

(Enclosed to the Board of Directors Resolution no. 14524 of 27 September 2017)

STATUTE

OF THE NATIONAL INSTITUTE FOR NUCLEAR PHYSICS (INFN)

Provided by the Office of Regulations of INFN General Directorate

(27 September 2017)

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CHAPTER I *GENERAL PRINCIPLES*

Article 1 *Legal Status*

1. The National Institute for Nuclear Physics (INFN) based in Frascati (Roma) in Via Enrico Fermi n. 54 is a non-instrumental national public research organization, having scientific, statutory, organizational, financial, assets and accounting autonomy in accordance with Article 33 of the Constitution, Article 2 of Legislative Decree 31 December 2009, no. 213 and Article 3 of Legislative Decree 25 November 2016, n. 218.

Article 2 *Mission*

1. The Institute promotes, coordinates and undertakes scientific research in nuclear, subnuclear, astroparticle and fundamental interactions physics, which also involve technological research and development relevant to the activities in these sectors, fostering synergy between the Institute and other research organizations and industry (Article 2, paragraph 1, Legislative Decree 213/2009) in accordance with the principles set out in Article 13 of Legislative Decree 381/1999, Article 3 of Legislative Decree 218/2016, and in compliance with the European Charter for Researches, adopted by the Institute in December 2005.
2. In the pursuit of its mission, the Institute prioritizes cooperation with Universities, as regulated by special agreements.
3. The Institute also:
 - a) promotes and participates in partnerships, entering into agreements and contracts in the areas of study, research and services with public and private institutes, companies and enterprises, national, EU, foreign institutions and international organizations;
 - b) participates in scientific and technical organizations and bodies of the European Union, contributing to the constitution of the European Research Area, or in organizations of other countries, or in international organizations operating within the Institute's spheres of interest;
 - c) promotes, implements and operates large research infrastructures, putting them at the disposal of a wide national, international community including interdisciplinary one;
 - d) stipulates scientific cooperation agreements with industry, granting access to the Institute's knowledge, instrumentalities and patents;
 - e) in compliance with current applicable regulations, promotes the establishment of and participation in Italian, foreign, international or European consortia, foundations, associations and companies which specialise in the development of research, the provision of related services, or the transfer and enhancement of knowledge within the Institute's spheres of interest, of applicatory interest, and within interdisciplinary fields;

- f) fosters innovation by promoting the transfer of acquired knowledge and technology to industry and to society;
- g) promotes and provides for scientific education, as also the institutional dissemination of the culture of science, in collaboration with universities, including the possible conferment of fellowships and awards.

Article 3 **Staff**

1. To fulfil its institutional mission, the Institute calls on its staff, as also the staff of universities, higher education institutes, research institutions, and other government bodies, offering scientific or technological research positions or technical collaboration assigned according to the procedures set in the Staff Regulations, subject to the agreement of the organizations where the staff are employed.
 2. Other forms of association with the activities of the Institute may be established, in accordance with the procedures set in the Staff Regulations.
 3. In accordance with Article 7 of Legislative Decree no. 218/2016, and in line with the Three-Year Plan of Activities, the Board of Directors shall determine, the number of staff and variations thereof, as well as the staffing requirement plan, subject to the approval procedures provided by law.
 4. The Institute shall ensure full compliance with the procedures, forms, cases and modes of relations with the trade unions as provided for in the current regulations on bargaining, information and consultation of employees, as well as with applicable national collective bargaining agreements.
 5. The Institute undertakes to ensure in its Regulations the full application of the European Charter of Researchers and the Code of Conduct for the recruitment of Researchers (2005/251/CE) and recognizes the rights and duties of researchers and technologists as listed in Article 2, paragraph 1 and 2 of Legislative Decree 218/2016.
 6. The Institute fosters participation of its researchers and technologists in University teaching, and in university activities envisaging supervision and evaluation functions, and thereby acknowledges forms of participation in academic bodies, by including specific rules in the agreements with Universities.
 7. The Institute undertakes to guarantee parity and equal opportunities in the treatment of workers, the absence of any form of discrimination and physical and psychological violence, whether direct or indirect, as well as the well-being of its employees.
 8. The Institute recognizes as essential values professional integrity and respect for the dignity of people and individual freedoms. For this purpose, as required by current regulations, the Institute provides for, in specific codes of ethics and conduct, the rules necessary to ensure a work environment aimed at excellence and characterized by principles of legality, transparency and good administration, and requires its staff to fully comply with them.
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Article 4 **Planning**

