

**Journal of Laws [Dz. U.] No. 96/2010, Item 615**

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**ACT**

of 30 April 2010

**on the Principles of Financing Science**

(Journal of Laws [Dz. U.] of 4 June 2010)

**Chapter 1**

**General Provisions**

**Article 1.** The Act sets forth the principles of financing science from the funds allocated to this purpose in the state budget, included in a separate part of the state budget called “Science”, hereinafter referred to as “science funding”, which are managed by the minister responsible for science, hereinafter referred to as the “Minister”.

**Article 2.** The terms used in the Act shall have the following meanings:

- 1) financing – the financing in whole or in part of the performance of the tasks set forth in the Act;
- 2) science and research – shall also mean scientific activities related to artistic works and art;
- 3) research:
  - a) basic research – original experimental or theoretical research work undertaken primarily in order to gain new knowledge about the fundamental principles of phenomena and observable facts, without seeking its direct practical application or utilisation;
  - b) applied research – research work undertaken in order to gain new knowledge, primarily oriented towards practical application;
  - c) industrial research – research whose aim is to gain new knowledge and skills in order to develop new products, processes and services or to introduce significant enhancements to existing products, processes and services; this research includes the development of components of complex systems, particularly in order to evaluate the usability of generic technologies, except for prototypes included in the scope of development work;
- 4) development work – the acquisition, combination, development and utilisation of the currently available knowledge and skills related to science, technology and business activity as well as of other knowledge and skills in order to plan production and to develop and design new, modified or enhanced products, processes and services, including without limitation:
  - a) drawing up designs, drawings, plans and other documents to develop new products, processes and services, provided that these are not to be used for commercial purposes;
  - b) developing prototypes with potential commercial applications and pilot projects where the prototype is the final commercial product and its production for demonstration and validation purposes only is too costly; where pilot or demonstration projects are to be subsequently used for commercial purposes, all revenue obtained in this respect shall be deducted from the costs eligible for public aid;
  - c) activities related to experimental production and the testing of products, processes and services, provided that these are not to be used for commercial purposes;development work shall not include routine and periodical changes introduced to products, production lines, manufacturing processes, existing services and other work in progress, even where these changes are enhancements;
- 5) research or development work serving state defence and security – systematic work taking into account the specific features of the area of state defence and security and the need to ensure the

protection of classified information, leading to the development of new technologies, new armament and equipment models required in order to pursue state defence and security policies, conduct preparations in the military and non-military areas and meet the needs of the Armed Forces of the Republic of Poland;

- 6) research and development work – creative work covering research or development work undertaken in a systematic manner in order to increase knowledge resources and use knowledge resources to create new applications;
- 7) activities set forth in Charters – the performance of the tasks set forth in the Charter of a scientific unit related to the research or development work it conducts in a continuous manner;
- 8) science dissemination activities – the performance of tasks supporting the development of Polish science by disseminating, promoting and popularising science, not including research or development work;
- 9) scientific units – units that continuously engage in research or development work:
  - a) basic organisational units of higher education institutions within the meaning of the Charters of those higher education institutions;
  - b) scientific units of the Polish Academy of Sciences within the meaning of the Act of 30 April 2010 on the Polish Academy of Sciences (Journal of Laws [Dz. U.] No. 96/2010, Item 619);
  - c) research institutes;
  - d) international scientific institutes established pursuant to separate regulations, operating in the territory of the Republic of Poland;
  - e) the Polish Academy of Arts and Sciences;
  - f) other organisational units not listed in Letters a to e, which are legal persons and have registered offices in the Republic of Poland, including entrepreneurs with a status of a research and development centre granted pursuant to the Act of 30 May 2008 on Certain Forms of Support for Innovative Activities (Journal of Laws [Dz. U.] No. 116/2008, Item 730 and No. 75/2010, Item 473);
- 10) higher education institution – a school providing degree programmes within the meaning of the Law on Higher Education of 27 July 2005 (Journal of Laws [Dz. U.] No. 164/2005, Item 1365 as amended<sup>1)</sup>);
- 11) entity acting for the benefit of science – an entity that performs on a continuous basis tasks related to science dissemination and does not receive subsidies for the activities set forth in its Charter from science funding;
- 12) scientific consortium – a group of organisational units including at least one scientific unit and at least one entrepreneur or at least two scientific units, which engages under an agreement in a joint venture covering research, development work or investment projects serving research or development work purposes;
- 13) activities of scientific consortia, scientific networks, scientific centres of the Polish Academy of Sciences, scientific and industrial centres – activities related to conducting joint research, development work and joint projects and enterprises set forth in the agreement on their establishment;
- 14) scientific network – a group of scientific units undertaking organised collaboration under an agreement where this collaboration is connected with their joint research or development work conducted in a continuous manner and serving the development of the scientific field of the network in question;
- 15) scientific and industrial centre – a centre within the meaning of the Act of 30 April 2010 on Research Institutes (Journal of Laws [Dz. U.] No. 96/2010, Item 618);
- 16) <sup>(1)</sup> scientific centre of the Polish Academy of Sciences – a centre of the Polish Academy of Sciences within the meaning of the Act of 30 April 2010 on the Polish Academy of Sciences;
- 16a) <sup>(2)</sup> scientific centre of a higher education institution – a scientific centre of a higher education institution within the meaning of the Law on Higher Education of 27 July 2005;
- 17) large research infrastructure – scientific and research apparatus of key importance for the development of research, development work or the extension of scientific IT infrastructure, with a value exceeding:
  - a) PLN 150,000 – in the case of the scientific and research apparatus required to conduct research or development work in the humanities and social sciences group and in the group of sciences related to art and artistic works;
  - b) PLN 500,000 – in the case of the scientific and research apparatus required to conduct research

or development work in the exact and engineering sciences group and in the group of life sciences;

- 18) special research facility – a unique facility or research workplace with national or regional significance whose maintenance costs constitute a large part of the costs of maintaining the research potential of a scientific unit;
- 19) young researcher – a person under 35 years of age who engages in scientific activity;
- 20) academic title of *profesor* [professor] and academic degree of *doktor* [doctor] or *doktor habilitowany* [post-doctoral degree] – also the academic title of *profesor* of art and academic degree of *doktor* or *doktor habilitowany* of art.

**Article 3.** The financing of science covers the financing of activities that contribute to the pursuit of state scientific, scientific and technological and innovation policies, including without limitation research, development work and the performance of other tasks of particular importance for the civilisational progress, economic and cultural development of the state.

**Article 4. 1.** The Council of Ministers shall establish the National Research Programme by way of a resolution.

2. The draft National Research Programme shall be drawn up by the Minister after consulting the Polish Academy of Sciences, the Conference of Rectors of Academic Schools in Poland, the General Council of Higher Education, the General Council of Research Institutes and business self-government organisations.

3. The National Research Programme shall include directions of research and development work of strategic importance for the state.

4. A direction of research and development work of strategic importance is a broad undertaking setting forth the goals and assumptions of long-term state scientific, scientific and technological and innovation policy.

