



Università degli Studi "G. d'Annunzio"  
CHIETI-PESCARA

D.R. no. 636/2016 Reg. no. 26716 Classif. VII/1 dated 25/05/2016

**Comparative evaluation procedure – by qualifications and public debate – for the recruitment of 1 (one) Researcher with a fixed-term employment – type B -S.S.D. IUS/12 TAX LAW - S.C. 12/D2 at the Department of LEGAL AND SOCIAL SCIENCES.**

**THE RECTOR**

- Considering the Italian Presidential Decree D.P.R. dated 10 January 1957, No. 3, Consolidated text of provisions relating to the Charter of Civil Servants of the State;
- Considering the Italian Presidential Decree D.P.R. dated 11 July 1980, No. 382 reorganization of university teaching, the relative educational band, and organizational and educational experimentation;
- Considering the Italian Law dated 22 April 1987, No. 158 of conversion of the Decree Law D.L. dated 2 March 1987, No. 57, on urgent provisions for university researchers and for the implementation of the provision pursuant to art. 29, paragraph 2 of law no. 23/1986, and on the assignment of temporary contracts to non-teaching staff of the school;
- Considering the Italian Law dated 9 May 1989, No. 168, forming the Ministry of University and Scientific and technological research;
- Considering the Italian Law 241/1990, No. 241 and subsequent amendments and additions, on the regulation administrative procedure and right to access administrative documents;
- Considering the Italian Law dated 5 February 1992, No. 104 and subsequent amendments and additions, on assistance, social integration, and rights of disabled people;
- Considering the Italian Law dated 27 December 1997, No. 449, in particular art. 51, paragraph 6, on measures for the stabilisation of public finance;
- Considering the Italian Presidential Decree D.P.R. dated 28 December 2000, No. 445 "Consolidated text of laws and regulations on administrative documentation";
- Considering the Italian Legislative Decree D.Lgs. no. 165/2001 on General legislation on the employment by public administrations;
- Considering the Italian Legislative Decree D.Lgs. dated 06/9/2001, no. 368 on Implementation of directive 1999/70/EC relating to the framework agreement on temporary employment...;
- Considering the Italian Legislative Decree D.Lgs. dated 30/6/2003, no. 196 on the protection of personal data;
- Considering the Italian Law dated 15 April 2004, No. 106 on Laws relating to the legal deposit of documents of cultural interest destined for public use;
- Considering the Italian Decree Law D.Lgs. dated 7 March 2005, No. 82 "Code on digital administration" and subsequent amendments and additions;
- Considering the European Charter for Researchers set out in the European Commission Recommendation dated 11 March 2005, No. 251;
- Considering the Italian Law dated 31 March 2005, no. 43 Converting the Decree Law D.L. dated 31 January 2005, no. 7 on urgent provisions for universities and research, for cultural heritage, for the completion of big, strategic works, for the mobility of public employees, and to simplify the fulfilment of obligations relating to tax duty and licencing taxes. Amnesty of the effects of article 4, paragraph 1, of Decree Law D.L. dated 29 November 2004, no. 280;
- Considering the Italian Law dated 4 November 2005, No. 230, new provisions concerning university professors and researchers and mandate to the Government for the reorder of the recruitment of university professors;
- Considering the Italian Decree Law D.Lgs. dated 11 April 2006, No 198, Code of equal opportunities between men and women, in compliance with art. 6 of Italian Law dated 28 November 2005, No. 246;

- Considering the Italian Presidential Decree D.P.R. dated 3 May 2006, No. 252, Regulations on the matter of the legal deposit of documents of cultural interest destined for public use;
- Considering the Italian Law dated 9 January 2009, no. 1 Converting Decree Law dated 10 November 2008, no. 110, with amendments, on urgent provisions for the right to study, the promotion of merit and the quality of the university system and of research;
- Considering the Italian Ministerial Decree Law D.M. dated 28 July 2009, No. 89 assessment of qualifications and scientific publications;
- Considering the Italian Law dated 30 December 2010, No. 240 on legislation for the organisation of universities, academic staff and recruitment, as well as mandate to the government to encourage the quality and efficiency of the university system;
- Considering the note of the Italian Ministry for Education, University, and Research MIUR No. 818 dated 25 May 2011 on the procedure for publication of calls for candidatures;
- Considering the Italian Presidential Decree Law D.P.R. dated 15 December 2011, No. 232 Regulations for the salary of professors and university researchers, in accordance with article 8, paragraphs 1 and 3 of the Italian Law dated 30 December 2010, No. 240;
- Considering the Italian Ministerial Decree dated 2 May 2011, no. 236 "Definition of the tables of correspondence between Italian and foreign academic position, pursuant to art. 18, paragraph 1, letter b of Law 240/2010 and subsequent amendments and integrations;
- Considering the Italian Ministerial Decree D.M. dated 25 May 2011 No. 243 "Criteria and parameters for preliminary assessment of candidates for public procedures for selecting recipients of contracts under Art. 24, paragraph 2, letter c) of the law dated 30 December 2010, No. 240";
- Considering the Italian Legislative Decree D.Lgs No. 49 dated 29 March 2012, and subsequent amendments and integrations on Discipline for the programming, monitoring and evaluation of the budget and recruitment policies of universities, implementing the mandate envisaged by article 5, paragraph 1, of Law No. 240 dated 30 December 2010, aims envisaged by paragraph 1, letters b) and c), according to the legislative principles and directive criteria established by paragraph 4, letters b), c), d), e) and f) and in paragraph 5; D.P.C.M. 27/09/2012;
- Considering the Italian Law dated 6 November 2012, No. 190 "Measures for prevention and suppression of corruption and lawlessness in public services";
- Considering the Italian Decree of the President of the Council of Ministers, D.P.C.M. dated 22 February 2013 "Technical rules on the generation, application and verification of advances, qualified and digital electronic signatures..."
- Considering the Italian Legislative Decree D.Lgs. dated 14 March 2013, No. 33 "Reorganization of the regulations on the obligations of publicity, transparency and dissemination of information by public administrations";
- Considering the code of conduct for civil servants, issued with the D.P.R. dated 16 April 2013, No. 62, the rules of which are principles of conduct for teachers and researchers as they are compatible with the corresponding regulations;
- Considering the Italian Law no. 190/2014 indicating Provisions for the annual and long-term formation of the State (stability law 2015);
- Considering the Italian Law no. 208/2015 indicating Provisions for the annual and long-term formation of the State (stability law 2016);
- Considering the Italian Ministerial Decree D.M. No. 855 dated 30 October 2015 for re-determining competition sectors, published in Official Journal of the Italian Republic G.U. 271 dated 20 November 2015;
- Considering the Italian Decree of the President of the Council of Ministers, D.P.C.M. dated 6 November 2015 Regulations on the digital signing of classified documents;
- Considering the Italian Law no. 210/2015 indicating the Extension of the terms envisaged by legislative provisions (Milleproroghe 2016), particularly art. 1, paragraph 10- octies, last paragraph;
- Considering the report of the Italian University Council (CUN) prot. no. 1479/2016 'report on the update of Ministerial Decree D.M. dated 2 May 2011, No. 2'
- Considering the circular of the Italian Ministry for Education, University, and Research MIUR prot. no. 3672 dated 15 March 2016;
- Considering the Statute of the University G. D'Annunzio of Chieti-Pescara, issued with the D.R. No. 425 dated 14 March 2012 - Official Journal of the Italian Republic G.U. General Series No. 71 dated 24 March 2012, as amended by the D.R. No. 427 dated 15 July 2013 - Official Journal of the Italian Republic "G.U." General

- Considering Series No. 174 dated 26 July 2013;  
this University's plan to prevent corruption for the three-year period 2015/2017, approved by the Board of Directors dated 17/02/2015 and reported to the Academic Senate on 10 March 2015;
- Considering the University Regulations for the recruitment of Researchers with fixed-term contracts in force, issued by Rector's Decree D.R. No. 172 dated 23 December 2011;
- Considering the Academic Regulations adopted with D.R. No. 863 dated 16 December 2013 (date of publication: 17 December 2013);
- Considering the Code of Ethics of the University G. D'Annunzio of Chieti-Pescara;
- Considering the Code of Conduct of the University G. D'Annunzio of Chieti-Pescara, issued with D.R. No. 98/2016, prot. No. 3665 dated 27/01/2016;
- Considering the resolutions of the Academic Senate and of the Board of Directors on three-year planning 2013/2015 and the current year resolutions;
- Whereas the planning ensures the sustainability of salary costs through time and will ensure the availability of resources needed for any subsequent classification in the role of Associate Professor in accordance with the Article 24 paragraph 5 of the Italian Law 240/10;
- Considering the Italian Ministerial Decree D.M. No. 78/2016 indicating the Special Plan 2016 for the recruitment of researchers pursuant to art. 24, paragraph 3, letter B) of the Law No. 240/2010;
- Considering the resolutions of the Academic Senate dated 10 May 2016 and of the Board of Directors dated 24 May 2016 approving the announcements of the comparative procedures pursuant to art. 24, paragraph 3, lett. B) of Law no. 240/2010;
- Considering the availability of funds resulting in the University Budget;

## D E C R E E S

### **Art. 1 – Scope of the selection**

A comparative assessment procedure by qualifications and public discussion for the recruitment of one **Researcher with fixed-term employment** is called pursuant to **Art. 24 paragraph 3 letter b) of the Italian Law 240/2010 (senior)** with full-time commitment, as well as from **Model 1 ( profile)** attached at the bottom of the notice together with the models A and B.

