

“RULES FOR THE PARTICIPATION OF POLISH APPLICANTS IN THE 3RD CALL WITHIN THE INNOGLOBO PROGRAMME”

I. Legal basis

National Centre for Research and Development (hereinafter referred to as the: “NCBR”) co-finances the participation of Polish entities under the 3rd call within the INNOGLOBO Programme in the implementation of research and development projects on the basis of:

- 1) Article 365 item 11 of the Act of 20 July 2018 Law on Higher Education and Science (Journal of Laws of 2022 item 574, as amended, hereinafter referred to as the: “Law on Higher Education and Science”);
- 2) Article 30 par. 1 item 4 of the Act of 30 April 2010 on the National Centre for Research and Development (Journal of Laws of 2022 item 2279, as amended, hereinafter: “Act on NCBR”);
- 3) § 8 of the Regulation of the Minister of Science and Higher Education of 17 September 2010 on detailed procedures for the implementation of tasks of the National Centre for Research and Development (Journal of Laws 2010 No. 178, item 1200);
- 4) Regulation of the Minister of Science and Higher Education of 19 August 2020 on granting public aid through the National Centre for Research and Development (Journal of Laws 2020 item 1456, hereinafter referred to as the: “State Aid Regulation”);
- 5) Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring specific categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty (Official Journal of the European Union L 187 of 26.06.2014, hereinafter referred to as the: “Regulation No 651/2014”).

II. Basic information about the call

1. The Applicant submitting to NCBR an application for co-financing the project implementation (hereinafter referred to as “application” or “application for co-financing”) in the 3rd call within the INNOGLOBO Programme may be:

- 1) an independent entity, such as:
 - an entity referred to in Article 7 par. 1 items 1, 2, 4, 5, 6, 6a, 6b, 8 of the Law on Higher Education and Science, being an organisation conducting research and disseminating knowledge referred to in Article 2 item 83 of Regulation No. 651/2014 (hereinafter referred to as the: “research organisation”);

- an enterprise within the meaning of Article 1 of Annex No. I to Regulation 651/2014;
- 2) group of entities within the meaning of Article 37 par. 1 item 1a of the Act on NCBR (hereinafter referred to as the: “national consortium”), composed of any configuration of entities indicated in section 1).

Participation of an enterprise in a national consortium is advisable but not obligatory.

2. Only entities that conduct economic activity or research and development activity¹ on the territory of the Republic of Poland, confirmed by an entry in the appropriate register,² may apply for NCBR funding for the project implementation.
3. As part of the call, applicants can submit applications for implementing projects whose topics are included in the current List of National Smart Specialisations: <https://smart.gov.pl/en/>.
4. The implementation period for projects eligible for funding under the INNOGLOBO 2nd call can range from 24 to 36 months.
5. A project submitted to the call may include a maximum of 5 tasks carried out by a Polish Applicant as indicated in part D of Appendix No. 3 to the Rules “Application for co-financing”.
6. The condition for participation of a national consortium as a Polish Applicant in the call is its formal existence at the date of submission of the application for co-financing, confirmed by the conclusion of a written or electronic (with qualified electronic signatures) consortium agreement by its members, even conditionally.
7. Submission of the national consortium agreement at NCBR is a condition for the conclusion of the project co-financing agreement and is required before it is signed. The necessary provisions of the above consortium agreement are indicated in Appendix No. 1 to the Rules “Minimum Scope of the Consortium Agreement”.
8. In order to obtain a grant for a project submitted within the call, the Polish Applicant must conclude an international consortium agreement with foreign Partner/s, with the cooperation of which the international project will be implemented. The international consortium agreement should be concluded conditionally (the agreement enters into force on the condition that the project obtains co-financing in the call) before the date of applying for project co-financing to NCBR or at the latest on that date. The agreement must be concluded in English in written or electronic form (with qualified electronic signatures of all parties to the agreement). In case of the termination of the international consortium agreement (withdrawal from the international consortium of the Applicant or all foreign Partners) before the date of the issue grant award decision, the application

¹ Within the meaning of Article 2(84), (85) or (86) of Commission Regulation No 651/2014.

