



Rules and Regulations of the Call

ARTIQ – AI Centres of Excellence

Institution	National Centre for Research and Development, National Science Centre
Undertaking	Joint National Undertaking: ARTIQ – AI Centres of Excellence
Call	I
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“The Rules and Regulations of the Call” (RC) is a document containing the conditions and the manner of carrying out the ARTIQ call, including the basic principles for submitting applications and the mechanism for their evaluation. The document is developed on the basis of established national laws. Any discrepancies between this document and the legal provisions shall be settled in accordance with legal provisions. The definitions of terms underlined in this document are provided at the end of the Regulations. The full names of legal acts referenced in the document via abbreviations and underlined are provided in the section titled “Legal Basis.”

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Basic information about the call

1. This call aims to provide co-financing for projects, which may contribute to achieving the goal of the Joint Undertaking organised by NCBR and NCN under the name “ARTIQ – AI Centres of Excellence,” i.e. increasing the scientific and R&D potential of Poland in the area of artificial intelligence. This aim is to be achieved by establishing three Centres of Excellence in the area of artificial intelligence (CE AI), understood as highly specialised research teams operating within Polish entities, managed by high-class scientists – Leaders – of international fame and a distinguished scientific, implementation and organisational achievements.
2. Prior to the announcement of the call, a capacity study was carried out in the form of applications for Host Institutions. The list of Host Institutions was published on the NCBR website. Information on the list of Host Institutions was also published on the NCN website. The published list of Host Institutions is not restricted; its is merely a facilitation for the future Leader to seek for an entity where the CE AI is going to be established. The future Leader may engage in a cooperation with one of the Host Institutions from the list or file a proposal under the call, in cooperation with an entity not included in the list, provided that such entity meets all the requirements indicated in the Rules and Regulations of the Call (RC).
3. The Hosting Institutions allowed to join the call includes research and development entities meeting the criteria of a research and knowledge-dissemination organisation specified in Article 2(83) of the Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty, as defined in Article 7, section 1(1)(2)(4-8) of the Act of 20 July 2018 – Act on higher education and science:
 - 1) universities,
 - 2) federations of higher education and science units,
 - 3) research institutes of the Polish Academy of Sciences acting on the basis of the act of 30 April 2010 on the Polish Academy of Sciences,
 - 4) research institutes operating on the basis of the Act of 30 April 2010 on research institutes,

- 5) International research institutes created on the basis of separate acts, operating in the territory of the Republic of Poland,
 - 6) Łukasiewicz Centre, acting on the basis of the Act of 21 February 2019 on the Łukasiewicz Research Network,
 - 7) institutes operating within the Łukasiewicz Research Network,
 - 8) Polish Academy of Arts and Sciences,
 - 9) other entities carrying out primarily scientific activities in an independent and continuous manner,
- and
- 10) centres of the Polish Academy of Sciences within the meaning of the Act of 30 April 2010 on the Polish Academy of Sciences.

The Host Institutions will act as the Applicants in the call. An Applicant may be an entity for which the funding does not constitute state aid.

- 4.** A person who meets all of the conditions listed below may enter the call as a leader:
- 1) has scientific achievements and international experience in the area of artificial intelligence, including successes in commercialisation and in cooperation with business (requirement verified as part of the substantive assessment under scored criterion no. 8),
 - 2) has obtained a PhD up to 8 years prior to the opening of the call for proposals (not earlier than 20 September 2013). This period may be extended by long-term (more than 90 days) documented sickness benefits or rehabilitation benefits in connection with inability to work, occurring not earlier than 20 September 2013. In addition, this period may be extended by the number of months of child care and child rearing leave granted under the rules set out in the Labour Code, and in the case of women by 18 months for each born or adopted child, if this way of indicating breaks in the research career is more beneficial (requirement to be verified as part of the initial assessment),
 - 3) within two years before the date of closing the call for proposals, has not been living (i.e. did not remain in the territory of the Republic of Poland with the intention of permanent residence), has not been working or studying in Poland, and has not been

managing a grant implemented in Poland (requirement verified as part of the initial assessment).

5. Applications submitted under the call must cover basic and industrial research, development works, or pre-implementation works. As part of activities aimed at commercialisation of the results obtained as part of the project, Applicants may establish an appropriate special purpose vehicle. Expenses related to advisory activities in order to set up the special purpose vehicle will be subsidised by the NCBR.
6. An application meeting all of the following conditions may be submitted to the call:
 - 1) the planned research and R&D work concern artificial intelligence,
 - 2) the project was not and is not financed by NCBR, NCN or from other sources,
 - 3) the planned duration of the project is 60 months¹,
 - 4) the Leader is going to be employed on the basis of a full-time employment contract for the entire project implementation period; the annual remuneration of the Leader amounts up to PLN 600 thousand gross together with non-wage labour costs,
 - 5) where the Applicant declares:
 - a. financial own contribution in the amount of at least PLN 100,000 per year on average for each year of the implementation of the project, to be used only to cover the relocation costs indicated in section 17 and as part of the eligible costs in accordance with the rules defined in the documents “ARTIQ – AI Centres of Excellence costs of funding basic research by the NCN” and “NCBR Cost Eligibility Guide,”
 - b. the administrative and financial support for the project implementation, including support related to the Leader's arrival and stay in Poland (this may include e.g., childcare, if applicable) – service costs are not included in the Applicant's own contribution,
 - c. hiring a full-time administrative coordinator dedicated exclusively to CE AI for the entire duration of the project, fluent in Polish and English – costs of hiring the coordinator are not included in the Applicant's own contribution.