**Article 5.** Science funding shall be allocated to:

- 1) strategic research and development work programmes and other tasks financed by the National Centre for Research and Development, hereinafter referred to as the “Development Centre”;
- 2) research or development work serving state defence and security implemented within the framework of the strategic research and development work programmes and other tasks referred to in Item 1;
- 3) basic research and other tasks financed by the National Science Centre, hereinafter referred to as the “Science Centre”;
- 4) the activities set forth in scientific unit Charters;
- 5) activities of scientific units of higher education institutions, scientific units of the Polish Academy of Sciences, research institutes and international scientific institutes consisting of conducting research or development work and related tasks that serve the development of young researchers and doctoral programme participants and are financed by way of internal competitions;
- 6) large research infrastructure investments and construction projects that serve research or development work;
- 7) scientific collaboration with other countries;
- 8) tasks co-financed from European Union structural funds or from non-repayable funds from the assistance provided by member states of the European Free Trade Association (EFTA);
- 9) science dissemination activities;
- 10) programmes and undertakings established by the Minister;
- 10a) <sup>(3)</sup> creating conditions for the scientific development of highly gifted first-cycle programme graduates and students who have finished the third year of long-cycle programmes, including the establishment of the “Diamentowy Grant” programme;
- 11) awards for outstanding scientific or scientific and technological achievements and scholarships for outstanding young researchers;
- 12) financing the activities of the Scientific Unit Evaluation Committee and the Scientific Policy Committee, teams, reviewers, experts and audit activities;
- 13) financing scientific libraries not included in the scientific units referred to in Article 2 Item 9 Letters a to c with respect to their scientific activities and science dissemination activities.

**Article 6.** 1. The Minister shall plan the amount of science funding in the draft state budget, and following the adoption of the Budget Act – in the financial plan concerning the part of the state budget allocated to science with respect to the tasks referred to in Article 5.

2. The amount of science funding with respect to research or development work serving state defence and security shall be determined by the Minister pursuant to Section 1, having consulted the Minister of National Defence and the minister responsible for internal affairs.

3. The Minister shall allocate not less than 10 per cent of science funding allocated to the tasks referred to in Article 5 Items 4, 5, 7 and 9 to 13 to the tasks referred to in Article 5 Item 1.

4. The Minister shall allocate not less than 10 per cent of science funding allocated to the tasks referred to in Article 5 Items 4, 5, 7 and 9 to 13 to the tasks referred to in Article 5 Item 3.

5. The Minister shall increase the amount of funds determined in the financial plan concerning the part of the state budget allocated to science that shall be allocated to the tasks performed by the Development Centre together with the increase of the financial share of entities engaging in business activities in the performance of these tasks.

6. By 2020, the funds allocated annually to the tasks referred to in Article 5 Items 1 and 3 shall reach at least 50 per cent of science funding allocated to the tasks referred to in Article 5 Items 4, 5, 7 and 9 to 13.

**Article 7.** The Minister shall transfer funds to the Development Centre in the following manner:

- 1) by way of a targeted subsidy for the implementation of strategic research and development work programmes and other Development Centre tasks referred to in Article 5 Item 1, and for the implementation of research or development work serving state defence and security set forth in Article 5 Item 2, upon the request of the Director of the Development Centre;
- 2) by way of an earmarked subsidy to cover ongoing costs of managing the tasks performed by the Development Centre set forth in Article 5 Items 1 and 2;
- 3) by way of a targeted subsidy for the financing or co-financing of investment costs related to the performance of the tasks set forth in Article 5 Items 1 and 2.

**Article 8.** The Minister shall transfer funds to the Science Centre in the following manner:

- 1) by way of a targeted subsidy for the performance of Science Centre tasks referred to in Article 5 Item 3, upon the request of the Director of the Science Centre;
- 2) by way of an earmarked subsidy to cover ongoing costs of managing the tasks performed by the Science Centre set forth in Article 5 Item 3;
- 3) by way of a targeted subsidy for the financing or co-financing of investment costs related to the performance of the tasks set forth in Article 5 Item 3.

**Article 9.** The Minister shall allocate science funding:

- 1) to scientific units – for the performance of the tasks referred to in Article 5 Items 4 to 8 and 10;
- 2) to higher educational institutions – for the activities referred to in Article 18 Section 1 Item 4, and for the extension and maintenance of the scientific IT infrastructure referred to in Article 18 Section 1 Item 2 and Article 20 Section 1 Item 2;
- 3) to the Polish Academy of Arts and Sciences – for the performance of the tasks set forth in Article 5 Item 9;
- 4) to entities acting for the benefit of science – for the performance of the tasks set forth in Article 5 Items 7, 9 and 10;
- 5) to other organisational units that are legal persons and have their registered offices in the territory of the Republic of Poland and are not scientific units – for the performance of the tasks set forth in Article 5 Item 8 and in Article 18 Section 1 Item 4;
- 6) to scientific libraries not included in the scientific units referred to in Article 2 Item 9 Letters a to c with respect to their scientific activities and science dissemination activities.

**Article 10.** The following entities may submit applications to the Science Centre and Development Centre for funding for the performance of the tasks set forth in Article 5 Items 1 to 3:

- 1) scientific units;
- 2) scientific consortia;
- 3) scientific networks and organisational units of higher education institutions that are not basic

- organisational units;
- 4) scientific and industrial centres;
  - 5) scientific centres of the Polish Academy of Sciences;
  - 5a) <sup>(4)</sup> scientific centres of higher education institutions;
  - 6) scientific libraries;
  - 7) entrepreneurs with a status of a research and development centre within the meaning of the Act of 30 May 2008 on Certain Forms of Support for Innovative Activities;
  - 8) organisational units that are legal persons and have their registered offices in the territory of the Republic of Poland;
  - 9) natural persons;
  - 10) entrepreneurs who engage in research within an organisational framework other than that set forth in Items 1 to 8.

**Article 11.** 1. Natural persons not employed by the entities referred to in Article 10 Items 1 to 8 and 10 may apply for the funding of projects covering research or development work pursuant to Article 37 Section 1 of the Act of 30 April 2010 on the National Centre for Research and Development (Journal of Laws [Dz. U.] No. 96/2010, Item 616) and Article 27 Section 1 of the Act of 30 April 2010 on the National Science Centre (Journal of Laws [Dz. U.] No. 96/2010, Item 617).

2. After the project in question has been selected for financing, the natural persons in question shall obtain a promise of financing for research or development work.

3. The funds shall be granted to the entity that employs the natural person referred to in Section 1 and shall be transferred under the agreement concluded with this entity.

**Article 12.** A final decision concerning a breach of the scientific ethics referred to in Article 112 Section 3 Items 1 to 4 of the Act of 30 April 2010 on the Polish Academy of Sciences, Article 56 Section 3 Items 1 to 4 of the Act of 30 April 2010 on Research Institutes and Article 144 Section 3 Items 1 to 5 of the Law on Higher Education of 27 July 2005 shall be taken into account by the Minister and the governing bodies of the Science Centre and Development Centre when granting funding for research and development work.

**Article 13.** 1. The Minister shall grant funding for the tasks referred to in Article 5 Items 4 to 7, 9 to 11 and 13 by way of a decision on the basis of the applications submitted by eligible entities, having consulted the competent team referred to in Article 52 Sections 1 to 3.

2. Consulting the competent team shall not be required in the case of decisions on financing the projects referred to in Article 23 Section 1 Item 1 that have been favourably assessed by an international body.

