

Service of decisions of the NCN Director

Proposals in the call are submitted electronically via the OSF submission system, available at: <https://osf.opi.org.pl>.

By entering the call, the applicant 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 address to which they would have the documents served. The applicant shall be required to verify all data entered in the proposal, including the electronic address indicated for service of documents.

During evaluation of their proposal, the applicant shall notify the 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 2023, item 775, as amended) (hereinafter: "APC").

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

Once the proposal has been evaluated, the decision in an electronic format shall be served to the applicant's electronic address specified in the proposal for service of documents and the justification for the evaluation of the proposal shall be provided in the OSF submission system.

The decisions of the NCN Director shall be served to the applicant in an electronic format, to their Electronic Delivery Box specified in the proposal (hereinafter: "ESP (ePUAP) address"). The decisions of the NCN Director shall bear a qualified electronic signature in the PAdES format.

Pursuant to the Electronic Delivery of Documents Act of 18 November 2020 (Journal of Laws of 2023, item 285, as amended) (hereinafter referred to as the "Electronic Delivery of Documents Act"), the National Science Centre will be required to deliver communications via the public registered electronic delivery service or public hybrid service. Therefore, an electronic delivery address (hereinafter: "EDA") may be provided 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).

During peer review of their proposal, the applicant shall notify the NCN of any and all changes to their address, including the electronic address for serving documents. In the event of failure to do so, service of documents to the former address shall have legal effect.

Decisions by the NCN Director shall be delivered to the applicant in an electronic format, to the electronic address specified in the proposal. Decisions by the NCN Director shall bear a qualified electronic signature in the PadES format.

If the applicant 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 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 applicants are responsible for checking their ESP (ePUAP) address.**

In the event that the applicant has been provided access to the justification for the evaluation of the proposal in the OSF submission system but has not received the decision, it is recommended to check whether the ESP (ePUAP) address specified in the proposal is correct or to contact the NCN Program Officer in charge of the proposal specified in the OSF submission system.

The decisions sent to the **applicant 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 and shall not require any action on the part of NCN staff. A UPP shall only be issued automatically when the ESP address of the applicant 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 **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 mailbox specified in the proposal, download the message from the National Science Centre, and sign and return the UPD 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.

Decisions shall be sent to the electronic delivery address pursuant to the Electronic Delivery of Documents Act.

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 or a wrong ESP (ePUAP) 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 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.

Date of the decision of the NCN Director becoming final

The deadline for appealing against the decision of the NCN Director is counted from the date of its effective delivery to the applicant.

Decisions that may not be appealed against in the course of administration procedure and/or requests to review the case, are final.

Final decisions that may not be appealed against with the 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, 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 proof of receipt, and in the absence thereof, after the expiry of 14 days from the date on which the first decision was sent.

A written appeal shall be lodged via the Director of the National Science Centre to the following address: ul. Twardowskiego 16, 30-312 Kraków or shall be 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 APC, 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.