### **Art. 2 - Activities to Be Carried Out**

The Researcher with senior contract is expected to perform, as part of the institutional teaching commitment, at least one annual teaching course or equivalent per academic year. The commitment of the fixed-term Researcher is set at 1,500 hours of work per year, of which a maximum of 350 are dedicated to teaching, integrated teaching, and service to students, including careers advice, tutorship and learning assessment activities – in compliance with art. 6 Law 240/10. In order to check the breakdown of the total hours destined to the researcher's research activity, a specific register can be used, However, it is compulsory for the researcher to register his or her presence using a personalized computerized badge. The activity of the fixed-term Researcher is subject to successful review carried out in the form of written report of the research programme and educational project. The activities of teaching, integrated teaching, and service to students carried out by the Researcher shall be shown in a specific register to be submitted annually to the approval of the Organisation responsible for teaching. The research activities will be subject to a specific technical-scientific report to be submitted annually to the approval of the Department the Researcher refers to. The rejection of the technical-scientific report or register of lessons may be a just cause to terminate the contract.

According to the rules for their legal status, professors and researchers fulfil their commitment by personally carrying out the teaching activities assigned to them in accordance with current legislation (supplementary teaching activities and/or lessons), within the degree programmes, master's degree courses, specialisation courses, and courses to obtain master degrees and PhDs. Seminars and laboratory activities and field testing of any kind, carried out as a complement of courses under the authority of the teacher, shall be evaluated as part of the educational activity.

Teachers shall ensure their accessibility and availability for tutoring and for reception of students during the whole of the academic year, regardless of the time schedule of the courses. In particular, teachers secure at least one day a week of reception, for a period of not less than two hours, to be held in the facilities of the University.

The hours of lectures, tutorials, and other educational activities, including weekly hours for reception of students, are established in order to ensure that individual teachers dedicate time to teaching in not less than three distinct days of the week, in the manner determined by the individual Departments.

Researchers are required to attend the meetings of the Department Boards and other bodies, as well as the academic committees of which they are members.

The position of professor and researcher is incompatible with the exercise of trade and industry, with the option to set up businesses with characteristics of university spin-offs or start-ups, in accordance with Articles 2 and 3 of the Italian Decree Law dated 27 July 1999, No. 297.

The exercise of freelance activity is incompatible with full-time basis employment.

### **Art. 3 – Admission requirements**

The selection is reserved for candidates who have benefited from contracts under Art. 24 letter a) of the Italian Law No. 240/2010 or for at least three years even if not consecutive; research grants pursuant to Art. 51 paragraph 6 of the Italian Law No. 449/97, as amended; or postdoctoral grants pursuant to Art. 4 of the Italian Law No. 398/89; or for those who have benefited from contracts for least three years under Art. 1 paragraph 14 of the Italian Law No. 230/2005; or from similar contracts, grants, or scholarships in foreign universities.

It should be noted that, for the purposes of admission to the procedure de quo, the research grants pursuant to Art. 22 of the Italian Law 240/2010 are equivalent to those issued in compliance with the previous regulations pursuant to Art. 51, paragraph 6 of Law 449/1997.

The candidates can be citizens of countries outside the European Union and shall have the following qualifications:

- PhD or equivalent qualification obtained in Italy or abroad.
- Medical specialisation school certificate in the areas concerned. In this case, if the candidate has PhD or equivalent qualification, this is a preferential qualification.

Any candidates who have a degree obtained abroad shall, within the deadlines of the call for candidatures, under penalty of exclusion from the selection process, submit a copy of the official recognition of equalisation or equivalence of the degree released by the competent authorities.

Applicants are admitted to the selection with reserve.

Until the signing of the employment contract, the Rector may, in a justified decision, order the exclusion of the candidate due to the lack of any of the requirements for admission provided.

### **The following persons cannot participate in the selection:**

- "Prima e seconda fascia" (literally 'first and second rank') teachers and researchers already employed for an unlimited period of time, included those who are no longer in service due to retirement;
- those who had contracts as research fellows and fixed-term researchers under Articles 22 and 24 of the Law 240/2010 at the University of Chieti-Pescara or at other Italian State, non-State, or online universities, as well as the entities referred to in paragraph 1 of Art. 22 of the Italian Law No. 240/2010 for a period which, when added to the expected duration of the contract of the call, exceeds a total of 12 years, although not necessarily continuous. For the calculation of the duration of the aforementioned contracts, any periods of time spent away from work on maternity leave or for health reasons shall not be included, according to the Law;
- those who have been excluded from the enjoyment of civil and political rights;
- those who have been dismissed or excluded, or declared exonerated from civil service in a Public Administration or Authority;
- those who have a relationship by marriage or kinship or affinity to the fourth degree with a professor or researcher of the Department that requires the activation of the contract, or with the Rector or the General Manager, or a member of the Board of Directors of the University.

The University ensures equal rights and opportunities for men and women for access to employment and treatment at work.

Please note that the failure to comply with the limit referring to the maximum and minimum number of publications to be submitted will lead to exclusion. Failure to comply with these limits causes mandatory exclusion with no exceptions, apart from the sole case in which there is just one candidate. The above shall take place in application of the principles of effectiveness, efficiency and economic pursuit of the procedure.

The aforesaid qualifications and requirements stated in the call must be held on the date of expiry of the last date for submission of applications for admission to the procedure.

The contract is awarded in accordance with the Code of Ethics of the University and cannot in any case be given to those who have a relationship by marriage or kinship or affinity to the fourth degree with a professor or researcher of the Department that requires the activation of the contract, or with the Rector, or the General Manager, or a member of the Board of Directors of the University.

If an employee of public authorities with a temporary or permanent employment contract is selected, any incompatibilities provided for by the applicable provisions of law and the relevant national labour contract shall remain in force.

#### **Art. 4 - Applications for Admission - Terms and Procedures**

*Pursuant to the applicable rules on the digitalisation of administrative documents, in accordance with the provisions of Art. 24, paragraph 2, letter a) of the Italian Law 240/10, in order to allow the proper conduct of this evaluation process using IT systems, the application for participation in this procedure, including the resume of qualifications and publications, should be written and formulated exclusively by means of the computerised procedure available on the website: <https://concorsigelmini.unich.it>.*

*Specific instructions for completing the application will be available on the same website.*

*The online procedure allows candidates to create their own account (with personal username and password) by entering and registering their personal data, subject to prior acceptance of the clauses relating to the processing of personal data.*

*If the candidate is already registered in the system, in order to guarantee adequate protection of their identity, it will be necessary to register again, with a new personal email address.*

*To submit their application, after registration, the applicants shall complete the following sections available in the personal reserved area:*

- *"Admission Requirements": the details of the qualifications required to participate in the selection (description of qualification: the type, date of graduation, the institution that released the qualification, and any grade awarded – contracts, grants, scholarships: the type, contracting entity, date of signing/assignment, and duration) must be entered in this section;*
- *"Information about the Applicant": any additional personal details of the participant, which are useful for purposes of automatic completion of the application, as well as a declaration of applicants that they are not aware of being subjected to any criminal proceedings or pending criminal proceedings or trials, shall be entered in this section;*
- *"curriculum vitae" A scanned PDF file of a detailed curriculum of personal **scientific, teaching, and clinical activities** for the call sectors for which such expertise is required shall be **uploaded** in this section. The curriculum shall include the information concerning the periods of maternity leave, other periods of documented absence from service as provided for by law and other than those due to health reasons. The curriculum must be dated and signed on the last page and scanned to generate a PDF file.*

