Service of decisions of the NCN Director under international calls launched by the National Science Centre and carried out in multilateral cooperation, including pursuant to the Lead Agency Procedure ("LAP")

Under international calls launched by the National Science Centre (hereinafter: "NCN") and carried out in multilateral cooperation, proposals are submitted electronically via the OSF submission system (*Obsługa Strumieni Finansowania*), available at: https://osf.opi.org.pl.

By entering the call, the applicants shall express their consent to have documents served to them by the NCN by means of electronic communication, and they shall be required to indicate in the proposal the electronic delivery address. The applicants shall be required to verify all data entered in the proposal, including the electronic address indicated for service of documents.

If the applicant is an entity described in Article 27 (1) – (7) and (9) of the Act on the National Science Centre of 30 April 2010 (consolidated text in Journal of Laws of 2023, item 153), (hereinafter: "NCN Act"), the applicant shall indicate their Electronic Delivery Box (ESP ePUAP) address for service of documents.

An applicant who is a natural person may indicate the ePUAP address as the address for service of documents and should they possess no such address, they must indicate their email address. Should a natural person specify in the proposal both the ePUAP and email address, documents shall be served only to the ePUAP address. Documents shall be served to the email address only if the the ePUAP address is not provided. Additionally, a natural person must indicate the Electronic Delivery Box (ePUAP) address of the entity identified in the proposal as the participating entity.

Pursuant to the Electronic Delivery of Documents Act of 18 November 2020 (Journal of Laws of 2020, item 2320) (hereinafter: the "Electronic Delivery of Documents Act"), the National Science Centre will be required to deliver communications via the public registered electronic delivery service and public hybrid service. Therefore, the applicants and principal investigators may provide their electronic delivery address (hereinafter: "EDA") in the proposals. Provision of one's electronic delivery address is not mandatory. Communications will be sent to the EDA pursuant to the Electronic Delivery of Documents Act. More on the date as of which communications must be sent to the electronic delivery address will be published on the NCN's website (www.ncn.gov.pl) once the Minister competent for Digital Affairs publishes an announcement in the Journal of Laws of the Republic of Poland setting the date for implementation of technical solutions allowing the NCN to deliver and collect correspondence via the public registered electronic delivery service or public hybrid service.

During evaluation of their proposal, the applicants shall notify NCN of all changes to their address, including the electronic address. In the event of failure to do so, service of documents to the former address shall have legal effect.

Information of changes made to the address is governed by Article 41 of the Administrative Procedure Code of 14 June 1960 (consolidated text in Journal of Laws of 2024, item 572) (hereinafter: "APC").

The results of the call shall be made available in the OSF system and served by way of the decision of the NCN Director.

The decisions of the NCN Director shall be served to the applicants in an electronic format, to the electronic address specified in the proposal. The decisions of the NCN Director shall bear a qualified electronic signature in the PAdES format.

Under international calls launched by the National Science Centre pursuant to the Lead Agency Procedure ("LAP") as well as other calls carried out in multilateral cooperation, where it is in compliance with the terms of an international call, the NCN shall make the results of the eligibility check available and serve the decision to refuse funding having completed the eligibility check. Under other calls, the NCN shall make the results available and serve the decisions having completed the merit-based evaluation and having compiled the final ranking list.

The information on the call results shall be posted on the NCN's website: www.ncn.gov.pl.

The method of service of decisions shall depend on the applicant's status.

If the applicant is an entity described in Article 27 (1) - (7) and (9) of the NCN Act, decisions of the NCN Director shall additionally be communicated to the principal investigator and if the applicant is a natural person, also to the entity identified in the proposal as the participating entity.

If the applicant is an entity described in Article 27 (1) - (7) and (9) of the NCN Act, decisions of the NCN Director shall only be served to their Electronic Delivery Box (ESP ePUAP) address specified in the proposal. If the applicant/ participating entity has been authorized as a public entity, the decisions shall be sent in an Official Confirmation of Submission (*Urzędowe Poświadczenie Przedłożenia*, hereinafter: "UPP"). If the applicant/ participating entity has not been authorized as a public entity, the decisions shall be sent in an Official Confirmation of Service (*Urzędowe Poświadczenie Doręczenia,* hereinafter: "UPD"). The applicant must check the ESP ePUAP mailbox.

It is recommended that the applicants who have access to the justification of their proposal evaluation in the OSF submission system but have not received their decision, check whether the ESP (ePUAP) address specified in the proposal is correct or contact the Programme Officer in charge of the proposal specified in the OSF system.

