

Regulations on the use of the NAWA information and communication system

§ 1

General information

1. These Regulations define the scope, principles and terms of using the NAWA System which is owned by the Polish National Agency for Academic Exchange (NAWA).
2. The registration in the NAWA System is tantamount to acceptance of the terms and provisions of these Regulations.

§ 2

Terms used In the Regulations

Terms used in the Regulations shall respectively mean:

- 1) the Controller or NAWA - the Polish National Agency for Academic Exchange with its registered office in Warsaw at the address: ul. Polna 40, 00-635 Warszawa, e-mail address: biuro@nawa.gov.pl, tax id. no. (NIP): 5272820369, established pursuant to the Act;
- 2) the Act - the Act of July 7th, 2017 on the Polish National Agency for Academic Exchange (Polish Journal of Laws of 2017, item 1530, as amended)
- 3) the System - NAWA ICT system created pursuant to the Act;
- 4) the E-mail address - a technical solution, including a teleinformation device and software tools cooperating with it, enabling individual remote communication using data transmission between ICT systems, in particular electronic mail;
- 5) the Registration - an activity performed by the User in order to gain access to the System;
- 6) the User - a person who has registered in the System;
- 7) the Account - a set of features identifying the User, which give the possibility of access to services after providing the User's identification (e-mail address) and password;
- 8) the Regulations - this document specifying, in particular, the terms of use of the System, the rights and obligations of the User related to the use of the System, the terms and provisions on personal data protection, as well as the scope of the User's liability;
- 9) the Role - a set of rights and obligations resulting from the User's rights in the System. We distinguish the following roles: the applicant, the co-editor, the beneficiary (the applicant with whom NAWA has concluded an agreement), the external expert, the employee, the System Controller;

- 10) Password - a secret string of alphanumeric characters, known only to the User, necessary for authorized access to the System, determined by the User during the Registration.
- 11) Services – functionalities provided through the System enabling users to operate the System within the framework of the authorizations made available to them resulting from the role assigned to the users in the System.

§ 3

General provisions

1. Access to the System is voluntary and free.
2. NAWA reserves the right to modify any services, the mode of System operation and to take any actions permitted by law related to the operation and maintenance of the System.
3. NAWA reserves the right to block the Account in case of violation by the User of the terms and provisions of these Regulations or the generally applicable provisions of law.
4. The System is addressed to applicants (beneficiaries), external experts and NAWA employees.

§ 4

The objectives of the System

1. The system constitutes a solution supporting the implementation of proceedings necessary to issue decisions on granting co-financing, including submitting and handling applications for participation in programs, making formal and substantive evaluation as well as delivery of notifications, decisions and evaluations of reports submitted by beneficiaries.
2. The objectives set out in point 1 shall be implemented, among others, by allowing the User, in accordance with granted authorizations, access to: relevant profile, applicant module, expert module, NAWA employee module, system Controller module.

§ 5

Registration and access to the System User Account

1. In order to start using the System, registration of the Account is required as well as clicking the activation link sent to the e-mail address provided during the User's registration.
2. The completion of the account activation procedure in the System is possible when the User:

- 1) declares that he/she has read and accepted the provisions of the Regulations;
 - 2) declares that he/she is familiar with the content of the information obligation;
 - 3) He/she has provided all required data.
3. If the User has given false or out-of-date data, the NAWA Controller may:
 - 1) summon the User to immediately remove the irregularities or
 - 2) block the User's Account until the matter is resolved.
 4. If there are reasonable doubts as to the authenticity of the data entered by the User, the Controller may request the submission of relevant documents confirming such data. Point 3 above shall apply accordingly.
 5. The User shall secure access to his/her Account by applying a password. Registration and changes of passwords shall be made according to the following rules:
 - 1) password shall include at least eight characters and have to contain:
 - a) small letters,
 - b) big letters,
 - c) numbers,
 - d) special characters;
 - 2) password shall be changed by the User immediately in case of any suspicion or finding out that it may be known to third parties.
 6. The User shall be responsible for all activities performed using his/her identifier (e-mail address).
 7. It is forbidden to share the Account identification details, in particular passwords, with third parties.
 8. It is forbidden to use Accounts belonging to other persons.
 9. The User may create in the NAWA System only one Account. In the event that the User establishes more than one account, the NAWA Controller may:
 - 1) summon the User to immediately delete relevant Accounts;
 - 2) block the User Account until the matter is resolved.

