

## PRINCIPLES OF COOPERATION WITH EXPERTS OF THE NATIONAL CENTRE FOR RESEARCH AND DEVELOPMENT

### Art. 1.

#### Definitions

The terms used in these principles shall have the following meanings:

- 1) **NCBR Expert Database** – the expert database of the National Centre for Research and Development, maintained in an IT system, in which the data of Experts appointed to perform tasks related to programmes and undertakings implemented by the NCBR are stored, including those listed in the EFSD Expert Register and the Candidate Register;
- 2) **NCBR Director** – the Director of the NCBR, the Deputy Director of the NCBR, or a person authorised by the Director;
- 3) **Expert** – a person possessing the qualifications and competencies to perform tasks specified by the NCBR, with whom the NCBR has signed an agreement;
- 4) **NCBR Steering Committee** – the Steering Committee for scientific research and development work in the area of state security and defence, referred to in Article 3 item 3 of the NCBR Act;
- 5) **Steering Committee (the Committee)** – a Team of experts appointed by the Director of the Centre on the principles specified in the rules of the given Committee;
- 6) **NRRP** – National Recovery and Resilience Plan;
- 7) **Peer Review (substantive assessment)** – an opinion or another type of report prepared by an Expert, depending on the type of work specified in detail in the Order;
- 8) **NCBR** – the National Centre for Research and Development [in Polish: Narodowe Centrum Badań i Rozwoju];
- 9) **Act on the NCBR** – the Act of 30 April 2010 on the National Centre for Research and Development (consolidated text, Dz. U. /Journal of Laws/ of 2024, item 1170);
- 10) **2014–2020 Implementation Act** – the Act of 11 July 2014 on the principles of implementing cohesion-policy programmes financed in the 2014–2020 financial perspective (consolidated text: Dz. U. /Journal of Laws/ of 2020, item 818 as amended);
- 11) **2021–2027 Implementation Act** – the Act of 28 April 2022 on the principles of implementing tasks financed from European funds in the 2021–2027 financial perspective (consolidated text: Dz. U. /Journal of Laws/ of 2022, item 1079 as amended);
- 12) **Act on the Principles of Development Policy** – the Act of 6 December 2006 on the principles of development policy (consolidated text: Dz. U. /Journal of Laws/ of 2025, item 198);
- 13) **EFSD Expert Register** – the register of experts referred to in Article 81 sec. 1 of the 2021–2027 Implementation Act, maintained by the NCBR as an Intermediate Body for the European Funds for Social Development (EFSD) Programme;
- 14) **Candidate Register** – the register of candidates for experts maintained pursuant to Article 68a sec. 11 of the 2014–2020 Implementation Act by the NCBR as the Intermediate Body, respectively for Priority Axis III: Higher Education for the Economy and Development under KED OP, and for SG OP;
- 15) **Order** – a proposal to prepare a Peer Review or another task for the NCBR, specifying at a minimum: the type of task, the remuneration for its performance, detailed terms and the deadline for completion, the Expert's role in the selection of projects for co-financing or in the implementation of tasks arising from agreements or decisions issued by the NCBR, in particular the project co-financing agreement/decision on project co-financing/agreement for the implementation and financing of a project/agreement on granting support to an undertaking, also together with any other additional requirements imposed on the Expert who agrees to undertake the Order.
- 16) **Principles** – these Principles of Cooperation with NCBR Experts;
- 17) **Expert Team (Team)** – the team for substantive assessment responsible for carrying out the Peer Review.

