


CODE OF ETHICS AND CONDUCT

OF INSTITUT D'INVESTIGACIÓ BIOMÈDICA DE GIRONA (IDIBGI)

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I. PREFACE

The code of ethics and conduct (*hereinafter known as the Code*) is a set of recommendations and commitments that summarise the current policies and practices at Institut d'Investigació Biomèdica de Girona (IDIBGI) related with the behaviour of people and of the institution, which was approved by the Board of Trustees of IDIBGI on 22 May 2019.

The Code sets out the criteria for action, and the principles and values on which IDIBGI operations are based.

II. PURPOSE


The purpose of this Code is to ensure professional, ethical and responsible behaviour by IDIBGI and all its employees, affiliates, collaborators and interns (*hereinafter known as Personnel*) in the performing of their activities as a basic element of its business culture, with training and personal and professional growth as an important basis.

To this end, the principles and values by which the relationship between IDIBGI and its personnel, sponsors and other companies and entities must abide are defined.

IDIBGI undertakes to strictly comply with current law and to respect the obligations and commitments assumed, maintaining upright and honest behaviour in all its activities and declaring its commitment to object to any kind of illegal or criminal act.

The code of ethics and conduct:

- ✓ Facilitates the knowledge and application of the business culture of IDIBGI, firmly based on compliance with human and social rights.
- ✓ Establishes the principle of due diligence for the prevention, detection and elimination of irregular conduct of whatever nature, considering the analysis of the risks, the definition of responsibilities, the training of workers, the relationship with third parties, and the formalisation of procedures, especially for the notification and rapid elimination of irregular conduct.

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III. SCOPE

The Code of Ethics and Conduct applies to everyone who forms part of IDIBGI, regardless of their role, type of contract, location or level of hierarchy.

In 2011, IDIBGI acquired the commitment to apply the principles of the *European Charter for Researchers and Code of Conduct for the Recruitment of Researchers (C&C)*, and became a member of the 4th Cohort of the European Commission's *Institutional Human Resources Strategy Group (HRS4R)* in 2012. It later received recognition from the Commission with the *HR Excellence in Research* stamp (March 2015) and started to implement policies and practices in line with the principles described in the C&C.

The *Charter for Researchers and Code of Conduct for the Recruitment of Researchers (C&C)* includes a number of "**ethical principles**": researchers should adhere to the recognised ethical practices and fundamental ethical principles appropriate to their discipline(s) as well as to ethical standards as documented in the different national, sectoral or institutional Codes of Ethics.

Total or partial application of the Code may include any physical and/or legal person related to IDIBGI, as deemed appropriate for the purpose and nature of the relationship.

The Management and any person representing them shall be informed of the Code, whenever this is required due to the nature of their relationship. A copy shall be issued to personnel upon joining IDIBGI.


IV. TERM

The Code of Ethics and Conduct shall become valid on the date of its approval by the Board of Trustees of IDIBGI and shall remain valid unless modified following the continuous assessment process conducted or following possible modifications to current regulations.

V. MISSION, VISION AND VALUES

The IDIBGI 2018–2022 Strategic Plan approved on 17 January 2019 by the Board of Trustees states:

- **the mission** of IDIBGI – to promote an environment that encourages translational research to improve personal health;

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- **the vision** – to be a biomedical research centre that contributes towards making Girona the region in which the population ages in the healthiest way possible, becoming a benchmark model for Catalonia and for the rest of the world.

IDIBGI is structured with research groups from Dr. Josep Trueta University Hospital in Girona (ICS), Santa Caterina Hospital (Healthcare Institute, IAS), the University of Girona (UdG), and the sites in Girona of the Diagnostic Imaging Institute (IDI), the Catalan Institute of Oncology (ICO), the Blood and Tissue Bank (BST), the Primary Care Institute (IAP) and the University School of Health and Sport (EUSES).

The main areas of research are as follows:


- ✓ Cardiovascular
- ✓ Metabolism and inflammation
- ✓ Neurosciences
- ✓ Oncohaematology
- ✓ Mental Health
- ✓ Medical Imaging

VI. GENERAL PRINCIPLES AND VALUES

The ethical principles and values of IDIBGI form the basis on which the activity of the institution is developed and define an ethical commitment that includes these basic principles and standards for adequate development.