§ 6

Terms of use of the System

1. In order to use the System the User shall have:
 - 1) access to the Internet;
 - 2) access to individual e-mail account (e-mail address);

- 3) one of the following Internet browsers: Microsoft Edge, Firefox, Chrome, Safari, Opera in its highest stable version.
2. The system is available to the Users at: www.nawa.gov.pl 24 hours a day, 7 days a week, subject to point 3.
3. The Controller reserves the right to make interruptions in the functioning of the System, necessary to perform activities related to ensuring its proper functioning.
4. The Controller shall not incur the costs associated with obtaining by the User necessary access to the Internet or other means of remote communication, as well as the proper software to access to the System.
5. The Controller shall not be liable for any disruptions in the System's functioning caused by force majeure, damages caused by system malfunctions, including User's equipment failures or unauthorized interference by the Users, even if they would result in the loss of data on Users' Accounts.
6. In extraordinary cases affecting the security or stability of the System, the Controller shall have the right to temporarily discontinue or restrict the operation of the System without prior notice and to carry out maintenance works aimed at restoring the security and stability of the System.
7. The User shall be obliged to comply with the prohibition of entering into the System the content:
 - 1) causing disruption or overloading of the System;
 - 2) inconsistent with the generally applicable provisions of law;
 - 3) violating the rights of third parties, generally accepted social or moral norms as well as good manners;
 - 4) offensive or violating any personal rights.
8. The User shall be obliged to comply with the prohibition of the following activities:
 - 1) inconsistent with the intended use of the System;
 - 2) causing the System overload;
 - 3) affecting the security of the System;
 - 4) analyzing the source code of the System.
9. The Controller reserves the right to block the User's Account in the event of violation by the User of these Regulations, provisions of applicable law or generally accepted social or moral standards.

§ 7

System Users

1. The User may be any person who registers an Account in the System but the level of such person's authorizations shall depend on his/her role in the System. By registering the Account, the User confirms fulfilment of the registration requirements, approves the provisions of these Regulations and undertakes to comply with them.
2. The User may receive the system messages and messages sent by NAWA employees or other persons authorized by the Controller to the email address indicated during the registration.
3. The User shall be obliged to inform the Controller of any change of the e-mail address which was indicated by him/her during the registration of the account. In the absence of the above notification, system messages or messages sent by NAWA employees or other persons authorized by the Controller sent to the account indicated during the registration (e-mail address) shall be considered as delivered.
4. The User shall be authorized, within the scope assigned to his/her role, to invite other persons to co-edit applications or reports. The User shall be obliged to provide these persons with the content of these Regulations, in particular the data protection rules indicated in § 10. The User shall bear full responsibility for the actions of such persons.

§ 8

Complaint proceedings

1. Complaints regarding both technical aspects of the NAWA System and other matters related to the System may be sent to the e-mail address: biuro@nawa.gov.pl or in writing to the Controller's address, indicated in § 2 point 1 of these Regulations.
2. Complaints shall be submitted not later than within 7 (seven) days from the day when the reason for the complaint occurred.
3. Each complaint shall contain a short description of the issue constituting the basis for its submission, the date and time of occurrence of the basis for its submission and the designation of the person submitting the complaint (including his/her full name and e-mail address). The Controller may provide the User with the online version of the complaint form.
4. The Controller shall make every effort to resolve complaints within 30 (thirty) days of their receipt. The Controller shall immediately inform the complaining party of the result of the complaint consideration by e-mail to the e-mail address provided in the complaint.