¹ The possibility of extending the project is indicated in the funding agreements.-/-

7. The application must also contain a plan of research subsidised by both NCN as well as NCBR. The project planned for implementation should be characterised by mutually complementary contribution of particular types of research (basic, industrial, development or pre-implementation), which means that the planned tasks form one, coherent, joint project.

8. Applications must be submitted in two language versions, in Polish and in English, exclusively via the LSI IT system. The call for proposals will be open from 20 September 2021 until 20 December 2021, 16.00 CET.

9. Actions performed by the NCBR:

- call for proposals,
- preliminary assessment of applications,
- substantive assessment of applications,
- publication of ranking lists of applications recommended and not recommended for funding.

Actions performed by the NCN:

- preliminary assessment of applications,
- participation in the process of substantive assessment of applications,
- publication of ranking lists of applications recommended for co-financing.

10. An applicant may submit any number of applications for various projects, i.e. with different tasks and different objectives, led by different leaders.

11. A person may only be designated as Leader for only a single application submitted in response to the call. It is not possible to make an application that is subject to:

- 1) an ongoing evaluation in the framework of another public call for proposals or
- 2) appeal procedure in NCBR or NCN or
- 3) judicial and administrative proceedings.

If the Applicant violates any of the above conditions, the application will not be submitted for evaluation. In such event, the NCBR Director will issue a decision to discontinue the proceedings, and the NCN Director will issue a decision on refusal to grant funding, which will be delivered in accordance with the NCN Director's rules on delivering decisions. The

principle referred to in item 11, second sentence, relates to and applies to the entire procedure for assessing applications submitted under the call.

Rules for funding projects

- 12.** The projects selected in the call are going to be funded by the NCBR and NCN, while the works including basic research are carried out by the NCN, while the works including industrial research, development works, or pre-implementation works and support for establishing special purpose vehicles are funded by NCBR.

Legal notice

Basic research is defined in Article 4(2)(1) of the Act of 20 July 2018. Law on Higher Education and Science (Journal of Laws item 1668, as amended),

Industrial research and development are defined in the Commission Regulation (EU) no. 651/2014 of 17 June 2014, Article 2

- 13.** NCBR and NCN finances for funding projects selected in the call (allocation) amount to a total of PLN 60 million (in words: sixty million zlotys).
- 14.** The maximum amount of eligible costs funded by the NCN and NCBR for a single project amount to PLN 20 million, where:
- 1) the amount of eligible costs allocated for the execution of the basic research funded by the NCN must not exceed PLN 5 million,
 - 2) the amount of eligible costs allocated for the implementation of industrial research, development, pre-implementation works subsidized by NCBR cannot exceed PLN 14 million,
 - 3) the amount of eligible costs for the creation of special purpose vehicle funded by NCBR, cannot exceed PLN 1 million.
- 15.** It is prohibited to combine basic research, industrial research, development or pre-implementation work as well as activities aiming at commercialisation within a single activity.
- 16.** The Applicant is allowed to carry out the project solely within non-commercial activity.

17. Property rights to the project results, in particular author's property rights, right to obtain a patent for an invention or protection right for a utility model, right from registration of an industrial design or an integrated circuit and rights to protection of a plant variety bred or discovered and derived by a breeder as well as access rights related to them, are vested in the Applicant who receives the financial assets. The division of rights to the project results between the Applicant and the Leader may be established between the parties in a separate agreement. In the case of a lack of arrangements, the generally applicable legal provisions shall apply.

18. In the part of the project co-financed by the NCBR it is possible to plan the implementation of a part of R&D works by a subcontractor, under the condition that the costs of the implementation of works commissioned to subcontractors does not exceed:

- 1) 10% of eligible costs planned in the project for implementation of tasks covering industrial research and development works,
- 2) 70% of eligible costs planned in the project for implementation of tasks including pre-implementation works.

In the part of the project subsidised by NCN, the limit of planned costs within the "Subcontracting" category does not apply.

19. In the event that the Leader decides to move to the city where the CE AI is based, the relocation costs shall be granted on a one-off basis and covered by the Applicant's own contribution (item 6(5)(a)). The amount of the lump sum in PLN depends on the current place of residence of the Leader and the number of family members who will accompany him/her during the project:

- 1) in the case of a Leader who live in Poland and needs to relocate to another location:
PLN 8,000; a spouse or cohabiting partner: +PLN 2,000; per each child²:
+PLN 1,000,

² below the age of 18 on the date of submitting the application. The allowance is also granted to children over the age of 18 with long-term physical, mental, intellectual or sensory impairments which, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others. (Article 1 of the UN Convention on the Rights of Persons with Disabilities <https://www.un.org/development/desa/disabilities>).

- 2) in the case of a Leader residing in another European country³: PLN 16,000; a spouse or cohabiting partner: + PLN 4 000; per each child²: +PLN +2,000,
- 3) in the case of a Leader residing in a country outside of Europe: PLN 32,000; a spouse or cohabiting partner: + PLN 8,000; per each child²: + PLN 4 000;

20. The list of eligible costs and the rules for their classification and subsequent settlement is defined in the following documents: “NCBR Cost Eligibility Guide” and “ARTIQ – AI Centres of Excellence costs of funding basic research by the NCN.”

21. NCBR reserves the right to update the document “NCBR Cost Eligibility Guide,” while the assessment of the eligibility of the incurred costs is assessed on the basis of the document valid as at the day of incurring the cost.

Reference

See Appendix no. 5 to the RC - “NCBR Cost Eligibility Guide.”

See Appendix no. 6 to the RC – “ARTIQ – AI Centres of Excellence costs of funding basic research by the NCN.”