3. The funds for the payment of the membership fees referred to in Article 23 Section 1 Item 3 and the national contribution referred to in Article 23 Section 1 Item 4 shall be transferred directly by the Minister. The transfer of these funds shall not require a decision.

**Article 14.** 1. Where a party is not satisfied with a decision concerning the granting of science funding or the refusal to grant same, it may submit an application to the Minister to review the case within 14 days of the receipt of the decision. These applications shall be governed by the provisions of the Code of Administrative Procedure concerning appeals against decisions.

2. The team referred to in Article 52 Section 2 shall deliver an opinion on the application to review the case.

3. An opinion on the application to review the case shall not be drawn up by a person who has previously evaluated, or delivered opinion on, the application for the granting of funds that is the subject of the Minister's decision.

4. The application referred to in Section 1 shall not stay the execution of the Minister's decision.

**Article 15.** 1. Applications, reviews, agreements and reports on the performance of the tasks financed from science funding shall constitute trade secrets within the meaning of unfair competition rules.

2. Information on the results of the performance of the tasks financed from science funding that is protected pursuant to Section 1 may only be made available by the authorised entity that received funding for the performance for these tasks.

3. Details concerning the reviewers and experts who evaluate applications for the granting of science funding for the tasks set forth in Article 5 shall not be made available to applicants.

**Article 16.** 1. Where the work or tasks financed by the Minister result in an invention, utility model or industrial design, the right to obtain the patent for the invention or protection right for the utility model or the right in registration of the industrial design shall lie with the entity to which the Minister granted science funding, unless the agreement between the Minister and the entity that receives funds or the decision to grant funds stipulates otherwise.

2. As concerns the ownership of the author's economic rights arising from the performance of the tasks financed by science funding, provisions of the Act of 4 February 1994 on Copyright and Related Rights (Journal of Laws [Dz. U.] No. 90/2006, Item 631 as amended <sup>2)</sup>) shall apply.

**Article 17.** Upon the request of the project leader, the Director of the Science Centre or the Director of the Development Centre may consent to a change in the location where the project is to be implemented following a favourable assessment by the heads of the organisational unit implementing the project and of the unit that takes over the implementation of the project.

## Chapter 2

### Principles of Financing Science

**Article 18.** 1. The financing of activities set forth in Charters shall include:

- 1) the maintenance of the research potential of scientific units, including:
  - a) activities required in order to develop scientific fields or research directions and to develop academic staff, including research or development work included in the financial plan of scientific units;
  - b) the maintenance of research infrastructure, including libraries and archives;
  - c) the costs related to the employment of the required academic and engineering and technical staff, subject to Section 3;
  - d) the purchase or production of the scientific and research apparatus related to the performance of the tasks referred to in Letter a, which does not constitute large research facilities;
  - e) domestic and internal scientific collaboration required in order to perform the tasks referred to in Letter a;
  - f) science dissemination activities of the scientific unit concerning the tasks set forth in Article 25 Section 1;
  - g) the costs of restructuring scientific units with respect to the tasks set forth in Letters a and c to e;
- 2) the maintenance of a special research facility at a scientific unit, and with respect to scientific IT infrastructure – also at a higher education institution;
- 3) activities of scientific units of higher education institutions, scientific units of the Polish Academy of Sciences, research institutes and international scientific institutes consisting of conducting research or development work and related tasks that serve the development of young researchers and doctoral programme participants and that are financed by way of internal competitions;
- 4) activities of scientific units, higher education institutions or other authorised entities related to the maintenance and extension of scientific databases, including the operation and maintenance of the Virtual Scientific Library – the system for making scientific databases and scientific publications available in electronic form.

2. The restructuring of scientific units referred to in Section 1 Item 1 Letter g may include changes in their organisational structure or employment levels resulting from the change in the profile of their scientific or research and development activities.

3. In the case of higher education institutions, the costs referred to in Section 1 Item 1 Letters b and c shall not include the costs of maintaining the research potential related to teaching and the costs related to the employment of academic and teaching staff who engage in teaching.

4. The amount of subsidy for the maintenance of the research potential of a scientific unit shall depend on the scientific unit category set forth in Article 42 Section 3.

5. An application for the financing of activities set forth in Charters shall require an opinion by:

- 1) the vice-chancellor of the higher education institution with respect to basic organisational units of the higher education institution in question, and for military higher education institutions – also by the Minister of National Defence;
- 2) the President of the Polish Academy of Sciences – with respect to scientific units of the Polish Academy of Sciences;
- 3) the minister supervising the research institute in question – with respect to a research institute;
- 4) the minister responsible for internal affairs – with respect to civil service higher education institutions.

**Article 19.** 1. The science funding allocated to the financing of the activities set forth in Charters set forth in Article 18 Section 1 Item 1 Letters a to f and in Item 2 shall be transferred as earmarked subsidies and the science funding allocated to the financing of the activities set forth in Charters set forth in Article 18 Section 1 Item 1 Letter g and in Items 3 and 4 shall be transferred as targeted subsidies.

2. The funds granted for the performance of the tasks referred to in Article 18 Section 1 Item 3 may be allocated to scholarships for participants of doctoral programmes who participate in research or development work.

3. A scientific unit that has been assigned category C shall receive subsidies for the maintenance of its research potential for a period of six months from the category assignment date, including the financing of the restructuring costs referred to in Article 18 Section 1 Item 1 Letter g.

4. A scientific unit that has been assigned category C may submit an application for another evaluation after at least 12 months from the date on which category C is assigned.

5. The funds obtained in connection with the assignment of category C to scientific units shall be allocated by the Minister to the tasks performed by the Science Centre and Development Centre.

6. The funds granted for the financing of activities set forth in Charters that are unused in the financial year in question shall remain at the scientific unit for the next year and shall be used for the purpose for which they were granted.

7. The minister responsible for science shall determine, by way of a regulation, the criteria and procedure for the granting and settlement of funds for the purposes set forth in Section 1, including:

- 1) the criteria and manner of evaluating applications for the financing of the maintenance of research potential of scientific units for units that have been assigned categories A+, A, B or C;
- 2) the criteria and manner of evaluating applications for the financing of the maintenance of special research facilities and applications for the financing of the maintenance of scientific IT infrastructure for scientific units that have been assigned categories A+, A or B and for higher education institutions;
- 3) the criteria and manner of allocation between scientific units of higher education institutions, scientific units of the Polish Academy of Sciences, research institutes and international scientific institutes of the funds for activities consisting of conducting research or development work and related tasks that serve the development of young researchers and doctoral programme participants and that are financed by way of internal competitions;
- 4) the criteria and manner of evaluating applications for financing the activities of scientific units, higher education institutions or other authorised entities related to the maintenance and extension of scientific databases, including the operation and maintenance of the Virtual Scientific Library;
- 5) the criteria and manner of settlement of the funds granted, including the forgiveness or postponement of repayment and the payment of amounts due in instalments;
- 6) specimen applications for subsidies, reports including information on the tasks performed and financial settlements of the costs incurred as well as other required documents

– taking into account the evaluation of the activities of the scientific unit to date and the correct utilisation of the science funding previously granted and taking into account the priority given to the financing of category A+ scientific units.

