Attachment 2

DECLARATION OF COMPLIANCE WITH THE DNSH (*DO NOT SIGNIFICANT HARM*) PRINCIPLE AND COMPLIANCE WITH OTHER PRINCIPLES AS PER THE ENVIRONMENT CODE

NATIONAL RECOVERY AND RESILIENCE PLAN (NRRP) – MISSION 4 COMPONENT 2 INVESTMENT 1.1 – "Fund for the National Research Program and for Projects of National Interest (NRP)"

DECLARATION OF COMPLIANCE WITH THE DNSH PRINCIPLE AND WITH EU AND NATIONAL ENVIRONMENTAL LAWS

(The hereby declaration should be filled out and digitally signed by the implementing entity and attached to the technical-scientific report on the development of the project)

The undersigned_____, born in _____, on_____, Legal representative of the implementing entity_____, Fiscal code_____, VAT number _____, with registered office_____ in Street_____n._____ZIP_____PEC_____aware of the penal liability which can be charged of in case of false declarations or not corresponding to the truth (art. 76 of the P.R.D. n. 445 from 28/12/2000), according to P.R.D. N. 445 from 28/12/2000 and ss.mm.ii.

DECLARES that

1. The activities carried out by the implementing entity, which are verified through the attached documents produced by other entities involved in the implementation of the project, do not significantly harm the six environmental objectives indicated in art. 17 of the EU regulation 2020/852, for the whole project duration and in particular:
    i. Mitigation of climate change, as the activities do not release greenhouse gas emissions;
    ii. Adaptation to climate change, as the activities do not lead to a worsening of the negative effects of climate and of the negative effects of the climate in the future especially on people and nature;
    iii. Sustainable use and safeguarding of water and marine resources as the activities do not harm:
        a) The current status of water basins, including surface water and groundwater; or
        b) Current ecological status of marine water;
    iv. Circular economy, including protection and waste recycling as:
        a) The activities do not lead to inefficiencies in the use of materials or the direct or indirect use of natural resources such as non-renewable energy sources, raw materials, water and soil, at one or more stages of the life cycle of the products, also in terms of the durability, reparability, upgradeability, reusability or recyclability of the products;
        b) the activities do not lead to a significant increase in waste generation, incineration or disposal, with the exception of the incineration of non-recyclable hazardous waste; or

c) the long-term disposal of waste is not likely to cause significant long-term damage to the environment;

v. the prevention and reduction of pollution, as the activities do not lead to a significant increase in emissions of pollutants into the air, water or soil as compared with the pre-existing pattern; or

vi. the protection and restoration of biodiversity and ecosystems, as the activities:

a) do not significantly harm the good condition and resilience of ecosystems; or

b) do not harm the conservation status of habitats and species, including those of interest to the European Union.[1]

2. In order to carry out the checks referred to in paragraph 1, the indications included in the Annex to MEF notification dated 30 December 2021, no. 32, named *"Operational guide for compliance with the principle of not causing significant damage to the environment (DNSH)"* (hereinafter "DNSH Guide") and in the Annex to MEF Circular dated 13 October 2022, no. 33 of 13 October 2022, named *"Updated Operational Guide for Compliance with the Principle of No Significant Harm to the Environment (DNSH)"*, including those concerning the Scheme associated with the measure to which the project refers, the technical data sheets associated with the measure and the relevant checklists;

3. The activities carried out by the Implementing entity do not fall within the following *'brown'* research activities in accordance with the EU Commission Communication 2021/C 58/01 *'Technical guidance on the application of the DNSH principle'*:

i. activities related to fossil fuels, including downstream use;

ii. activities under the EU Emissions Trading Scheme (ETS) that generate expected greenhouse gas emissions whose amount is not less than the benchmarks of reference;

iii. activities related to landfills, to incinerators and mechanical-biological treatment plants;

iv. activities in which the long-term disposal of waste could cause damage to the environment.

4. The activities performed comply with relevant EU and national environmental legislation.

5. It has complied with the requirements of the applicable national legislation, including those set out in the Environmental Code (Legislative Decree no. 152 of 3 April 2006 and subsequent amendments and additions), including the possible need to submit the relevant project activities according to the requirements of the applicable legislation, including the Environmental Impact Assessment (EIA), the Integrated Environmental

[1] When assessing an economic activity on the basis of the criteria set out in this paragraph, the environmental impact of the activities themselves and the environmental impact of the products and services they provide throughout their life cycle shall be taken into account, in particular by considering production, use and end-of-life of those products and services

Authorisation (AIA) and the Single Environmental Authorisation (AUA);

6. The Implementing Entity has given directions, as part of the procedures for the selection and execution of the tender contract, to the implementing or executing Entities to comply with the provisions contained in the Annex to MEF Notification dated 30 December 2021, no. 32 of 30 December 2021, named *"Operational guide for compliance with the principle of not causing significant damage to the environment (DNSH)"* (hereinafter referred to as the "DNSH Guide") and in the Annex to MEF Notification No. 33 of 13 October 2022, named *"Updated Operational Guide for compliance with the principle of not causing significant damage to the environment (so-called DNSH)"* as well as the provisions of EU and national environmental legislations.

Place and date_____

Legal Representative of the implementing entity
(Digital signature)

Appendix – Checklist attached to the DNSH Guidelines related to Form n.26– Funding for enterprises and research - Measure 4 Component 2 Investment 1.1 (to be filled out every two months as per the accounting period)

Timeframe for the checks	n.	Item to be checked	Result (Yes/No/Not applicable)	Comment (mandatory in case of N/A)
Ex-ante[2]	1	Has a list of investments in all sectors been provided, identified according to their NACE code (at a division level)?		
	2	Are all operations that meet or exceed the thresholds described in the points included in the related data sheet (CATEGORY 1) subject to a successful sustainability check, following the guidelines of the technical instructions for the InvestEU Fund, and is this provision included in the contractual agreements as well as its subsequent compliance?		
	3	Are investments that fall below the minimum threshold for the application of the full sustainability check (CATEGORY 2) subject to a simplified form of verification and were they successful?		
	4	Is it confirmed that activities dedicated to so-called 'brown R&I' are excluded ex-ante, e.g. fossil fuels, natural gases from Annex III on the Technical Guidelines on the application of the principle 'do no significant harm', incinerators, mechanical biological treatment and landfills etc., as specified in the technical data sheet?		
	5	Is it confirmed that the funded activities are not among those excluded, as defined in the related factsheet?		

[2] Checkpoints whose 'time for carrying out checks' is indicated as ex-ante are also to be understood as applying to ongoing checks.

	6	Are investments in research and innovation addressed to research whose outcome is technologically neutral (technological neutrality) for its application?		
Ex-post	7	Are the audited criteria monitored over time and have the changes to the originally indicated audit outcome been properly communicated and have the consequences been mitigated?		
	8	Is investment compliance monitored during their implementation and is appropriate action taken where relevant?		