§ 9

Personal data protection - information obligation

1. The Controller of personal data processed in the NAWA System shall be pursuant to art. 14 point 4 of the Act, the NAWA Director.
2. The processing shall be carried out on the basis of art. 6 point 1 letter b and e of the Regulation of the European Parliament and of the Council (EU) 2016/679 of April 27th, 2016 in order to establish an Account in the NAWA System and to communicate with the User.
3. Giving:
 - 1) the first name, the last name, the e-mail address shall be voluntary, but necessary to create the Account in the System (refusal shall mean that the Account will not be set up);
 - 2) other data (after creating the Account) shall be voluntary.
4. The data shall be stored for the duration of the User's Account. The data may be made available to entities cooperating with the Controller at servicing the System.
5. The data subject shall have the right to:
 - 1) demand access to his/her data, its rectification, deletion or limitation of processing;
 - 2) object to the data processing;
 - 3) file a complaint to the supervisory body (the President of the Polish Office for Personal Data Protection at: ul. Stawki 22, 00-193 Warszawa);
 - 4) transferring the data.
6. In matters regarding personal data, please contact the NAWA Data Protection Officer at the email address: odo@nawa.gov.pl.

§ 10

Personal data protection

1. The User shall be obliged to use the System in a way that will not lead to:
 - 1) disclosing personal data to unauthorized persons or
 - 2) losing, damaging, destructing or unauthorized edition of personal data.
2. The User shall be obliged to keep secret the personal data to which he/she has access within the System, both in the course of his/her cooperation with NAWA and after its ending. The same shall apply to the methods of securing the data, including the System safeguards.

3. In the event of detecting a violation or suspected violation, the User shall be obliged to immediately report the matter to the data protection officer (odo@nawa.gov.pl) and follow his/her instructions.
4. The violation by the User of the personal data protection rules may result in the liability provided for by relevant provisions of law.

§ 11

Information on potential threats

1. In connection with the fulfilment of the obligation specified in art. 6 point 1 of the Act of July 18th, 2002 on the Provision of Electronic Services (i.e. Polish Journal of Laws of 2019, item 123, as amended), the Controller shall inform the User of specific risks related to the use of the NAWA System. Such information shall concern the threats that may occur potentially, but which should be taken into account by the User, despite using by the Controller's technical and organizational measures appropriate to the threats. The main threats faced by the User while using the Internet shall include among others:
 - 1) Malware - software designed to act contrary to law, harmful or malicious, such as viruses, trojans, worms, etc.;
 - 2) spyware - software that tracks the User's activities or his/her data and then sends them without the User's knowledge and consent to the author or the user of the software;
 - 3) spam - unsolicited electronic messages sent to many recipients and containing commercial information;
 - 4) phishing - actions involving the impersonation of a trustworthy natural or legal person in order to obtain the User's data;
 - 5) breaking into the User's computer or mobile device (smartphone, tablet, etc.).
2. In order to ensure the protection of the User and reduce the risk of occurrence of the threats referred to above, the User shall in particular:
 - 1) install an anti-virus program and firewall on his/her computer or mobile device and regularly update it;
 - 2) regularly update his software and operating system used;
 - 3) not open and download electronic mail attachments of unknown origin;
 - 4) not download software or files from illegal sources.

§ 12

Final Provisions

1. These Regulations shall enter into force on the day of their publication in the System.
2. The content of these Regulations may be recorded by the User by printing, saving on a medium or downloading them from the website: www.nawa.gov.pl.
3. The Controller reserves the right to change the provisions of these Regulations at any time. Any changes shall be posted on the website indicated in point 2 above and shall enter into force on the day of their publication.
4. Using the System by the User after making changes to these Regulations shall mean their acceptance.
5. In order to obtain additional explanations or information related to the content of the Regulations, please contact the Controller at the following e-mail address: biuro@nawa.gov.pl.