² Where the registration obligation results from applicable provisions of the law.

assessment is not continued, resulting in a decision to discontinue the proceedings. The Director of NCBR issues the decision in this respect.

9. Submission of the international consortium agreement in NCBR in an electronic form or a copy confirmed to be a true copy of the original is a condition for concluding the project co-financing agreement. In case of the failure to submit the international consortium agreement or its termination (withdrawal from the international consortium of the Polish Applicant or all Foreign Partners) before the conclusion of the project grant agreement, NCBR will abandon signing the project grant agreement, which will result in the decision on awarding funds expiring.

III. Co-financing of the project

1. The NCBR budget allocated for co-financing the participation of **Polish entities** under the 3rd call within the INNOGLOBO Programme amounts to PLN 10 million, with the following:
 - the minimum amount of co-financing for tasks implemented under the project by a Polish Applicant is PLN 400,000;
 - the maximum amount of co-financing for tasks implemented under the project by a Polish Applicant is PLN 1.5 million.
2. Co-financing of the implementation of the project is granted in accordance with the call procedure contained in these “Rules for Participation of Polish Applicants in the 3rd call” (hereinafter: “Rules”).
3. Funding for the implementation of the project may be allocated to:
 - 1) industrial research - within the meaning of Article 2(85) of Regulation No 651/2014;
 - 2) development work - within the meaning of Article 2(86) of Regulation No 651/2014.
4. In case of a research organisation, the funding intensity for project implementation may be up to 100% of the eligible costs.
5. The funding for the project implementation granted to the enterprise through NCBR constitutes state aid, granted in accordance with the conditions specified in the state aid regulation. State aid is granted to a company that has applied for aid before work on the project has started.
6. The intensity of public aid, provided that the conditions for increasing the intensity of public aid granted through NCBR for industrial research are met, cannot exceed:
 - 1) 80% of eligible costs for micro or small enterprise;
 - 2) 75% of eligible costs for medium-sized enterprise;
 - 3) 65% of eligible costs for large enterprise.
7. In case of development work, the intensity of public aid, provided that the conditions for increasing it are met, may not exceed:

- 1) 60% of eligible costs for micro or small enterprise;
 - 2) 50% of eligible costs for medium-sized enterprise;
 - 3) 40% of eligible costs for large enterprise.
8. The conditions for increasing the intensity of public aid are specified in the provisions of § 14 of the State Aid Regulation. An independent entrepreneur or enterprise being a part of a national consortium company shall justify increasing public aid intensity in the project application.
9. The catalogue of eligible costs is included in Appendix No. 2 to the Rules "Guide to the eligibility of costs".
10. The total funding contributed by all the foreign Partners forming the international consortium which implements an international project submitted to the 3rd INNOGLOBO call should be a minimum of 30% and a maximum of 70% of the total international consortium budget allocated to the project.
11. The share of the Polish Applicant's financial resources (in case of a national consortium, the total share of all the polish consortium members)³ in the international project submitted to the 3rd INNOGLOBO call should be a minimum of 30% and a maximum of 70% of the international consortium's total budget allocated for the implementation of the project.

IV. Call procedure

1. The call is open to Polish Applicants meeting the criteria specified in Chapter II of the Rules and foreign entities.
2. The international consortium must be composed of an entity(enties) from Poland and at least one foreign Partner. There are no restrictions as to the legal form of the foreign partner(s) in the international consortium implementing the international project.
3. Foreign partners implementing an international project in an international consortium may come from all countries with which Poland maintains diplomatic relations⁴.
4. Each foreign Partner willing to participate in the international project implementation within an international consortium is obliged to provide Polish Applicant (in case when the Applicant is a national consortium - its Leader), before submitting the application in the call, with a bilingual (in English and Polish) declaration on secured project funding for the implementation of its part of the international project (according to the template indicated in Appendix No. 5 to the application for co-financing) along with possible⁵

³ This share should be understood as eligible costs incurred by the Applicant in the project - i.e. the amount of the co-financing applied for and the own contribution of the Polish Applicant (if applicable).

