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The Polish language shall be the authentic language of the present document. Should this document be made also in other language version, in case of any discrepancies the Polish language version shall prevail. Polish version of the document is available on <https://wib.port.org.pl/ekspert/>.

The rules and regulations for the recruitment and organisation of the work of Experts appointed to carry out tasks commissioned by the Managing Entity of the Virtual Research Institute ("WIB") Programme funded from the Polish Science Fund

**§ 1.
The legal basis**

Due to the fact that the Minister of Science and Higher Education has appointed the Łukasiewicz Research Network – PORT – the Polish Centre for Technology Development as the Managing Entity of the Virtual Research Institute in the field of medical biotechnology – oncology (as announced in the Communication of the Minister of Science and Higher Education of 2 July 2019), acting under Article 8(1)(3) of the Act of 4 April 2019 on supporting scientific activity from the Polish Science Fund (Journal of Laws of 2019, item 823, hereinafter referred to as **the Act**) and under Article 3(2)(3) of the Agreement on the Management of the Virtual Research Institute concluded on 16 October 2020 between the State Treasury – the Minister of Science and Higher Education, and the Łukasiewicz Research Network – PORT – the Polish Centre for Technology Development, the *Rules and regulations for the recruitment and organisation of the work of Experts appointed to carry out tasks commissioned by the Managing Entity of the Virtual Research Institute ("WIB") funded from the Polish Science Fund* are hereby established.

**§ 2.
The purpose and scope**

These Rules and Regulations shall define the procedure for the recruitment of Experts appointed to carry out tasks commissioned by the Managing Entity of the WIB Programme, the manner in which the Managing Entity manages the List of Experts, and the organisation of the Experts' work.

**§ 3.
Definitions**

- 1) **Working days** – from Monday to Friday, excluding public holidays within the meaning of the Act of 18 January 1951 on public holidays (Journal of Laws of 2015, item 90).
- 2) **Expert** – a person included in the List of Experts for the WIB Programme who has the knowledge, skills, experience, and/or authorisations necessary to carry out tasks commissioned by the Managing Entity of the WIB Programme.
- 3) **Scientific Evaluation** – the process of evaluating the activities of Research Teams carried out by the Managing Entity to see whether the prescribed objectives and opportunities for the

Commercialisation of the Intellectual Property which has been developed, or which is to be developed, by a specific Research Team, are feasible, and whether the criteria specified in the Funding Agreement, or based on the provisions of this Agreement, are being satisfied.

- 4) **Selection Board** – the Board appointed by the Managing Entity to review applications for inclusion in the List of Experts, and to evaluate whether the persons applying for Expert status satisfy the conditions specified in the Announcement.
- 5) **Ł-PORT** – the Łukasiewicz Research Network – PORT – the Polish Centre for Technology Development as defined in Article 7(1)(1) of the Act, acting as the Managing Entity.
- 6) **Announcement** – information on opening the recruitment of Experts for the WIB Programme appointed to carry out tasks commissioned by the Managing Entity of the WIB Programme.
- 7) **Expert Candidate** – a person who submitted the application for an entry in the List of Experts for the WIB Programme.
- 8) **Expert Panel** – a team of Experts selected by the Managing Entity and participating in the second stage of substantive evaluation, whose task it is to carry out a panel-based assessment of the proposals submitted for the Call organised to select the Research Team or Research Teams forming the Virtual Research Institute.
- 9) **Rules and Regulations** – this document, defining the procedure for the recruitment and organisation of the work of Experts appointed to carry out tasks commissioned by the Managing Entity of the WIB Programme funded from the resources of the Polish Science Fund.
- 10) **Act** – the Act of 4 April 2019 on supporting scientific activities from the Polish Science Fund (Journal of Laws of 2019, item 823, as amended).
- 11) **WIB** – the Virtual Research Institute, as provided for in Article 5(2) of the Act – a form of organisation of the work of selected internationally competitive research teams conducting scientific activities which display a high potential of being applied in various spheres of social and economic life; WIB aims at commercialising the results of these activities, and is supervised by a leader with outstanding scientific achievements.
- 12) **List of Experts** – the List of Experts for the WIB Programme kept by the Managing Entity, including the name, surname, and field in which a given Expert has knowledge, skills, experience, or the necessary authorisations.
- 13) **Research Team** – the Key or Auxiliary Personnel jointly carrying out Research Tasks under WIB, selected by the Managing Entity under the open Call for Proposals (Applications for funding Research Teams).