**Art. 2****Scope of Application**

1. The Principles shall apply to Experts and Expert Teams referred to in Article 17 item 8 and Article 38 sec. 1 of the Act on the NCBR, Experts performing tasks within the framework of the NRRP, including Peer Reviews concerning the granting of support to an undertaking under the Act on the Principles of Development Policy, Article 68a sec. 1 of the 2014-2020 Implementation Act and Article 80 sec. 1 of the 2021-2027 Implementation Act, and to Experts who are members of teams conducting an Audit at the premises of the project implementer in accordance with Article 42 item 2 of the Act on the NCBR and Article 22 sec. 1 and 2 of the 2014-2020 Implementation Act and Article 24 sec. 1 and 2 of the 2021-2027 Implementation Act.
2. The Principles shall not apply to representatives or teams of representatives of the Minister referred to in Art. 10 sec. 2 of the Regulation of the Minister of Science and Higher Education of 28 August 2020 on the tasks of the National Centre for Research and Development related to the implementation of scientific research or development work for national defence and security (Dz.U. /Journal of Laws/ of 2020, item 1495, as amended), nor to supervising teams referred to in Art. 7 sec. 2 of the Regulation of the Minister of Science and Higher Education of 4 January 2011 on the manner of management by the National Centre for Research and Development of the implementation of scientific research or development work for national defence and security (Dz.U. /Journal of Laws/ U./Journal of Laws/ No. 18 item 91) in conjunction with Art. 16 of the Regulation of the Minister of Science and Higher Education of 28 August 2020 on the tasks of the National Centre for Research and Development related to the implementation of scientific research or development work for national defence and security; provided that Art. 5 and Art. 6 of the Principles shall apply accordingly to members of the supervising teams referred to in Art. 7 sec. sec. 3 item 3 of the Regulation of the Minister of Science and Higher Education of 4 January 2011 on the manner of management by the National Centre for Research and Development of the implementation of scientific research or development work for national defence and security and to the representatives or teams of representatives of the Minister referred to in Art. 10 sec. 2 of the Regulation of the Minister of Science and Higher Education of 28 August 2020 on the tasks of the National Centre for Research and Development related to the implementation of scientific research or development work for national defence and security. The Principles shall apply to Experts who are not members of supervising teams but who support such teams.
3. In the event of a conflict between the provisions of the Principles and the provisions of the specific rules of procedure of the team for substantive assessment or the rules of procedure of the project assessment committee, established before the date of entry into force of the Principles, the provisions of those rules of procedure shall apply to the extent that they are inconsistent.

**Art. 3****Type of Tasks Performed by Experts**

1. An Expert shall prepare Peer Reviews or perform other tasks for the NCBR, and in particular shall:
  - 1) prepare reviews of applications and proposals submitted in competitions, including individual assessments and panel reviews;
  - 2) prepare assessments related to the examination of objections to the peer review of a project/proposal;
  - 3) prepare assessments or other opinions related to the implementation of the NCBR's tasks arising from agreements concluded or decisions issued by the NCBR, in particular from project co-financing agreements/project co-financing decisions/agreements for the implementation and financing of a project/agreements on granting support to an undertaking;
  - 4) prepare assessments of project implementation for the supervising team or teams of representatives of the Minister, referred to in Art. 2 sec. 2 of the Principles;
  - 5) prepare assessments or other opinions/expert reports, including legal, financial, or economic ones;
  - 6) prepare individual opinions/expert reports/studies at the stage of defining (preparing) a Programme/Undertaking/Joint Undertaking or a strategic Programme, or when introducing amendments/updates to the Programme/Undertaking/Joint Undertaking or to the strategic Programme;
  - 7) prepares a draft Programme/Undertaking/Joint Undertaking or a proposal of issues for the strategic Programme as part of the work of the given team.
2. An Expert who is a member of an Expert Team/Steering Committee shall perform tasks related to participation in the work of the Expert Team/Steering Committee in accordance with the rules of procedure of that Team/Steering Committee.