22. The Applicant may start implementing the project and incur costs from the funds granted by NCBR and NCN on the date indicated in the grant agreements. Costs incurred from the Applicant's own financial contribution may be incurred starting from the date when both decisions, i.e. issued by NCBR and NCN, on awarding the funding become legally binding.

23. The applicant implements the project (including the purchase of goods and services) in accordance with the conditions specified in the project grant agreements.

Reference

See Appendix no. 9 to the RC – NCBR grant agreement template.

See Appendix no. 10 to the RC – NCN grant agreement template.

³ EU Member States, Albania, Andorra, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Georgia, Iceland, Kosovo, Liechtenstein, Northern Macedonia, Monaco, Montenegro, Moldova, Norway, San Marino, Serbia, Switzerland, Turkey, Ukraine, United Kingdom.

Rules of communication with the Applicant

- 24.** Communication between NCN and the Applicant is carried out electronically via the ePUAP system (Electronic Platform for Public Administration Services [*Elektroniczna Platforma Usług Administracji Publicznej*]).
- 25.** Unless indicated otherwise, communication between NCBR and the Applicant shall be carried out in electronic form, i.e. via e-mail or the LSI IT system. In the event that electronic communication is not possible for technical reasons, NCBR shall indicate another way of communication in a message published on the NCBR website. Correspondence sent to the Applicant via e-mail, or the LSI IT system is considered delivered at the moment when NCBR introduces the message to the electronic means of communication in a manner allowing the address to read their contents. The deadlines specified in the NCR or summons for the action to be performed by the Applicant run from the day following the day on which NCBR sends to the Applicant a message in the LSI system or by e-mail indicating the need to perform such action.
- 26.** NCBR sends electronic correspondence to e-mail addresses of persons indicated by the Applicant as contact persons in the application.
- 27.** The applicant is required to:
- 1) ensure a functional electronic mailbox to which NCBR will direct correspondence,
 - 2) update the e-mail address in the event it changes,
 - 3) update the address for correspondence via the postal services operator (traditional mail) if it changes.
- 28.** The Applicant must notify NCBR within 3 days of any changes of e-mail address or the correspondence address of the Applicant or contact persons. Until such time as notice is given, correspondence issued to the previous addresses shall be deemed to have been effectively served.
- 29.** In the event that the Applicant fails to perform the actions referred to in items 24 and 25, or when the contact between NCBR and the Applicant is impossible due to technical faults on the Applicant's end, NCBR leaves the application unprocessed and informs the

Applicant of this fact in an electronic correspondence issued via ePUAP platform, provided that the Applicant has earlier agreed to such a form of correspondence. If electronic delivery of the letter is not possible, NCBR shall send the letter via a postal operator.

30. The ePUAP platform is used to send documents in electronic form in situations defined in the RC:

- 1) Electronic documents may bear a trusted signature or a qualified electronic signature. RC specifies the type of signature required when describing an activity.
- 2) An electronic document bearing a qualified electronic signature shall fulfil the requirements of the written form.



Additional information

A trusted signature is an electronic signature created by a user of an ePUAP account, to which identifying information included in the ePUAP trusted profile has been attached.

A qualified electronic signature is an electronic signature referred to in Article 78¹ of the Act of 23 April 1964, the Civil Code.

NCBR's ePUAP box address is: /NCBiR/SkrytkaESP

31. Questions about the rules of the call can be addressed to info@ncbr.gov.pl and phone numbers +48 22 39 07 170; +48 22 39 07 191.

Manner of submitting applications for project funding

Reference

A funding application shall be submitted via the LSI IT system. Logging into the LSI system takes place via the NCBR website, which is stated in the announcement of the call. Submission of an application in the LSI IT system is tantamount to the submission of an application to NCN. NCBR forwards to NCN the application originally submitted and/or the completed/revised application. An application in accordance with the template in appendix no. 1 to the RC shall be submitted in Polish and in English.

- 32.** Detailed rules for filling in and submitting the application are laid out in the following documents, available on the NCBR website:
- 1) Instructions for filling in the application for funding;
 - 2) Instructions for submitting a grant application in the LSI IT system.
- 33.** After submitting the application, the LSI IT system generates an acknowledgement of submission with the application number and date of submission. No changes may be made to the application after receipt of confirmation of submission, except as described in items 43-63 of the RC: [Preliminary assessment](#) and [Substantive assessment](#).
- 34.** The date of submission of an application to the call shall be the date on the confirmation which the Applicant receives upon submission of the application.
- 35.** The applicant is required to provide the following attachments to the application:
- 1) scanned copies of the documents signed personally by the Applicant and the Leader
or
 - 2) documents bearing the qualified electronic signatures of the Applicant and the Leader (for leaders from countries applying the eIDAS Regulation⁴).
- 36.** The application submitted in the LSI IT system should be accompanied by a declaration in which the Applicant confirms that the information contained in the application are consistent with the actual and legal status, and that the person submitting the application is authorised to represent the Applicant.

Reference

See Appendix 7 to the RC – Template of a declaration of intent to submit an application via the IT system.

The declaration referred to in point 36 shall have the following form:

- 1) a scan of the declaration hand-signed by the Applicant or
- 2) an electronic declaration bearing a qualified electronic signature.

⁴ REGULATION (EU) No 910/2014 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ EU.L.2014.257.73)

If a scan of the declaration is submitted in the LSI IT system, the original (paper version) of the statement should be obligatorily delivered to NCBR together with the project funding agreement.

In the event that the project grant agreement is signed with a qualified electronic signature, the Applicant shall, at the stage of concluding the agreement, confirm a scan of the declaration with the qualified electronic signature as a true copy of the original.

