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Regulations of the Competition to select Research Teams conducting scientific activities in the form of the Virtual Research Institute

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§ 1. Legal basis

The Competition to select Research Teams conducting scientific activities in the form of the Virtual Research Institute is implemented in accordance with:

- 1) the Act of 4 April 2019 on Polish Science Fund's support for scientific activities (Journal of Laws of 2019, item 823), hereinafter referred to as the Act;
- 2) The Communication of the Minister of Science and Higher Education of 2 July 2019 on the Managing Entity of the Virtual Research Institute;
- 3) The Communication of the Minister of Science and Higher Education of 2 July 2019 on the area of scientific activity financed from the resources of the Polish Science Fund and the amount and period of financing;
- 4) Act of 20 July 2018 – Law on Higher Education and Science (Journal of Laws of 2020, item 85), hereinafter referred to as the "HE&S Act";
- 5) The Virtual Research Institute Management Agreement concluded between the State Treasury – the Minister of Science and Higher Education and the Łukasiewicz Research Network – PORT Polish Center for Technology Development on 16 October 2020.

§ 2. Glossary of terms used in the Competition Regulations

- 1) "Research Team Member" – a person being part of the Key Personnel and Support Personnel, employed under a contract of employment or civil-law contract outside the scope of economic activity;
- 2) "Business days" – days from Monday to Friday, excluding public holidays pursuant to the Act of 18 January 1951 on public holidays (Journal of Laws of 2020, item 1920).
- 3) "WIB Expert" – a natural person selected by the Managing Entity in accordance with 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 by the Polish Science Fund*, published on the website of the Managing Entity (www.wib.port.org.pl) and entered into the List of WIB Experts published on this website;
- 4) "Fund" – the Polish Science Fund as provided for in Article 1 of the Act;
- 5) "Other Unit" – an entity provided for in Article 7 section 1 point 1, 3-6 and 8 of the Act of 20 July 2018 r. Law on Higher Education and Science (Journal of Laws of 2020, item 85) or other legal person or organisational unit without legal personality which is not a Research Unit and employs or hires at least one person from the composition of the Research Team;
- 6) "Research Unit" – an entity provided for in Article 7 section 1 point 1, 3-6 and 8 of the Act of 20 July 2018 – Law on Higher Education and Science, in which the Leader conducts scientific activities and with which the Managing Entity has concluded a Funding Agreement;

- 7) "Communication" – the Communication of the Minister of Science and Higher Education of 2 July 2019 issued pursuant to Article 6 section 3 of the Act, specifying the area of scientific activity subject to financing from the Fund, the amount from the Fund allocated to financing this type of activity, and the period of financing, hereinafter also referred to as the Communication;
- 8) "Commercialisation" – a range of actual activities and legal acts aimed at ensuring the commercial or utility application of Intellectual Property, involving in particular the transfer of rights to Intellectual Property to a third party, including to a special-purpose vehicle, or the granting to such person of a right to use Intellectual property, in particular by licensing.
- 9) "Competition for Proposals" or "Competition" – an open call for proposals (Applications for funding the Research Teams) conducted by the Managing Entity to select the Research Team or Research Teams to form part of the Virtual Research Institute.
- 10) "Leader" – a natural person with an established research track record, employed under a contract of employment or civil-law contract in the Research Unit within which the Research Team conducts its scientific activities provided for in Article 1 of the Act. Only one natural person can be the Leader and should have at least a doctoral degree in any academic discipline under:
 - a) medical and health sciences, or
 - b) engineering and technical sciences, or
 - c) exact and life sciences,
 pursuant to the Regulation of the Minister of Science and Higher Education of 20 September 2018 on fields of science, academic disciplines and artistic disciplines (Journal of Laws of 2018, item 1818).
- 11) "MSHE" or "Minister" – the minister in charge of science and higher education.
- 12) "Proposal" or "Application" – an application for funding the Research Team submitted to the Managing Entity to obtain financing from the Fund;
- 13) "Key Personnel" – Research Team Members, including the Leader, specified as Key Personnel in the Application;
- 14) "Support Personnel" – Research Team Members who are not Key Personnel and participate in the implementation of the Research Task;
- 15) "Managing Entity" – Łukasiewicz Research Network - PORT Polish Center for Technology Development, being a public body corporate established pursuant to Article 98 section 3 of the Act of 21 February 2019 on the Łukasiewicz Research Network (Journal of Laws of 2019, item 534), indicated as the Managing Entity by way of the Communication of the Minister of Science and Higher Education of 2 July 2019;
- 16) "Virtual Research Institute (WIB)" – a form of organisation of selected internationally competitive Research Teams conducting scientific activities with high socio-economic application potential, under the guidance of the Leader with an established research track record, with the purpose of the Commercialisation of its results, as provided for in Article 5 section 2 of the Act;

- 17) "Applicant" – an entity specified in Article 7 section 1 point 1, 3-6 and 8 of the HE&S Act which participates in the Competition;
- 18) "Research Task" – scientific activities as provided for in Article 4 of the HE&S Act, excluding artistic activities, of particular significance for the implementation of the national development strategy, leading to the development of innovative products, and described in the Application;
- 19) "Research Team" – the Key Personnel and Support Personnel jointly implementing the Research Task under WIB in an area specified in the Communication, financed from the Fund, selected by the Managing Entity by way of the Competition.