8. The minister responsible for science shall determine, by way of a regulation, the terms and procedure for granting public aid for the purposes set forth in Section 1, including:

- 1) the purpose of aid;
- 2) the types of costs eligible for aid;
- 3) the manner in which aid is cumulated;
- 4) maximum aid amounts

– taking into account the objectives of state scientific policy.

**Article 20.** 1. The financing of investments related to large research infrastructure serving research

or development work purposes shall include the financing of the following costs:

- 1) the purchase or production of the scientific and research apparatus that constitutes large research infrastructure;
- 2) the extension of scientific IT infrastructure;
- 3) participation in investment projects related to large research infrastructure undertaken under international agreements;
- 4) investments related to large research infrastructure co-financed from structural funds.

2. Costs of purchase and production of the scientific and research apparatus that does not constitute large research infrastructure and is included in fixed assets pursuant to separate provisions may be included in the costs of performing the tasks set forth in Article 5 Items 1 to 5 and 7 to 10.

3. An application for the financing of an investment co-financed from another portion of the state budget shall be submitted together with the opinion of the entity managing this portion of the budget.

4. Where the investment will be used for the performance of tasks other than research or development work, science funding shall only serve to finance the portion of investment costs that serves research or development work purposes.

5. Science funding allocated to finance the investments related to large research infrastructure that serve research or development work purposes shall be transferred to the scientific unit, higher education institution or scientific unit representing the entities referred to in Article 2 Items 12 and 14 to 16 as a targeted subsidy.

6. The minister responsible for science shall determine, by way of a regulation, the criteria and procedure for the granting and settlement of funds for the purposes set forth in Section 1, including:

- 1) the manner of evaluating the applications concerning the tasks to be financed;
  - 2) the manner of evaluating task performance;
  - 3) the manner of settlement of the funds granted, including the forgiveness or postponement of repayment and the payment of amounts due in instalments;
  - 4) specimen applications for financing investments, reports including information on investment implementation and financial settlements of the costs incurred as well as other required documents
- taking into account the significance of the investments to be financed with respect to large research infrastructure for the pursuit of state scientific, scientific and technological and innovation policies, the need to increase the role of science in the economic and social development of the country, the evaluation of activities of the scientific unit in question to date and the correct utilisation of the science funding previously granted.

7. The minister responsible for science shall determine, by way of a regulation, the terms and procedure for granting public aid for the purposes set forth in Section 1, including:

- 1) the purpose of aid;
  - 2) the types of costs eligible for aid;
  - 3) the manner in which aid is cumulated;
  - 4) maximum aid amounts
- taking into account the objectives of state scientific policy.

**Article 21.** In the evaluation of applications for the financing of investments related to the large research infrastructure referred to in Article 20 Section 1, the following criteria shall be taken into account:

- 1) the planned impact of the investment on the development of research or development work;
- 2) the planned scope of utilisation of the investment for conducting research or development work, including by other scientific units;
- 3) the tasks including research or development work to be performed;
- 4) the availability of similar apparatus in Poland;
- 5) scientific unit category;
- 6) the amount of funding obtained by the applicant unit for conducting research or development work from other sources, including from the Science Centre, Development Centre and from extrabudgetary resources during the four years preceding the application year;
- 7) the ability of the scientific unit to independently cover the costs of maintenance of the scientific and research apparatus that constitutes large research infrastructure, including ongoing and service costs.

**Article 22.** 1. The financing of construction projects serving research or development work purposes



shall include the financing of the following costs:

- 1) the construction of new structures;
- 2) the conversion, extension or repair of structures;
- 3) the purchase of property;
- 4) the participation in construction projects undertaken under international agreements;
- 5) construction projects co-financed from structural funds.

2. An application for the financing of a construction project co-financed from another portion of the state budget shall be submitted together with the opinion of the entity managing this portion of the budget.

3. Where the construction project will be used for the performance of tasks other than research or development work, science funding shall only serve to finance the portion of project costs that serves research or development work purposes.

4. Science funding allocated to finance investment projects that serve research or development work purposes shall be transferred to the scientific unit, higher education institution or scientific unit representing the entities referred to in Article 2 Items 12 and 14 to 16 as a targeted subsidy.

5. The minister responsible for science shall determine, by way of a regulation, the criteria and procedure for the granting and settlement of funds for the purposes set forth in Section 1, including:

- 1) the manner of evaluating the applications concerning the tasks to be financed;
  - 2) the manner of evaluating task performance;
  - 3) the manner of settlement of the funds granted, including the forgiveness or postponement of repayment and the payment of amounts due in instalments;
  - 4) specimen applications for financing construction projects, reports including information on project implementation and financial settlements of the costs incurred as well as other required documents
- taking into account the significance of the construction projects to be financed for the pursuit of state scientific, scientific and technological and innovation policies, the need to increase the role of science in the economic and social development of the country, the evaluation of activities of the scientific unit in question to date and the correct utilisation of the science funding previously granted.

6. The minister responsible for science shall determine, by way of a regulation, the terms and procedure for granting public aid for the purposes set forth in Section 1, including:

- 1) the purpose of aid;
  - 2) the types of costs eligible for aid;
  - 3) the manner in which aid is cumulated;
  - 4) maximum aid amounts
- taking into account the objectives of state scientific policy.

**Article 23.** 1. The financing of scientific collaboration with foreign partners shall cover:

- 1) projects implemented in collaboration with foreign partners including research, development work or science dissemination activities undertaken within the framework of international programmes, initiatives or research undertakings, co-financed with non-repayable foreign funds;
- 2) activities supporting the participation of scientific units and other entities in the programmes, initiatives or research undertakings referred to in Item 1;
- 3) the payment of membership fees to international institutions or organisations under international agreements concluded, excluding membership fees from natural persons;
- 4) the making of the national contribution to a joint international programme or undertaking within the framework of which research or development work is financed.

2. The minister responsible for science shall determine, by way of a regulation, the criteria and procedure for the granting and settlement of funds for the purposes set forth in Section 1, including:

- 1) the manner of evaluating the applications concerning the tasks to be financed;
  - 2) the manner of evaluating the performance of the tasks financed;
  - 3) the manner of settlement of the funds granted, including the forgiveness or postponement of repayment and the payment of amounts due in instalments;
  - 4) specimen applications for financing scientific collaboration with foreign partners, reports including information on the implementation of the tasks financed and financial settlements of the costs incurred as well as other required documents
- taking into account the significance of financing scientific collaboration with foreign partners for the pursuit of state scientific, scientific and technological and innovation policies, the need to increase the activity of scientific units in the international arena, the evaluation of activities of the scientific unit or

another authorised entity in question to date and the correct utilisation of the science funding previously granted.

3. The minister responsible for science shall determine, by way of a regulation, the terms and procedure for granting public aid for the purposes set forth in Section 1, including:

- 1) the purpose of aid;
  - 2) the types of costs eligible for aid;
  - 3) the manner in which aid is cumulated;
  - 4) maximum aid amounts
- taking into account the objectives of state scientific policy.