1. In pursuing its mission, and in accordance with the guidelines set in the National Research Plan, the Institute adopts, for the purposes of operational planning, a Three-year Plan of Activities, updated annually, and develops a Ten-year Strategic Vision Document. These documents are subject to the evaluation and approval procedures set in Article 5 of Legislative Decree 213/2009 and in Article 7 of Legislative Decree 218/2016.
2. The Institute establishes its research activities on the basis of proposals made by members of the Institute's scientific community, organizing them, as a rule, into scientific areas. For each scientific area, an advisory National Scientific Committee shall be established, whose composition and functions are set in Article 17. In planning initiatives of great economic, personnel and infrastructure impact, the Institute seeks the opinions of the Technical-Scientific Council, whose composition and functions are set in Article 18.
3. The opinions of the National Scientific Committees on the development of the scientific areas, and those of the Technical-Scientific Council on the congruity of the initiatives of great economic impact, are acquired by the Board of Directors for the purposes of formulating a Three-year Plan of Activities and a Ten-year Strategic Vision Document.
4. Activities related to objectives of strategic importance for the Institute's scientific planning, may be identified as Strategic Projects to be evaluated by special committees.
5. Activities related to the development and realization of research infrastructure of national or international relevance may be carried out as special projects to be evaluated by special committees.
6. The Institute shall adopt a Three-year Plan of Positive Actions based on proposals formulated by the Single Guarantee Committee (CUG), responsible for ensuring equal opportunities, enhancement of its employees well-being and opposition to all forms of discrimination, pursuant to Article 57 of Legislative Decree 165/2001 and subsequent amendments and additions.

Article 5 **Funding**

1. The Institute fulfils its mission through ordinary and extraordinary state contributions.
2. The Institute may also receive:
 - a) contributions from public and private, national, European, foreign and international organizations;
 - b) income from the activities in Article 2, paragraph 3, letters a), d), e) and f);
 - c) income from assets;
 - d) bequests and donations;
 - e) divestiture of capital goods, plant and equipment, moveable property and real estate;
 - f) any other income;
3. Administration, finance and accounting rules shall be defined in a special regulation adopted by the Board of Directors.

Article 6 **Budget**

1. By its own regulations, and pursuant to the general current applicable regulations on public accounting, the INFN adopts a system based on profit and loss and on assets accounting, which is also applied to the analytical control for cost centre accounting.
2. For each financial year, the Institute draws up an authorized budget containing the profit and loss account, the budget for long-term investment activities and the financial statements accompanied by the corresponding reports. The Institute also draws up the budget and prepare the financial statements for the purpose of consolidating public accounts.
3. The budget and the authorized budget for the following year shall be approved by the Board of Directors by 30 November.
4. The financial statements related to the previous year shall be approved by the Board of Directors by 30 April.
5. The Institute has a single budget, administered through the Structures referred to in CHAPTER III, in compliance with the provisions in Article 8.
6. The documents referred to in this article shall be transmitted, in compliance with the relevant formalities, to the Ministry of Universities and Research, the Ministry of the Economy and Finance and the Court of Auditors.

Article 7

Verification of the Achievement of Goals and Proper Resource Management

- 1 The Institute is subject to the scientific assessment of the National Agency for Evaluation of the University and Research System (ANVUR), in compliance with current regulations. The Institute processes and provides the required data to the ANVUR, calling on specific Evaluation Working Groups.
- 2 The Institute calls on a special International Evaluation Committee (CVI) to assess overall scientific and technological results, as well as future development plans, with reference also to the Plan of Performance.
- 3 The CVI consists of five Italian and foreign scientists and two exponents of the economic community and industry. It reports annually on the assessments made to the President of the Institute. CVI members are appointed by the Board of Directors.
- 4 The President of CVI is appointed by the Board of Directors on the basis of proposals from the Institute's Executive Committee.
- 5 The members of CVI, including its President, shall be in office three years. The mandate of its members shall be renewable no more than once.
- 6 The members of CVI shall not receive a responsibility allowance.
- 7 Control and verification of management and administrative activities is carried out by the Independent Performance Evaluation Body referred to in Article 14 and Article 74, paragraph 4, of D.gs. 150/2009, in accordance with the procedures provided for in current regulations.
- 8 The CUG assesses the outcomes and the adequacy of the positive actions, projects and good practices adopted to optimize the utilization of human resources, reporting annually on the assessments to the President of the Institute.

Article 8

Policy-making, management, evaluation and supervisory functions

1. In accordance with the scientific planning referred to in Article 4, the Institute implements research activities on the basis of proposals from the Institute's scientific community, taking into account the guidelines issued by Ministry of Universities and Research. To this end:
 - a) policy-making functions are performed by the Board of Directors in the form and manner set in articles 12 and 13;
 - b) human resource, financial and equipment management functions, assigned by the Board of Directors to each structure shall be performed by the directors of the structures as detailed in articles 20, 21, 22 and 23. The Executive Committee shall perform the national coordination of the management of the human, financial and plant and equipment resources of the Institute, through actions carried out by the Central Administration as detailed in articles 28 and 29;
 - c) assessment and control functions and the mechanisms for the evaluation and review of the Institute's science and technology activities are performed by the committees described in Article 7 as also by the National Scientific Committees (art. 17).