§ 3. Subject matter and basic information on the Competition

1. The field of scientific activities to be financed by the Polish Science Fund under this Competition, specified in the Communication, is medical biotechnology – oncology.
2. The Competition is aimed at selecting a Research Team or Research Teams conducting scientific activities provided for in Article 4 of the HE&S Act, excluding artistic activities, of particular significance for the implementation of the national development strategy, leading to the development of innovative products. The scientific activities specified in the first sentence, understood in the Competition as the Research Task, will be conducted by Research Teams under WIB and financed from the Fund.
3. Pursuant to the Act, WIB is a form of organisation of work of selected internationally competitive research groups engaging in research with a high potential for socio-economic applications under the guidance of the Leader with an established research track record, the ultimate objective being the Commercialisation of the research results.
4. Scientific activities supported by the Fund will cover scientific research and development work within the meaning of the HE&S Act.
5. Financing the Research Team's scientific activities by the Fund does not exclude the possibility of implementing and financing preclinical studies connected with development work, if they are justified and can be financed from the Fund.
6. Some examples of research topics in the field of medical biotechnology – oncology are as follows:
 - 1) precision oncology, including new immuno-oncological treatments;
 - 2) preventing cancer relapse by identifying the underlying mechanisms and developing appropriate interventions;
 - 3) diagnostics – producing selective, specific and cost-effective markers for the early detection of cancer;
 - 4) explaining the key mechanisms and processes contributing to cancer development;
 - 5) other therapeutically and socially significant topics in the field of medical biotechnology – oncology.

§ 4. Objective of work conducted under Research Teams

1. The objective of the Research Team is to develop a new technology or group of technologies in accordance with specific procedures and standards necessary for its Commercialisation and implementation within a maximum of 5 (five) years from commencing the work.
2. Commercialisation will be the responsibility of the Managing Entity. Commercialisation costs will be financed from the Fund. The Rules and Regulations for the Management and Commercialisation of Intellectual Property constitutes Appendix No. 8 to the Competition Regulations.
3. All rights to the complete results of the Research Team's work, including in particular those constituting Intellectual Property, as provided for in the Rules and Regulations for the Management and Commercialisation of Intellectual Property, will be transferred to the State Treasury – the Minister in charge of science and higher education, according to the rules specified in the Rules and Regulations for the Management and Commercialisation of Intellectual Property and the Funding Agreement.

§ 5. Type of entities eligible to apply for funding

1. Applicants can be, pursuant to Article 11 of the Act, entities specified in Article 7 section 1 point 1, 3-6 and 8 of the HE&S Act in which the Leader conducts scientific activities, i.e.:
 - 1) higher education institutions;
 - 2) the Polish Academy of Sciences, acting pursuant to the Act of 30 April 2010 on the Polish Academy of Sciences (Journal of Laws of 2018, item 1475);
 - 3) the research institutes of the Polish Academy of Sciences, acting pursuant to the Act of 30 April 2010 on the Polish Academy of Sciences (Journal of Laws of 2018, item 1475);
 - 4) research institutes acting pursuant to the Act of 30 April 2010 on Research Institutes (Journal of Laws of 2018, item 736);
 - 5) international research institutes established on the basis of separate acts, operating in the territory of the Republic of Poland;
 - 6) other entities conducting primarily scientific activities in an independent and continuous manner.
2. Research Team Members other than the Leader may conduct scientific activities in entities provided for in Article 7 section 1 point 1, 3-6 and 8 of the HE&S Act, as well as in other entities with a legal personality or in organisational units without legal personality.
3. The entities listed in section 1 and 2 must have the status of a research and knowledge-dissemination organisation within the meaning of Article 2 point 83 of 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 L 187, 26.06.2014, p. 1, as amended), for which granting funds under the programme will not constitute State aid pursuant to Articles 107 and 108 of the Treaty on the Functioning of the European Union.
4. Funding provided under the Competition is meant for a Research Team composed of:

- 1) Key Personnel:
 - a) Leader,
 - b) Members of the Key Personnel – at least two members,
- 2) Support Personnel – the number of members depends on the needs of the Research Task.
5. The composition of the Key Personnel must not be changed during the execution period of the Research Task, with exceptions provided for in the Funding Agreement, the template of which is provided in Appendix No. 5 to the Competition Regulations.
6. The composition of the Support Personnel may be changed, depending on the specificities and requirements of work conducted by the Key Personnel, including the Leader, according to the rules specified in the Funding Agreement.
7. Research Team Members may conduct scientific activities under one or various entities. The entity which employs the Leader, i.e. the Research Unit, is responsible before the Managing Entity for the submission, completeness and correctness of the Funding Application and the correct implementation of the Research Tasks, as well as other obligations arising from the Funding Agreement.
8. If Research Team Members conduct scientific activities under various entities, a Consortium Agreement concluded between those entities must be appended to the Funding Application. The subjective scope of the Consortium Agreement is defined by Appendix No. 9 to Competition Regulations.

§ 6. Funds from the Polish Science Fund allocated to the financing of scientific activities of the Research Teams

The amounts from the Fund allocated to the financing of scientific activities of the Research Teams in the field of medical biotechnology – oncology was identified by the MSHE in the Communication and amount to PLN **450,000,000.00** (in words: four hundred fifty million zloty 00/100).

§ 7. Level, period and rules of financing Research Teams

1. The Competition does not specify the minimum and maximum amounts for the Research Task, with the reservation that the amount from the Fund applied for must not exceed the amount of funds provided for in § 6 of the Competition Regulations.
2. The level of funding of the Research Task of a given Research Team from the Fund is 100% eligible expenditures.
3. The period of funding of the Research Task of a given Research Team from the Fund, as specified by the Minister in the Communication, is 5 (five) years. Funding must be provided in accordance with the model specified below:
 - 1) this Competition's Funding Application obliges the Research Teams to specify the Research Task and its schedule for a period of no more than 5 (five) years.