§ 4.

The Tasks of WIB-Programme Experts

WIB-Programme Experts shall, in particular, carry out the following tasks.

- 1) Conducting the substantive evaluation of Applications for funding Research Teams under the WIB programme according to the *Rules and regulations of the call for proposals for the selection of Research Teams carrying out scientific activities in the form of the Virtual Research Institute*.
- 2) Participating in the Expert Panel for the substantive evaluation of the Applications for funding Research Teams under the WIB Programme.
- 3) Participating in the appeal procedure, in particular by carrying out the substantive analysis of appeals against the results of the substantive evaluation.
- 4) Carrying out periodic Scientific Evaluations and the final assessment of Research Teams, based on the Scientific Evaluation Criteria adopted by the Managing Entity, and approved by the Minister of Science and Higher Education.

- 5) Preparing, at the request of Ł-PORT, additional opinions concerning the Scientific Evaluation of Research Teams under the WIB Programme.
- 6) Preparing, at the request of Ł-PORT, an assessment on the justification of expenditures by Research Teams operating under the WIB Programme, and the compliance of a given expenditure item with the Funding Agreement, and its relation to the scientific activities defined in the Communication on fields of activities.
- 7) Issuing, at the request of Ł-PORT, other opinions to the extent necessary to properly manage the WIB Programme.

§ 5.

The rules for recruiting WIB-Programme Experts

1. The Managing Entity shall select Experts prior to opening the Call for Proposals based on the criteria defined in the Announcement.
2. The recruitment of Experts shall be limited in time. The application period is defined in the Announcement.
3. The Director of the WIB Programme shall from time to time apply to the Ł-Port Director to initiate the recruitment of WIB Experts.
4. The Director of the WIB Programme defines the time limit for recruitment, and the scope of the substantive evaluation – the stage at which Experts need to be involved.
5. Polish citizens and foreigners may apply for inclusion in the List of Experts if they satisfy the criteria defined in § 6(1).
6. A person applying for Expert status submits an application for inclusion in the List of Experts, which is Appendix No. 4 to these Rules and Regulations. To this end, the person shall
 - 1) hand over the filled-in form of the application for inclusion in the List of Experts in the manner and within the time limit defined in the Announcement,
 - 2) submit the necessary declarations forming part of the application for inclusion in the List of Experts,
 - 3) attach to the application for inclusion in the List of Experts copies of all documents confirming the educational attainment and the required professional experience, including a declaration of membership of expert panels (if any) in the field defined in the Announcement.
7. A person applying for Expert status may submit an application for inclusion in the List of Experts in more than one field if this is allowed in the Announcement.
8. According to the requirements defined in the Announcement, a person applying for Expert status may apply for Expert status in the scientific or economic-social sphere, depending on his or her knowledge, skills, and experience.
9. Except as otherwise provided in the Announcement, communication with a person applying for Expert status is conducted by electronic-communication means, within the meaning of the Act of 18 July 2002 on providing services by electronic means.

§ 6.

The requirements for Experts

1. Experts shall fulfil all the following criteria.
 - 1) Having full civil rights on the territory of the Republic of Poland or – in the case of foreign Experts – in their home country or in the country of permanent legal residence.
 - 2) Having full legal capacity.

