social system.

3. The proposed three-year activity plan of the organization and the related updates are adopted in compliance with articles 6 and 7 of Legislative Decree of 25 November 2016, No. 218, after obtaining the opinion of the Scientific Council, and are approved by the Supervisory Ministry with the procedures foreseen by law.

4. The ten-year strategic plan is approved by the Board of Directors, after obtaining the opinion of the Scientific Council, with the procedure indicated in article 5 of Legislative Decree of 31 December 2009, No. 213. It defines the strategic positioning of the CNR and the long-term

programmes by framing the research activities in the national, European and international perspective.

#### Article 19 (Instruments)

1. The CNR, in order to carry out the activities indicated in article 3 and any other related activity, including the economic use of the results of its own research and that of the commissioned research, according to criteria and methods determined by the organization and functioning regulations, can:

- a) enter into agreements and conventions with public and private entities, both national and international;
- b) participate in, or establish, consortia, foundations, companies or associations with Italian public and private entities and foreign entities following the authorization procedures foreseen by law;
- c) promote the setting up of new companies by hiring its own personnel, also in contractual relationship, in compliance with current legislation;
- d) participate in the constitution and scientific management of international research centers, in collaboration with similar scientific institutions of other countries;
- e) commission research and study activities with public and private, national and international entities.

2. The CNR reports on the programmes, objectives, activities and results of the matters indicated in paragraph 1 in the appropriate section of the three-year activity plan and its updates.

#### Article 20 (Final provisions)

1. The CNR pursuant to article 3, paragraph 7, of Law of 14 January 1994, No. 20 and article 14, paragraph 2 of Legislative Decree of 25 November 2016, No. 218, is subject to the control of the Court of Auditors (Corte dei Conti) pursuant to article 12 of Law of 21 March 1958, n. 259, and avails itself of the patronage of the State Attorney's Office (Avvocatura dello Stato).

1-bis. Without prejudice to the provisions of paragraph 1 and within the limits and the conditions foreseen by law and by the legal profession, the CNR may avail itself of the patronage of employees in possession of the necessary professional qualifications and private practice lawyers within the terms established by the relevant regulations.

2. The CNR ensures compliance with the national collective bargaining rules and agreements regarding relations with trade unions.

2. Amendments and additions to the Statutes are adopted, as well as regulations for the implementation of the Statutes, are adopted in accordance with the procedures indicated in Legislative Decree of 25 November 2016, No. 218 and by these Statutes,



3. For matters not foreseen or regulated by these Statutes the provisions contained in Legislative Decree of 4 June 2003, No. 127, in Legislative Decree of 31 December 2009, No. 213 and in Legislative Decree of 25 November 2016, n. 218.

#### Article 21 (Transitional provisions)

The administrative structures, the Departments and the Institutes in existence at the date of the entry into force of these Statutes continue to operate within the framework of these Statutes, until any new decisions are taken.

1-bis. The provision relating to the appointment of a member of the Board of Directors elected by the staff of the CNR from among researchers and technologists of the CNR, through consultation procedures, including telematic procedures, as per article 7 paragraph 1 of the Statutes approved with DPCNR No. 24 of 7 April 2015, applies until the new Regulation Governing Organization and Operations comes into force.

2. The provisions of these Statutes cannot produce new or higher burdens on public finance.

3. The Regulations in force at the date of entry into force of these Statutes, where not incompatible with these Statutes, are applied until the new Regulations come into force.

4. These Statutes and the Regulations are issued by the President of the CNR on the basis of the procedures indicated in article 4 of Legislative Decree of 25 November 2016, No. 218.

5. These Statutes enter into force on the first day of the month following that of publication, with the exception of article 20, paragraph 1-bis and article 12, paragraph 9, which come into force at the same time as the modifications made to the Regulation Governing Organization and Operations, in accordance with the aforementioned provisions.