These principles and values are:

- I. **INTEGRITY** as ethical, honest action in good faith.
- II. **RESPECT** for the law, for human rights, and for ethical values.
- III. **FAIR AND HUMANE TREATMENT** for all physical or legal persons with a direct or indirect working, business, social or research relationship.
- IV. **ALL ACTIVITIES** shall be performed in a manner that is respectful for the environment and the sustainable management of natural resources.

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PERSONNEL

IDIBGI does not hire anyone under the age of 18.

No personnel of IDIBGI shall be subject to discrimination due to their race, physical disability, disease, religion, sexual orientation, political opinion, age, nationality or gender.

IDIBGI forbids any type of physical, sexual, psychological or verbal harassment or abuse involving its personnel, and any conduct that might generate an intimidating, offensive or hostile working environment.

The weekly working hours shall not exceed the limit established by law. The salary received by workers of IDIBGI is in line with the Workers' Statute or, where appropriate, the Agreement reached with the workers.


CLIENTS & SUPPLIERS

IDIBGI bases its relationships with clients and suppliers on legal, efficient and fair practices.

The goal of IDIBGI in relation to its clients and suppliers is for them to comply with the law and to keep them informed of this Code.

For the selection of suppliers, IDIBGI will consider the Public Sector Contracts Law 9/2017 (LCSP) and subsequent amendments to this law. In line with the law, the following will be especially considered:

- The price of the product or service offered by the supplier.
- The analysis of the general profile of the supplier, public recognition, background, response capacity, geographic location, experience, and compliance with quality standards.
- References from the supplier.
- Nature and manner of work of the supplier.
- Humane treatment and service quality will be considered.

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VII. SPECIFIC PRINCIPLES AND VALUES

1. Compliance with applicable law and internal regulations.

All subjects bound by this code of ethics agree to comply with the laws applicable to IDIBGI (see Section IX), the internal procedures established, and the values and principles set out in this code of ethics.

All IDIBGI personnel must comply with the regulations and procedures, and with the instructions that may be approved at any given time. They agree to inform of any breach detected in the foundation and research environment.

All personnel must be familiar with the laws involving their work, particularly research in the case of research personnel (see Section IX).

The institution will provide all the resources necessary to ensure personnel are familiar with the internal and external regulations relating to their duties.

In the event of any lack of respect for the law, personnel must inform the institution by way of the whistleblowing channel indicated in Point 29 of this section.

2. Responsibility and good judgement in activities.

The internal procedures established regarding occupational risk prevention, legal regulations, etc. that the institution communicates to the personnel bound by this code will be strictly and thoroughly monitored.

3. Responsibility and concern for the working environment and colleagues,

remaining attentive to alarm or emergency situations in order to warn/assist/collaborate in whatever manner possible, due to either a situation affecting the facilities or a colleague, following the instructions provided by the institution in each case by way of the different protocols, where appropriate.

Personnel will respect the facilities of IDIBGI and of the entities in its environment.


4. Use of goods and services of the institution.

The institution will provide its workers with access to e-mail and the Internet. The worker is responsible for the correct use of the institution's resources.

Software or applications may not be downloaded and/or installed without having paid the corresponding licence or unless they are freeware.

The duty to secrecy of the information will be maintained.

The institution will provide all personnel with the means and resources necessary for the smooth running of the activity. The use of the institution's resources is

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associated to its mission and they must never be used for interests that are not compatible with its role and/or to obtain individual gains.

5. Teamwork and collaboration is an instrument for opportunity and personal and professional growth.

More senior personnel, therefore, will provide all the support they can to new members of staff. They will ensure the new member adapts to their job, providing information on the environment, the smooth running of the facilities, and the manner of work within each department.

6. Equal opportunities, professional development and non-discrimination in access to jobs and in promotions. Discrimination due to gender, race, religion, marital status, sexual orientation, etc. will not be accepted. IDIBGI has the following documents that must be considered:

- The *IDIBGI equality plan* and the *Protocol for the prevention of sexual or gender-based harassment*.
- The *Guide for non-sexist use of language*, a tool to encourage language strategies in order to provide other options to the use of the masculine as the generic noun.
- The IDIBGI *Selection Manual*, which is the document that defines the different phases of the personnel selection process from a non-discrimination viewpoint.


7. Encouraging innovation and effectiveness in processes to offer a better service to the client and to society, and to promote the foundation's growth and sustainability.

8. Quality as a basis for the foundation's operation and continuous improvement.

9. Attitude of management. The management must be a role model in its behaviour and its level of compliance with the code of ethics.