- 3) Having no record of conviction by final judgement for an intentional crime or for an intentional fiscal offence, and, in particular, for a corruption-related offence, or for an offence perpetrated in relation to a public-procurement procedure, for an offence defined in the Act of 4 February 1994 on Copyright and Related Rights, bribery, or a trade-related or other offence committed to obtain financial gain.
 - 4) Not being punished with a disciplinary penalty defined in Article 276 of the Act of 20 July 2018 - Law on higher education
 - 5) Having the knowledge, skills, experience, or necessary authorisation in the selected subject area – the field for which the recruitment is conducted, i.e. having
 - a) for those applying for the position of Expert in the scientific field of medical biotechnology – oncology
 - at least a Doctoral Degree in any of the scientific disciplines related to medicine and health science, or engineering-technical sciences, or exact and natural sciences, and documented, recognised scientific achievements in the field of biotechnology or oncology, as well as achievements and experience in research-team management, including at the international level
 - scientific achievements involving participation in the substantive activities of research teams, including at the international level (e.g. foreign scientific centres, enterprises) which led to the development of technologies, inventions, or an active molecule, being the starting point for clinical trials
 - publications: monographs and publications, including those published in reputable indexed publications/foreign journals – related directly to the field of medical biotechnology – oncology, or international/prestigious prizes for scientific achievement
 - b) for those applying for the position of Expert in the economic-social field – medical biotechnology – oncology
 - higher education, documented achievements, and professional experience in the spheres of innovation, commercialisation, or the implementation of new solutions in the field of R&D, which led to clinical trials
 - experience in the management of high-risk funds (e.g. seed funds, VC, etc.)
 - 6) not being employed by Ł-PORT.
 - 7) giving consent to the inclusion of their personal data in the List of Experts, and to the processing of such data.
2. To confirm that the conditions mentioned in (1)(4), related to educational and professional experience, are met, the person applying for Expert status shall attach to the application for inclusion in the List of Experts copies of documents confirming such educational and professional experience.
 3. The Managing Entity may decide not to impose the condition to confirm compliance with the requirements mentioned in (1)(4) if this confirmation can be obtained by other means, e.g. on the basis of information published in the publicly accessible database People of Science, in renowned databases of scientific publications, e.g. Web of Science, or in registers concerning economic activities and companies, etc.
 4. An Expert Candidate shall promptly inform the Managing Entity of all situations in which the conditions mentioned in (1) are not met.
 5. Any application for inclusion in the List of Experts which does not satisfy at least one criterion stipulated in the Announcement shall be rejected.

§ 7.

The announcement of the recruitment of Experts

1. Ł-PORT shall prepare the content of the Announcement of the Recruitment of Experts according to Appendix No. 3 to these Rules and Regulations. The announcement shall be published on the Ł-PORT website, including on the information webpage of the WIB Programme, and in the Public Information Bulletin of Ł-PORT.
2. Ł-PORT may also use other channels of communication to reach as high a number of potential Expert Candidates as possible.
3. The announcement shall, in particular, include
 - 1) a call for applications for inclusion in the List of Experts
 - 2) the definition of the substantive scope – field or fields – in which Experts need to be involved
 - 3) the requirements which the Expert should meet
 - 4) templates of the necessary forms
 - 5) the amount of remuneration for Experts
 - 6) the period, manner, and place for submitting the application for inclusion in the List of Experts
 - 7) other essential information.
4. Applications for inclusion in the List of Experts shall be accepted for a period of at least 14 calendar days.
5. Additionally, Ł-PORT may publish a call for applications for inclusion in the List of Experts addressing the relevant information to selected institutions/organisations/public or private entities, also including individuals appearing in the relevant lists of experts kept by other institutions/organisations/entities.
6. Ł-PORT decides whether the recruitment of additional Experts in a given discipline is necessary. The supplementary recruitment of Experts is carried out under the provisions of these Rules and Regulations and the appropriate Announcement.
7. During the competition period, the Director of Ł-PORT may include in the List of Experts a candidate required to carry out the tasks of the WIB Programme if such a candidate satisfies the requirements mentioned in §6, and if there are circumstances justifying the exclusion of another Expert/other Experts from the substantive evaluation, or the evaluation requires additional specialised knowledge, or due to the sickness or resignation of another Expert/Experts.
8. In the circumstances detailed in (7), the Director of the WIB Programme shall file a written application to the Director of Ł-PORT. The application shall include a detailed justification of the necessity to supplement the List of Experts under the simplified procedure, and a description of any obstacles preventing the involvement of an Expert included in the List of Experts from carrying out the activities mentioned in §4.

§ 8.

The review of applications for inclusion in the List of Experts

1. Submitting an application for inclusion in the List of Experts does not amount to obtaining Expert status. Expert status is granted only to those individuals whose applications have been accepted.
2. Applications for inclusion in the List of Experts are reviewed by the Selection Board appointed by the Director of Ł-PORT at the request of the Director of the WIB Programme.