**Article 24.** The co-financing of tasks performed and financed from European Union structural funds or from non-repayable funds from the assistance provided by member states of the European Free Trade Association (EFTA) shall be effected on the basis of the criteria and procedure for the granting and settlement of funding set forth in the provisions concerning operational programmes or, for tasks financed from non-repayable funds from the assistance provided by member states of the European Free Trade Association (EFTA), pursuant to international agreements.

**Article 25.** 1. The financing of science dissemination activities shall include:

- 1) promoting innovative undertakings using the results of research or development work;
- 2) disseminating, promoting and popularising scientific or scientific and technological achievements;
- 3) creating, processing, making available and disseminating scientific and scientific and technological information;
- 4) drawing up expert opinions, opinions and scientific assessments;
- 5) undertaking other activities of particular importance for the development of science.

2. The funds allocated to the financing of science dissemination activities shall be granted for the performance of the tasks set forth in Section 1 to the following entities:

- 1) the Polish Academy of Arts and Sciences;
- 2) entities acting for the benefit of science.

3. The funds allocated to the financing of science dissemination activities shall be granted to scientific libraries not included in the scientific units referred to in Article 2 Item 9 Letters a to c for the following activities:

- 1) maintaining and extending library resources;
- 2) publishing activities;
- 3) compiling library scientific resources and library information.

4. The application for the granting of funds to scientific libraries shall be submitted by the entity that organises them.

5. The Minister may grant funds to ministers who direct branches of government administration and heads of central government administration authorities for their own needs related to the tasks set forth in Section 1.

6. The Minister's own needs related to the tasks set forth in Section 1 shall be financed from the funds earmarked in the financial plan referred to in Article 6 Section 1. The provision of Article 13 Section 1 shall not apply to the financing of the tasks arising from the Minister's own needs.

7. The minister responsible for science shall determine, by way of a regulation, the criteria and procedure for the granting of funds and settlement of the funds granted for the purposes set forth in Section 1, including:

- 1) the manner of evaluating the applications concerning the tasks to be financed;
- 2) the manner of evaluating task performance;
- 3) the manner of settlement of the funds granted, including the forgiveness or postponement of repayment and the payment of amounts due in instalments;
- 4) specimen applications for financing science dissemination activities, reports including information on the implementation of tasks as well as other required documents

– taking into account the significance of the tasks to be financed for the pursuit of state scientific, scientific and technological and innovation policies, the need for, and the importance of, disseminating information on the role of science in the economic and social development of the country, and the correct utilisation of the science funding previously granted.

8. The minister responsible for science shall determine, by way of a regulation, the terms and

procedure for granting public aid for the purposes set forth in Section 1, including:

- 1) the purpose of aid;
  - 2) the types of costs eligible for aid;
  - 3) the manner in which aid is cumulated;
  - 4) maximum aid amounts
- taking into account the objectives of state scientific policy.

**Article 26.** 1. The financing of programmes or undertakings established by the Minister shall include activities related to the performance of the tasks determined by the Minister that arise from state scientific and scientific and technological policies.

2. The minister responsible for science shall publish announcements on the establishment of programmes and undertakings in the “Monitor Polski” Official Journal of the Republic of Poland [Dziennik Urzędowy Rzeczypospolitej Polskiej] subject to Section 3.

3. The minister responsible for science shall determine, by way of a regulation, the programmes or undertakings within the framework of which public aid is to be granted, including:

- 1) the purpose of aid;
- 2) the types of costs eligible for aid;
- 3) the manner in which aid is cumulated;
- 4) maximum aid amounts

– taking into account the objectives of state scientific, scientific and technological and innovation policies.

4. The funds allocated to the financing of the programmes or undertakings referred to in Sections 2 and 3 shall be transferred to the scientific unit or another authorised entity pursuant to an agreement.

**Article 27.** 1. The Minister may grant funds for the organisation and financing of the programme or undertaking established to an entity acting for the benefit of science selected by way of a competition.

2. An announcement concerning a competition shall be published in at least one national weekly and three national dailies and on the website of the office of the Minister within the Public Information Bulletin as well as shall be made available at the seat of the office of the Minister.

3. In the competition announcement, the Minister shall specify:

- 1) the time limit for submitting applications that shall not be shorter than one month from the date of competition announcement publication;
- 2) the competition procedure;
- 3) the requirements to be met by the entities acting for the benefit of science that participate in the competition;
- 4) the manner of evaluating applications for the granting of funds

– taking into account the efficient performance and the scope of the programme established.

4. The funds allocated to the organising and financing of the programme or undertaking established by the Minister shall be transferred to the entity acting for the benefit of science pursuant to an agreement.

**Article 28.** 1. The Minister shall grant, on the basis of the applications submitted, at most three awards a year for outstanding scientific or scientific and technological achievements. The amount of the award shall not exceed fifteen times the minimum basic monthly salary of a full professor employed at a public higher education institution.

2. The Minister shall grant, on the basis of the applications submitted, scholarships for outstanding young researchers who are employed at scientific units and engage in scientific activity. Scholarships shall be granted for terms of at most three years and their monthly amount shall not exceed the minimum basic monthly salary of a full professor employed at a public higher education institution. The term for which the scholarship is granted shall not include an interruption in scientific activity related to the scholarship holder’s maternal or parental leave granted pursuant to the provisions of the Labour Code or the scholarship holder’s long-term illness, including an illness that requires rehabilitation. During this period, the disbursement of scholarship shall be suspended.

3. The periods of leave or illness referred to in Section 2 shall not be considered cessation of scientific activity if the scholarship holder resumes scientific work directly after their expiry or the scholarship holder is found to be permanently incapable of work.

4. Candidates for awards for outstanding scientific or scientific and technological achievements may be nominated by:

- 1) scientific boards, faculty boards or bodies representing other scientific units;
  - 2) non-governmental organisations that act for the benefit of science in accordance with their Charters;
  - 3) the President of the Polish Academy of Sciences and committees of the Polish Academy of Sciences.
5. Candidates for scholarships for outstanding young researchers may be nominated by the scientific boards, faculty boards or bodies representing other scientific units that employ these persons.
6. The minister responsible for science shall determine, by way of a regulation, the criteria and procedure for the granting of awards for outstanding scientific or scientific and technological achievements and scholarships for outstanding young researchers, including:
- 1) the criteria and manner of:
    - a) evaluating applications for the granting of awards;
    - b) evaluating applications for the granting of scholarships;
    - c) settlement of the funds granted for scholarships, including the forgiveness or postponement of repayment and the payment of amounts due in instalments;
  - 2) specimen applications for the granting of awards and scholarships
- taking into account the outstanding level of research and achievements on the national and international scales.

**Article 29.** 1. Financing the activities of the Scientific Unit Evaluation Committee and the Scientific Policy Committee, teams, reviewers, experts and audit activities shall include the following costs:

- 1) of activities of the Scientific Unit Evaluation Committee and the Scientific Policy Committee, including their opinion-giving and advisory work;
- 2) of activities of the teams appointed pursuant to Article 43 Section 1 and Article 52 Sections 1 to 3;
- 3) of drawing up reviews, expert opinions, assessments and opinions concerning the granting and settlement of the funds referred to in Article 5 Items 5 to 11 and 13;
- 4) of substantive and financial audits concerning the performance of the tasks referred to in Article 5.