**ONLY CURRICULA THAT HAVE BEEN UPLOADED IN THE SYSTEM WITH THE PROCEDURE SPECIFIED ABOVE WILL BE TAKEN INTO CONSIDERATION AND ASSESSED, meaning that they must be ANNEXED TO THE APPLICATION.**

- *"Other qualifications acquired and patents": all qualifications obtained shall be entered in this section, with an*

*analytical indication of the type, the date they were obtained, the releasing entity, and any score obtained.*

*Any patents obtained shall also be entered in this section, with an analytical indication of the title, number, significance, authors, and year.*

*Immediately after all sections have been filled in, the uploading of the scanned qualification document described in PDF format can be completed.*

*The system will automatically generate a list of qualifications, with acknowledgment that they have been scanned. The aforementioned list will be attached to the application and subject to self-certification at the time of submission of the application.*

**ONLY QUALIFICATIONS AND PATENTS THAT HAVE BEEN DESCRIBED/SCANNED IN THE SYSTEM WITH THE PROCEDURE SPECIFIED ABOVE WILL BE EVALUATED. ANY OTHER FORMS OF TRANSMISSION THAT ARE NOT CONSIDERED AS VALID AND USEFUL FOR THE PURPOSE OF PARTICIPATION IN THIS PROCEDURE ARE NOT ALLOWED.**

- **"Publications":** *The details of each publication submitted by the applicant shall be entered in this section, with an indication of the type: **BOOK** (including the title, authors, year, publisher, place of publication, total number of pages, ISBN, and the contribution of the candidate in joint publications); **BOOK CHAPTER** (including the book title, title of chapter, editor, authors, year, publisher, place of publication, start and end page, ISBN, and contribution of the candidate in joint publications); **ARTICLE IN SCIENTIFIC JOURNALS** (including the title of journal and title of article, issue, instalment, year, authors, start and end page, ISSN, and contribution of the candidate in joint publications); and **OTHER**.*

*Immediately following the completion, the publication shall be scanned and **uploaded** in PDF format.*

**ONLY PUBLICATIONS THAT HAVE BEEN UPLOADED IN THE SYSTEM WITH THE PROCEDURE SPECIFIED ABOVE WILL BE EVALUATED. ANY OTHER FORMS OF TRANSMISSION THAT ARE NOT CONSIDERED AS VALID AND USEFUL FOR THE PURPOSE OF PARTICIPATION IN THIS PROCEDURE ARE NOT ALLOWED.**

*The system will automatically generate a list of publications submitted, with acknowledgment that they have been scanned. The aforementioned list will be attached to the application and subject to self-certification at the time of submission of the application.*

The candidate is invited to check that the file has been correctly uploaded, also checking its size. If the file uploaded has a size of "0", it will be usable as such by the Commission, which will not be able to assess its content.

The application form shall be drawn up automatically following proper and full completion of all the sections mentioned above. The deadline to "close" the application is set at 23:59 hrs of the thirtieth day following the day after publication of the call for candidatures on the "Gazzetta Ufficiale" (Official Journal) – 4<sup>th</sup> special series – Competitions and Exams - of the Italian Republic.

**After closure, the application must be completed in the manner set out below.**

The following details must be entered in the system:

- the details of a valid identification document that must be attached to the application;
- When the application is "closed", the system will proceed with its acquisition and, in particular:
- will show the unique ID code associated with the application;
- will record the date and time of "closure" of the application;
- will allow the user to print the application so that it can be submitted duly signed and dated to the Administration for completion.

**The application for admission to the call shall be completed by its printing, signing, and transmission to the University no later than 23:59 hrs on the thirtieth day following the day after publication of the call for candidatures in**

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the "Gazzetta Ufficiale" (Official Journal) – 4<sup>th</sup> special series – Competitive Exams - of the Italian Republic.

- The applicant may choose between the following modes of delivery of the application, together with the attachments and the copy of the identification document duly signed:
- hand delivery to this University at the Protocols Office - on Monday to Friday, from 9 a.m. until 12 noon - Via Dei Vestini, 31 66100 CHIETI;
- sent by recorded delivery with notification of receipt to the Rector of this University, Via Dei Vestini, 31 66100 CHIETI -, within the aforesaid peremptory term. The postmark applied by the accepting post office will provide proof of this term.

The following method may also be used:

dispatch via certified e-mail of all the documentation (application and relative annexes) – digitally signed – in compliance with Legislative Decree no. 82<sup>1</sup>- from a personal certified e-mail address to [ateneo@pec.unich.it](mailto:ateneo@pec.unich.it), (stating: "Certified e-mail application to assessment procedure - ...." and indicate the competition sector.) Applications sent from a non-certified e-mail address will not be considered valid. It should be noted that the validity of the transmission of the certified e-mail message is certified by the receipt for acceptance and the receipt for delivery supplied by the e-mail carrier, in compliance with art. 6 of Presidential Decree 68 dated 11/02/2005.

**In the case of dispatch to the University's certified e-mail, the documentation must be accompanied by a digital signature on this and all the documents on which a conventional hand-written signature would be required;**

**IT documents lacking a digital signature will be considered, in compliance with the legislative provisions in force, as unsigned. This shortcoming cannot be rectified and will result in the exclusion of the candidate.**

**It is also impossible to use IT copies of hardcopy documents sent by certified e-mail.**

<sup>1</sup> art. 1, letter s): "...digital signature: a particular type of advanced electronic signature based on a qualified certificate and on a system of cryptographic keys, one public and one private, related to one another, which allows the holder, using the private key, and the addressee, using the public one, respectively, to reveal and verify the origin and integrity of an IT document or a combination of IT documents...";

art. 21 of paragraph 2, which states: "...The IT document signed with advanced, qualified or digital electronic signature, formed in observance of the technical rules pursuant to article 20, paragraph 3, which guarantees the identifiability of the author, the integrity and the unmodifiable nature of the document, has the effectiveness envisaged by article 2702 of the Civil Code. The use of the qualified or digital electronic signature is presumed to be traceable to the holder; unless the latter can provide proof to the contrary...";

The Italian Decree of the President of the Council of Ministers, D.P.C.M. date 6 November 2015, no. 4/2015 'Regulation of the digital signing of classified documents. (Decree no. 4/2015)'

*Art. 7. Digital signature*

- 1. The digital signature guarantees the identifiability of the author, as well as the integrity and unamendable status of the document.*
- 2. The digital signature of IT documents, pursuant to art. 2, must refer only to a single subject and to the document or group of documents to which it is applied or associated.*
- 3. To generate the digital signature on IT documents pursuant to art. 2, a qualified certificate is required, to be valid, and therefore not withdrawn or suspended, at the time the documents are signed.*
- 4. The qualified certificate must indicate its validity, as well as the elements that identify the holder and the CA, as well as any limits to use.*
- 5. The methods used to apply the digital signature to IT documents pursuant to art. 2 are defined in the Technical Regulations pursuant to art. 33.*

For computerised dispatch of documentation, static formats which cannot be directly altered, with no macros and exe codes (preferably pdf format), must be used.

The message must state as the subject-matter, the selection in which the candidate intends to participate, indicating the Department, band, competition sector and scientific-disciplinary sector.

It should be noted that certified e-mail does not allow the transmission of annexes which total 50 MB or more.

If the annexes to be presented exceed this capacity, the candidate must send them in separate mails. He or she must send the applicant in a first mail and state that all or part of the annexes will be sent in one of more subsequent mails, to be sent before the final deadline for presentation of the applications, also by certified e-mail. The subject-matter of the additional e-mails must state: "addition to the application, Department, band, competition sector and scientific-disciplinary sector."

Any applications delivered or mailed or sent after the deadline established by this Article will not be taken into account.

If the deadline falls on a holiday, the deadline is extended to the next working day.

Any applications that are not signed as required by law or without the personal data of the candidate will not be taken into account.

**Filling out the online form does not apply in any way to remedy the failure or late submission of the application, which must be submitted in the manner and within the term laid down in this Article.**

The publications, documents, and qualifications held and deemed useful for the purpose of benchmarking shall be submitted only in the manner indicated above no later than the final deadline for the submission of the application.

The documents can be uploaded until 23:59 hrs on the date of the deadline for submission of applications. It is strongly recommended to avoid forwarding applications close to the deadline, in order to avoid a massive use of the system that may lead to technical problems.

In line with the provisions of the law relating to dematerialisation of documents and to avoid the burden of the procedure resulting in higher costs to the public purse, the candidate shall submit the publications, qualifications, and documents, under penalty of exclusion, in electronic format and within the deadline prescribed.