3. The review consists of a formal and substantive review of the application for inclusion in the List of Experts.
4. The formal review shall involve the verification that the application for inclusion in the List of Experts was submitted in the correct form and within the prescribed time limit, that it relates to the field subject to recruitment, and that the application is complete, i.e. the requirements mentioned in §5(6) have been met.
5. Applications submitted after the prescribed time limit shall be rejected.
6. Applications for inclusion in the List of Experts may be supplemented subject to a notice sent by Ł-PORT in an electronic form.
7. The candidate may provide the necessary additional documentation within up to 5 working days from the receipt of the notice, starting from the day Ł-PORT sends the electronic message.
8. Applications which were not supplemented in the prescribed time limit, or remain noncompliant with the formal conditions, shall be rejected.
9. Applications for inclusion in the List of Experts which were approved following the formal review shall be submitted for substantive review.
10. Substantive review involves verification that a person applying for inclusion in the List of Experts meets the conditions defined in §6(1)(4).
11. Substantive review provides the opportunity to submit explanations or additional information at the request of the Selection Board for up to 5 working days from the receipt of the notice. The period for supplementation starts from the day Ł-PORT sends the electronic message.
12. If no explanations or additional information are submitted within the prescribed time limit, the substantive evaluation is made on the basis of the originally submitted application.
13. Applications not meeting the conditions defined in §6(1)(4) shall be rejected.
14. Negative outcomes of formal or substantive review are not subject to appeal.
15. After completing the review of applications for inclusion in the List of Experts, a report is prepared, signed by the members of the Selection Board and the Director of the WIB Programme. The final acceptance of the report is made by the Director of Ł-PORT.
16. Persons applying for inclusion in the List of Experts shall be notified of the result of application review by electronic means.
17. The data of persons granted Expert status as a result of the review mentioned in §8(2) shall be included in the List of Experts, containing
 - 1) the name and surname of the Expert,
 - 2) the name of the field/fields in which the Expert has been included in the List of Experts.
18. The List of Experts shall be publicly available and published on the WIB website: www.wib.port.org.pl.
19. Inclusion in the List of Experts does not obligate the Managing Entity to commission to the Expert any tasks mentioned in §4, or to conclude with the Expert an appropriate agreement on carrying out the tasks. In the circumstance specified in the preceding sentence, the Expert has no right to any claims against the Managing Entity.
20. If the Expert is included in the List of Experts, the Expert may not simultaneously be designated in the submitted Application for funding under the WIB Programme as a Member of a Research Team, a subcontractor of Research Tasks or Funding Agreements, and may not act as a scientific supervisor or tutor of a Member of Research Team.
21. Having specialised knowledge, skills, and experience in the discipline to which the Research Task relates is the basis for the appointment of Experts who shall participate in the substantive

evaluation of Applications for funding Research Teams and other activities mentioned in §4(3-7), while the appointment procedure is established at the sole discretion of the Managing Entity.

§ 9.

Managing the List of Experts for the WIB Programme

1. The Experts included in the List of Experts shall regularly update their personal data. Ł-PORT shall update the personal data of Experts, including the information on their knowledge and experience, based on information submitted by the Experts.
2. An Expert shall be deleted from the List of Experts in at least one of the following circumstances
 - 1) the Expert has been deprived of full civil rights
 - 2) the Expert has been deprived of full legal capacity
 - 3) the Expert has been convicted under a final judgment for an intentional crime or for an intentional fiscal offence, and, in particular, for a corruption-based offence or an offence perpetrated in relation to a public-procurement procedure, for an offence defined in the Act of 4 February 1994 on Copyright and Related Rights, bribery, or a trade-related or other offence committed to obtain financial gain
 - 4) the Expert has applied for removal from the List of Experts
 - 5) the Expert has been punished with a disciplinary penalty defined in Article 276 of the Act of 20 July 2018 - Law on higher education
 - 6) there are premises justifying removal from the List of Experts defined in the agreement concluded with the Expert
 - 7) the conditions defined in §6(1)(5) of these Rules and Regulations are no longer met
 - 8) the circumstance described in §11(8) of these Rules and Regulations has occurred
 - 9) the Expert has taken up employment with Ł-PORT
 - 10) the Expert has been designated in an application for funding under the WIB Programme as a Member of a Research Team, a subcontractor of Research Tasks or Funding Agreements, or as a scientific supervisor or tutor of a Member of Research Team.
3. The Expert shall be removed from the List of Experts by a decision of the Director of Ł-PORT at the request of the Director of the WIB Programme.
4. The Managing Entity shall notify the Expert of the removal by electronic means.

§ 10.

Agreements with the Experts on the provision of services, the policy for remuneration, and the reimbursement of Experts' costs

1. Ł-PORT is responsible for concluding civil-law agreements with Experts regarding the performance of the tasks mentioned in §4.
2. Before the Experts start to carry out the commissioned tasks, they shall
 - 1) conclude an agreement with Ł-PORT,
 - 2) submit declarations of compliance with the rules on personal-data protection according to the mandatory provisions of the law and the policy applied by Ł-PORT,
 - 3) submit a declaration on the objectivity, impartiality, and avoidance of any conflict of interest,
 - 4) submit a declaration to not disclose any information obtained in the process of evaluation.
3. The cooperation of Ł-PORT with each of the WIB Experts shall be conducted under a civil-law agreement as provided for in (1).
4. The WIB Experts shall receive remuneration for the performance of the tasks mentioned in §4.