CHAPTER II GOVERNANCE

Article 9

Governing Bodies and Advisory Bodies

1. The governing bodies of the Institute are:
 - a) the President;
 - b) the Board of Directors;
 - c) the Executive Committee;
 - d) the Board of Auditors.
2. The advisory bodies of the Institute are:
 - a) The National Scientific Committees;
 - b) the Technical Scientific Council;
 - c) the Single Guarantee Committee.
3. The responsibility allowance paid to members of the bodies in paragraph 1 shall be determined by decree of the Minister of Universities and Research, in cooperation with the Ministry of Economy and Finance. No allowances shall be provided to members of the advisory bodies.

4. Members of the bodies in paragraph 1 shall be subject to current legislation with regard to incompatibility and conflict of interest. In addition to those in this Statute, other provisions may be contained in the internal rules and regulations.

Article 10

President

1. The Institute is headed by the President, who acts as its legal representative and ensures harmonisation for scientific and management policy.
2. The President is designated by the Institute's Board of Directors, under the procedure set in Article 11, and appointed by the Minister of Universities and Research.
3. The President is chosen from among full university professors of the physical sciences pertaining to the Institute's fields of research, from among the Institute's research directors or technologist directors or from among internationally renowned experts in the physical sciences.
4. The President remains in office for four years and may be re-elected no more than once.
5. The office of President is incompatible with the office of Rector, Head of University Department, President of another research organization or Director of an Italian or foreign research institute.
6. The President:
 - a) shall convene and chairs the meetings of the Board of Directors and Executive Committee;
 - b) shall exercise the functions of the Executive Committee in an emergency, adopting measures that shall be submitted to the Executive Committee for ratification at the earliest opportunity or, in any event, within thirty days;
 - c) shall take all necessary steps to promote and verify the proper development and achievement of the goals set for scientific and technological research activities;
 - d) shall convene National Scientific Committee meetings and delegates members of the Executive Committee to follow activities thereof;
 - e) shall convene, at least once a year, meetings of national assemblies of representatives of research and technological staff, representatives of technical and administrative staff, and members of the Structure councils under articles 25 and 27;
 - f) shall take all measures within his or her competence, as laid down in the Institute's Regulations;
 - g) shall endorse measures resulting from resolutions adopted by the Board of Directors and the Executive Committee;

- h) may delegate the exercise of his or her functions to the vice presidents under article 12, paragraph 4, letter b;
 - i) shall exercise the functions delegated by the Board of Directors.
7. The President is assisted by a Presidency Service providing preparatory work and technical/professional support to the President, the Executive Committee and Board of Directors. The structure of this service shall be defined in a specific organizational provision and the service shall report directly to the President.
8. In the case of absence or impediment, the President shall be represented by the more senior of the two vice presidents by appointment, whose signature shall prove the President's absence or impediment.

Article 11

Procedure for the designation of the President

1. Not less than six months before the end of his or her term of office, the President shall notify the Board of Directors of the start of the procedure for the designation of a new President, informing them also of the election date.
2. Within forty-five days of the Board of Directors' meeting announcing the start of the procedure, each Unit and National Laboratory director shall put forward, confidentially and anonymously, and by electronic means if desired, a list of no more than three candidates for the position of President, after consultation with the scientific community in the form considered most appropriate.
3. Having ascertained that each of the above selected candidates have the requirements laid down in Article 10, paragraph 3, and that the persons concerned are prepared to accept the office, the President or a delegated member of the Board of Directors shall call on them to submit a Curriculum Vitae within fifteen days, which shall be made available to the Board of Directors.
4. The Board of Directors shall meet on the election date and vote one of the candidates in paragraph 3 to the position of President by a majority of two thirds of its members, adopting the alternate vote procedure during which the candidates with the fewest preferences are eliminated.
5. The President shall communicate the outcome of the designation procedure to the Minister of Universities and Research for the purposes of appointment.

Article 12

Board of Directors (composition and responsibilities)

1. The Board of Directors shall exercise policy-making functions on the basis of general guidelines set in long-term plans and shall decide on scientific programmes having heard the scientific opinions of the National Scientific Committees and the opinions expressed by the Technical-Scientific Council.
2. The Board of Directors consists of:
 - a) The President;
 - b) Members of the Executive Committee;
 - c) Directors of Units;
 - d) National Laboratory Directors;
 - e) Two representatives of the Ministry of Universities and Research, one of whom shall be a member of the Executive Committee under Article 14, paragraph 3;
 - f) A representative of the Ministry of Economic Development;
 - g) A representative elected by the staff of researchers and technologists of the Institute, an employee or an employee of other institutions assigned to carry out scientific or technological research;
 - h) A representative elected by the technical and administrative staff of the Institute, a person or an employee of other institutions assigned to carry out technical collaboration.
3. The representatives referred to in paragraph 2 letters e), f), g) and h) shall hold office for four years and their mandates may be extended for a further four years no more than once.
4. The Board of Directors shall;
 - a) designate the President;
 - b) elect its quota of members of the Executive Committee, electing two of them to the position of Vice President on the basis of proposals from the President and voted by an absolute majority of its members;
 - c) establish or abolish, by an absolute majority of its members, Units, National Laboratories, National Centres, and Groups linked to Units and Laboratories;
 - d) appoint, by a vote of an absolute majority of its members, the directors of Units, National Laboratories, National Centres, and the Heads of the Groups linked to Units and Laboratories;
 - e) appoint, by an absolute majority vote, the members of the International Evaluation Committee referred to in Article 7, the Technical-Scientific Council in Article 18, the Scientific Committees of the National Laboratories in Article 24, the Technical Scientific Committees of the National Centres of Science and Technology and the Scientific Committees of the National Centres of Advanced Studies in Article 26;
 - f) adopt the statute of the Institute by a two-thirds majority of its members and the rules regarding the Institutes bodies and their functions by an absolute majority of its members, as also the Administration, Finance and Accountancy Regulation and the Staff Regulations and updates thereof, pursuant to current regulations;
 - g) approve the ten-year vision document, the three-year plan of activities and annual updates thereof, and the three-year staffing requirements plan, pursuant to current regulations;