Any documents, certificates, and publications submitted after the deadline specified in the preceding paragraph will not be taken into account. Furthermore, any publications and certificates already submitted electronically will not be taken into consideration, in the case the application was not submitted through the procedures specified above by the final set deadline.

The publications submitted must comply with the call maximum and minimum parameters (where specified). Failure to comply with these limits will be recognized by the Selection Committee and will cause the exclusion from the selection.

No reference may be made to certificates or publications submitted to this or other authorities, or certificates attached to another application to participate in another competition.

For citizens not belonging to the European Union member States, the provisions contained in paragraphs 2, 3, and 4 of Art. 3 of said Italian Presidential Decree D.P.R. No. 445 of the year 2000 and subsequent amendments and additions apply.

The Administration will verify the truthfulness of the affidavits, pursuant to Art. 71 of the Italian Presidential Decree D.P.R. dated 28 December 2000 No. 445. If the check reveals the inaccuracy of the content of the declaration, the declaring person shall forfeit the benefits achieved on the basis of false declarations, subject to the provisions of Art. 76 of the aforementioned D.P.R. in the field of criminal penalties.

Only publications or texts accepted for publication will be evaluated in accordance with the rules in force as well as essays



included in collective works and articles published on paper or digital magazines with the exception of internal notes or department reports.

In line with the provisions relating to the VQR guidelines, publications can be considered as:

- a) articles in journals, with an ISSN;
- b) books and their chapters, including congress documents, with an ISBN, as well as critical publications and scientific comments;
- c) deposited patents;
- d) compositions, drawings, design, performances, organized exhibitions and shows, products, prototypes and works of art and their plans, databases and software, thematic papers when accompanied by publications, in order to allow adequate assessment.

Articles, etc. that are published abroad must, where possible, indicate the following details: date, place of publication or, the ISBN 0 or equivalent code.

For works published in Italy before 2nd September 2006, the obligations must be complied with, in accordance with the provisions of Art. 1 of the Lieutenantcy Decree dated 31st August 1945, No. 660; as of 2nd September 2006, the obligations must be complied with in accordance with the Law dated 15 April 2004, No. 106 and the related regulations issued by the Italian Presidential Decree D.P.R. dated 3rd May 2006, No. 252, by the date of expiry of the notice of selection.

The fulfilment of such obligations shall be certified by appropriate documentation, attached to the work itself, or Italian citizens and citizens of the European Union can submit their self-declaration, pursuant to the Italian Presidential Decree D.P.R. dated 28 December 2000, No. 445, about the fulfilment of the obligation.

The qualifications and publications shall be submitted in the original language. The Commission may require a translation into Italian or English. The Administration also reserves the right to ask the candidate, at any time, to provide an official translation, which shall be made by the relevant diplomatic or consular authorities, or by an official translator.

If the candidate does not present the translation requested by the term established, the Commission, being unable to assess publications in languages that it cannot understand, will assess only those works that are comprehensible.

#### **Art 5 – The content of questions**

The application must provide the following (as per Annex A):

- full name (married women should indicate the maiden name);
- tax code (Italian or non-Italian citizens having a personal tax code issued by the competent Italian authorities);
- place and date of birth;
- place of residence, e-mail address, and the domicile of the applicant for the procedure. A telephone number shall also be provided. The Staff Area (Department of teaching and research staff) of this University must be informed about any change;
- nationality of the applicant;
- the selection the applicant intends to participate in, specifying the Department, the type (b), the competitive exam sector and the S.S.D.;
- possession of at least one of the following mandatory requirements (please tick the appropriate box):
  - PhD or equivalent qualification obtained in Italy or abroad.
  - Medical specialisation school certificate in the sectors concerned.

**The applicants shall declare that they have also benefited from one of the following mandatory requirements (please tick the appropriate box):**

- contracts of at least three years under Art. 24 letter a) of the Italian Law No. 240/2010;

- research grants, at least for three years not necessarily consecutive years, pursuant to Art. 51 paragraph 6 of the Italian Law No. 449/97, as amended, or postdoctoral grants pursuant to Art. 4 of the Italian Law No. 398/89, or similar contracts, grants, or scholarships at foreign universities
  - for at least three years, contracts entered into pursuant to Art. 1 paragraph 14 of the Italian Law No. 230/2005, or similar contracts, grants, or scholarships in foreign universities;
- if an Italian citizen: the declaration of registration on the electoral roll with the indication of the local administrative area or the reasons for any non-registration or cancellation; if a non-Italian citizen: the declaration to be in the enjoyment of civil and political rights in the State of residence or origin;
- *only for Italian citizens*: military service situation ;
- the applicant has not been dismissed or laid off from a public authority due to persistent poor performance and he/she was not dismissed from a public employment according to art. 127, first paragraph, letter d) of the consolidated law on the statute of civil servants of the State, as approved by the Italian Decree of the President of the Republic dated 10 January 1957, No. 3;
- the applicant is not already employed for an unlimited term as a university professor of "1st and 2nd fascia", or as a researcher, even if dismissed from the service;
- the applicant has not held contracts as a research fellow and fixed-term researcher under Articles 22 and 24 of the Italian Law No. 240/2010 at the University of Chieti-Pescara or at other Italian State, non-State, or online universities, as well as the entities referred to in paragraph 1 of Article 22 of the Italian Law No. 240/2010 for a period which, when added to the expected duration of the contract put out to call for candidatures, exceeds a total of 12 years, although not continuous;
- the applicant is aware that the appointment of the Committee will be decided by the Rector and published on the official register of the University and, at the same time, on the University website ;
- the applicant is aware that the criteria adopted by the Committee will be made public through publication, for at least seven days, in the official register of the University and, at the same time, on the University website;
- the applicant is aware that the Committee, as a result of a preliminary assessment, admits to public discussion of qualifications and scientific production between 10 and 20 per cent of candidates of comparatively higher merit, and in any case not less than six candidates and that all candidates will be admitted to the discussion if their number is less than or equal to six;
- the applicant is aware that as a result of the discussion, a score is assigned to the qualifications and to each publication submitted by admitted applicants;
- the applicant is aware that the location, date and time of the discussion and the oral exam will be posted in the official register of the University and, at the same time, on the University website, at least 20 days before the discussion with the value of a notification in all respects;
- the applicant is aware that the list of candidates admitted to discussion, together with justified analytical judgments relating to the preliminary assessment will be announced soon after the call indicated.
- the applicant is aware that an oral exam will be held, together with the public discussion of qualifications and publications, aimed at checking the adequate knowledge of a foreign language and/or Italian language for foreign nationals;
- the applicant is aware that the overall scores assigned to qualifications and publications of the candidates admitted to the discussion and judgment on the oral exam aimed at ensuring adequate knowledge of a foreign language and/or the Italian language for foreign candidates will be made public by posting them on the official register of the University and at the same included in the University website. This publication has the value of a notification in all respects;
- the applicant is aware that the outcome of the selection to the Committee, on the basis of overall scores obtained, forms the ranking and designates the winner or declares that there is no winner;
- the applicant has no criminal record, or any criminal sentences, indicating the particulars of their outcomes (even if amnesty, remission, pardon, or judicial plea-bargaining was granted) and any ongoing criminal proceedings of which the applicant has knowledge or pending against him/her;
- the applicant physical fitness to ongoing service and unconditional for employment. This requirement shall not apply to applicants with disabilities;
- the applicant does not have a relationship by marriage, or kinship, or affinity to the fourth degree with a professor or researcher of the Department that requires the activation of the contract or with the Rector, or the General Manager, or a member of the Board of Directors of the University.

The statements made in the application shall be deemed granted pursuant to the Italian Presidential Decree D.P.R. dated 28 December 2000, No. 445, by the candidates who are entitled to use of the forms of simplification of administrative procedures

allowed by the mentioned decree.

The administration is required to carry out appropriate checks on the truthfulness of the affidavits. In the case the said check shows that the content of the declaration does not correspond to the truth, the applicant shall forfeit any benefits resulting from the provisions made on the basis of false declarations, subject to the provisions of the Criminal Code and any special laws in this field.

Any candidates with recognised disabilities, in accordance with the Italian Law dated 5 February 1992, No. 104, shall provide information about any aid they need in relation to their status, and the possible need for additional time for the interview.

Each candidate may elect a special domicile in the application, for the purposes of communications by the University Administration. The applicant must also indicate the phone numbers and e-mail address in the application.

Any change in the details provided in the application shall be promptly reported to the Rector by certified e-mail to [ateneo@pec.unich.it](mailto:ateneo@pec.unich.it) or sent to the Staff Area (Department of Teaching and Research Staff) by fax: +39 08713556102, with a copy of a personal valid identity document attached.