5. A report signed by the person authorised on behalf of Ł-PORT confirming the due performance of the commissioned task/tasks mentioned in §4 shall form the basis for the payment of remuneration.
6. The tasks described in §4 may be carried out remotely, or at the registered office of Ł-PORT, or in any other location specified by Ł-PORT.
7. Submitted applications are evaluated in the Polish and English languages. For the purposes of the evaluation, Ł-PORT ensures that a translation and/or interpreter shall be provided if necessary.
8. Experts have the right to the reimbursement of the documented costs of travel related to the performance of the tasks mentioned in §4, under the rules regulated in the agreement mentioned in (1).
9. If the subject of the Agreement specified in §4 is performed at the registered office of the Managing Entity, or at any other location specified by Ł-PORT, the Managing Entity shall provide accommodation for the Expert.
10. The remuneration for the performance of tasks mentioned in §4 shall be defined in the salary table constituting Appendix No. 1 to these Rules and Regulations.
11. The salary table shall be established by the Director of Ł-PORT at the request of the Director of the WIB Programme.

§ 11.

Ethical standards and conflict of interest

1. Experts carry out the tasks mentioned in §4 bearing in mind the objectives of the WIB Programme formulated in the Act and documentation of the WIB Programme, the good of Polish science, and the highest standards of work quality, and taking into account the rules of spending public funds.
2. Experts shall comply with the document entitled *The principles of impartiality, objectiveness, confidentiality, and avoidance of conflict of interest in the Virtual Research Institute under the Polish Science Fund*, which is Appendix No. 2 to these Rules and Regulations.
3. Before beginning their work, Experts shall sign the declarations mentioned in *The principles of impartiality, objectivity, confidentiality and avoidance of conflict of interest in the Virtual Research Institute under the Polish Science Fund*.
4. Experts shall keep confidential all information and documents received from Ł-PORT and disclosed or produced in relation to their performance of the tasks mentioned in §4 of these Rules and Regulations. This obligation shall apply indefinitely.
5. Experts shall immediately inform the Director of the WIB Programme of any existing conflict of interest directly applying to them, and of any circumstance which might cause a conflict of interest to arise concerning another Expert or other Experts of the WIB.
6. A conflict of interest occurs when the impartial and objective activity of an entity or a person is at risk, due to family, emotional, employee, or personal reasons, political affiliations, or nationality, economic, financial, or scientific interests, or any other interests shared with the Research Team submitting the application for funding (the Leader or Members of a Research Team). A conflict of interest, as a type of a conflict of norms, includes the situation in which an attempt to obtain personal gain, including material, procedural, or psychological advantage, affects the issued opinion or actions being taken against the interests or for the benefit of another person or entity.

7. In the situation mentioned in (5), the Director of the WIB Programme shall prepare a proposal to resolve the existing problem. The proposal shall be approved by the Director of Ł-PORT, and then implemented by the Director of the WIB Programme, and, if necessary, by other employees of Ł-PORT (e.g. on legal and HR matters).
8. If a given WIB Expert does not disclose an existing conflict of interest, the WIB Expert shall be immediately removed from the List of WIB Experts and dismissed from the Panel.

§ 12. Final provisions

1. These Rules and Regulations are approved by the Director of the Managing Entity. Each amendment to these Rules and Regulations needs to be approved by the person mentioned in the preceding sentence, or a person acting on the direct authorisation of that person.
2. The Appendices to these Rules and Regulations shall form their integral part.
3. An authorised person within the Managing Entity, and, in the event of the absence or unavailability of that person, a person appointed by that person, or appointed to stand in for that person, shall be responsible for the correct distribution of documents concerning the procedures covered by these Rules and Regulations.
4. The person authorised to represent the Managing Entity may make decisions on matters not regulated by these Rules and Regulations and matters requiring their interpretation.

List of Appendices

1. Salary table for WIB-Programme Experts.
2. Principles of impartiality, objectivity, confidentiality, and the avoidance of conflict of interest in the Virtual Research Institute under the Polish Science Fund.
3. Template for the Announcement of a call for WIB Programme Experts.
4. Application for inclusion in the List of Experts of the WIB Programme.