2. A person who is a party in the case in question or is in a legal relationship with a party such that the outcome of the case may affect his or her rights and obligations shall be excluded from the drawing up of reviews, opinions or expert opinions.

3. In particular cases related to the granting of funds, the Minister may additionally consult specialist institutions or experts, including foreign institutions and experts.

4. Members of the opinion-giving and advisory bodies referred to in Article 35, members of the teams appointed pursuant to Article 43 Section 1 and Article 52 Sections 1 to 3, and reviewers and experts, including experts who conduct substantive and financial audits concerning the performance of the tasks referred to in Article 5, shall receive remuneration.

5. The minister responsible for science shall determine, by way of a regulation, the amount of the remuneration to be paid to the persons referred to in Sections 3 and 4, taking into account, without limitation, the qualifications of individual persons, their functions, the scope of tasks performed and their participation in meetings, with the proviso that the amount of remuneration shall not exceed the minimum basic monthly salary of a full professor employed at a public higher education institution.

6. The persons referred to in Section 4 who travel in order to perform their duties shall be reimbursed for their travel costs in accordance with the provisions issued pursuant to Article 77<sup>5</sup> § 2 of the Labour Code.

**Article 30.** 1. The minister responsible for science shall publish announcements concerning the subsidies granted within the framework of science funding in the Minister's Official Journal [Dziennik Urzędowy Ministra].

2. The Minister shall issue a bulletin in which information important from the point of view of science and information on the activities of the Minister and of the Scientific Unit Evaluation Committee shall be included.

3. The Minister shall publish announcements in the Public Information Bulletin concerning science funding granted in the form of subsidies or under an agreement, which shall include:

- 1) names of scientific units or other organisational units that receive science funding;
- 2) titles of tasks, programmes and undertakings and the first names and family names of their leaders;
- 3) the amount of funds granted by the Minister.

### Chapter 3

## **Audits of Expenditures Related to Science Funding**

**Article 31.** 1. The Minister shall exercise substantive and financial control over the correct spending of science funding transferred to scientific units and other authorised entities pursuant to the provisions of this Act, which shall cover the conduct of research, development work or other tasks financed from science funding.

2. Audits of expenditures related to the funds granted for the performance of tasks financed from structural funds or from non-repayable foreign assistance funds referred to in Article 24 shall be conducted pursuant to the provisions concerning the implementation of structural funds and the principles concerning non-repayable funds from the assistance provided by member states of the European Free Trade Association (EFTA).

3–5. <sup>(5)</sup> (repealed).

**Article 31a.** <sup>(6)</sup> The provisions on control within government administration shall apply to audits of expenditures related to science funding.

**Article 31b.** <sup>(7)</sup> 1. Experts may be appointed for audit purposes.

2. The minister shall appoint as a scientific expert a person who holds at least the academic degree of *doktor* and is competent in the field of science relevant to the substantive scope of the audit. Upon the minister's request, a candidate for an expert may be nominated by the opinion-giving and advisory body referred to in Article 35.

3. The minister shall appoint as a construction expert a person with the builder's licence referred to in Articles 12 to 15 of the Construction Law of 7 July 1994 (Journal of Laws [Dz. U.] No. 243/2010, Item 1623 as amended).

4. The minister shall appoint as a financial expert a person who is a statutory auditor or a person who has at least three years of experience in the post of chief accountant or deputy chief accountant and was employed in this post during the last five years before the appointment to the audit team or a person who has a higher education diploma and has a licence to provide bookkeeping services within the meaning of provisions on licences to provide bookkeeping services.

5. A person who is or was employed at the audited entity during the five years preceding the audit or is or was a contractor performing the task which the audit concerns shall not be appointed as an expert. A person with respect to whom factual or legal circumstances obtain that could affect the impartial conduct of the audit shall not be appointed as an expert either.

6. The expert functions referred to in Sections 2 to 4 shall not be combined by a single person with respect to a given audit.

7. A person may participate in at most seven audits per calendar year.

**Article 32.** <sup>(8)</sup> (repealed).

**Article 33.** <sup>(9)</sup> (repealed).

**Article 34.** 1. The following entities shall be subject to mandatory external audit conducted at least every four years:

- 1) scientific units that receive funds for the activities set forth in their Charters;
- 2) projects for which the total co-financing amount exceeds PLN 2,000,000;
- 3) the Science Centre and Development Centre.

2. The minister responsible for science shall determine, by way of a regulation, the manner and procedure for conducting external audits, including:

- 1) the manner in which external audit results are to be documented;
- 2) the manner of cooperation with the scientific unit at which an external audit is conducted;
- 3) areas of activities of the entities audited that are subject to external audit

– taking generally accepted standards into account.

## **Chapter 4**

## Minister's Opinion-Giving and Advisory Bodies and Teams

**Article 35.** The Minister's opinion-giving and advisory bodies shall be:

- 1) the Scientific Unit Evaluation Committee;
- 2) the Scientific Policy Committee.

**Article 36.** 1. The Minister shall appoint the Scientific Unit Evaluation Committee.

2. The Scientific Unit Evaluation Committee shall include thirty members, of which twenty shall be nominated by scientific units holding at least category A and ten shall be nominated by social and economic circles with recognised achievements in the area of innovation.

3. Members of the Scientific Unit Evaluation Committee shall be appointed by the Minister from among the candidates nominated by the entities referred to in Section 2. A candidate nominated by scientific units shall be a person holding at least the academic degree of *doktor*.

4. The term of office of the Scientific Unit Evaluation Committee shall be four years, with fifteen Committee members being replaced every two years.

5. A person may hold the post of Scientific Unit Evaluation Committee member for not more than two subsequent terms of office.

6. The minister responsible for science shall determine, by way of a regulation, the manner and procedure for selecting candidates for the Scientific Unit Evaluation Committee, bearing in mind the need to ensure a balanced representation of various scientific fields and various types of scientific units as well as different areas of social and economic life.

**Article 37.** 1. Members of the Scientific Unit Evaluation Committee shall be persons who:

- 1) enjoy full civil rights;
- 2) are persons of probity and comply with the principles of scientific ethics;
- 3) do not have final convictions for intentional offences or fiscal offences.

2. Membership of the Scientific Unit Evaluation Committee shall not be combined with membership of the following bodies:

- 1) the Science Centre;
- 2) the Development Centre.

3. Scientific Unit Evaluation Committee members shall not hold the posts of:

- 1) a vice-chancellor, deputy vice-chancellor or head of a basic organisational unit of a higher education institution;
- 2) a director of a scientific institute of the Polish Academy of Sciences;
- 3) a director of a research institute;
- 4) the president or a vice-president of the Polish Academy of Sciences;
- 5) the president or a vice-president of the Polish Academy of Arts and Sciences;
- 6) the chair or a vice-chair of the Central Commission for Academic Degrees and Titles;
- 7) the chair or a vice-chair of the General Council of Higher Education;
- 8) the chair or a vice-chair of the General Council for Research Institutes;
- 9) a member of the State Accreditation Committee;
- 10) a member of the Scientific Policy Committee.

**Article 38.** 1. Membership of the Scientific Unit Evaluation Committee shall expire upon:

- 1) death;
- 2) resignation;
- 3) no longer meeting any of the requirements set forth in Article 37 Section 1 Items 1 and 3;
- 4) a failure to participate in Scientific Unit Evaluation Committee activities for more than six months;
- 5) the assumption of the posts referred to in Article 37 Section 3.