The University Administration undertakes no responsibility in the event of unavailability of the recipient or for loss of communications due to incorrect address details provided by the applicant or due to missed or late reporting of change of the address specified in the application, or for any postal or telegraph misdelivery, or any misdelivery attributable to third parties, unforeseeable circumstances or force majeure, or if the files transferred via certified e-mail are illegible.

#### **Art. 6 - Annexes to the Application**

*The application **TO BE COMPLETED ONLY ONLINE** must be accompanied by:*

- *a photocopy of a valid identity document;*
- *curriculum vitae (optional);*
- *a list containing details of qualifications and patents filed, with proof of their scanning. The list shall be dated and signed (the list is generated automatically by the system when filling out the application);*
- *a list containing numbered indication of submitted publications, with proof of their scanning. The list shall be dated and signed (the list is generated automatically by the system when filling out the application);*
- *a list of all the documents attached to the application duly signed and dated (the list is generated automatically by the system when filling out the application);*
- *declaration under Articles 46 and 47 of the Italian Presidential Decree D.P.R. No. 445/2000 of the indications described in the items listed above ("Annex B");*
- *documentation proving the possession of qualifications and in the case of qualifications obtained abroad, their equivalence, as follows:*
  - *European Union citizens: they must demonstrate the possession of qualifications using the instrument of self-certification or affidavit (Annex B).*
  - *Non-EU citizens in possession of a valid residence permit: they can produce original qualifications, in certified copy, or copy declared true to the original, in the manner provided for the citizens of the European Union, in the case they need to give proof of statuses, facts, and personal qualities certifiable by Italian public entities, or where the production of affidavits stems from the application of international conventions between Italy and the country of origin of the applicant.*

*Non-EU nationals not in possession of a valid residence permit may produce qualifications in original, certified copy, or copy declared true to the original. The certificates issued by the competent authorities of the country the non-EU national is a citizen of shall include an Italian translation authenticated by the Italian Consulate, which certifies that it conforms to the original.*

**In these latter cases, the documentation (qualifications in original, certified copy of the original, or copy declared true to the original) must necessarily be submitted together with the application and attachments.**

*The Administration reserves the right to carry out appropriate checks, including sample checks, on the truthfulness of the affidavits.*

*No reference may be made to documents submitted to this or other authorities, or documents attached to the application form to any other selection procedures.*

#### **Art. 7 - Waiver of the Candidate for the Procedure**

Any waiver to participate in the selection process, signed and dated, must be immediately reported to the Rector by certified e-mail (ateneo@pec.unich.it) or sent by fax (fax No.: +39 08713556102), with a copy of a valid identity document.

The waiver will take effect from the first committee meeting following the date of receipt.

#### **Art. 8 - Composition of the Selection Committee**

The Selection Committee shall be composed of at least three members, usually three professors of the scientific/discipline sector(s) being the subject of the selection identified, after the expiry of the notice, by the Department that proposed the activation of the contract. At least one of the members must be a professor who does not belong to the University G. D'Annunzio of Chieti-Pescara.

In the case of absence of teachers on the scientific/discipline sector(s), professors in a related field will be appointed.

The Committee may also include one or more experienced members in cases of contracts to be activated by external funding.

The appointment of the Committee shall be established by decree of the Rector published on the official University register and, at the same time, the University website.

From the date of publication in the Official Register of the University of the decree of appointment of the Committee, a period of thirty days shall commence, during which candidates can submit any instances of recusal of the Committee members to the Rector. After that period, and in any case after the establishment of the Committee, no instances of recusal of the Committee members shall be accepted.

The Committee shall select a Chairperson and a Secretary in charge of the minutes of its meetings, from among its members.

The Committee shall carry out its activities in the presence of all its members and take its decisions by an absolute majority of its members.

The Committee may use computer tools for collective work, in order to allow for the completion of the work within the prescribed period of four months from the date of appointment by decree of the Rector.

Participation in the activities of the Committee is an official obligation of its members, except in cases of force majeure. The causes of incompatibility and the changes of the legal status occurred after the decision to appoint the Committee do not affect the position as a member of the Selection Committee.

#### **Art. 9 – Duties of the Selection Committee**

During its first meeting, after having verified the eligibility of applications, subject to a declaration of all its members that there is no reason for incompatibility and absence of conflict of interest, the Selection Committee predetermines the general criteria for:

- a. the preliminary comparative evaluation of the curriculum, qualifications, and scientific production, including the doctoral thesis;
- b. the evaluation of the oral examination designed to verify the proper knowledge of a foreign language and/or Italian language for foreign applicants.

The Committee also predetermines the criteria for the assignment of an analytical score to the qualifications and to each publication submitted by the candidates admitted to the discussion, to the maximum extent, respectively, of 20 points for qualifications and 80 points for publications.

The criteria adopted shall be made public by posting in the official University register, for at least seven days and with, at the same time, the inclusion in the website of the University. After seven days, the Committee may proceed in its activities. The date of publication will be considered the useful day for publicity.

In its first session, the Committee shall also:

- set out the types of publications that are to be evaluated;
- decide the weighting of each criterion and parameter to be taken into account;
- identify any additional more selective criteria and parameters than those specified in the call.

The weighting of the criteria and parameters must be balanced and justified.

The Selection Committee may hold its sessions using IT systems. The Committee members have access via computer to the qualifications and publications, as well as to the related documentation, via access codes assigned by the University.

In the second session, the Committee must declare that there are no situations of incompatibility with the candidates in accordance with articles 51 and 52 of the Italian Code of Civil Procedure, and that there are no family relationships or affinities within the 4<sup>th</sup> degree, inclusive, with them.

The Committee carries out a preliminary comparative assessment of the candidates, with justified analytical judgment on their curriculum, their qualifications and scientific production, including their doctoral thesis, according to the criteria and parameters which are also recognised internationally and identified by a decree of the Italian Ministry of Education, University, and Research MIUR No. 243 dated 23 May 2011 concerning "Criteria parameters for the preliminary assessment of candidates for public procedures for selecting recipients of contracts pursuant to art. 24, paragraph 2, letter c) of the Italian Law dated 20 December 2010, No. 240".

Following the preliminary comparative assessment, the Committee shall admit between 10 and 20 percent of the candidates of comparatively higher merit to public discussion of the qualifications and scientific production, and in any case not less than six candidates. All candidates are admitted to the discussion if their number is equal to or lower than six. Following the discussion, a score is assigned to qualifications and to each publication submitted by admitted candidates.

The location, date and time of the discussion and of the oral examination are published on the official register of the University and entered in the University website at least 20 days before the discussion.

The list of candidates admitted to the discussion, together with justified analytical judgments relating to the preliminary comparative assessment will also be published.

These publications shall be fully considered as notifications in all respects. Therefore, the candidates are required to appear with a valid document of identity on the day(s) and place to be determined without any further notice or call. **Failure of the candidate to appear shall be considered as final implicit withdrawal from the selection.**

The Committee proceeds with public discussion of qualifications and publications with candidates and, in the same context, with the oral test, which is designed to verify the proper knowledge of a foreign language and/or Italian language for foreign applicants.

After the discussion, the Committee assigns an analytical score for qualifications to each of the publications submitted by the candidates admitted to the discussion, makes a judgment on the oral examination, and identifies the suitable candidate by a decision made by the majority of the members.

The overall ratings assigned to the qualifications and publications of candidates admitted to the discussion and the judgment on the oral test aimed at assessing adequate knowledge of a foreign language and/or Italian language for foreign applicants shall be made public by posting on the official register of the University and, at the same time, entered in the website of the University. This publication shall be considered as a notification in all respects.

The proceedings of the selection procedure consist of the minutes of each meeting of which the justified analytic judgments relating to the preliminary comparative evaluation, the scores assigned to the qualifications and publications of candidates admitted to public discussion, and the evaluation of the oral examination aimed at ensuring adequate knowledge of a foreign language and/or Italian language for foreign applicants, are an integral and necessary part.