⁴ <https://www.gov.pl/web/dyplomacja/podmioty-z-ktorymi-polska-utrzymuje-stosunki-dyplomatyczne>

⁵ If appendices attached by a Foreign Partner to the declaration on secured project funding for the project implementation are originally in a language other than Polish and English, they should be translated by a sworn translator and submitted in a bilingual form.

- attachments in the form of, e.g. promise of credit/loan, declaration of co-financing received from R&D financing agency or an identical entity from a foreign country, etc.
5. An application is submitted to NCBR in the manner presented in chapter IV, section 9 of the Rules and within the deadline specified in chapter IV, section 8 of the Rules.
 6. The application shall include:
 - 1) an application of the participation of Polish entities in the implementation of an international project compliant with the template specified in Appendix No. 3 to these Rules;
 - 2) description of the international project in accordance with the template set out in Appendix No. 1 to the application for co-financing;
 - 3) a project budget for the national part of the international project in accordance with the template set out in Appendix No. 2 to the application for co-financing;
 - 4) information on the Team Leader and the key members of the Team in accordance with the template set out in Appendix No. 3 to the application for co-financing;
 - 5) declaration from the person(s) authorised to represent the Applicant's entity in accordance with the specimen specified in Appendix No. 4 to the application for co-financing;
 - 6) declaration(s) on secured project funding for the project implementation (from each of the foreign partners, forming the international consortium) specified in Appendix No. 5 to the application for co-financing.
 7. The application must be accompanied by the documents listed in Appendix No. 4 to the Rules in the prescribed form in Polish.
 8. The call for proposals takes place in single phase and is open from 31 March 2023 to 30 September 2023.
 9. The application should be submitted to the NCBR using the ePUAP (Electronic Platform of Public Administration Services) platform⁶ or via e-mail to innoglobo_aplikacje@ncbr.gov.pl in an electronic version signed with a qualified electronic signature or as a scan of the application signed by hand⁷.
 10. Questions about the terms and conditions of the call can be directed to:
 - when concerning financial (eligibility of costs, indicators, project budget, principle of competitiveness) to the following address innoglobo-finanse@ncbr.gov.pl,
 - in all other matters, to innoglobo@ncbr.gov.pl.
 11. The application evaluation process by NCBR includes the following stages:

⁶ ePUAP electronic inbox: /NCBiR/SkrytkaESP.

⁷ In case of sending documents in the form of a scan of the application signed by hand, it will be necessary, together with submitting documents necessary before signing the grant agreement, for the Applicant to send to NCBR the original application with appendices.

- 1) formal (preliminary) evaluation - verification of application eligibility in accordance with the criteria for formal (preliminary) assessment of the application as specified in Appendix No. 5 to the Rules; the list of applications meeting the formal requirements is published on NCBR's website;
 - 2) expert evaluation - scientific and technical assessment of the project carried out by Polish experts in accordance with the criteria for substantive assessment of the application, as specified in Appendix No. 6 to the Rules;
 - 3) establishing a ranking list of applications recommended for funding; the ranking list of positively assessed applications is published on the NCBR website.
12. Suppose an application fails to meet the formal requirements in sections 6 - 9 of the application formal assessment criteria specified in Appendix No. 5 to these Rules. In that case, it shall be subject to a single correction or supplementation within a period not longer than 7 days from the delivery of the information on its incompleteness to the Applicant, with the reservation that parts C and D of the application shall not be subject to substantive correction or supplementation. Failure to rectify errors or formal deficiencies within the prescribed time limit or introduction of changes in the application other than those indicated in the request for rectification or correction shall result in leaving the application unprocessed without any further formal assessment. The Applicants whose Applications were left without consideration for the reasons mentioned above will be informed about this fact by NCBR.
- The occurrence of empty boxes in parts C or D of the application form is not subject to supplementation as part of formal assessment and leaves the application unprocessed without further assessment. NCBR will inform applicants whose Applications were left without consideration for the above reason.
13. If an application does not meet the criteria referred to in sections 1-5 of the formal application assessment criteria set out in Appendix No. 5 to the Rules, the Director of NCBR shall issue a decision on refusal to initiate the application examination procedure, which is delivered to the Applicant with the reasons.
 14. The Applicant may appeal against the Director of NCBR's decision on the refusal to initiate proceedings following the formal evaluation within the scope referred to in chapter IV section 13.
 15. The complaint is lodged to the Appeals Board of the NCBR Council via the Director of NCBR within 7 days, counted from the date of delivery of the Director of NCBR's decision to the Applicant in writing or via ePUAP.
 16. The Appeals Board of the NCBR Council shall consider the complaint and serve the decision issued in this respect on the Applicant.