Should an applicant who is a natural person indicate an ePUAP address in the proposal, the decision shall be sent to that address. Should an applicant who is a natural person fail to indicate the ePUAP address, the service of decisions shall be carried out by means of sending – to their email address – information containing an electronic address from which the NCN Director's decision may be downloaded. The information shall be sent from the address: ewnioski@ncn.gov.pl. In order to download the decision, click on the link in your email and proceed according to the message that will pop up.

If the applicant is a natural person and has not received an email with the link to download the decision, they should check their spam folder for an email from the aforementioned address,

check if the e-mail address indicated in the proposal is correct or contact the Programme Officer named in the OSF system. **It is the applicant's duty to check the ePUAP mailbox/email address**.

The decisions sent to the applicant/ participating entity authorized as a public entity to their ESP ePUAP address shall be deemed served once the National Science Centre has received a UPP, which shall be issued automatically once the document has been served to the ESP ePUAP address of the applicant/ participating entity and shall not require any action on the part of the NCN. A UPP shall only be issued automatically when the ESP address of the applicant/ participating entity is assigned to a public entity. The date of receipt of the UPP shall be deemed as the date of effective service of the decision.

Applicants/ participating entities not authorized as public entities are required to sign and return an acknowledgement of receipt. In order to have a UPD issued, one should login to the ESP ePUAP mailbox address specified in the proposal, download the message from the National Science Centre, sign the UPD (with a signature supported by a qualified certificate or confidential profile) and return it to the NCN. After the UPD has been returned one may peruse the text of the decision. The date of receipt of the UPD shall be deemed as the date of effective service of the decision.

The decision shall be sent to the ePUAP address or e-mail address of the applicant who is a natural person. The decision shall be deemed effectively served on the date the UPD is returned to the National Science Centre or the decision is downloaded from the link sent to the email address specified in the proposal.

Should the applicant fail to download the decision in an electronic format within 7 days of the date on which the original decision was sent, the applicant shall be notified again that he/she may download the decision.

If a UPP or UPD has not been received, the decision sent to the e-mail address has not been received in an electronic format or a wrong ESP (ePUAP) address, ePUAP mailbox or e-mail address has been specified, the decision of the NCN Director shall be deemed effectively served after the expiry of 14 days from the date on which the original decision was sent.

The decisions shall be served to the electronic delivery address pursuant to the Electronic Delivery of Documents Act.

The NCN shall provide the recipient of the decision at the latter's request, for a period of at least 3 months from the date of finding it served, with access to the decision in an electronic format, information on the date on which the decision was found served and the dates on which notices to that effect were sent.

In addition, on the date of service of the decision following the merit-based evaluation, information on the outcome of the call shall be published on the NCN's website.

Date of the decision of the NCN Director becoming final and legally binding

A decision of the NCN Director may be appealed against within the deadline calculated from the date of effective service of the decision.

Decisions that are not subject to an administrative appeal or requests for a review shall be final.

Final decisions that cannot be challenged in court are legally binding.

Appealing against the decisions of the NCN Director

Pursuant to Article 33 (2) of the NCN Act, in the event of a breach of the call procedure or other formal infringements of any operations performed by the NCN, the applicant may appeal with the Committee of Appeals of the NCN Council with its registered office at ul. Twardowskiego 16, 30-312 Kraków. The appeal must be lodged within 14 days of the date of effective service of the decision, i.e. receipt of the UPP or UPD by the National Science Centre or confirmation of downloading the decision from the link in the e-mail, and in the absence thereof, after the expiry of 14 days from the date on which the original decision was sent.

The appeal shall be lodged in writing via the NCN Director and sent to the following address: ul. Twardowskiego 16, 30-312 Kraków or electronically, to the address of the Electronic Delivery Box of the National Science Centre (/ncn/SkrytkaESP).

The appeal shall be lodged in writing via the Director of the National Science Centre to the following address: ul. Twardowskiego 16, 30-312 Kraków or signed with an advanced electronic signature or a qualified electronic signature in the PAdES format in compliance with Regulation (EU) No 910/2014 of the European Parliament and of the Council of the European Union of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC, and submitted to the NCN's Electronic Delivery Box: /ncn/SkrytkaESP.

Pursuant to Article 127 (a) of the Administrative Procedure Code, a party may waive their right to appeal against the public administration authority issuing the decision within the time allowed for appeal. The decision shall become final and binding on the date the public administration authority has been served a waiver of the right to appeal by the last party to the proceedings.