#### **Art. 10. Evaluation of Qualifications and Curriculum**

The preliminary comparative assessment of candidates as per the article above shall be carried out by the Committee, with reference to the specific sector of the competitive exam and any profile defined only by specifying one or more scientific areas of the curriculum and the following qualifications, which shall be duly documented:

- a) PhD or equivalent, or, for the sectors concerned, medical specialisation or equivalent certificate obtained in Italy or abroad;
- b) Any teaching activity at university level in Italy or abroad;
- c) Documented training or research activity at qualified Italian or foreign institutions;
- d) Documented activity in clinical areas in which these specific skills are required;
- e) Implementation of project activities in relation to the competitive exam sectors in which they are required;
- f) Organisation, management, and coordination of national and international research groups, or participation therein;
- g) Ownership of patents related to competitive exam sectors in which it is required;
- h) Speaker at national and international conferences and meetings;
- i) Awards and national and international recognitions for research activities;
- j) European postgraduate certificate recognised by international Boards, in relation to the competitive exam sectors in which it is required.

The evaluation of each qualification shall be made considering specifically the significance that it has in respect of the quality and quantity of the research carried out by the individual candidate.

#### **Art. 11. Evaluation of Scientific Production**

In making the preliminary comparative assessment of candidates, the Committee shall take into account only publications or texts accepted for publication in accordance with the rules in force as well as essays included in collective works and articles published on paper or digital magazines, with the exception of internal notes or departmental reports. Doctoral thesis or equivalent qualifications are taken into account even in the absence of above-mentioned conditions.

The Committee shall carry out a comparative assessment of the publications on the basis of the following criteria:

- a) Originality, innovation, rigorous methodology, and relevance of each scientific publication;
- b) Consistency of each publication with the competitive exam sector for which the selection procedure is called and with any profile, which is defined only by specifying one or more scientific/discipline areas, or through interdisciplinary matters related thereto;
- c) Scientific relevance of the editorial position of each publication and its dissemination within the scientific community;
- d) Analytical determination, on the basis of criteria set forth in the reference international scientific community, of the individual contribution of the applicant in the case of participation of the applicant in team works.

The Committee shall also evaluate the overall consistency of the candidate's scientific production, its intensity, and its continuity through time, with the exception of adequately documented periods of involuntary stoppage of research activities, with particular reference to parenting.

In the context of competitive exam sectors in which their use is consolidated at the international level, the Committee shall also make use of the following indicators, in assessing publications, which refer to the date of expiry of the deadline for submission of applications:

- a) Total number of references;
- b) Average number of references per publication;
- c) Total "impact factor";

- d) Average "impact factor" per publication;
- e) Combinations of the above parameters aimed at increasing the impact of the candidate's scientific production (Hirsch index, or similar).

#### **Art. 12. Conclusion of the Activities of the Committee**

The activities of the Committee shall be completed within four months from the order of appointment. The Rector may extend only once and for not more than two months the deadline for completion of the procedure in the case of proven and exceptional reasons reported by the Chairperson of the Committee.

In the event that the activities are not completed within the extension period, the Rector, in a reasoned decision, shall initiate the procedures for replacement of the Committee or of its members components who are liable for the causes of the delay, in accordance with the identification procedures set out in this call and establishing at the same time a new deadline for the completion of the activities.

At the end of the selection process, the Committee, on the basis of overall scores achieved, shall establish the classification and designate the winner or declare that there is no winner.

If the Committee identifies the existence of irregularities in the conduct of the procedure, the Rector shall send the relevant documents to the Committee, with a reasoned decision, and assign a deadline for a review of the procedure. The Rector shall approve the formal correctness of the reports of the procedure sent by the Committee, which are published on the University website.

#### **Art. 13. Call of the Department**

The Department shall proceed, within 60 days from approval of the documents, with the proposal to call the winner.

The resolution is valid if approved by the affirmative vote of an absolute majority of teachers of first and second level ("prima e seconda fascia") of the organisation.

The failure to adopt a call resolution, within the deadline mentioned above, involves the inability of the organisation that required the call for candidatures to request a new selection for the same sector for a period of one year.

The resolution containing the proposed call is submitted to the Board of Directors for approval.

In the event that the winner refuses the contract before it is signed, the department may proceed to a new call by following the order in the classification list.

#### **Art. 14. Contract of Employment and Recruitment**

The employment contract on a temporary basis that is established with the Researcher is signed by the Rector and the Researcher.

The contract for recruitment of the Researcher cannot be entered into if the successful candidate has a relationship by marriage, or kinship, or affinity to the fourth degree with a professor or researcher of the Department that requires the activation of the contract or with the Rector, or the General Manager, or a member of the Board of Directors of the University.

The contract shall also be assigned in accordance with the principles set out in the Code of Ethics of the University in the field of conflict of interest. Within 30 days from the date of approval of the Researcher's call by the Board of Directors, the Researcher shall enter into the employment contract, to be signed within the next thirty days.

A trial period of three months is required. During the trial period, either party may terminate the contract at any time without prior notice or compensation in lieu of notice, effective immediately upon receipt of notice to the other party. The trial period cannot be renewed or extended after its end. The evaluation of the activities carried out during the trial period is up to the Department Director.

The contract is for three years and is not renewable.

The contract expiration involves the termination of employment. In no event shall the employment turn into permanent employment.

The employment workplace is the Department that proposed that the activation of the contract.

For the purposes of reporting of research projects, the figurative quantification of annual research activities, supplementary teaching, and service to students is of 1,500 hours per year for full-time researchers.

The researchers shall organise their work in agreement with the Department Director.

Where required, in order to verify the distribution of the number of hours devoted to research activities carried out by the Researcher, a specific register can be used. However, it is compulsory for the researcher to register his or her presence using a personalized computerized badge.

The disciplinary authority is governed by Art. 10 of the Italian Law No. 240/2010.

A fixed-term Researcher is entitled to use, for the conduct of the research, the equipment of the Department in which activities are carried out. The Department shall provide the necessary support to the Researcher for the implementation of the research program, providing access to the equipment, the resources needed, and the use of technical and administrative services.

#### **Art. 15. Payment of Salary, Taxes, Social Security, and Insurance Fees**

For the entire duration of the employment period, the researcher shall receive an all-inclusive gross salary corresponding to the salary of fixed-term researcher confirmed as class 0 plus 20%.

No salary increase or career progression applicable to fixed-term researchers applies to the fixed-term Researcher.

The contracts are subject to all the obligations provided for employment contracts entered into with the University G. d'Annunzio of Chieti-Pescara.

#### **Art. 16. Incompatibility**

The contract is incompatible:

- with any other employment contract with public and private entities;
- with the ownership of research grants even in other universities;
- with doctoral and post-doctoral fellowships, and in general with any scholarship or grant conferred for any reason whatsoever also by third parties;
- with the ownership of teaching contracts governed by the applicable provisions.

Full-time researchers of type b are allowed to carry out additional tasks entrusted by third parties, in accordance with the provisions of the Regulations of the University, provided they are compatible with the smooth running of the institutional activities and in accordance with applicable regulations.

The contract does not give rise to any rights in academic positions.

The performance of the contract is an advantage in the competition for employment in public administrations.

#### **Art. 17. Mobility**

In the event of mobility between universities, fixed-term researchers who are in charge of research projects funded by entities other than the University the researcher works for shall retain ownership of the projects and relevant funding with the agreement of the entity that ordered the research.

#### **Art. 18. Publicity**



The notice of this call for comparative evaluation is forwarded to the Italian Ministry of Justice for publication in the Official Journal (Gazzetta Ufficiale) of the Italian Republic – 4<sup>th</sup> Special Series – Competitions and Exams. The call is also posted in the online register of the University as well as on the websites <http://www.unich.it/concorsigelmini2016> , <http://bandi.miur.it/> , and <http://ec.europa.eu/euraxess.it>

#### **Art. 19. Documentation Required for the Purpose of Signing the Contract**

The winner called by the Department will be invited, for the purpose of signing the contract, to submit to the teaching and research Staff Sector the statements pursuant to Articles 46 and 47 of the Italian Presidential Decree D.P.R. No. 445/2000 proving the existence of the requirements provided by law for admission to employment, as specified in Art. 3 of this call, as well as the affidavits of certifications of marital status, household composition, inclusion in any group with special protection, any entitlement to pension, and any membership of professional bodies.

The winner shall also submit the declaration under Articles 46 and 47 referred to above that he/she does not have other employment by public or private entities and that he/she does not carry out any industrial or trade activities. Throughout the duration of the contracts referred to in this Article, employees of public authorities are placed on leave, without pay or social security contributions, or in the position of temporary staff in cases where this position is provided by the rules. If the winner is employed by an official institution or private company, he/she shall submit a declaration of acceptance of employment.

If the winner is a non-EU citizen, he/she can submit the declaration under Articles 46 and 47 of Italian public entities. If the data required refer to documents issued abroad and not registered in Italy or at an Italian Consulate, the winner shall submit the certificates issued by the Italian competent authorities certifying the conformity of the documents to the original.