- h) decide on the overall organization of the Institute, including the general architecture of the structure and its offices, as well as their specific functions and responsibilities, and the general decision-making criteria and internal processes and any changes made thereof.
- i) adopt regulations, by absolute majority vote of its members, especially as regards internal elections, organization, and functioning;
- j) approve funding for annual and long-term research programmes and adopt provisions to monitor and ensure the smooth running of these programmes;
- k) decide on issues related to the budget, any variations thereof, the financial statements, and respective accompanying reports, as well as the annual review of the Institute's management and economic performance;
- l) decide on issues related to staffing requirements, within the limits established by the current legislation on staff expenditure, pursuant to Articles 7 and 9 of Legislative Decree 218/2016, safeguarding the financial resources necessary for research activities; adopt measures within its sphere of competence as provided for in the Staff Regulations;
- m) decide on regulations concerning workplace safety, defining in particular the role and responsibilities of the employer and of those in charge of workplace safety;
- n) adopt appropriate measures pursuant to Article 12, paragraph 4, of Legislative Decree no. 213/2009;
- o) organize research activities into scientific areas, and set up, by a two-thirds majority vote of its members, a National Scientific Committee for each of these; approve strategic and special projects;
- p) formulate guidelines for participation in tenders and public and private calls, scientific collaboration agreements with universities, institutions, public and private companies and enterprises, consortia, research centres and local, national, international, EU or foreign consortia, within the sphere of competence of the directors of the structures, especially establishing typologies and possible value limits that may concern them;
- q) decide on participation in tenders and public and private calls, scientific collaboration agreements with universities, institutions, public and private companies and enterprises, consortia, research centres and local, national, international EU or foreign consortia, which fall outside the competences of the directors;
- r) adopt rules and regulations, in compliance with EU and national legislation and internal regulations, concerning contracts for work, supplies and services and provision of work and professional services within the sphere of competence of the Executive Committee and the directors of the structures, establishing categories of goods and services, as well as setting any value limits that may concern them;
- s) decide on attendance fees in accordance with current legislation and any specific directives issued by the Ministry of Universities and Research;
- t) may delegate, by an absolute majority vote of its members, the exercise of its responsibilities to the President and the Executive Committee, specifying purpose and time frame;
- u) decide on all other matters not specifically attributed to the competence of other bodies.

- v) ensure full compliance with the procedures, forms, cases and modes of relations with the trade unions, in accordance with Legislative Decree 165/2001, and subsequent amendments, as also the provisions relating to the implementation of Staff Regulations and the applicable national collective bargaining agreements.
5. Board of Director resolutions shall take immediate effect except in cases otherwise provided for in the Statute.

Article 13
The Board of Directors
(functioning)

1. The Board of Directors meets at least four times a year in ordinary sessions and whenever the President deems it necessary. It shall also be convened at the request of four members of the Executive Committee or at the request of one third of the members of the Board of Directors. The Board of Directors meetings shall be valid when attended by an absolute majority of the members.
2. Board of Director votes for the appointment of the President, vice presidents, members of the Executive Committee and directors of structures shall be held by secret ballot.
3. Participation in Board of Directors meetings may also take place remotely by means of audio and/or video instruments on condition that the President and the minute taker are in the same place, and that:
 - a) The President may ascertain the identity of the participants, chair the meeting, and determine and announce the results of voting;
 - b) The participants may take part in the discussions and the voting in real time and without interruption, and that they may see, receive and transmit documents;
 - c) The minute taker may adequately perceive the events to put on record.

These conditions having been verified, the meeting shall be considered to have taken place at the whereabouts of the President and minute taker, who shall specify the location in the minutes of meeting. This kind of Board of Directors meeting may not be held in the cases referred to in paragraph 2.

4. Board of Director resolutions shall be adopted by majority vote, except in cases otherwise provided for in this Statute. In the event of a tie in an open vote, the President has the casting vote.
5. The Board of Directors may establish, based also on proposals from the Executive Committee, working groups on specific subjects.