10. Transparency and impartiality in decision-making in all areas of the foundation.

The transparency portal is the tool for exercising this transparency with regard to society. Transparency and impartiality must also be guaranteed internally through internal communications and the defined processes followed for decision-making.

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11. Corporate image and reputation that personnel must consider when performing their work. This is one of the institution's most important assets. The subjects to which this code applies must be aware of the impact that any incorrect behaviour or action at work might have on the image and reputation of the foundation.

IDIBGI personnel will respect the institutional logo and will not use it incorrectly.

In-house and associated scientific personnel of IDIBGI will include the name of the foundation when signing articles, in accordance with the institutional instructions regarding the *Signing of research communications*.

12. Internal relations: Personnel. Institution personnel are considered the foundation's most important asset. The institution will promote the personal and professional development of its personnel, the existence of a positive environment, and respect among everyone. Personnel will make every effort to maintain a pleasant working atmosphere within a safe working environment.

Any type of promotion will respond to objective criteria and will be conducted transparently.

The foundation will ensure compliance with labour-related regulations.

Special attention and awareness will be paid to disabilities, with the foundation promoting the hiring of disabled personnel and/or contracting services and supplies from Special Work Centres.


13. Hiring of relatives. Relatives of personnel will not be hired unless they have the capacity to perform the work for which they are hired, accrediting as such in line with the necessary requirements for the job, and applying for a vacancy advertised.

Fair decisions will be made and any favouritism towards relatives will be avoided. The hiring process will be conducted in line with the procedure described in the foundation's selection manual.

14. External relations: Clients and Market. The entity and its personnel will ensure they offer authentic information on the activities, products and/or services offered to the market. Offering false information to clients is strictly forbidden.

Any type of misleading advertising is forbidden, information from other researchers will not be used as one's own, and every effort will be made to ensure secure methods of payment, the security of data, and the prevention of fraud. The information that personnel enter into the institution's systems must be reliable.

15. External relations: Suppliers. Ethics and respect will be the cornerstone for relations with suppliers. Suppliers will be selected in line with objective and transparent criteria, and in order to obtain the best price-quality ratio, in line with current public procurement regulations.

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The code of ethics may be attached as an annex to the contract if deemed appropriate for the type of service to be provided, and any breach thereof may lead to termination of the contract.

The internal procedures regarding purchasing will be strictly respected. Suppliers must agree to respect human and labour-related rights in their company and are strictly forbidden from accepting, offering or requesting, either directly or indirectly, gifts, favours, etc. that might have a bearing on purchasing decisions.

16. Relations with institutions, authorities and civil servants.

As a general rule, IDIBGI may not offer, grant, request or accept, either directly or indirectly, gifts, favours or payoffs of any nature or from any authority or civil servant.

International regulations for the prevention of corruption and bribery will take priority in the relations between members of the institution and other institutions, authorities and civil servants.

Any decision made in this area will be in line with current regulations. Under no circumstances will the institution accept, offer or request gifts, favours, etc.

17. Conflict of interests. IDIBGI personnel must avoid situations that might involve a conflict of personal interests between them and IDIBGI.

IDIBGI respects the private lives of its personnel and their decisions. As part of this policy of respect, IDIBGI offers personnel the possibility of requesting measures that are beneficial to both parties, respecting the confidentiality and privacy of those involved.

IDIBGI believes that a conflict of interests is a situation in which the personal, financial or institutional interest of the entity's personnel might unduly influence or interfere with the judgement, responsibility and decision-making of other people at IDIBGI.


IDIBGI will consider the following mechanisms:

Management personnel may not become involved in the decision-making or adopting of agreements regarding matters in which they have or may have a conflict of interests with IDIBGI.

They may not take part in any type of business or financial activity that might jeopardise the objectivity of IDIBGI.

Any other person related to IDIBGI will inform the board of trustees of any situation of direct or indirect conflict with IDIBGI.

Before an agreement is adopted in which there might be conflict between a personal interest and the interests of IDIBGI, the person involved will provide the corresponding body at IDIBGI with the relevant information and will abstain from becoming involved, where appropriate, in the deliberations or the voting. The

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institution believes that the relationship with personnel must be based on loyalty and on compliance with the laws and policies of the institution.

Personnel may not obtain specific profits from or provide services in companies that might influence and/or determine their research or their work as IDIBGI personnel, creating a conflict of interests between those of IDIBGI and the company.