The winner shall also submit three passport photos.

#### **Art. 20. Final Provisions**

For all and any matters not provided for by this Rector Call Decree, please refer to the rules set forth in the applicable Regulations for recruitment of temporary researchers, according to Art. 24 of the Italian Law No. 240/2010, issued by D.R. No. 172 dated 23 December 2011.

For the purposes of the implementation of the provisions of the Italian Law No. 241/90, the Head of the procedure is Mrs. Valentina ALBERTAZZI, Head of the Teaching and Research Staff Sector, reference e-mail [concorsigelmini2016@unich.it](mailto:concorsigelmini2016@unich.it)

Pursuant to the Italian Legislative Decree D.lg. 196/2003, the personal data provided by the candidates are processed exclusively for the purposes of managing the selection.

This decree shall be acquired in the collection in the register of this Administration.

Signed The Rector

Prof. Carmine DI LIO

Annexes:     - Model  1 (profile)  
              - Model  A (facsimile of the application)  
              - Model  B (affidavits of certifications)

Model 1 - PROFILE (attached to D.R. no 636 /2016 , reg. no . 26716 dated 25/05/2016)

A comparative assessment procedure by qualifications and public discussion for the recruitment of one **Researcher with fixed-term employment** is called pursuant to art. 24 paragraph 3 letter B) of the Italian Law 240/2010 (senior) with full-time commitment, **SSD IUS 12 TAX LAW, s.c. 12/D2 TAX LAW**, activated for the needs of study and research of the Department of **Legal and social sciences**;

**Date of the resolution of the Department** with which on the basis of availability of p.o. assigned and is been identified **ssd and s.c. relative instead of fixed-term researcher in art. 24 , paragraph 3, letter . b ) of L**  
aw no . 240/2010 to banish: 19/04/2016

**Date of the resolution of the Department** in which they are declared the profile to art. 4 , paragraph 4 of the University Regulations : 19/04/2016

**Date of the report of the Evaluation Nucleus** with which it was expressed its opinion : 29/04/2016

**Academic Recruitment Field:** 12/D2– Tax Law

**Academic Discipline:** Ius 12 – Tax Law

**Place of Employment:** Department of Legal and social sciences

Specific functions required to the research assistant:

**Teaching appointments:** frontal lectures, supplementary and helping activities for the students of bachelors and masters of Department of Legal and social sciences and for the students of courses degree of the School to which that department pertains.

**Scientific appointments:** The research will focus on the theoretical and methodical problems which arise from the conflict between form and substance in implementing tax levied on enterprises and companies. The research will also consider the commingling profiles between taxation of income and value added tax, both with reference to the abuse of tax law and of the contrast tools, both in the light of BEPS actions promoted by OECD at the international level;

**Rights and obligations:** as laid down by the provisions in force for the legal status of fixed term research assistants, and by the current Code of Ethics of the University.

**Duration:** 36 months, non-renewable.

**Salary:** the Researcher will receive a salary equal to the total gross remuneration payable to a researcher with continuous and unlimited term employment confirmed in class 0 plus 20%, for a total, single, all-inclusive cost with charges to be borne by the administration of € 58,625 per annum. Salary and career progressions provided for researchers with unlimited term employment, as set forth by the existing legislation and in particular the Italian Presidential Decree Law dated 15 December 2011 No. 232, do not apply to researchers with fixed-term employment;

**Maximum number of publications** and in any case not less than number 12 : n. 15 (fifteen) included the PHD thesis if presented

**Foreign language** whose adequate knowledge will be assessed with reference to the multi-lingual profile of the University, namely the academic teaching needs in foreign language degree courses: English.

**Mean of assessment of knowledge of the foreign language, or knowledge of Italian for foreign candidates:** interview;

**Funding:** D.M. 78/2016 , extraordinary researchers plan 2016;

**The specific research activity will be related to the development of the project “ Form and substance in the carrying out of tax rules with reference to the abuse of law and to the BEPS actions of OECD”.**

**The scientific production objectives for the researcher will be aimed at the publication of three (3) papers on national and international journals evaluated at the A level by Anvur criteria and at the presentation of the various outcomes of the research at national and international conferences**

**Mean of assessment of scientific qualification:** by assessment of qualifications , curriculum , scientific production and an interview, under and for the purposes of Art . 24 of Law no . 240/2010..

ANNEX 'A' FACSIMILE OF APPLICATION

for the RECRUITMENT OF A RESEARCHER WITH A FIXED-TERM EMPLOYMENT CONTRACT - TYPE B

TO THE RECTOR OF THE UNIVERSITY OF  
CHIETI - PESCARA  
Settore Personale Docente e Ricercatore  
Via dei Vestini n. 31  
66100 CHIETI

I,  
SURNAME \_\_\_\_\_ (   
*women should indicate their maiden name*)

NAME \_\_\_\_\_

TAX CODE \_\_\_\_\_

BORN IN \_\_\_\_\_ PROV. (initials)

or foreign country of birth \_\_\_\_\_  
ON \_\_\_\_\_

GENDER \_\_\_\_\_, CURRENTLY RESIDENT IN \_\_\_\_\_

\_\_\_\_\_ PROV. (initials)

ADDRESS \_\_\_\_\_ Postcode

TELEPHONE: \_\_\_\_\_ MOBILE: \_\_\_\_\_

E-MAIL: \_\_\_\_\_

**A S K**

to be admitted to the procedure for the RECRUITMENT OF A RESEARCHER WITH A FIXED TERM EMPLOYMENT CONTRACT - TYPE B - in compliance with art. 24, paragraph 3, letter B, Law no. 240, dated 30 December 2010, at the DEPARTMENT of:

\_\_\_\_\_   
for the Competitive Sector \_\_\_\_\_ Scientific Discipline Sector \_\_\_\_\_

---

To this end, in compliance with articles 46, 47 and 76 of Presidential Decree no. 445/2000 and aware that untruthful declarations are punishable in compliance with articles 483, 495 and 496 of the criminal code and special laws

I HEREBY DECLARE

DECLARATIONS IN PLACE OF CERTIFICATIONS

(art. 46 Presidential Decree no. 445/2000)

DECLARATIONS IN PLACE OF THE AFFIDAVIT

(art. 19 and 47 of Presidential Decree no. 445/2000)

- that I was born on the date and in the place indicated above;
- that I am resident in the place indicated above;
- that I elect the following domicile as the place to which correspondence relating to the procedure must be sent (only if different from the residence):

TOWN \_\_\_\_\_ PROV.(initials) \_\_\_\_\_

ADDRESS \_\_\_\_\_

POSTCODE \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ MOBILE: \_\_\_\_\_

E-MAIL: \_\_\_\_\_

- that I hold the following nationality: \_\_\_\_\_;
- that I hold civil and political rights;
- that I have not received criminal sentences and have not received the following criminal sentences  
: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_;
- that I am not aware of having been subjected to criminal investigations and proceedings pending and do have the following criminal investigations and proceedings pending: \_\_\_\_\_  
\_\_\_\_\_;
- that I have not been dismissed or laid off by a public authority due to persistent poor performance and have not been dismissed from a public employment in accordance with art. 127, first paragraph, letter d) of the

consolidated law on the statute of civil servants of the State, as approved by Presidential Decree no. 3, dated 10 January 1957;

- that I am in possession of at least one of the following mandatory requirements (please tick the appropriate box and indicate the elements that identify the title):

PhD or equivalent qualification obtained in Italy or abroad: in \_\_\_\_\_ awarded on \_\_\_\_\_, at \_\_\_\_\_.

Medical specialisation school certificate in the sectors concerned: in \_\_\_\_\_ awarded on \_\_\_\_\_, at \_\_\_\_\_.