Article 14
The Executive Committee (composition and responsibilities)

1. The Executive Committee is responsible for the national coordination of the management of the Institute's financial, human and plant and equipment resources.
2. The Executive Committee consists of the President and five members, two of whom will exercise the functions of vice president.
3. Four members, elected by the Board of Directors, shall be selected from among full university professors of the physical sciences within the Institute's areas of research, and from the research directors and technologist directors of the Institute or from internationally renowned experts in the physical sciences. One member shall be appointed by Ministry of Universities and Research, and shall be chosen from among persons with administrative and management skills. Executive Committee members shall have a mandate of four years, their office may be extended for a further four years no more than once.
4. Membership of the Executive Committee is incompatible with the office of rector, director of a university department, president of another research institution or director of an Italian or foreign research institute.
5. The Executive Committee shall:
 - a) set the agenda for the Board of Directors meetings and prepare the corresponding acts;
 - b) take the place of the Board of Directors in an emergency, taking measures that shall be submitted to the Board of Directors for ratification at the earliest opportunity and no later than three months;
 - c) examine proposals for the development of the Institute's activities and requests for financial and human resources, expressing their reasoned opinion to the Board of Directors;
 - d) monitor the execution of its resolutions and those of the Board of Directors, implementing also specific actions and ensuring operational coordination between the Central Administration and the peripheral structures;
 - e) follow the activities of the units, national laboratories, national centres and the Central Administration;
 - f) provide guidelines for the activities of the Director General;
 - g) follow the activities of the National Scientific Committees and the development and implementation of strategic and special projects;
 - h) confer the position of Director General, to whom it may delegate some of its own functions, setting specific time frames and financial limits, and determine his or her remuneration;
 - i) decide on contracts for work, supplies and services and the provision of work and professional services which fall outside the remit of the directors of units, as provided for in the Administration, Accountancy and Finance Regulation;
 - j) exercise the powers delegated to it by the Board of Directors;
 - k) report on specific matters to the Board of Directors, if requested by at least one third of the Board of Directors members.

Article 15
Executive Committee (functioning)

1. The Executive Committee is convened by the President to prepare for each of the Board of Directors meetings or whenever deemed necessary, or at the request of three of its members.
2. Participation in Board of Directors meetings may also take place remotely by means of audio and/or video instruments on condition that the President and the minute taker are in the same place, and that:
 - a) the President may ascertain the identity of the participants, chair the meeting, and determine and announce the results of voting;
 - b) the participants may take part in the discussions and the voting in real time and without interruption, and that they may see, receive and transmit documents;
 - c) the minute taker may adequately perceive the events to put on record.

These conditions having been verified, the meeting shall be considered to have taken place at the whereabouts of the President and minute taker, who shall specify the location in the minutes of meeting.

3. The meetings of the Executive Committee shall be deemed valid when attended by an absolute majority of its members.
4. Executive Committee resolutions shall be adopted by majority open vote. In the case of no majority being reached, the President has the casting vote.

Article 16
Il Collegio dei Revisori dei Conti
The Board of Auditors

1. The Board of Auditors is made up of:
 - a) an auditor who also chairs meetings, designated by the Minister of Economy and Finance, registered as an official auditor, and appointed by the Minister of Universities and Research;
 - b) two effective auditors and two acting auditors, appointed by the Minister of Universities and Research.
2. Members of the Board of Auditors have a mandate of four years which may be extended for a further four years no more than once.
3. The Board of Auditors shall verify operating decisions, ascertain whether the books and records are properly kept, examine the budget, the variations thereof, and the financial statements, drafting specific reports, and carry out cash audits, and take part, ordinarily collegially, in meetings of the Board of Directors and Executive Committee.
4. The Institute is also subject to review by the Court of Auditors, as provided for in Article 3, paragraph 7 of the Law 20/1994.

Article 17
National Scientific Committees

1. The national scientific committees are composed of a committee president and the local coordinators of the scientific areas referred to in Article 4.
2. Each Unit, national laboratory and national centre of science and technology shall elect the local coordinator referred to in articles 25 and 27, following the procedure contained in the specific Regulations for Elected Positions.
3. The Committee President shall be voted by the National Scientific Committee according to the procedures laid down in the specific Regulations for Elected Positions.
4. Committee members shall remain in office for four years and their mandate may be extended, for the same Committee or same structure, no more than once.
5. The office of Committee President is incompatible with that of:
 - a) Member of the Institute's Board of Directors;
 - b) Member of another national scientific committee;
 - c) National Centre director;
 - d) Local coordinator;
 - e) Special or strategic project coordinator.
 - f) Head of University Department;
 - g) holder of relevant, national and international scientific managerial responsibilities, in accordance with Regulations referred to in paragraph 3.
6. National Scientific Committee meetings are convened by the President of the Institute on the basis of proposals by the committee presidents.
7. Ordinary meetings of the national scientific committees are held at least twice a year. The meetings may be attended by one or more members of the Executive Committee.
8. In addition to the functions set in Article 4, paragraph 3 and within their scientific area of competence, the National Scientific Committees shall also:
 - a) draw up proposals for scientific planning and corresponding financial estimates for the preparation of the Institute's long-term development plans, taking also into account the technical, financial and human resource requirements of ongoing experiments;
 - b) offer opinions on scientific and technological aspects, and assessments of the financial and organizational aspects of individual research proposals;
 - c) draw up a resource management plan, assigned annually by the Board of Directors pursuant to the scientific planning decisions made by the same;
 - d) provide annual reports and assessments of the activities carried out in each individual research initiative.