- 18. Policy of gifts, commissions or remuneration from third parties.** Giving or receiving gifts or invitations from third parties is only possible within the framework of the *Code of conduct of senior executives and management personnel of the Generalitat de Catalunya (Government of Catalonia) and of the entities of its public sector, and other measures regarding transparency, stakeholders and public ethics*. This code is applicable to senior executives and management personnel.

For all other IDIBGI personnel, the requesting and/or accepting of any type of payment, gift, commission, etc. from third parties, clients and/or suppliers is forbidden. Excluded from this prohibition is everything within reasonable limits (non-corrupt displays of courtesy and commemorative, official or formal objects that may be offered due to their post).

19. Data Protection Policy.

IDIBGI personnel must protect the information and knowledge generated within their organisation.

Personnel will abstain from using any data, information or document obtained when performing their work for their own personal benefit. They will not inform third parties of information, except in compliance with a regulation or whenever they have due consent to do so. The information to which they have had or have access must be considered confidential and may only be used for the purpose obtained.


Confidentiality and diligence in the use of data will take priority in the activities of the recipients of this code. This principle must be respected even once the working relationship or collaboration has ended.

Foundation information may not be used for one's own benefit or outside the foundation's scope of work.

Respect for the personal and family privacy of people is required. Any incident relating to the confidentiality of the data will be communicated to the person responsible for data protection at the foundation at transparencia@idibgi.org.

20. Industrial and intellectual property rights.

IDIBGI is committed to the protection of its own intellectual and industrial property and that of others. This includes copyrights, patents, trademarks, rights to reproduction and design, and rights regarding specialist knowledge.

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IDIBGI is expressly forbidden from using works, creations or distinctive symbols involving the intellectual property of third parties.

All personnel agree to notify of any information that must be protected so that the corresponding measures may be taken. They also agree to notify of any irregularity in relation to the incorrect use of this information.

- 21. Occupational risk prevention and occupational health policy.** The institution will ensure that its working environment remains safe and will comply with existing regulations regarding occupational health and safety.

IDIBGI complies with occupational risk prevention and management regulations, and conducts the corresponding training and audits to discover any deficiencies and incorporate improvements.

- 22. Record of operations and information.** The institution will keep an updated financial and accountancy record. Document falsification or distortion is not accepted. No expense will be incurred or paid using the funds of the institution without the authorisation of the appropriate person and that does not correspond to the institution's foundational purposes.

- 23. Preservation of documents.** The institution meets legal and regulatory requirements, and all records and information will be treated in such a manner that ensures the information is stored in an organised way.


- 24. Environmental commitment.** The institution undertakes to ensure respect for the environment, minimising the impact of all its activities, and offering its workers a safe and healthy working environment.

IDIBGI promotes this culture among all its members and they must all be aware of, assume and act in accordance with the criteria established.

The actions are:

- minimise CO2 emissions;
- reduce, reuse and recycle the waste generated;
- encourage the responsible use of energy resources;
- use, wherever possible, recycled and recyclable raw materials.

Institution personnel are aware of and assume the agreement with the criteria for environmental respect and sustainability, correctly using the resources and ensuring the correct management of waste from the laboratory and from the facilities established as the canteen/office.

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25. Work-life balance policy. The institution maintains the commitment with regard to its workers to promote their quality of life and that of their relatives. The entity strives to facilitate a work-life balance.

26. Code of conduct in research. The CERCA Institution, of which IDIBGI is a member, has produced a Code of Conduct that refers particularly to the research activity and is aimed at directors and managers and, furthermore, to the remaining scientific, technical and administrative personnel (in-house and affiliated) of the CERCA centres. The basic aspects of the activity of CERCA centres based on inter-institutional collaboration must also respect the commitments of this code. The **CERCA Code of Conduct** forms part of the IDIBGI code of conduct, after having been approved by the IDIBGI Board of Trustees on 17 January 2019.

The Institute Management undertakes to inform the CERCA Institution of the existence of any conflict of scientific integrity of sufficient relevance at the time it is generated, and to inform the CERCA Ombudsperson of such. Said Ombudsperson is to be appointed very soon, and will be Prof. Núria Sebastian.

IDIBGI also has the **Code of Good Practice in Research**, which was produced in 2016. This code defines the conducts corresponding to the development of research (how research is planned and developed, how its results are registered and disclosed, and how the knowledge arising from the research is publicised, applied and used). Its content will remain valid and will supplement, provided there are no contradictions, the Code of Conduct of CERCA.