37. The applicant shall have the right to withdraw the application at any stage of the call procedure. If the application is withdrawn, the Applicant shall inform the Leader thereof in the form of a declaration signed by a person authorised to represent the Applicant. In order to withdraw an application, the Applicant shall:

- 1) sign the declaration with a trusted signature or a qualified electronic signature and send it to NCBR via the ePUAP platform or
- 2) Personally sign the declaration and submit it in person in the NCBR office or send it by traditional mail.

The date of application withdrawal is the date appearing on the official acknowledgement of receipt – UPO (point 37 item 1) or the date on which the declaration is received by NCBR (point 37 item 2).

In the case of a withdrawal of an application, the NCBR Director and the NCN Director issue a decision to discontinue the proceedings with respect to the Applicant. This means an effective withdrawal of the application.

38. Technical errors related to the functioning of the LSI system should be reported to the e-mail address: generator@ncbr.gov.pl.

39. NCBR may grant positive consideration to the Applicant's application concerning the technical errors that prevented successful submission of the application, only when they are connected with malfunctioning of the LSI IT system on the NCBR's end, and not on the Applicant's end.

40. In the case of long-lasting technical problems making it impossible to submit the application via the LSI IT system, the Applicant should follow the announcements on the NCBR website.

General rules for assessing applications in the call

41. Initial assessment of applications is carried out by NCBR and NCN on the basis of the criteria specified in Appendix no. 3 to the RC. The assessment is made on the basis of the information contained in the application and the explanations provided by the Applicant.
42. Substantive assessment of applications is carried out by the Expert Team. In making its assessments, the Expert Team shall take into account the individual opinions of reviewers who are not members of the Expert Team. The assessment shall be carried out in accordance with the criteria set out in Appendix 4 to the RC, on the basis of the information contained in the application or the Applicant's explanations.

Initial assessment

Reference

See Appendix no. 4 to the RC – Initial assessment criteria.

43. Preliminary evaluation, carried out by NCBR and NCN in accordance with the criteria specified in Appendix no. 3 to the RC, consists in determining whether the application meets/does not meet a given criterion. In the case when, in result of the initial assessment, the application does not receive a positive evaluation in criterion no. 1, the Director of NCBR issues a decision on refusal to initiate the application examination procedure with justification; such decision is sent by the NCBR to the Applicant in electronic form via ePUAP platform, provided that the Applicant has previously agreed to such form of correspondence. If electronic delivery of the letter is not possible, NCBR shall send the letter via a postal operator.

Legal notice

Consent for the delivery of letters in electronic form shall be the consent referred to in Article 391 § 1 point 3 of the Act of 14 June 1960 Code of Administrative Procedure.

44. After carrying out the initial assessment, NCBR:
 - 1) directs the application to substantive assessment, provided that it meets all the initial assessment criteria, or

- 2) refers the application for completion or correction in respect of criteria 3 and 4 of the initial assessment, or
- 3) leaves the application unprocessed.

45. If the application does not meet criteria 3 and 4 of the initial assessment, NCBR calls the Applicant to supplement or correct the application in the LSI IT system. The request indicates:

- 1) the elements of the application to be completed or corrected, and
- 2) 5-day deadline to complete or correct and resubmit the application in the LSI IT system.

46. NCBR allows the Applicant to supplement or improve the application once within the scope indicated in the call.

47. If, after NCBR's call to supplement or correct the application, the Applicant submits explanations stating that there were no deficiencies in criteria 3 and 4 of the initial assessment, and NCBR accepts such explanations, the Applicant is obliged to resubmit the application in the LSI IT system within the deadline indicated in the request issued by the NCBR. Electronic correspondence confirming acceptance of the Applicant's explanations by NCBR is attached in the LSI IT system.

48. Supplementing or correcting an application must not lead to its material modification.

49. The application shall not be processed if:

- 1) the application does not meet criterion 2 of the initial assessment or the application was submitted to the wrong call or
- 2) the application includes changes other than those indicated in the request for completion or correction, or
- 3) the application has not been completed or corrected in accordance with the request, or the fields of the application have been filled in with characters or information that cannot be attributed to the particular field, or
- 4) The applicant fails to provide a completed or corrected application before the deadline.

- 50.** In the case of leaving the application unprocessed, NCBR informs the Applicant of this fact in an electronic letter, which is issued to the Applicant via the ePUAP platform, provided that the Applicant has previously agreed to such a form of correspondence. If electronic delivery of the letter is not possible, NCBR shall send it to the Applicant via a postal operator.
- 51.** In the case of refusal to initiate proceedings or leaving the application unprocessed by the NCBR Director, the NCN Director issues a decision on refusal to grant the funding, which is delivered in accordance with the rules of delivering the NCN Director's decision.

Reference

See Appendix no. 13 to the RC – Rules for submitting the NCN Director's decisions.

Substantive assessment

- 52.** The substantive assessment of the application is carried out by the Expert Team. The minimum number of experts in the Expert Team shall be 5. The Expert Team shall decide on the evaluation of the application by consensus. In the absence of a consensus, the evaluation of the application shall be decided by a vote, with the Chairman of the Expert Team having the casting vote in the event of an equal number of votes.
- 53.** The substantive assessment shall include the following stages:
- 1) Drafting of individual opinions of the proposal and questions to the Leader/Applicant by two members of the Expert Team.
 - 2) Preparation of additional individual opinions of the proposal and questions to the Leader/Applicant by two reviewers who are not members of the Expert Team.
 - 3) Preparation by the lead expert assigned to the proposal of a list of questions to the Leader/Applicant based on the opinions and questions drafted by the experts and reviewers.
 - 4) Issuing a list of questions to the Leader and the Applicant at least 5 working days before the meeting of the Leader and the Applicant with the Expert Team.
 - 5) A meeting of the Expert Team with the Leader and the Applicant via electronic means of communication, during which the Leader and the Applicant may address questions and possible doubts of the Expert Team regarding the application.