9. The presidents of National Scientific Committees shall forward the reports on the conclusions reached in the committee meetings to the Executive Committee.

Article 18

The Technical-Scientific Council

1. The Technical-Scientific Council consists of national and international experts in the Institute's spheres of interest.
2. The Technical-Scientific Council shall be appointed by the Board of Directors, based on proposals from the President and after consultation with the members of the International Evaluation Committee, the scientific community, the economic sector and industry. The Technical-Scientific Council shall have no more than seven members. They shall have a mandate of four years, which may be extended for a further four years no more than once.
3. In addition to the responsibilities set out in Article 4, paragraph 2 and 3, at the request of the Board of Directors, the Technical Scientific Council shall duly assess the congruity of human and economic resources and the adequacy of infrastructure for individual projects, taking also into account availability of local resources in the time frame scheduled for the completion of these projects, and shall report in a timely manner to the Board of Directors.
4. Membership of the Technical-Scientific Council is incompatible with the position of:
 - a) member of the Institute's Board of Directors;
 - b) member of the National Scientific Committee;
 - c) National Centre Director;
 - d) special or strategic projects coordinator;
 - e) Head of University Department.

CHATER III **STRUCTURES**

Article 19 **Structures**

1. The Institute is divided into the following structures:
 - Units;
 - National Laboratories;
 - National Centres;
 - Central Administration.

2. Specifically:
 - a) the Units are scientific structures which carry out research and higher education activities under the policy objectives of the Institute. They usually operate within the physics departments of universities on the basis of special agreements. The units may also host linked groups from other universities or research centres where there are no Institute units.
 - b) The national laboratories are scientific structures that develop, implement and manage plants and equipment for the research activities of the Institute putting them at the disposal of a wide national and international community, including interdisciplinary one. They also carry out research activities under the policy objectives of the Institute. The national laboratories may also host linked groups from other universities or research centres where there are no Institute Units.
 - c) The National Centres are scientific technological Structures that develop, implement or manage equipment that is instrumental for the activities of the Institute, and carry out research and technological development activities under the policy objectives of the Institute (National Centre of Science and Technology) or educational science structures that promote the advancement of scientific knowledge and the preparation of highly qualified young Italians and foreigners in the field of scientific research through educational activities at doctoral level (National Centre for Advanced Studies).
 - d) The Central Administration, is responsible for policy, coordination and verification of decentralized administrative activities, ensuring central technical, professional and supervisory services, preparing and implementing decisions concerning and assigned to it by the Executive Committee.

Article 20

Directors of Scientific Structures and Heads of Associated Groups

1. The directors of the units, national laboratories and national centres are voted and appointed by the Board of Directors.
2. The heads of the groups linked to Units and Laboratories are voted and appointed by the Board of Directors, based on proposals from the President.
3. The positions referred to in this article shall be incompatible with those of:
 - member on any other basis of the Board of Directors;
 - member of a national scientific committee;
 - member of an academic governing board or head of department.

Article 21

Directors of Units and National Laboratories

1. The directors of the Units and the National Laboratories are responsible for the promotion and performance of scientific activity, as also the organizational and administrative functioning of the structures, in compliance with the scientific planning and policies approved by the Board of Directors.
2. The directors of the units are selected from among the Institute's Research Directors and Technologist Directors, or from full university professors and from Research Directors and Technologist Directors of other institutions responsible for scientific research or technological research in the Institute. They may be chosen from among the First Researchers and First Technologists of the Institute, or among the associate professors assigned scientific research or technological research responsibilities in the Institute, according to cases and procedures set in the specific Regulations.
3. The directors of national laboratories are selected, according to the procedures set in the specific Regulations, from among the Research Directors and Technologist Directors of the Institute, or from full university professors and from Research Directors and Technologist Directors of other institutions responsible for scientific research or technological research in the Institute. The directors of the national laboratories may also be chosen from among foreign academics or Italian academics resident abroad who have undertaken predominantly scientific activities in the INFN's spheres of interest and who possess at least one of the following requirements:
 - they have held management positions in qualified foreign or international research institutions;

- they are full professors in foreign universities;
 - they have been awarded the highest international accolades in the scientific field.
4. Directors shall remain in office for four years, his or her mandate may be extended for the same Structure for a further four years no more than once.
 5. The Directors can call on the consultancy of a Unit or National Laboratory Council, whose composition is set in article 25.