V. Allocation of funds

1. NCBR grants funds for the project implementation by way of the Director of NCBR's decision on awarding funds for the project implementation, issued on the basis of the

ranking list referred to in chapter IV section 11.3 of the Rules. The Director of NCBR issues the decision referred to in this paragraph within twelve months of the date of the expiry of the deadline for the receipt of applications mentioned in Chapter IV section 8 of these Rules. In each case of failure to complete the matter within the time limit specified in the preceding sentence, the Director of NCBR shall notify the Applicant by way of an announcement made available in the Public Information Bulletin on the NCBR website www.ncbr.gov.pl, stating the reasons for the delay and indicating the new deadline for issuing the decision.

2. Prior to issuing the decision and upon NCBR's request, the Applicant shall provide the documents referred to in section 2a of Appendix No. 4 to the Rules in the prescribed method and deadline. Failure on the Applicant's part to meet the deadline set by NCBR to deliver documents is tantamount to withdrawal of the application and results in the Director of NCBR issuing a decision to discontinue the proceedings unless NCBR agrees - on the Applicant's justified request - to extend the deadline.
3. Along with the documents referred to in section 2, the Polish Applicant shall provide NCBR, in the designated mode and time, with an original bilingual declaration(s) on secured project funding⁸ for the implementation of the project (in a written or electronic form - with qualified electronic signatures) from each of the foreign Partners forming the international consortium (referred to in section 2b of Appendix No. 4 to the Rules). The content of the above declaration(s) of the Foreign Partner(s) should be in line with the template set out in Appendix No. 5 to the application for co-financing and up-to-date as of the date of sending the original to NCBR. Failure to send the declarations or failure to meet the deadline indicated by NCBR for providing the documents by the Polish Applicant is tantamount to withdrawal of the application and results in the Director of NCBR issuing a decision on discontinuing the proceedings unless NCBR - on the justified request of the Polish Applicant - agrees to extend the deadline.
4. Co-financing may be awarded only for the implementation of international projects involving Polish applicants and foreign Partners fulfilling the requirement stipulated in Chapter II and IV of the Rules.
5. Withdrawal from participation in an international project by Foreign Partners may result in the issuance of a decision stating the expiry of the decision on the award of funds. The Director of NCBR issues the decision in this respect.

⁸ NOTE: If at the stage of issuing the decision, signing the grant agreement or during the project implementation phase, at any of the foreign partners of the international consortium, there is a change in the form of securing financial resources for the project implementation declared in the declaration (submitted at the application stage), the Applicant is obliged to immediately send to NCBR the updated original declaration referred to in Appendix No. 5 to the application for co-financing.