- I also declare that I am in possession of one of the following mandatory requirements (please tick the appropriate box and indicate the elements that identify the contractual relationship, for each contract):

contracts entered into in accordance with art. 24, letter a) of Law no. 240/2010, contract/provision dated \_\_\_\_\_ with \_\_\_\_\_ starting from \_\_\_\_\_ until \_\_\_\_\_;

research grants, at least for three not necessarily consecutive years, pursuant to art. 51 paragraph 6 of Law no. 449/97, as amended, pursuant to art. 22 Law 240/2010, contract/provision dated \_\_\_\_\_ with \_\_\_\_\_ starting from \_\_\_\_\_ and until \_\_\_\_\_;

postdoctoral grants pursuant to Art. 4 of Law no. 398/1989; contract/provision dated \_\_\_\_\_ with \_\_\_\_\_ starting from \_\_\_\_\_ and until \_\_\_\_\_;

contracts pursuant to art. 1, paragraph 14, Law 230/2005, at least for three years, contract/provision dated \_\_\_\_\_ starting from \_\_\_\_\_ and until \_\_\_\_\_;

or similar contracts, grants, or scholarships in foreign universities, contract/provision dated \_\_\_\_\_ with \_\_\_\_\_ starting from \_\_\_\_\_ and until \_\_\_\_\_;

**NB: Any candidates who have a degree obtained abroad shall, within the deadlines of the call for candidatures, under penalty of exclusion from the selection process, submit a copy of the official recognition of equalisation or equivalence of the degree released by the competent authorities, uploading it onto the system using the methods indicated in the call for candidates**

THAT I AM IN THE FOLLOWING POSITION WITH REGARD TO MILITARY SERVICE:  
\_\_\_\_\_;

- (for Italian citizens) the declaration of registration on the electoral roll of the Municipality of \_\_\_\_\_ or the reasons for any non-registration or cancellation, as follows:  
\_\_\_\_\_

- 
- (for non-Italian citizens) the declaration to be in the enjoyment of civil and political rights in the State of residence or origin
  - (for non-Italian citizens) the declaration of an adequate knowledge of the Italian language;
  - physical fitness for ongoing service unconditional for employment (this requirement shall not apply to applicants with disabilities);
  - Possible indication for applicants with disabilities:
- 

- that I am not in any of the situations listed below:

- "prima e seconda fascia" (literally 'first and second rank') teacher or researcher already employed for an unlimited period of time, even no longer in service due to retirement;
- possessor of contracts as a research fellow and fixed-term researcher under Articles 22 and 24 of the Law 240/2010 at the University of Chieti-Pescara or at other Italian State, non-State, or online universities, as well as the entities referred to in paragraph 1 of Art. 22 of the Italian Law No. 240/2010 for a period which, when added to the expected duration of the contract of the call, exceeds a total of 12 years, although not necessarily continuous. For the calculation of the duration of the aforementioned contracts, any periods of time spent away from work on maternity leave or for health reasons shall not be included, according to the Law;
- related by marriage or kinship or affinity to the fourth degree with a professor or researcher of the Department that requires the activation of the contract, or with the Rector or the General Manager, or a member of the Board of Directors of the University;
- dismissed or laid off from a public authority due to persistent poor performance or dismissed from a public employment according to art. 127, first paragraph, letter d) of the consolidated law on the statute of civil servants of the State, as approved by the Italian Decree of the President of the Republic dated 10 January 1957, no. 3;

**NB:** It should be noted that failure to observe the limits referred to the maximum and minimum number of publications to present will lead to exclusion. In the event of failure to observe these limits, exclusion is mandatory and allows no exceptions.

The above qualifications and requirements indicated in the call for candidates must be possessed on the date of expiry of the deadline for presentation of the application for admission to the procedure.

The contract, assigned in compliance with the University's Code of ethics cannot be entered into with those who have a relationship by marriage, or kinship, or affinity to the fourth degree with a professor or researcher of the Department that requires the activation of the contract or with the Rector, or the General Manager, or a member of the Board of Directors of the University.

#### I ALSO HEREBY DECLARE THAT:

- I am aware that the appointment of the Committee will be decreed by the Rector and published on the official register of the University and, at the same time, on the University website;

- I am aware that the criteria adopted by the Committee will be made public through publication, for at least seven days, in the official register of the University and, at the same time, on the University website;
- I am aware that the Committee, as a result of a preliminary assessment, admits to public discussion of qualifications and scientific production between 10 and 20 per cent of candidates of comparatively higher merit, and in any case not less than six candidates and that all candidates will be admitted to the discussion if their number is less than or equal to six;
- I am aware that as a result of the discussion, a score is assigned to the qualifications and to each publication submitted by admitted applicants;
- I am aware that the location, date and time of the discussion and the oral exam will be posted in the official register of the University and, at the same time, on the University website, at least 20 days before the discussion with the value of a notification in all respects;
- I am aware that the list of candidates admitted to discussion, together with justified analytical judgements relating to the preliminary assessment will be announced soon after the call indicated
- I am aware that an oral exam will be held, together with the public discussion of qualifications and publications, aimed at checking the adequate knowledge of a foreign language and/or Italian language for foreign nationals;
- I am aware that the overall scores assigned to qualifications and publications of the candidates admitted to the discussion and judgement on the oral exam aimed at ensuring adequate knowledge of a foreign language and/or the Italian language for foreign candidates will be made public by posting them on the official register of the University and at the same included in the University website. This publication has the value of a notification in all respects.
- I am aware that the outcome of the selection to the Committee, on the basis of overall scores obtained, forms the ranking and designates the winner or declares that there is no winner.

**I annex to this application:**

- *a photocopy of a valid identity document;*
- *curriculum vitae (opzionale)*
- *a list containing details of qualifications and patents filed, with proof of their scanning. The list shall be dated and signed (the list is generated automatically by the system when filling out the application);*
- *a list containing numbered indication of submitted publications, with proof of their scanning. The list shall be dated and signed (the list is generated automatically by the system when filling out the application);*
- *a list of all the documents attached to the application duly signed and dated (the list is generated automatically by the system when filling out the application);*
- *declaration under Articles 46 and 47 of Presidential Decree no. 445/2000 of the indications described in the*

items listed above ("Annex B");

- documentation proving the possession of qualifications and in the case of qualifications obtained abroad, their equivalence, as follows:

-European Union citizens: they must demonstrate the possession of qualifications using the instrument of self-certification or affidavit (Annex B).

-Non-EU citizens in possession of a valid residence permit: they can produce original qualifications, in certified copy, or copy declared true to the original. In the manner provided for the citizens of the European Union, in the case they need to give proof of statuses, facts, and personal qualities certifiable by Italian public entities, or where the production of affidavits stems from the application of international conventions between Italy and the country of origin of the applicant.

*Non-EU nationals not in possession of a valid residence permit may produce qualifications in original, certified copy, or copy declared true to the original. The certificates issued by the competent authorities of the country the non-EU national is a citizen of shall include an Italian translation authenticated by the Italian Consulate, which certifies that it conforms to the original.*

**In these latter cases, the documentation (qualifications in original, certified copy of the original, or copy declared true to the original) must necessarily be submitted together with the application and attachments.**

Lastly, I consent to the use of my personal data, in observance of Legislative Decree 196/2003 and subsequent amendments and integrations, for the fulfilment of obligations connected to this procedure.

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(Place and date)

THE DECLARANT (legible signature)

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ANNEX 'B'

**DECLARATIONS IN PLACE OF CERTIFICATIONS**

(art. 46 Presidential Decree no. 445/2000)

**DECLARATIONS IN PLACE OF THE AFFIDAVIT**

(art. 19 and 47 of Presidential Decree no. 445/2000)

I:

SURNAME \_\_\_\_\_ (   
*women should indicate their maiden name*)

NAME \_\_\_\_\_

TAX CODE \_\_\_\_\_

BORN IN \_\_\_\_\_ PROV. (initials) \_\_\_\_\_

ON \_\_\_\_\_ GENDER \_\_\_\_\_

CURRENTLY RESIDENT IN \_\_\_\_\_

\_\_\_\_\_ PROV.(initials) \_\_\_\_\_

ADDRESS \_\_\_\_\_ Postcode \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ MOBILE: \_\_\_\_\_

E-MAIL: \_\_\_\_\_

I,

aware that untruthful declarations are punishable in compliance with articles 483, 495 and 496 of the criminal code and special laws,

**DECLARE**

- that everything contained in the list of qualifications annexed to the application is true;
- that everything contained in the list of publications presented, annexed to the application, is true;
- that everything stated in the curriculum vitae annexed to the application is true;
- that everything contained in the documentation relating to the educational and assistance activity performed, considered useful to the the purposes of this selection procedure, is true (if presented);

**with reference to the publications that:**

- the publications presented, as shown in the list of publications presented, are compliant with the original, have already been published and, consequently, have already complied fully with the legal obligations (Lieutenancy Decree no. 660/1945, Law no. 106/2004 and Presidential Decree 252/2006 and subsequent amendments);
- in the publications in collaboration, the candidate's contribution is that indicated precisely in the application and is true;

**with reference to writings still to be published, that:**

- that they have been accepted for publication;
- that the publisher's letter of acceptance is compliant with the original.

\_\_\_\_\_  
(Place and date)

THE DECLARANT (*legible signature*)  
\_\_\_\_\_