Article 22

Directors of National Centres

1. The directors of national centres are responsible for the functioning of the centres in compliance with the programmes and policies approved by the Board of Directors.
2. They are selected from among the research directors and technologist directors of the Institute, or from full university professors and from research directors and technologist directors of other institutions, assigned a scientific research or technological research responsibilities in the Institute. They may be chosen from among the First Researchers and First Technologists of the Institute, or among associated professors, assigned a scientific research or technological research responsibilities in the Institute, in the case and manner set in the specific Regulations. They may also be chosen from among foreign academics or Italian academics resident abroad who have carried out predominantly scientific activities in the INFN's spheres of interest and who possess at least one of the following requirements:
 - they have held management positions in qualified foreign or international research institutions;
 - they are full professors in foreign universities.
3. Directors shall remain in office for four years, his or her mandate may be extended for the same Structure for a further four years no more than once.
4. The Directors can call on the consultancy of a National Centre Council, whose composition is set in article 27.

Article 23

Directors of Units, National Laboratories and National Centres (responsibilities)

1. In accordance with the general policies established by the Board of Directors, the Director:
 - a) shall prepare and submit the organizational regulation of the structure, and any modifications thereof, to the Board of Directors, after consultation with the Unit, National Laboratory or National Centre Council, and shall be responsible for applying it;
 - b) shall promote and coordinate the preparation of annual and long-term research and development programs of the structure, and shall make sure they are implemented, drafting also corresponding financial plans;
 - c) shall adopt and apply, in the implementation of the programs in letter b) above, measures relating to the use of staff resources, plant and equipment resources and, within the limits provided for in letter e) of this article, the financial resources allocated to the structure;
 - d) shall exercise the responsibilities set in the Institute Regulations;
 - e) shall be responsible for contracts relating to work, supplies and services and the provision of work and professional services relevant to the structure in accordance with the values and material limits set by the Board of Directors;
 - f) shall be responsible for issues relating to research fellowships and grants;
 - g) shall be responsible for workplace safety under Article 12, paragraph 4, letter o);
 - h) may delegate management responsibilities within the sphere of competence of the structure.

Article 24

Scientific Committees of National Laboratories

1. A scientific committee is set up in each national laboratory to provide advice and put forward proposals to the director on the scientific policies of the laboratory and the experiments to be performed therein, as part of the general scientific planning defined by the Board of Directors, and in relation to availability of resources.
2. Setup procedures and functions shall be determined by the Board of Directors.

Article 25
The Councils of Units and National Laboratories

1. The directors of units and national laboratories may call on an advisory body called Unit Council or National Laboratory Council, which shall:
 - a) draft programs of activities and corresponding expenditure requirements, to be submitted to the advisory and executive bodies of the Institute;
 - b) examine problems associated with the functioning of the unit or national laboratory, and implement Board of Director resolutions locally;
 - c) assess and take annual stock of the activities conducted within their structure.

2. The Unit Council is composed of:
 - a) the director of the Unit, who chairs the meetings;
 - b) the local coordinators of the scientific areas into which the activities of the Unit are organized;
 - c) two representatives elected by researchers;
 - d) a representative elected by technologists;
 - e) two representatives elected by technical and administrative staff;
 - f) the heads of any linked group where present in the structure.

3. The National Laboratory Council is composed of:
 - a) the director of the National Laboratory, who chairs the meetings;
 - b) the local coordinators of the scientific areas into which the activities of the National Laboratory are organized;
 - c) the heads of the divisions into which the National Laboratory is organized;
 - d) two representatives elected by researchers;
 - e) a representative elected by technologists;
 - f) two representatives elected by the technical and administrative staff;
 - g) the heads of any linked group where present in the structure

4. The active and passive electorate of the elected representatives referred to in paragraph 2, letters c), d), and e) and in paragraph 3, letters d), e), and f), shall be established in the Regulations for Elected Positions.

5. Unit councils and national laboratory councils shall meet at least three times a year.

6. In cases of specific needs, the in-house or outside staff of the unit or national laboratory may be invited by the Director to attend meetings on specific items of the agenda. Unit directors may also invite a representative of the hosting university department.

7. Staff representatives elected in Unit or National Laboratory Councils shall remain in office for three years and their mandate may be extended for a consecutive three years no more than once.

8. Through specific regulations, the Board of Directors shall establish the procedures for the election of staff representatives to the Unit or National Laboratory Councils and the functions thereof.

Article 26

The Scientific or Technical Scientific Committee of National Centres

1. A Technical Scientific Committee is set up in each National Centre of Science and Technology with the task of providing advice and putting forward proposals to the Director in the framework of the general scientific planning defined by the Board of Directors, in relation also to the availability of resources.
2. A Scientific Committee is set up in each National Centre for Advanced Studies with the task of providing advice and making proposals to the Director in the framework of the general scientific planning defined by the Board of Directors, in relation also to the availability of resources.
3. Setup procedures and functions of the scientific and technical scientific committees of National Centres shall be determined by the Board of Directors.

Article 27

National Centre Councils

1. The Director of the National Centre of Science and Technology may call on the services of an advisory body called the Council of the National Centre of Science and Technology, which shall:
 - a) draft programs of activities and corresponding expenditure requirements, to be submitted to the advisory and executive bodies of the Institute;
 - b) examine problems associated with the functioning of the National Centre and implement Board of Directors resolutions locally;
 - c) assess and take annual stock of the activities conducted within their centre.
2. The Council of the National Centre of Science and Technology is composed of:
 - a) the Director of the National Centre, who chairs the meetings;
 - b) two staff representatives.