- 6) Completion or improvement of the application by the Applicant.
 - 7) Substantive assessment of the supplemented/revised application carried out by the Expert Team according to the criteria set out in appendix no. 4 to the RC.
- 54.** The meeting referred to in item 53(5) shall be held in English and in the presence of the Leader and the Applicant, who may be represented by up to 4 persons. The presence of the Leader and at least one representative of the Applicant at the meeting is mandatory.
 - 55.** The dates of meetings of the Expert Team with leaders and applicants are announced on the NCBR website immediately after the call for proposals closes.
 - 56.** Information on the date and organisational details of the meeting shall be sent to the Leader and the Applicant by e-mail at least 14 calendar days before the planned meeting, subject to item 49(4). In the event that the Leader or Applicant fail to appear at the meeting on the specified date, such event shall be tantamount to withdrawal of the application from the evaluation and results in the Director of NCBR issuing a decision to discontinue the proceedings, and the Director of NCN issuing a negative decision on granting the funding. NCBR's decision is issued to the Applicant in an electronic form via the ePUAP platform, provided that the Applicant has previously agreed to this form of correspondence. If delivery of the decision in electronic form is not possible, NCBR sends the decision to the Applicant via postal operator and NCN delivers the decision in accordance with the rules for delivery of decisions of the NCN Director.
 - 57.** It is not possible to reschedule an appointment at the request of the Leader/Applicant, except for random accidents or force majeure events beyond the control of the Leader or the Applicant. A subsequent appointment may not affect the date on which the call is decided.
 - 58.** The meeting of the Expert Team with the Leader and the Applicant is audio recorded by NCBR, excluding the stage of verification of the identity of persons participating in the meeting. The meeting must not be recorded by other participants.
 - 59.** After the meeting, NCBR provides the Leader and the Applicant with information on the possibility of supplementing or improving the application along with an opinion on the application with regard to the assessment criteria, prepared on the basis of the

comments of the Expert Team. The applicant has the right to complete or correct the application once to the extent indicated by the Expert Team.

Reference

See Appendix 4 to the RC – Criteria for substantive assessment: comments of the Expert Team may concern information and data provided in the application, which are assessed within the framework of criteria described in Appendix 4 to the RC, except for criterion no. 1.

- 60.** The corrected or supplemented application shall be submitted in the LSI IT system within 10 calendar days from the day following the date on which the information on the possibility to supplement or amend the application is received. The amendment of the application must not include: the increase of the funding applied for, changes in the scope of costs of the implementation of tasks within the scope of basic research co-financed by NCN (maximum PLN 5 million), industrial research, development or pre-implementation works co-financed by NCBR (maximum PLN 14 million), or changes in the scope of costs designated for the establishment of special purpose vehicles co-financed by NCBR (maximum PLN 1 million).
- 61.** The Expert Team evaluates the proposal on the basis of the information stated in the proposal amended/complemented in accordance with the comments of the Expert Team. In case any changes are made in the application other than those indicated by the Expert Team, the application originally submitted in the LSI system shall be evaluated.
- 62.** If the applicant fails to complete or correct the application within the specified time limit, the Expert Team shall evaluate the originally submitted application. However, the applicant must resubmit the application in the LSI IT system by the time limit specified in point 60. In the event that the application in the LSI IT system is not submitted by the specified time limit, such event shall be tantamount to withdrawal of the application from the evaluation and results in the Director of NCBR issuing a decision to discontinue the proceedings, and the Director of NCN issuing a negative decision on granting the funding. NCBR issues the decision to the Applicant in an electronic form via the ePUAP platform, provided that the Applicant has previously agreed to this form of correspondence. If delivery of the decision in electronic form is not possible, NCBR sends

the decision to the Applicant via postal operator. NCN sends the decision in accordance with the rules for delivery of decisions of the NCN Director.

63. As a result of the substantive assessment, the application may be assessed:

- 1) positively – if it meets all the access criteria and obtains the required score thresholds under each of the scoring criteria or
- 2) negatively – if it fails to meet any of the access criteria or fails to obtain the required threshold scores under each of the scoring criteria.

Scoring thresholds are defined in appendix no. 4 – Substantive assessment criteria.

Settlement of the call for proposals

64. The Expert Team shall draw up:

- 1) a ranking list of positively assessed proposals,
- 2) a ranking list of negatively assessed proposals.

65. In the ranking lists, applications are ranked from the highest to the lowest rated. In the event that two or more applications receive the same final score, the order on the ranking list shall be determined by obtaining the higher score for the criterion of greater significance, in the following order:

- 1) Purpose and scientific value of the project.
- 2) The scientific and application achievements of the Leader, the Applicant's experience in implementing R&D projects and commercialisation, as well as human and administrative resources.
- 3) Extent and adequacy of the works planned in the project in relation to the planned results.
- 4) Possibilities of commercialisation of the project results and the anticipated benefits of commercialisation.

66. The following documents are drawn up on the basis of the ranking lists referred to in items 64-65, :

- 1) Final ranking list of positively assessed proposals, including proposals recommended and not recommended for funding.
- 2) Final ranking list of negatively assessed proposals.

67. The application recommended for funding:

- 1) must be positively assessed by the Expert Team (see item 63(1)) and
- 2) ranked at the top of the ranking list of positively assessed proposals subject to item 69 and
- 3) whose amount of funding is within the available allocation (see item 13).