2. Upon the expiry of the membership of the Scientific Unit Evaluation Committee or the dismissal referred to in Article 48 Section 3 before the expiry of the member's term of office, another person shall be appointed in his or her place before the expiry of the term of office according to the procedure set forth in Article 36 and shall serve until the end of the term of office. A partial term of office shall not be included in the term referred to in Article 36 Section 4.

**Article 39.** The governing bodies of the Scientific Unit Evaluation Committee shall be:

- 1) the Chair;
- 2) the Committee for the Humanities and Social Sciences Group;
- 3) the Committee for the Exact and Engineering Sciences Group;
- 4) the Committee for the Life Sciences Group;
- 5) the Committee for the Art and Artistic Works Sciences Group.

**Article 40.** 1. The Minister shall appoint the Chair of the Scientific Unit Evaluation Committee from among its members and shall dismiss him or her.

2. The Chair of the Scientific Unit Evaluation Committee shall convene plenary meetings of the Committee, chair its proceedings, represent the Committee vis-à-vis third parties and sign Committee resolutions.

3. The Chair of the Scientific Unit Evaluation Committee shall ensure the efficient operation of the Committee and the timely performance of its tasks.

4. The chairs of the committees referred to in Article 39 Items 2 to 5 shall be appointed by their members from among themselves.

5. The chair of a committee shall convene meetings of the committee, chair its proceedings and sign committee resolutions.

6. The chair of a committee shall ensure the efficient operation of the committee and the timely performance of its tasks.

**Article 41.** 1. Tasks of the Scientific Unit Evaluation Committee shall include:

- 1) conducting at least every four years a comprehensive evaluation of the quality of scientific or research and development activities of scientific units;
- 2) submitting applications to the Minister concerning the assignment of categories to individual scientific units;
- 3) indicating to the Minister leading scientific units with respect to the quality of scientific or research and development activities that are outstanding with respect to the level of the research or development work conducted according to the evaluation referred to in Section 1, in order for this indication to be taken into account while determining the amount of funds for the maintenance of research potential in subsequent financial years;
- 4) drafting detailed parameters and criteria for the evaluation of scientific units and the procedure for re-evaluating units that have been assigned category C;
- 5) drawing up the action plan for scientific unit evaluation teams, hereinafter referred to as "evaluation teams", that evaluate the activities of various types of scientific units;
- 6) determining the number and composition of evaluation teams;
- 7) analysing the reports of evaluation teams;
- 8) drawing up opinions and assessments in matters indicated by the Minister or on its own initiative.

2. The Scientific Unit Evaluation Committee shall perform the tasks set forth in Section 1 Items 3, 4 and 8 during plenary meetings. The remaining tasks shall be performed by relevant committees of the Committee.

**Article 42.** 1. The comprehensive evaluation of the quality of scientific or research and development activities of scientific units referred to in Article 41 Section 1 Item 1 shall be conducted on the basis of the results of the evaluation of the scientific level of the research or development work conducted and of their effects with respect to international standards as well as the evaluation of the significance of activities of the scientific unit in question for the development of science on an international scale and for the increase in innovation on the national scale.

2. The comprehensive evaluation of quality of scientific or research and development activities of scientific units shall not be conducted with respect to auxiliary scientific units of the Polish Academy of Sciences.

3. As a result of the comprehensive evaluation of quality of scientific or research and development activities, the following categories shall be assigned to scientific units:

- 1) A+ – outstanding level;
- 2) A – very good level;
- 3) B – satisfactory level, with a recommendation to strengthen scientific or research and development

activities or activities that stimulate economic innovation;

4) C – unsatisfactory level.

4. The parameters and criteria for the evaluation of scientific units shall depend on their size, type and scientific profile and shall be adjusted to the characteristics of each of the four groups of sciences and determined separately for the scientific institutes of the Polish Academy of Sciences, the Polish Academy of Arts and Sciences, basic organisational units of higher education institutions, research institutes and the scientific units referred to in Article 2 Item 9 Letter f.

5. Basic criteria for the comprehensive evaluation of quality of scientific or research and development activities of scientific units shall be provided by the evaluation of the following:

1) the scientific level of the research or development work conducted;

2) the results of scientific activity vis-à-vis international standards

– including without limitation publications authored by scientific unit employees and published in renowned publications and scientific monographs, new technologies, materials, products, systems and services developed, implementations, patents, licences and protection rights for utility models as well as the evaluation of the significance of scientific unit activities for the development of science on an international scale and the increase in innovation on the national scale, and with respect to artistic works – active participation in international exhibitions, festivals, artistic, musical, theatrical and film events.

6. The minister responsible for science shall publish announcements in the Minister's Official Journal concerning the categories assigned to scientific units and the subsidies granted within the framework of science funding.

**Article 43.** 1. The Chair of the Scientific Unit Evaluation Committee, upon the request of the relevant committee, shall appoint evaluation teams that include experts relevant for various types of scientific units and scientific fields.

2. Tasks of evaluation teams shall include the comprehensive evaluation of the quality of scientific or research and development activities of scientific units referred to in Article 41 Section 1 Item 1.

**Article 44.** 1. The Chair of the Scientific Unit Evaluation Committee shall submit to the Minister draft detailed parameters and criteria for the evaluation of the scientific units referred to in Article 42 Sections 4 and 5.

2. The minister responsible for science shall determine, by way of a regulation, the criteria and procedure for assigning scientific categories to scientific units, including:

1) detailed parameters and criteria for the evaluation of scientific units;

2) the manner of conducting the comprehensive evaluation of quality of scientific or research and development activities of scientific units;

3) the manner in which evaluation results are to be documented

– taking into account the characteristics of each of the four groups of sciences, accounting for the size, type and scientific profile of scientific units, which shall be determined separately for the scientific institutes of the Polish Academy of Sciences, the Polish Academy of Arts and Sciences, basic organisational units of higher education institutions, research institutes and the scientific units referred to in Article 2 Item 9 Letter f, and the procedure for re-evaluating units that have been assigned category C.

**Article 45.** The Chair of the Scientific Unit Evaluation Committee shall apply to the Minister for scientific units to be assigned scientific categories within 14 days of the date on which the Committee adopts the relevant resolution.

**Article 46.** The Committee shall adopt resolutions in the cases referred to in Article 41 Section 1 Item 2 after consulting evaluation teams.

**Article 47.** 1. The Minister shall assign scientific categories to scientific units by way of a decision.

2. Where a party is not satisfied with the decision concerning the scientific category assigned, it may submit an application to the Minister to review the case within 30 days of the receipt of the decision.

3. The opinion on the application referred to in Section 2 shall be delivered at a plenary meeting of the Scientific Unit Evaluation Committee no later than two months from the date of its receipt.

**Article 48.** 1. Members of the Scientific Unit Evaluation Committee shall submit the following to the



Chair of the Scientific Unit Evaluation Committee within one month of their appointment:

- 1) a declaration in which they undertake to act impartially and in the public interest;
- 2) a declaration that they shall not use or disclose to third parties the information obtained during the performance of their tasks.