In relation to the organizational structure and the aims of each National Centre of Science and Technology, the Council of the National Centre of Science and Technology shall also include:

- a) the heads of the Functional Units, as provided for in the Centre's Organizational Regulation;
- b) the heads of the technical services provided for in the Centre's Organizational Regulation;
- c) the local coordinators of the scientific areas into which the activities of the Centre are organized in line with the Centre's scientific aims;
- d) the Board of Directors may stipulate special organization regulations for specific projects, technological sectors or areas of operation, in which case the Council of National Centre of Science and Technology shall be expanded to include representatives appointed in agreement with public or private entities, according to criteria and procedures defined by

- the Board of Directors in a resolution adopted by an absolute majority of its members.
- e) the active and passive electorate for the elected representatives referred to in paragraph 2, letter b) shall be defined in the Regulations for Elected Positions.
 - f) the Council of the National Centre of Science and Technology shall meet at least three times per year.
 - g) in cases of specific needs, the Director of the National Centre of Science and Technology may invite in-house or outside experts to participate in meetings on specific items of the agenda.
 - h) Staff representatives elected in the Council of the National Centre of Science and Technology shall remain in office for three years and their mandate may be extended for a consecutive three years no more than once.
 - i) through specific regulations, the Board of Directors shall establish the procedures for the election of staff representatives to the Council of the National Centre of Science and Technology and the functions thereof.
 - j) the Director of the National Centre for Advanced Studies may be assisted by an advisory body called the Council of the National Centre for Advanced Studies, whose membership, term of office and tasks shall be defined by the Board of Directors in a special organizational regulation.

Article 28

Director General

1. The Director General, appointed by the Executive Committee based on proposals by the President, is chosen among highly qualified people and of proven managerial and administrative experience in the public research sector and with documented knowledge of relevant laws.
2. The Director General shall be employed on the basis of a private law contract lasting no more than four years, renewable only once and, in any event, ending with the mandate of the President.
3. The functions of the Director General shall be incompatible with any other professional activity.

Articolo 29
Director General (responsibilities)

1. In compliance with the directives established by the Executive Committee and the prerogatives of the latter, the Director General shall:
 - a) guarantee the coordination of administrative activities and ensure they are harmonized in terms of policy and operationally;
 - b) coordinate the activities of the Central Administration, formulating the Organizational Regulation and any modifications thereof;
 - c) put forward proposals to the Executive Committee concerning:
 - matters specified in article 6 paragraph 2 (Budget);
 - human resource allocation;
 - assignment of Central Administration management and responsibility positions;
 - preparation of rules and regulations set in this Statute;
 - d) appoint second level administrative managers, after consulting the President, to perform the functions referred to in Article 30 paragraph 1;
 - e) direct the preparation of the three-year plan, attending to the collection of the necessary information;
 - f) attend to the implementation of resolutions adopted by the Executive Committee and the Board of Directors, assisted by the Central Administration, as set in Article 19, and organizing opportune administrative activities;
 - g) exercise all other functions conferred by regulations, the Board of Directors, the Executive Committee and the President of the Institute.

2. The Director General shall attend Executive Committee and Board of Directors meetings and exercise his or her functions in close collaboration with the President.

Article 30
Central Administration
(organization)

1. The Organizational Regulation referred to in Article 29, paragraph 1, letter b, defines the structure, operation and internal organization of the Central Administration.

2. Central Administration divisions are run by managers specializing in the field of administration, or personnel qualified as technologists or researchers in consideration of the need to contain costs and in compliance with the provisions in Article 19 of Legislative Decree no. 165/2001 and subsequent amendments and additions, and Article 22 of Presidential Decree no. 171/1991. Second level administrative managers carrying out the functions referred to in the Regulation specified in paragraph 1 of this article are appointed by the Director General, after consultation with the President. Others are appointed by the President, after consultation with the Director General.

CHAPTER IV
TRANSITIONAL AND FINAL PROVISIONS

Article 31

1. The provisions in this statute shall not produce new or increased burdens on public finances.
2. On this statute first coming into force, and until the Rules and Regulations provided therein are approved, the regulations and measures adopted under the previous arrangement shall remain in force. In particular, until the legal and regulatory framework for public accounting of research Institutes is completely defined, the rules set in Presidential Decree 97/2003 and the schemes defined therein shall remain in force, and the Institute shall adopt financial accounting along with a system based on profit and loss and on assets accounting.
3. In compliance with the provisions of Article 19, paragraph 3 of Legislative Decree 218/2016, renewals of the Institute's governing bodies and advisory bodies' terms of office shall take place at the end of the preceding mandates, as established at the time of conferment.
4. Following the procedures provided for in Article 4 paragraph 2 of Legislative Decree 218/2016, this Statute shall come into force on the first day of the month following the month of publication on the Institute's website.