6. The lack or loss of financial security for the implementation of an international project on the part of each of the foreign partners in an international consortium may result in the expiry of the decision on the award of funds. The Director of NCBR issues the decision in this respect.
7. The funding granted for the project implementation is transferred on the basis of the project funding agreement concluded between NCBR and the Polish Applicant.
8. The conclusion of the project co-financing agreement is conditional upon submission by the Polish Applicant of the documents referred to in section 3 of Appendix No. 4 to the Rules within 90 days from the date of delivery of the funding decision issued by the Director of NCBR referred to in point 1. The deadline for submitting documents indicated in the previous sentence may be extended with NCBR's consent. Failure on the part of the Applicant to meet the deadline for submission of documents shall be tantamount to withdrawal from the conclusion of the project funding agreement and shall result in the issuance of a decision stating the expiry of the decision on the award of funds. The Director of NCBR issues the decision in this respect.
9. The conclusion of the project co-financing agreement will be possible on condition that the Applicant:
 - a) is not an enterprise which is under an obligation to repay the aid resulting from a decision of the European Commission declaring the aid illegal and incompatible with the internal market,
 - b) is not an enterprise in difficulty within the meaning of EU State aid rules⁹ and is not under receivership,
 - c) they are not in arrears with their payments of taxes, social security and health insurance contributions.
10. In the case when NCBR gains reasonable doubts about the Applicant's ability to correctly spend public funds, including those in accordance with the project objectives, the Director of NCBR may refrain from concluding the project grant agreement until the doubts are clarified or refuse to conclude it, which will result in the decision on awarding the funding expiring.
11. Pursuant to Article 40 par. 2 of the Act on NCBR, the Applicant may appeal against the decision of the Director of NCBR, only in case of violation of the calls procedure or other formal infringements, to the Appeals Board of NCBR Council, within 14 days from the date of delivery of the decision to the Applicant through the Director of NCBR.
12. The Appeals Board of the NCBR Council shall decide on the appeal no later than 3 months from the appeal date.

⁹ The definition of "enterprise in difficulty" is set out in Article 2(18) of Regulation 651/2014.

13. The decisions of the Appeals Board of the NCBR Council may be appealed to the administrative court.
14. The Applicant shall immediately inform NCBR about the contact data change that occurred during the call. Until NCBR receives information about the change of contact details, deliveries made to the current address (including e-mail or ePUAP address) are considered effective.
15. At each stage of the request procedure, NCBR may contact the Applicant (i.e. send a letter/request/decision/decision in an electronic form) via the ePUAP platform, provided that the Applicant has previously agreed to such a form of correspondence. Otherwise, as well as if delivery of correspondence in electronic form is not possible, NCBR sends it to the Applicant via the postal operator.
16. Each of the entities participating both during the call and during the project implementation (NCBR, Applicant, project implementing entity) has the status of a separate administrator of personal data within the meaning of Article 4(7) of Regulation (EU) 2016/679 of the European Parliament and of the Council of April 27, 2016 on the protection of individual persons in relation to the processing of personal data and on the free flow of such data and repealing Directive 95/46/EC (RODO) and the transfer of data between these entities is carried out on the basis of sharing personal data.
17. Detailed information on the processing of personal data by NCBR can be found in the information clauses attached to the application.
18. NCBR reserves the right to modify the Rules or any document specifying the terms and conditions of the call to which the Rules refer. The amendments are effective as of the date indicated in the information on such amendments published on the NCBR website. Amendments shall not result in unequal treatment of Applicants.
19. NCBR reserves the right to cancel the call, in particular, in the case of significant changes in legislation affecting the conditions for holding the call or force majeure events.

Appendices to the Rules:

1. Minimum scope of the national consortium agreement;
2. Guide to the eligibility of costs;
3. Template of the application with:
 - 3.1. Description of the international project;
 - 3.2. Project budget;
 - 3.3. Information about the Team Leader and the key members of the polish Team;
 - 3.4. Declarations of the person(s) authorized to represent the applicant;
 - 3.5. Declaration on secured project funding (to be made by each Foreign Partner forming the international consortium).);

4. List of documents required when submitting an application for project financing and at the stage of issuing a decision, and the submission of which is a condition for concluding the contract for project financing (together with sample enclosures);
5. Criteria for formal (preliminary) assessment of the application;
6. Criteria for the substantive assessment of the application.