2. Members of the Scientific Unit Evaluation Committee shall not participate in proceedings concerning the scientific units that employ them or units with which they have professional links or units at which a person is employed who is their spouse, relative or relative by affinity up to the second degree or a person who is in a legal relationship with them such that the outcome of the case may affect his or her rights or obligations.

3. The Minister may dismiss a member of the Scientific Unit Evaluation Committee before the expiry of his or her term of office where he or she does not contribute duly to the work of the Committee or he or she has failed to submit the declarations referred to in Section 1.

**Article 49.** The minister responsible for science shall determine, by way of a regulation, the rules of the Scientific Unit Evaluation Committee, in particular setting forth the procedure for Committee operations and for the selection of committees and committee chairs as well as the manner in which meetings are to be held and documents and opinions are to be drawn up, taking into account the type and scope of the Committee's tasks and the need to ensure their performance.

**Article 50.** 1. The Minister shall appoint the Scientific Policy Committee and its members.

2. The minister responsible for science shall determine, by way of a regulation, the manner and procedure for selecting candidates for the Scientific Policy Committee and the manner of their appointment, bearing in mind the need to ensure a balanced representation of various scientific fields and various types of scientific units as well as different areas of social and economic life.

**Article 51.** Tasks of the Scientific Policy Committee shall include:

- 1) assisting the Minister in the drawing up of documents concerning the science development strategy and scientific and innovation policy;
- 2) assisting the Minister in the drafting of the state budget and of the financial plan referred to in Article 6 Section 1;
- 3) delivering opinions on the activity plans of the Science Centre and Development Centre;
- 4) the substantive evaluation of reports on the activities of the Science Centre and Development Centre;
- 5) delivering opinions on draft legislative acts concerning the development of science and innovation;
- 6) drawing up opinions and assessments in matters indicated by the Minister or on its own initiative;
- 7) assisting the Minister in establishing domestic and foreign investment priorities from the point of view of the development of science within the framework of the medium-term plan and the resources available;
- 8) analysing the maintenance costs and the utilisation efficiency of large research infrastructure;
- 9) drawing up proposals for linking the Polish research infrastructure with European research infrastructure.

**Article 52.** 1. The Minister shall appoint as required, for a definite term:

- 1) specialist or interdisciplinary teams including relevant experts in order to evaluate applications for granting science funding;
- 2) advisory teams;
- 3) task forces participating in the process of evaluating applications co-financed from structural funds and from non-repayable funds from the assistance provided by member states of the European Free Trade Association (EFTA).

2. The Minister shall appoint an appeals team that shall deliver opinions on applications for the review of cases concerning the granting of science funding or the refusal to grant same.

3. The Minister may appoint a team for research concerning state defence and security that shall also include the persons nominated by the Minister for National Defence and the Head of the Internal Security Agency authorised to access classified information.

4. The minister responsible for science shall determine, by way of a regulation, the tasks, composition and procedures related to the work of the teams referred to in Sections 1 to 3, taking into account the type and scope of the matters included in the responsibilities of those teams.

**Article 53.** Information on the activities of the Scientific Unit Evaluation Committee and of the Scientific Policy Committee shall be published within the Public Information Bulletin on the website of the Minister.

**Article 54.** Services to the Scientific Unit Evaluation Committee, the Scientific Policy Committee and the teams referred to in Article 52 Sections 1 to 3 shall be provided by the office of the Minister.

## Chapter 5

### Final Provision

**Article 55.** The Act shall take effect on the date and pursuant to the principles set forth in the Act of 30 April 2010 on the Provisions Introducing the Acts Reforming the System of Science (Journal of Laws [Dz. U.] No. 96/2010 item 620).

- <sup>1)</sup> Amendments to the Act concerned were published in Journal of Laws [Dz. U.] No. 46/2006, Item 328, No. 104/2006, Items 708 and 711, No. 144/2006, Item 1043, No. 227/2006, Item 1658, No. 80/2007, Item 542, No. 120/2007, Item 818, No. 176/2007, Items 1238 and 1240, No. 180/2007, Item 1280, No. 70/2008, Item 416, No. 68/2009, Item 584, No. 157/2009, Item 1241, No. 161/2009, Item 1278, No. 202/2009, Item 1553, No. 57/2010, Item 359 and No. 75/2010, Item 471.
- <sup>2)</sup> Amendments to the consolidated text of the Act concerned were published in Journal of Laws [Dz. U.] No. 94/2006, Item 658, No. 121/2006, Item 843, No. 99/2007, Item 662, No. 181/2007, Item 1293 and No. 157/2009, Item 1241.

#### Endnotes:

- <sup>1)</sup> Article 2 Item 16 as amended by Article 13 Item 1 Letter a of the Act of 18 March 2011 Amending the Law on Higher Education, the Act on Academic Degrees and Academic Title and Academic Degrees in Art and Academic Title in Art and Certain Other Acts (Journal of Laws [Dz. U.] No. 84/2011, Item 455) as of 1 October 2011.
- <sup>2)</sup> Article 2 Item 16a added by Article 13 Item 1 Letter b of the Act of 18 March 2011 Amending the Law on Higher Education, the Act on Academic Degrees and Academic Title and Academic Degrees in Art and Academic Title in Art and Certain Other Acts (Journal of Laws [Dz. U.] No. 84/2011, Item 455) as of 1 October 2011.
- <sup>3)</sup> Article 5 Item 10a added by Article 13 Item 2 of the Act of 18 March 2011 Amending the Law on Higher Education, the Act on Academic Degrees and Academic Title and Academic Degrees in Art and Academic Title in Art and Certain Other Acts (Journal of Laws [Dz. U.] No. 84/2011, Item 455) as of 1 October 2011.
- <sup>4)</sup> Article 10 Item 5a added by Article 13 Item 3 of the Act of 18 March 2011 Amending the Law on Higher Education, the Act on Academic Degrees and Academic Title and Academic Degrees in Art and Academic Title in Art and Certain Other Acts (Journal of Laws [Dz. U.] No. 84/2011, Item 455) as of 1 October 2011.
- <sup>5)</sup> Article 31 Sections 3 to 5 repealed by Article 71 Item 1 of the Act of 15 July 2011 on Control within Government Administration (Journal of Laws [Dz. U.] No. 185/2011, Item 1092) as of 1 January 2012.
- <sup>6)</sup> Article 31a added by Article 71 Item 2 of the Act of 15 July 2011 on Control within Government Administration (Journal of Laws [Dz. U.] No. 185/2011, Item 1092) as of 1 January 2012.
- <sup>7)</sup> Article 31b added by Article 71 Item 2 of the Act of 15 July 2011 on Control within Government Administration (Journal of Laws [Dz. U.] No. 185/2011, Item 1092) as of 1 January 2012.
- <sup>8)</sup> Article 32 repealed by Article 71 Item 3 of the Act of 15 July 2011 on Control within Government Administration (Journal of Laws [Dz. U.] No. 185/2011, Item 1092) as of 1 January 2012.
- <sup>9)</sup> Article 33 repealed by Article 71 Item 3 of the Act of 15 July 2011 on Control within Government Administration (Journal of Laws [Dz. U.] No. 185/2011, Item 1092) as of 1 January 2012.