68. In the case of several applications submitted by the same Applicant, only one application submitted by this Applicant may be recommended for funding, i.e. the highest rated of all the applications submitted by this Applicant.

69. A maximum of 3 applications may be recommended for funding.

70. The applications indicated in the final ranking list of positively assessed applications which do not fulfil the conditions referred to in items 67(2) and 67(3) shall constitute a reserve list.

71. NCBR Director and NCN Director approve the final ranking lists.

72. Based on the final ranking lists (see item 66), the NCBR Director and the NCN Director issue decisions on:

- 1) awarding funding to projects fulfilling all the conditions described in item 67.
- 2) refuse to award funding to projects which have been assessed negatively (see item 63(2)) or positively which do not fulfil the conditions described in items 67(1) and 67(2).

73. The condition to obtain co-financing is the receipt of decisions granting funds for the implementation of the project, issued by the Director of NCBR and the Director of NCN, and the conclusion of both agreements referred to in items 87 and 94 (i.e. with both NCBR and NCN).

74. NCBR and NCN shall send appropriate decisions to the Applicant within 12 months after the date of closing the call for proposals (see item 8). NCBR issues a letter to the

Applicant in an electronic form via the ePUAP platform, provided that the Applicant has previously agreed to this form of correspondence. If electronic delivery of the letter is not possible, NCBR shall send the letter to the Applicant via a postal operator. NCN sends the decision in accordance with the rules for delivery of decisions of the NCN Director. Each case of failure to resolve the matter within the specified time limit shall be notified by the Director of NCBR and the Director of NCN by means of a published on the Public Information Bulletin (BIP) on the NCBR website and the BIP on the NCN website, stating the reasons for the delay and setting a new time limit for issuing the decision.

- 75.** Failure to meet the conditions referred to in paragraph 67 items 2 and 3, and as a consequence the refusal to grant a subsidy for the implementation of the project, which received a positive assessment, is not the basis for any claims of the Applicant against NCBR or NCN, subject to the right to appeal.
- 76.** In the case of an Applicant not belonging to the public finance sector or not receiving subsidies for conducting scientific activity, NCN assesses the legal, organisational and financial standing of the Applicant. The purpose of the assessment is to check if the Applicant provides sufficient guarantee of the correct implementation of the project. The assessment may include in particular the period during which the Applicant has been carrying out continuous scientific research, an analysis of the Applicant's assets, including the possession of appropriate research and scientific and administrative/office infrastructure, and an analysis of the statutory documents underpinning the Applicant's activity.
- 77.** In particularly justified cases, the NCN Director, based on the analysis referred to in item 76, may issue a decision on awarding a grant, at the same time obliging the Applicant to establish, within a specified period, an appropriate security for the correct implementation of the project (e.g. a bill of exchange, a bank guarantee, appropriate amendments to the documentation).
- 78.** Failure to carry out the activities ordered in the decision referred to in item 77 shall be equivalent to the Applicant's resignation from concluding the grant agreement.

Information on the results of the call

- 79.** Final ranking lists, with information on the project title, Leader, Applicant and amount of applied for and granted co-financing, are published on the NCBR website. NCN publishes a ranking list of applications recommended for funding together with information about the project title, Leader, Applicant and amount of requested and awarded funding on the NCN website. The applicant shall have the right of access to documents relating to the evaluation of his/her application. The personal data of experts and reviewers evaluating applications in the call shall not be disclosed.
- 80.** The Applicant may consult the recording of the meeting with the Expert Team (see item 58).
- 1) The applicant can only hear the recording at the NCBR's premises upon issuing a prior application letter and agreeing on a date. The Applicant sends the application letter, bearing a trusted signature or a qualified electronic signature to the NCBR via the ePUAP platform;
 - 2) NCBR may make the recording available only to persons authorised to represent the Applicant. The Applicant may listen to the recording in the presence of an NCBR employee during one visit during office hours. The Applicant may take notes while listening to the recording but shall not re-record the recording with their own devices.

Appeals procedure

- 81.** In case of infringement of the call procedure or other formal violations, the Applicant has the right to appeal against the NCBR Director's decision or against the NCN Director's decision. The Applicant shall lodge an appeal against the decision issued by the Director of NCBR to the NCBR Council Appeal Committee via the Director of NCBR, and against the decision issued by the Director of NCN to the NCN Council Appeal Committee via the Director of NCN, within 14 days of the delivery of each decision.
- 82.** The Appeal Committee of the NCBR Council and the Appeal Committee of the NCN Council shall decide on appeals within 3 months of the submission of the appeal. The

grant can only be awarded if the appeal is positively resolved by both the NCBR Council Appeal Committee and the NCN Council Appeal Committee.

- 83.** The Applicant has the right to file a complaint to the administrative court against the decision of the NCBR Council Appeal Committee of as well as against the decision of the NCN Council Appeal Committee.
- 84.** Until the appeals against the decisions refusing to grant funding are resolved, the Director of NCBR and the Director of NCN, in view of item 69, shall suspend the issuance of decisions referred to in point 72(1), subject to item 74.

Appeals against orders refusing to initiate proceedings

- 85.** The Applicant has the right to complain against the NCBR Director's decision on the refusal to initiate proceedings after the preliminary assessment performed within the scope referred to in item 43.
- 86.** The appeal is lodged to the Appeals Committee of the NCBR Council via the Director of NCBR within 7 days of the delivery of the decision of the Director of NCBR.