In the said period, the Research Team should achieve its objective, i.e. the development of a new technology/group of technologies necessary for its Commercialisation and implementation, which will be put into the stage of development and then Commercialisation. The Research Team should achieve its objective of bringing the developed technology/group of technologies to a level allowing the commencement of the Commercialisation and implementation stage, and only in exceptional cases, where such level is unachievable, to a level allowing the Managing Entity to commission development work to other entities. The technology should be developed in accordance with the applicable procedures and standards necessary for its further development – in particular, these standards must ensure the reproducibility and verifiability of the obtained results;

- 2) if requested by the Leader, the financing of the Research Team may be extended for another period of no more than 5 (five) years, if the status of the Research Task work justifies it. If such a Request is submitted, the Leader must present a proposal regarding the continuation of the Research Task or the implementation of a new Research Task on the basis of new ideas or concepts. The presented proposal will be evaluated by WIB Experts and the previously implemented Research Task should be assessed positively by the Managing Entity.
 4. Incurring expenditures connected with the implementation of the Research Task can begin no earlier than after the day of submitting the Funding Application. In the period between the day of submitting the Funding Application and the day of concluding the Funding Agreement, the expenditures shall be borne by the Applicant / Research Team at the own responsibility and risk of the Applicant without assurance that the Research Team will be selected for funding (which means that claims for cost refunds from the Managing Entity shall be rejected).
 5. The Applicant may submit more than one proposal in the Competition, provided that each of the Applications relates to funding Research Teams composed of different members. The Research Team with a composition specified in the Funding Application may be covered by funding only under one Funding Application.
 6. It is not allowed for the same individuals to be members of different Research Teams (this relates to the Key Personnel, including the Leader) – all applications featuring such Research Teams shall be rejected. This means that the Leader and other members of the Key Personnel must not be employed or hired in a different Research Team as a Member of Key Personnel, including the Leader, or as a Member of Support Personnel.
 7. Pursuant to Article 5 section 5 of the Act, in selecting the Research Teams, the Managing Entity takes into account the following:
 - 1) the track record of the Research Team Members involving scientific activities and the commercialisation of their results;
 - 2) the potential of the Research Team to carry out world-class scientific activities;
 - 3) the significance of the expected results of scientific activities for the economic development and the State's developmental policy, including contribution to the innovation level of the economy;
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- 4) the commercialisation potential of the planned results of scientific activities.
8. The detailed set of criteria indicated in section 7 is presented in Appendix No. 2 Criteria for the selection of Research Teams conducting scientific activities in the form of the Virtual Research Institute for funding by the Polish Science Fund.
9. At the moment of commencing the work, the Research Team Members must be employed under a contract of employment or hired for the Research Task under a civil-law contract with entities registered in the Republic of Poland. The Research Team Members are allowed to hold other citizenship than Polish, if, at the moment of commencing the work, they are employed under a contract of employment or hired for the Research Task under a civil-law contract with entities registered in the Republic of Poland.
10. The Applicant must indicate in the Funding Application the full names of the Key Personnel forming part of the Research Team, specifying all data and information necessary to conduct the process of evaluation of the submitted Funding Application.
11. The Applicant is not required to indicate in the Funding Application the full names of the Support Personnel Members making up the Research Team.
12. The Applicant must carry out the procedure of recruiting Personnel for the Research Team and prove compliance with the recruitment requirements and criteria regarding the Research Team Members described in detail in the *Standards of recruitment to WIB Research Teams*, which are provided in Appendix No. 7 to these Regulations.
13. The Managing Entity does not specify a limited list of output indicators and milestones. They should be defined on a case by case basis by the Applicant in the Funding Application, subject to the fact that:
 - 1) the target output indicator should be the technology/group of technologies developed in the process of the work carried out by the Research Team;
 - 2) output indicators should be measurable, achievable and compliant with the work schedule of the Research Team;
 - 3) milestones should involve the verification and evaluation of progress and the feasibility of further work under the planned Research Task, as well as the achievement of the target output indicator;
 - 4) the following should be specified for each milestone:
 - a) name,
 - b) description,
 - c) an objective method of verifying completion,
 - d) date of completion.
 - 5) the appropriate selection of output indicators and milestones in the context of the feasibility of achieving the Research Team's objective, their values and planned dates of achievement will be subject to substantive evaluation.

§ 8. Competition deadline

1. Applications for funding Research Teams should be submitted during the call period, which is indicated in the Competition Announcement.
2. In justified cases, the Managing Entity may extend the Competition deadline, including the end of the call period, which may delay the announcement of the Competition results. All changes in the Competition deadline will be published as announcements on www.wib.port.org.pl.

§ 9. The manner and place of submitting Applications for funding Research Teams

1. The Applicant fills in a Funding Application along with appendices in electronic form, using the template constituting Appendix No. 1 to the Competition Regulations, pursuant to the filling instructions and other Competition documentation.
2. The Applicant must submit the Funding Application along with appendices before the deadline specified in the Competition Announcement:
 - 1) in the registered office of the Managing Entity in paper and electronic form on a separate data carrier (the paper form covers one copy of the Application with appendices, including the appendix Research Task Cost Estimate part C.2: electronic form means the Application with appendices in PDF format and the appendix Research Task Cost Estimate part C.2 in editable Excel format). If a copy of the document is submitted as an appendix, the document must be certified as a true copy in a manner specified in section 5. The Managing Entity provides two possible ways of signing the documents:
 - a) signing the paper version of the complete documentation by hand and affixing the appropriate stamps (in such a case the paper version constitutes the complete documentation bearing original signatures and the electronic version is a scanned version of such documents in PDF format; in addition, the Appendix Research Task Cost Estimate part C.2 is required in editable Excel format);
 - b) signing the complete documentation in PDF format with a qualified electronic signature (in such a case the paper version is a printout of the complete documentation signed by electronic means and the electronic version contains an active digital signature certificate affixed to the documents which enables its verification);
 - 2) to the address of the ePUAP mailbox of the Managing Entity – in an electronic form via the ePUAP electronic platform. The complete set of documentation in PDF format should be signed with a qualified electronic signature (the documents must contain an active digital signature certificate which enables its verification; in addition, the appendix Research Task Cost Estimate part C.2 must be provided in editable Excel format).
3. The paper version must bear (a) legible signature/s and name stamp of the person/persons authorised to represent the Applicant in accordance with the incorporation document or rules of representation of the Applicant, and if an Attorney is appointed by means of a Power of Attorney to

represent the Applicant in the process of application for funding the Research Team from the Fund (including the signing and submission of the Funding Application and representing the Applicant at the stage of evaluation of the Funding Application), constituting an appendix to the Funding Application.