**Art. 4****Principles for selecting Experts**

1. The NCBR Director shall appoint Experts or Teams of Experts,<sup>1</sup> based on candidate proposals submitted by the unit competent for cooperation with experts, from among the Experts included in the NCBR Expert Database or own proposals or other proposals submitted, subject to sec. 2 below.
2. The principles for selecting Experts shall not apply to Experts or Teams of Expert referred to in Art. 17 item 8 of the Act on the NCBR, who are appointed by the NCBR Steering Committee to evaluate applications submitted in competitions for executing projects in scientific research or development work for national defence and security based on own proposals.
3. The selection of Experts to carry out the tasks indicated by the unit competent for cooperation with experts, as referred to in sec. 1, shall be based on the following principles:
  - 1) Experts or Teams of Experts referred to in Art. 38 sec. 1 of the Act on the NCBR and Experts performing tasks under the NRRP, including Peer Review related to supporting an undertaking under the Act on the principles of development policy, shall be selected from the NCBR Expert Database; Experts referred to in Art. 68a sec. 1 of the 2014-2020 Implementation Act shall be selected from the List of Candidates maintained by the NCBR, while Experts referred to in Art. 83 sec. 1 of the 2021-2027 Implementation Act shall be selected from the List of EFSD Experts;
  - 2) the selection of Experts shall take into account the knowledge, skills, experience or required qualifications in the field covered by the programme, according to the Expert's role specified in the Order;
  - 3) The Order may be carried out by a person who declares their readiness to perform the work within the specified time limit and submits an appropriate statement on impartiality and confidentiality in accordance with the template provided by the NCBR;
  - 4) during the selection procedure, the Expert may not be discriminated against on any grounds, in particular on the grounds of place of residence, disability, race, religion, nationality, political beliefs, union membership, ethnic origin, religion or sexual orientation.
4. An expert who participated in project selection may not perform tasks related to the implementation of the NCBR's rights and obligations under the project funding agreement/decision on funding with regard to that project.<sup>2</sup>
5. The NCBR Director may delegate their rights referred to in sec. 1 to an NCBR employee.

**Art. 5****Agreements with Experts**

1. Experts shall perform their tasks under an agreement concluded with the NCBR, in accordance with:
  - 1) the model agreement constituting Appendix No. 1 to the Principles — if the Expert carries out the Order;
  - 2) the model agreement constituting Appendix No. 2 to the Principles — if the Expert is a member of the Team of Experts or the Steering Committee;
  - 3) a model agreement set out in separate regulations, if specified.
2. Together with the agreement, the NCBR organisational unit responsible for concluding it shall each time provide the current models of agreement appendices, such as the Expert Data Form, model invoice and declaration for social security purposes, which are placed and updated on the intranet.
3. In justified cases or those related to the implementation of competitions, particularly international ones, the Director may appoint a Team of Experts whose cooperation and remuneration rules shall be defined by a separate order; the remuneration of the Team members may not exceed the limits specified in Appendix No. 3 to the Principles for other types of substantive assessments.
4. The unit responsible for cooperation with experts shall maintain a register of agreements concluded with the Experts referred to in sec. 1 item 1 above.

<sup>1</sup> When appointing Experts referred to in Art. 68a of the 2014-2020 Implementation Act and Art. 81 of the 2021-2027 Implementation Act, the Experts shall be appointed from among expert candidates/experts entered in the list of expert candidates/experts referred to in Art. 68a sec. 11 of the 2014-2020 Implementation Act and Art. 81 sec. 1 of the 2021-2027 Implementation Act.

<sup>2</sup> Applies to Experts referred to in Art. 68a of the 2014-2020 Implementation Act.

**Art. 6****Expert Remuneration**

1. Expert remuneration rates are specified in Appendix No. 3 to these Principles.
2. Subject to their consent, the Expert may perform tasks free of charge, provided that this does not conflict with the nature of their legal relationship with the NCBR.<sup>3</sup> Where there is any doubt, the unit responsible for legal matters must be consulted before the expert performs any tasks free of charge.
3. Experts who are non-Polish tax residents, members of Teams of Experts or Steering Committees, as well as Experts involved in the work of controlling teams, shall be entitled to reimbursement of travel and accommodation expenses according to the rules set out in the internal NCBR procedure entitled "*Organisation of domestic business trips of NCBR employees and NCBR experts*".

**Appendices to these Principles:**

- 1) Appendix No. 1 Model Framework Cooperation Agreement;
- 2) Appendix No. 2 Model Agreement for Experts Belonging to the Team of Experts or the Steering Committee;
- 3) Appendix No. 3 Expert Remuneration Rates

<sup>3</sup> Not every agreement may be an unpaid one, e.g. a contract for specific work.