Conclusion of project grant agreements

NCBR – Applicant – Leader

- 87.** The Applicant provides documents necessary for the conclusion of the agreement between NCBR – Applicant – Leader for co-financing industrial research, development works, or pre-implementation works and for support for the establishment of special purpose vehicles by means of the LSI IT system within 7 calendar days from the date of delivery of the NCBR Director's decision on awarding the grant.

Reference

See appendix No. 8 to the RC, which states the documents necessary to conclude the agreement between NCBR – Applicant – Leader.

If the Applicant fails to provide the documents as requested or if the documents do not comply with the requirements of the call, the Applicant is deemed to have resigned from

the project funding agreement. An extension of the deadline indicated in the call may be requested at the justified request of the Applicant. Failure to comply with the aforementioned deadline results in the NCBR Director's statement that the decision on awarding funding expires and the NCBR Director's revocation of the decision on awarding the funding.

- 88.** If the documents required to conclude the agreement sent in electronic version are correct, and the agreement is to be concluded in paper version, the Applicant sends the agreement and required documents to NCBR via a mail operator. The documents must be signed personally by a person authorised to represent the Applicant and delivered within 7 calendar days from the date NCBR provided information in the LSI IT system about the approval of their electronic version. If the Applicant fails to provide the documents as requested, the Director of NCBR may withdraw from concluding the project funding agreement. This will result in the NCBR Director's decision to terminate the funding.
- 89.** If the documents required to conclude the agreement sent in electronic version are correct, and the agreement is to be concluded electronically, the Applicant sends the agreement and required documents to NCBR via the ePUAP platform. Documents must be signed with a qualified electronic signature by a person authorised to represent the Applicant. The Applicant has 7 calendar days to deliver them from the date NCBR provided information in the LSI IT system about their approval. If the Applicant fails to provide the documents as requested, the Director of NCBR may withdraw from concluding the project funding agreement. This will result in the NCBR Director's decision to terminate the grant award and the NCN Director's decision to revoke the grant award.
- 90.** An analysis is carried out of the risk of irregularities in the substantive or financial implementation of the project on the basis of information about projects implemented or completed by the Applicant under the agreements with NCBR.
- 91.** The results of the analysis referred to in item 90 form the basis for NCBR's decision on whether it will:

- 1) pay the Contractor (i.e. the Host Institution) an advance or settle the project on the basis of reimbursement only, and
- 2) require the Contractor (i.e. the Host Institution) to provide additional security for the correct performance of the agreement.

92. NCBR may sign a grant agreement on the condition that the Applicant:

- 1) is not excluded from applying for funding on the basis of:
 - a. article 207(4) of the Public Finance Act,
 - b. article 12(1)(1) of the Act of 15 June 2012 on the effects of employing foreigners illegally staying in the territory of the Republic of Poland,
 - c. article 9(1)(2a) of the Act of 28 October 2002 on the responsibility of collective entities for acts prohibited under penalty,
- 2) is not under an obligation to repay the aid, as the European Commission has found the aid to be unlawful and incompatible with the internal market,
- 3) is not in arrears with their payments to the budget and with contributions to social and health insurance.

93. Irrespective of the provisions of item 91, if there are justified doubts about the Applicant's ability to correctly spend public funds, including those in compliance with the project objectives, the Director of NCBR may withhold the conclusion of the agreement for project financing until the doubts are clarified, or refuse to conclude it, which will result in the decision on grant award expiring. In case of occurrence of the above-mentioned circumstances NCBR will inform NCN about the situation.

94. After the grant agreement is signed by an authorised representative of NCBR, NCBR:

- 1) sends one copy of the agreement to the Applicant and the Leader via a postal operator in case the agreement is signed by both parties on paper, or
- 2) sends one copy of the agreement to the Applicant and the Leader via the ePUAP platform, in case the agreement is signed by both parties electronically with a qualified electronic signature.

NCN – Applicant – Leader

- 95.** The Applicant shall deliver an agreement between NCN – Applicant – Leader for co-financing of basic research, within the deadline indicated in the NCN Director's decision on awarding the funding.
- 96.** The NCN – Applicant – Leader agreement is concluded in electronic form. The model agreement is sent to the Applicant to the ePUAP address indicated in the application. The applicant submits the agreement and required documents to NCN in electronic form. The agreement must be signed with a qualified electronic signature in PAdES format by the person(s) authorised to sign agreements on behalf of the Applicant and the Leader. The agreement should be sent to the Electronic Mailbox of the National Science Centre, /ncn/SkrytkaESP, within 2 months from the date of delivery of the model agreement to the Applicant. Failure to meet the aforementioned time limit will result in NCN's refusal to sign the agreement, revocation of the grant award decision pursuant to Article 162 § 2 of the Act of June 14, 1960, Code of Administrative Procedure (i.e. Journal of Laws of 2021, item 735) and the NCBR Director's statement that the grant award decision has expired.

Withdrawal from the conclusion of the agreements

- 97.** In the case of withdrawal from concluding the project grant agreement, the Director of NCBR and the Director of NCN may decide to recommend to fund the next application from the final ranking list of positively assessed applications, which was not recommended for co-financing earlier due to non-fulfilment of conditions described in item 67(3). In such event, NCBR and NCN update the final ranking list of positively assessed applications, and the Director of NCBR and the Director of NCN issue decisions on awarding funding to the application in question (i.e. decisions amending decisions on not awarding funding to the application in question).

Final provisions

- 98.** In matters not regulated in the RC, the provisions of generally applicable law shall apply.