4. All appendices to the Funding Application must also bear a legible signature/s and name stamp of the person/persons authorised to represent the Applicant in accordance with the incorporation document or rules of representation of the Applicant, and if an Attorney is appointed by means of a Power of Attorney to represent the Applicant in the process of application for funding the Research Team from the Fund (including the signing and submission of the Funding Application and to represent the Applicant at the stage of evaluation of the Funding Application), constituting an appendix to the Funding Application.
5. Whenever a certified true copy of a document is mentioned, it should be understood as:
 - 1) a copy containing the clause "certified true copy" placed on every page, confirmed with a handwritten signature of the Applicant or person authorised to represent the Applicant and bearing the current date and stamp of the Applicant, or
 - 2) a copy containing on the first page of the document the clause "Certified true copy from page ... to page ...", bearing the handwritten signature of the Applicant or person authorised to represent the Applicant, the stamp of the Applicant and the current date; in this case, the person authorised to represent the Applicant should initial every page of the copy.
6. For the paper version, the date of submission shall be the date of receipt of the Funding Application along with appendices at the registered office of the Managing Entity.
7. The paper version of the Funding Application with appendices shall be submitted to:

Łukasiewicz Research Network – PORT Polish Center for Technology Development
ul. Stabłowicka 147
54-066 Wrocław
building 1A
8 a.m. - 4 p.m.

in a sealed envelope/box with the following description:

 - the full name of the Applicant with the address of the registered office,
 - Application for funding the Research Team in Competition No. (the Competition number provided in the Competition Announcement),
 - "Virtual Research Institute",
 - "Do not open before receipt by the WIB Department of PORT",
 - name and address of the Managing Entity to which the application is being submitted.

8. For Funding Applications submitted via the ePUAP electronic platform, the Application with appendices should bear a secure electronic signature, a qualified certificate or be signed with the Trusted Profile. The application should be signed by the person authorised to represent the Applicant.

9. The date of receipt of the Funding Application sent via the ePUAP electronic platform to the Managing Entity shall be the date of receipt in the ePUAP mailbox indicated in the Competition Announcement. For submissions via the ePUAP electronic platform, an Official Receipt Certificate (UPO), which for public institutions has the form of an Official Submission Certificate (UPP) is the proof of receipt of an electronic document in the ePUAP mailbox.
10. The form, place and manner of submitting Funding Applications specified above are also applicable when submitting amended/supplemented versions of the Applications for funding Research Teams.

§ 10. Competition procedure

1. The competition procedure involves:
 - 1) the announcement and call for Funding Applications;
 - 2) the formal evaluation of Funding Applications;
 - 3) the substantive assessment of Funding Applications and drawing up the ranking list of Research Teams recommended and not recommended for financing from the Fund;
 - 4) the processing of appeals submitted by Applicants;
 - 5) conducting a supplementary round of the Competition if no Research Team is selected or the number of Research Teams selected does not cover the whole amount of the subsidy from the Fund for financing the scientific activities of Research Teams.
2. The assessment of the submitted Funding Applications is performed on the basis of the *Criteria for the selection of Research Teams conducting scientific activities in the form of the Virtual Research Institute for funding by the Polish Science Fund* drawn up and approved by the Managing Entity and constituting Appendix No. 2 to the Competition Regulations.
3. The assessment criteria for the selection of Research Teams are divided into:
 - 1) formal (obligatory) (fulfilled/not fulfilled / "YES-NO"),
 - 2) substantive (score):
 - a) scientific,
 - b) economic and social.
4. The Competition is announced by the Managing Entity.
5. The Competition Announcement is published on the website of the Managing Entity on www.wib.port.org.pl and in the Public Information Bulletin (BIP) of the Managing Entity.
6. The Applicant submits a Funding Application in accordance with the template specified by the Managing Entity during the call for proposals, in the manner and period specified in the Competition Announcement and Competition Regulations. A template of the Application for Funding a Research Team constitutes Appendix No. 1 to the Competition Regulations.
7. The Funding Applications submitted shall be recorded in the case-based filing system and electronic system of the Managing Entity in accordance with the internal procedure applicable at the Managing Entity.

8. Once submitted, a Funding Application may be withdrawn by the Applicant at any stage of the competition procedure until the publication by the Managing Entity of the list of applications recommended and not recommended for financing from the Fund. Withdrawing a Funding Application requires a written declaration by the Applicant, signed by the person authorised to represent the Applicant, sent to the address of the Managing Entity or submitted personally in the registered office of the Managing Entity.
9. After the end of the call for Funding Applications, the Managing Entity shall, within 5 business days, draw up a list presenting information on the total number of submitted Funding Applications and the total amount of funds applied for in the submissions. The listing shall be published on the website of the Managing Entity: www.wib.port.org.pl.
10. Funding Applications submitted under the Competition shall not be considered offers to conclude a Funding Agreement within the meaning of the Civil Code.
11. Funding Applications are subject to formal evaluation for compliance with the *Criteria for the selection of Research Teams conducting scientific activities in the form of the Virtual Research Institute for funding by the Polish Science Fund* constituting Appendix No. 2 to the Competition Regulations.
12. The formal evaluation of Funding Applications is conducted by the Managing Entity. Formal evaluation is carried out by persons designated by the Managing Entity's authorised person, on the basis of formal evaluation cards and following the four-eyes principle (one Funding Application is assessed by two employees of the Managing Entity).
13. Before starting formal evaluation, persons designated to conduct the formal evaluation of the Funding Applications on behalf of the Managing Entity shall submit declarations of impartiality and confidentiality based on the templates drawn up by the Managing Entity provided for in the "*Principles of impartiality, objectivity, confidentiality and avoidance of conflict of interests in the Virtual Research Institute under the Polish Science Fund*", constituting Appendix No. 3 to the Competition Regulations.
14. The formal evaluation of the submitted Funding Applications shall take 14 business days from the day of publishing the list provided for in section 9 above. If it is necessary to request at least one Applicant to supplement or amend the Application in a manner specified in (16) below, the period mentioned in the previous sentence shall be extended by 14 business days from the day of service of the request to supplement or amend the Application to the last Applicant. In justified cases (e.g. due to the specific nature or complexity of the contents of the Funding Application or appendices, formal or legal reservations concerning the Applicant, the contents of the Application or appendices, and in particular a large number of submitted Funding Applications in the Competition) it is possible to extend the period of formal evaluation by up to 14 business days. A change in the formal evaluation period may affect the expected date of announcing the Competition results. The decision to this effect shall be made by the Director of the Managing