27. Compliance with the code, control and disciplinary regime. The Compliance Officer and the Human Resource Department are responsible for promoting dissemination of the contents of the code of ethics. Internal training and communication activities will be promoted to promote its distribution.

Any breach of the Code of Ethics or of any other internal regulation or policy or legal regulation when personnel are doing their assigned work will be considered a breach of employment contract and may be penalised in line with the procedure set out in the collective bargaining agreement and in other applicable regulations.

A breach of this Code of Ethics could lead to corrective penalties apart from other criminal or administrative penalties. The penalties will be implemented as set out in the collective bargaining agreement and, in its absence, in the Workers' Statute.

The penalty will apply to whoever is in breach of the Code of Ethics and who, by action or omission, has approved the unlawful behaviour without having informed the corresponding body.

28. Publicity, updating and availability of the code of ethics. The Code will come into force on the date of its publication, will be sent to all personnel, and will remain valid until its cancellation is approved.

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29. Whistleblowing channel. Any member of the institution, and any supplier or third party, may in good faith report any irregularity, breach or conduct that is contrary to the intent of this code.

The reporting channel involves sending a message to transparencia@idibgi.org.

VIII. FINAL PROVISION

This Code of Ethics and conduct will be subject to continuous assessment and to possible amendments to current regulations.


Once approved, this code will be published on the institutional website and will be made known to everyone who forms part of IDIBGI.

The Code of Ethics must be expressly accepted by each recipient, who must agree to its compliance. The Code of Ethics must be distributed among all those to whom it applies and proof of such collected. All foundation personnel will confirm that they have had access to the Code of Ethics and that they accept and understand its contents.

No member of the institution, regardless of their position, will be authorised to ask any other member of the institution to breach any part of this Code, as it forms part of the obligations that they must fulfil as personnel.

IX. CURRENT LAW

- ✓ Biomedical Research Law 14/2007 of 3 July 2007.
- ✓ Science, Technology and Innovation Law 14/2011 of 1 June 2011.
- ✓ General Law on Grants 38/2003 of 17 November 2003.
- ✓ Royal Decree 1716/2011 of 18 November 2011, establishing the basic requirements for authorisation and operating of biobanks for biomedical research and the treatment of human biological samples, and regulates the operating and organisation of the
- ✓ National Register of Biobanks for biomedical research
- ✓ Royal Decree 1090/2015 of 4 December 2015, regulating clinical trials with medications, Ethics Committees for Research with medications, and the Spanish Clinical Trial Register.

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- ✓ Law 4/2008 of 24 April 2008 on Book Three of the Civil Code of Catalonia regarding legal persons.
- ✓ Law 7/2011 of 27 July 2011 on tax and financial measures.
- ✓ Law 3/2017 of 27 June 2017 on the State budget for 2017
- ✓ Law 4/2017 of 28 March 2017 on the budget of the Government of Catalonia for 2017
- ✓ Decree 259/2008 of 23 December 2008 approving the general chart of accounts for foundations and associations subject to the law of the Government of Catalonia.
- ✓ Law 9/2017 of 8 November 2017 on Public Sector Contracts, transposing the Directives of the European Parliament and of the Council 2014/23/EU and 2014/24/EU of 26 November 2014 to Spanish law.
- ✓ Law 10/2010 of 28 April 2010 on the prevention of money laundering and terrorist financing.
- ✓ Patents Law 24/2015 of 24 July 2015 (in force as of 1 April 2017)
- ✓ Royal Decree 316/2017 of 31 March 2017 enacting the regulations for the implementation of Patents Law 24/2015 of 24 July 2015.
- ✓ Order ETU/296/2017 of 31 March 2017 establishing the deadlines for resolution in the procedures regulated by Patents Law 24/2015 of 24 July 2015
- ✓ Patents Law 11/1986 of 20 March 1986 (in force for applications prior to 01 April 2017)
- ✓ Royal Decree 2245/1986 of 10 October 1986 enacting the regulations for the implementation of Patents Law 11/1986 of 20 March 1986 (in force for applications prior to 01 April 2017)
- ✓ Royal Decree 55/2002 of 18 January 2002 on the use and assignment of inventions produced in public research entities, in accordance with Article 20 of Patents Law 11/1986 of 20 March 1986