- 99.** NCBR and NCN have the right to amend the RC, or any document referred to in the RC. If the amended provisions of the RC or the document referred to in the previous sentence define the conditions of the call, the evaluation criteria and the financial resources, the documentation shall remain unchanged for at least 3 months of the call for proposals, which may result in an extension of the call for proposals. Changes in the documentation are valid from the date of publication of these changes on the NCBR website. Changes must not result in unequal treatment of applicants under the call.
- 100.** NCBR and NCN shall have the right to cancel the call, in particular in the event that:
- 1) there are significant changes in the law that affect the conditions of the call; or
 - 2) force majeure events occur.
- 101.** Submitting an application is tantamount to the acceptance of the provisions of the RC and all appendices to the RC.
- 102.** During and after the call, NCBR and NCN conduct its evaluation and disseminate information about the results. The evaluation uses the results of monitoring of the co-financed projects, conducted in accordance with the rules defined in the contracts for co-financing of the projects.

Legal basis

- 103.** The Regulations are established by the NCBR Director on the basis of art. 36 item 1 of the Act and adopted by way of resolution by the NCBR Council on the basis of art. 18 item 4 of the Act of 30 April 2010 on the National Science Centre (i.e. Journal of Laws of 2019, item 1384).
- 104.** NCBR and NCN implement the call, in accordance with national and EU regulations:
- 1) the Act of 20 July 2018. Law on higher education and science (i.e. Journal of Laws of 2021, item 478);
 - 2) the Act of 30 April 2010 on the National Centre for Research and Development (Journal of Laws of 2020, item 1862, as amended);
 - 3) the Act of 30 April 2010 on the National Science Centre (i.e. Journal of Laws of 2019, item 1384);

- 4) Ordinance of the Minister of Science and Higher Education of 17 September 2010 on the detailed procedure for the implementation of tasks of the National Centre for Research and Development (Journal of Laws of 2010, No. 178, item 1200, as amended);
- 5) the Act of 27 August 2009 on public finance (i.e. Journal of Laws of 2021, item 305);
- 6) Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty (OJ EU L 187/1 of 26.06.2014, as amended).

Terms

NCBR – National Centre for Research and Development [*Narodowe Centrum Badań i Rozwoju*],

NCN – National Science Centre [*Narodowe Centrum Nauki*],

basic research – empirical or theoretical works aiming primarily to gather new knowledge on the bases of occurrences and observable facts without orientation for direct commercial use,

R&D works – works including basic research, industrial research or development,

pre-implementation works – works constituting preparatory actions for the practical implementation of the results of basic research, industrial research and development, covering:

- a) organising national and international study visits allowing to collect information regarding the applicable good practices
- b) developing procedures connected with the use of future product, constituting the result of research or development,
- c) pilotage (implementation) of the solutions proposed in the project results,
- d) preparation of the project of relevant legal regulations,
- e) obtaining a certificate of conformity authorising to mark a product with a mark of compliance with national or international standard,
- f) conducting social campaigns and organising media events aiming to convince the public opinion to the proposed solutions,
- g) organise meeting with decision makers and institutions having implementation capacity in order to convince them to a specific solution,

project – undertaking for the implementation of R&D works constituting the subject of the application for co-financing,

RC – Rules and Regulations of the Call,

NCBR website – website available at <https://www.gov.pl/web/ncbr>,

NCN website – website available at <https://www.ncn.gov.pl>,

LSI IT system – NCBR IT system used for the collection of proposals under the call, available at <https://lsi.ncbr.gov.pl>,

proposal – proposal for co-financing the implementation of a project along with appendices submitted by the Applicant,

Applicant – Hosting Institution applying for co-financing,

Researcher – Applicant who has concluded a project grant agreement with NCBR in result of the selection of proposals,

Hosting Institution – research and development institution meeting the criteria of research and knowledge-dissemination organisation defined in Article 2(83) of the Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty, as defined in Article 7, section 1(1)(2)(4-8) of the Act of 20 July 2018 – Act on higher education and science,

Leader – project manager having a. achievements in science and international experience in the area of artificial intelligence, including successful business cooperation; b. was awarded the academic degree of PhD up to 8 years prior to the call (not earlier than 20 September 2013); c. he or she had not lived, worked and studied in Poland and has also not managed a grant implemented in Poland two years prior to the conclusion of the call for proposals,

grant agreement – correspondingly, project implementation and co-financing agreement concluded between NCBR, the Leader and the Applicant, or the research project implementation and co-financing agreement concluded between NCN, Leader and the Applicant,

special purpose vehicle – an entity started by the Applicant in order to commercialise the results of research and development,

Expert Team – a team including the experts designated to carry out the substantive assessment of the applications submitted under the call, appointed by the Director of the NCBR or a duly authorised person and the NCN Director,

expert – a member of the Expert Team,

reviewer - an external expert preparing an individual opinion on an application, who is not a member of the Expert Team,

lead expert - a member of the Expert Team, appointed for the substantive assessment of the application, responsible for merging the opinions and formulating the questions in the LSI IT system.

List of appendices to the RC

Appendix 1. Funding application form template

Appendix 2. Instructions for filling out the funding application form

Appendix 3. Preliminary evaluation criteria

Appendix 4. Substantive assessment criteria

Appendix 5. NCBR Cost Eligibility Guide

Appendix 6. ARTIQ – AI Centres of Excellence costs of funding basic research by the NCN

Appendix 7. Template of a declaration of intent concerning an application filed via a computer system

Appendix 8. List of appendices to the application and documents required at the stage of signing the NCBR funding agreement

Appendix 9. Template for NCBR Project Grant Agreement

Appendix 10. Template for NCN Project Grant Agreement

Appendix 11. Information clause under Article 13 GDPR

Appendix 12. Information clause under Article 14 GDPR

Appendix 13. Rules for delivering the NCN Director's decision

Appendix 14. Ethics guidelines for trustworthy artificial intelligence