- Entity. The Managing Entity's notice of extension of the formal evaluation period shall be immediately published on the www.wib.port.org.pl website.
15. The formal criteria include both the criteria for which it is possible to send a single notice to the Applicant to supplement or amend the Funding Application and the criteria which, when not complied with, result in rejecting the Application and concluding its evaluation with a negative result without the possibility of supplementation/amendment.
 16. The Applicant shall receive a written notice to supplement or amend the Funding Application in accordance with the list of issues drawn up during formal evaluation. Notices to supplement or amend are signed by the Managing Entity's authorised person. The Funding Application shall be supplemented and/or amended within 5 business days from the day of sending the notice by electronic mail. After supplementation and/or amendment, the Funding Application shall be resubmitted to the Managing Entity at a set date and shall be subject to formal re-evaluation or further formal evaluation. The Application shall be resubmitted according to the same rules as provided for in § 9 of the Competition Regulations. If the Applicant fails to amend/supplement the Funding Application or incorrectly amends/supplements it, or corrects/supplements it outside the scope indicated by the Managing Entity, the Funding Application shall not be subject to further evaluation and it shall be assessed negatively. The period for the evaluation of an amended/supplemented Funding Application by the Managing Entity shall be 5 business days from the day of receipt of the amended/supplemented Application at the registered office of the Managing Entity.
 17. Following the completion of formal evaluation of all Applications submitted under the Competition, the Managing Entity shall publish on www.wib.port.org.pl a list of Applications fulfilling the formal criteria, which have been qualified for substantive evaluation, and those which do not meet the formal criteria, notifying the Applicants in writing about the positive or negative result of formal evaluation and the possibility of filing an appeal provided for in § 12 of the Competition Regulations.
 18. Only those Funding Applications which have passed formal evaluation (fulfilling all the formal criteria) shall be qualified for substantive evaluation. Filing an appeal against a negative formal evaluation result under the rules provided for in § 12 below shall not result in suspending the substantive evaluation of applications which have passed the formal evaluation.
 19. Substantive evaluation is conducted by independent, external Experts selected by the Managing Entity and included in the List of WIB Experts. The Experts conduct the substantive evaluation of Funding Applications against the substantive evaluation criteria specified in the *Criteria for the selection of Research Teams conducting scientific activities in the form of the Virtual Research Institute for funding by the Polish Science Fund* constituting Appendix No. 2 to the Competition Regulations.
 20. Before starting substantive evaluation, each Expert shall sign appropriate declarations of impartiality and confidentiality based on the templates drawn up by the Managing Entity provided for in the *"Principles of impartiality, objectivity, confidentiality and avoidance of conflict of interests*
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in the *Virtual Research Institute under the Polish Science Fund*", constituting Appendix No. 3 to the Competition Regulations.

21. Submitting a Funding Application under the Competition is equivalent to granting permission for the Managing Entity to provide the information contained in it to the WIB Programme Experts and the Minister.
22. The Managing Entity may involve new Experts during the Competition if there are circumstances leading to the exclusion of another Expert/other Experts from substantive evaluation, the evaluation of proposals requires additional specialist knowledge or due to the disease, death or resignation of another Expert/other Experts.
23. The Managing Entity shall specify and organise the manner of work/cooperation with Experts at each stage of substantive evaluation and selects Experts listed on the List of WIB Experts to specific evaluation stages, maintains correspondence with Experts, collects the opinions of Experts and prepares materials summarising the results of their work.
24. Substantive evaluation is composed of two stages.
 - 1) The first stage of substantive evaluation involves:
 - a) substantive evaluation carried out on the basis of the scientific criteria indicated in Appendix No. 2 to the Competition Regulations:
 - the substantive evaluation (based on scientific criteria) of each Funding Application is performed by three (3) Experts from the List of WIB Experts. The Experts are selected by the Managing Entity. The Experts may be different for each Application, depending on the specific content of the Application. Each Expert prepares a written evaluation of the relevant Funding Application on the basis of the substantive evaluation card, granting an appropriate number of points under each criterion (the result of evaluation under a specific criterion is the product of the awarded number of points from the grading scale and the weight of that criterion) in accordance with the *Criteria for the selection of Research Teams conducting scientific activities in the form of the Virtual Research Institute for funding by the Polish Science Fund*, along with a written justification of the evaluation;
 - Awarding 0 points under a given criterion does not automatically result in the rejection of the Funding Application. For the Funding Application to pass to the next stage of substantive evaluation conducted on the basis of economic-social criteria, the arithmetic mean of the sum of points awarded individually by each Expert must be at least 60% of the maximum number of available points under the evaluation based on scientific criteria;
 - only those Applications for funding Research Teams which fulfil the above conditions are qualified for substantive evaluation under the economic-social criteria.
 - b) substantive evaluation carried out on the basis of the economic-social criteria indicated in Appendix No. 2 to the Competition Regulations:

- the substantive evaluation (based on economic-social criteria) of each Funding Application is performed by four (4) Experts from the List of WIB Experts. The Experts are selected by the Managing Entity. The Experts may be different for each Application, depending on the specific content of the Application. Each Expert prepares a written evaluation of the relevant Funding Application on the basis of the substantive evaluation card, granting an appropriate number of points under each criterion (the result of evaluation under a specific criterion is the product of the awarded number of points from the grading scale and the weight of that criterion) in accordance with the *Criteria for the selection of Research Teams conducting scientific activities in the form of the Virtual Research Institute for funding by the Polish Science Fund*, along with a written justification of the evaluation;
 - Awarding 0 points under a given criterion does not automatically result in the rejection of the Funding Application of a Research Team. For the Funding Application to pass to the next stage of substantive evaluation, the arithmetic mean of the sum of points awarded individually by each Expert must be at least 60% of the maximum number of available points under the evaluation based on economic-social criteria;
 - only those Applications for funding Research Teams which fulfil the above conditions are qualified for substantive evaluation by the Expert Panel.
- 2) The second stage of substantive evaluation involves evaluation conducted by the Expert Panel. The Expert Panel conducts substantive evaluation on the basis of the criteria indicated in Appendix No. 2 to the Competition Regulations:
- a) The Expert Panel is composed of Experts participating in the first stage of substantive evaluation, at least two (2) scientific Experts and at least three (3) economic-social experts. In addition, the meeting of the Expert Panel is attended by a representative of the Managing Entity as the entity responsible for the commercialisation process, who has the right to provide his/her opinions. The panel-based evaluation includes a meeting of the members of the Expert Panel with the Leader, during which the Leader makes a short presentation of the objectives of the Research Task and Research Team in accordance with the *Panel presentation template* prepared by the Managing Entity and constituting Appendix No. 4 to the Competition Regulations and can respond to the questions and doubts expressed by the Expert Panel members. During the meeting with the members of the Expert Panel the Leader may be accompanied by selected or all representatives of the Key Personnel and a representative of the Applicant. The Leader selects the representatives of the Key Personnel who participate in the Expert Panel;
 - b) the Leader's participation in the meeting of the Expert Panel is not equivalent to considering a given Funding Application as recommended for financing from the Fund;
 - c) As a rule, the Expert Panel meets at a session which takes place in the registered office of the Managing Entity. The Managing Entity may decide not to hold panel-based evaluation by physical attendance and organise the Expert Panel as a remote meeting instead. The
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Managing Entity is responsible for the organisation and appropriate course of the Expert Panel.

- d) the information on the date and place of the meeting is sent to the Applicant and Leader by electronic mail no later than 10 business days before the planned meeting. The Leader must not be represented at the meeting by representatives of consulting companies. The date of the meeting may be changed once following a justified request from the Leader/Applicant submitted within 3 business days of the date of sending a notice on the Expert Panel date by electronic mail. The Managing Entity reserves the right to change the Expert Panel date, immediately notifying the Leader and Applicant about the change. The Managing Entity sets the alternative date of the meeting;
- e) no later than 10 business days before the planned Expert Panel, the Managing Entity shall submit the results of the evaluation obtained at the first stage of substantive evaluation along with Expert's justifications to the Applicant and Leader.
- f) each Expert Panel shall be moderated by an authorised employee of the Managing Entity. The employees of the Managing Entity working for the organisational unit in charge of the Virtual Research Institute affairs shall participate in the Expert Panel but not in the substantive evaluation of the Funding Applications. The employees are tasked with providing organisational and technical services for the Expert Panel and verifying the completeness and (formal) correctness of the documentation drawn up by the Experts.
- g) the objective of the Expert Panel session is to conduct the substantive evaluation of each Funding Application on the basis of its contents, the evaluation cards prepared by Experts at the earlier stages of substantive evaluation and the results of consultations with the Leader. The consultations serve to verify the information, elaborate the expressions included in the Funding Application, and clarify any potential ambiguities. The Expert Panel may define the scope of changes in the Funding Application, which must be accepted for the Funding Agreement to be concluded. The changes determined in this way and the Applicant's (Leader's, etc.) opinion on these changes must not affect the evaluation of the Funding Application, but if the decision on funding is made, they must be introduced for the Funding Agreement to be concluded.
- h) The Expert Panel conducts evaluation on the basis of a substantive evaluation card, awarding an appropriate number of points in each criterion evaluated by the Expert Panel (the result of evaluation under a given criterion is the product of the number of points awarded according to the grading scale and the weight of that criterion) and providing a written justification.
- i) following the Expert Panel's evaluation, a score (rounded to one decimal place) is assigned to the Application for funding a Research Team. Awarding 0 points under a given criterion does not automatically result in the rejection of the Funding Application of a Research Team. The minimum score required for a Funding Application under the Expert Panel is 8. Following the completion of the substantive evaluation by the Expert Panel, the Managing

Entity prepares a list of Applications for funding Research Teams sorted from the highest to the lowest score.

25. The final output of the substantive evaluation of each Application for funding a Research Team is the arithmetic mean of the scores awarded to the Application for funding a Research Team in the substantive evaluation in terms of the scientific criteria, economic-social criteria and Expert Panel criteria rounded to one decimal place.
26. This evaluation shall result in the ranking list of Applications for funding Research Teams recommended and not recommended for financing from the Fund. The Applications in the ranking list shall be sorted by score – from the highest to the lowest.
27. The Applications recommended for funding must obtain at least 61 out of a maximum of 72 points. The funding recommendation shall be granted to Applications with the highest scores, in descending order, until the funds specified in § 6 of the Competition Regulations are fully allocated.
28. If two or more Applications for funding Research Teams are awarded the same score, their place on the list shall be determined by the higher number of points obtained under Expert Panel-based substantive evaluation criteria with a higher ranking according to the following order:
 - the commercialisation potential of the planned results of scientific activities;
 - the significance of the expected results of scientific activities for the economic development and the State's developmental policy, including contribution to the innovation level of the economy;
 - the potential of the Research Team to carry out world-class scientific activities – Research Task Description and Research Plan;
 - the previous achievements and experience of the Leader and Research Team Members in terms of research results commercialisation.
29. The Managing Entity publishes a ranking list of Funding Applications recommended and not recommended for funding on www.wib.port.org.pl and notifies the Applicants in writing about the results of evaluation of these Funding Applications.
30. The recommended Applications which obtained the minimum required scores, but failed to receive funding due to a lower place on the ranking list and the quota of funds available under the Competition being reached, shall automatically be placed on the reserve list. These Funding Applications may receive funding if the Managing Entity or an Applicant placed higher on the ranking list withdraws from signing the Agreement for funding a Research Team due to circumstances provided for in § 13 section 2 and section 3 of the Competition Regulations.
31. Information on Applications not recommended for financing from the Fund shall not form the basis for any claims from Applicants against the Managing Entity. Appeals shall be allowed under the rules provided for in § 12 of the Competition Regulations.
32. The contents of the Expert's reviews involving the substantive evaluation of a Funding Application can be made available at the written request of the Applicant in the registered office of the Managing Entity, after the publication of ranking lists.

33. If no Research Team is selected or a lower number of Research Teams is selected for a total amount lower than the amount allocated for financing the scientific activities of Research Teams provided for in § 6 of the Regulations, the Managing Entity may announce a supplementary round of the Competition or hold a new Competition if a complete change in the substantive requirements of the Competition is necessary.

§ 11. Date of announcing Competition results

1. The planned date of announcing the Competition results is specified in the Competition Announcement.
2. In justified cases, the Managing Entity reserves the right to change the date of announcing Competition results specified in the Announcement. This shall not require any amendments to the Competition documentation.

§ 12. Appeals procedure

1. If a breach of competition procedure occurs in the process of evaluating an Application for funding a Research Team, the Applicant can submit a written appeal within 5 business days counted from the day after the day of receiving information provided for in § 10 (17) and (29) of the Competition Regulations. The appeal must not relate to the evaluation of other applications submitted under the Competition.
2. The appeal must be submitted in paper form to the registered office of the Managing Entity or via the ePUAP platform to the address of the Managing Entity (signed with a qualified electronic signature, qualified certificate or using the Trusted Profile). The binding date is the date of receipt of the paper version to the registered office of the Managing Entity or the date of receipt on the ePUAP mailbox, as indicated in the Competition Announcement, depending on the selected form of submitting the appeal.
3. The appeal should contain the following items:
 - 1) designation of the Managing Entity;
 - 2) designation of the Applicant;
 - 3) number of the Application for funding a Research Team;
 - 4) specification of the criteria for selecting projects which formed the basis for an evaluation contested by the Applicant, along with a justification;
 - 5) specification of the breach of competition procedure conducted by the Managing Entity with reference to the specific provisions of the Competition Regulations which were not complied with, along with a justification;
 - 6) specification of the e-mail address for contact related to the appeal.
 - 7) a signature and name stamp of the person/persons authorised to represent the Applicant in accordance with the incorporation document or rules of representation of a given entity, and if

an Attorney is appointed by means of a Power of Attorney to represent the Applicant in the process of application for funding the Research Team by the Fund (including the signing and submission of the Funding Application and representing the Applicant at the stage of evaluation of the Funding Application), constituting an appendix to the Funding Application;

- 8) incorporation/constitutional document – if it is not published in publicly available registers.
4. If an appeal fails to fulfil the formal requirements provided for in section 3 or contains obvious errors, the Managing Entity shall send a notice to the Applicant by electronic means requesting for a single supplementation or amendment of the obvious errors contained in the appeal within 5 business days, counting from the day after the day of sending the notice. If this is not complied with, the appeal shall not be processed.
5. The appeal may be supplemented as provided for in section 4 only with regard to the formal requirements specified in section 3.
6. Appeals shall not be processed if they are filed:
 - 1) after the deadline;
 - 2) without correcting the formal defects.

The Applicant is notified in writing about the decision not to process the appeal.

Appeal against the results of formal evaluation:

7. After 15 business days of the receipt of a correctly drawn up appeal, or 15 business days of the correction of formal defects of the appeal against the results of formal evaluation, the Managing Entity shall verify the results of the performed evaluation against the submitted complaints and:
 - 1) changes the previous decision by referring the Application for substantive evaluation and updating the list of Applications which fulfil the formal criteria and subject to substantive evaluation and the list of Applications which fail to fulfil the formal criteria, or
 - 2) if the appeal against formal evaluation is groundless, shall dismiss the appeal.

The Managing Entity notifies the Applicant in writing about every decision on the appeal.

8. Filing an appeal against the results of formal evaluation by at least one Applicant shall not result in suspending the substantive evaluation of Applications which have passed the formal evaluation. Until a decision is made on the appeal against the results of formal evaluation, and if the decision is positive, until the performance of a substantive evaluation of the Application, the Managing Entity shall not publish the ranking list of Funding Applications recommended and not recommended for funding.

Appeal against the results of substantive evaluation

9. After 15 business days of the receipt of a correctly drawn up appeal, or 15 business days of the correction of formal defects of the appeal against the results of the substantive evaluation, the Managing Entity shall verify the results of the performed evaluation against the submitted complaints and:

- 1) changes the previous decision, which results in updating the ranking list of Funding Applications recommended and not recommended for funding, or
 - 2) if the appeal against substantive evaluation is groundless, shall dismiss the appeal.
10. Filing an appeal against the results of substantive evaluation by at least one Applicant shall result in the Managing Entity's suspending the conclusion of Funding Agreements with the Research Units which submitted applications recommended for funding.
 11. The deadline mentioned in section 9 may be extended for a period of no longer than 60 days if it is justified by the need to perform a detailed substantive analysis, particularly involving additional Experts. The Managing Entity shall inform the Applicants about the new date of completing the actions provided for in section 9.
 12. If the amount for funding Research Teams is fully allocated at any stage of the appeals procedure, the Managing Entity shall notify the Applicant of this in writing. In the case described in the previous sentence, the Applicant may not pursue claims to conclude an Agreement for funding a Research Team or any other financial claims connected with the process of applying for funding.

§ 13. Concluding Agreements for funding Research Teams

1. Within 7 business days of the day of announcing the Competition results, the Applicants whose Applications for funding Research Teams have been recommended for the Fund financing shall be notified in writing of the commencement of the procedure to draw up and conclude Agreements for funding Research Teams and asked to provide the documents necessary to conclude the Funding Agreement within 10 business days of the day of receiving the notice to that effect.
2. If the Applicant fails to provide the documents within the specified period or the agreement is not concluded for other reasons, the Managing Entity may decide not to sign the Agreement for funding the Research Team and approach the next entity on the list of recommended entities which has not been granted funding due to the full allocation of Competition funding with a proposal to conclude the Applicant's Agreement.
3. If the Applicant withdraws from concluding the Agreement for funding a Research Team, the Managing Entity may approach the next entity on the list of recommended entities which has not been granted funding due to the full allocation of Competition funding with a proposal to conclude this Agreement.
4. A template of the Application for funding a Research Team is provided in Appendix No. 5 to the Competition Regulations.
5. The Managing Entity reserves the right to amend the Funding Agreement template. The information on changing the template of the Agreement along with the scope of introduced changes will be provided to the Applicant along with a letter notifying about the initiation of the

procedure of drawing up and concluding Agreements for funding Research Teams. The change must not result in the unequal treatment of Applicants participating in the Competition.

6. If the Managing Entity receives information on the lack or limited ability of the Applicant to correctly implement the Research Task and make use of the Fund's resources, including as specified in the objectives of WIB and the Research Task, the Managing Entity may decide to suspend the conclusion of the Agreement for funding the Research Task until all doubts are cleared, or withdraw from its conclusion.
7. The funding is granted on the basis of the Agreement for funding a Research Team concluded between the Managing Entity and the Applicant.

§ 14 Supplementary round of the Competition

1. The Managing Entity may announce a supplementary round of the Competition if the Competition does not result in selecting the proposal of any of the Applicants or fewer than 10 Funding Agreements are concluded with the Research Units included in the ranking list of Applications recommended for financing for a total amount lower than the amount allocated for financing the scientific activities of the Research Teams as provided for in § 6 of the Regulations. A supplementary round of the Competition may also be announced if the Funding Agreement is terminated or a Research Team completes its work for other reasons.
2. The purpose of the supplementary round of the Competition is to provide financing for additional projects implemented by Research Teams in an amount not exceeding the funds remaining after the completion of the standard round of the Competition.
3. The Managing Entity shall announce a supplementary round of the Competition if it believes that a supplementary round of the Competition might provide opportunities for Applicants to submit projects with sufficient potential to be eligible for funding.
4. The provisions of these Regulations apply to the supplementary round of the Competition.

§ 15. Eligibility of expenditure

The list of eligible expenditures and the general eligibility rules for expenditure are specified in Appendix No. 6 to Competition Regulations.

§ 16. Contact information for Competition-related matters

1. If you have any questions about the Competition, please contact us:

- 1) by e-mail: wib@port.org.pl,
- 2) by phone: (+48 71) **73 47 668**
- 3) directly at our registered office:

Łukasiewicz Research Network – PORT Polish Center for Technology Development

ul. Stabłowicka 147

54-066 Wrocław

from 8 a.m. to 4 p.m. on business days from Monday to Friday during the Competition.

2. The contact data are available on www.wib.port.org.pl.
3. A list of frequently asked questions and important answers for Applicants will be published on www.wib.port.org.pl /in the FAQ tab.

§ 17. Final provisions

1. The procedure under the Competition to select Research Teams is not covered by the provisions of the Act of 14 June 1960 – Code of Administrative Procedure (Journal of Laws of 2018, item 2096, as amended) or the Act on Public Procurement Law of 29 January 2004 (Journal of Laws No. 19, item 177, as amended).
2. The Applicant shall immediately inform the Managing Entity of any change in the contact data which occurs during the Competition for Research Teams proposals.
3. The Managing Entity reserves the right to change the Competition Regulations or any other document specifying the conditions of the Competition for selecting Research Teams announced on the basis of the Competition Regulations. The changes shall apply from the date indicated in the notice of these changes published on the Managing Entity's website www.wib.port.org.pl. The changes must not result in the unequal treatment of Applicants participating in the Competition.
4. These Competition Regulations have been drawn up on the basis of established law. Any discrepancies between this document and the legal regulations shall be resolved in favour of the legal regulations.

§ 18. List of appendices to the Competition Regulations

1. Template of the Application for funding a Research Team by the Polish Science Fund along with appendices and filling instructions.
2. Criteria for the selection of Research Teams conducting scientific activities in the form of the Virtual Research Institute for funding by the Polish Science Fund
3. Principles of impartiality, objectivity, confidentiality and avoidance of conflicts of interest.
4. Expert Panel presentation template.
5. Template of the Agreement for funding a Research Team by the Polish Science Fund along with appendices.

6. General eligibility rules for expenditures of Research Teams conducting scientific activities in the form of the Virtual Research Institute.
7. Standards of recruitment to Research Teams under the Virtual Research Institute and an evaluation of their application.
8. Rules and Regulations for the Management and Commercialisation of Intellectual Property along with appendices.
9. Subjective scope of the Consortium Agreement.