



**REGULATIONS
OF THE KATAMARAN PROGRAMME
IMPLEMENTATION OF JOINT SECOND-CYCLE STUDIES**

Warsaw, 30 March 2020
updating

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1. GENERAL INFORMATION ABOUT THE PROGRAMME

1.1 Programme Objectives

The **main objective** of the Programme is to support Polish higher education institutions (HEIs) in the implementation of international curricula during joint second-cycle studies leading to a joint diploma and to increase mobility of students and academic staff.

Under the Programme, it is possible to submit an application to launch recruitment for studies and to support academic mobility within international joint second-cycle studies.

An applicant may submit a maximum of 3 applications, subject to the condition that one application may cover only one field of study (several applications for the same field of study are not possible). Where more than three applications are submitted by one institution, the first three will be submitted to the Agency's ICT system at the time of submission. An application that will involve more than one field of study will be rejected at the formal assessment stage.

The Programme is implemented under the project *“Supporting the institutional capacity of Polish HEIs through the creation and implementation of international study programmes”* under the Operational Programme Knowledge Education Development co-financed by the European Social Fund.

The allocation of funds in the call for applications is PLN 20,000,000.00.

The budget of one Project may amount to a maximum of PLN 1,000,000.00.

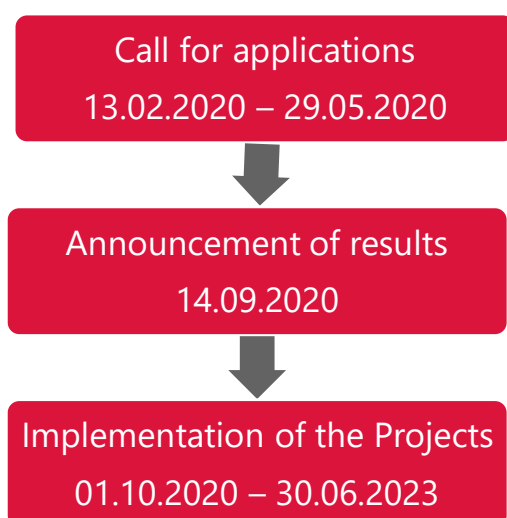
1.2 Basic terms and abbreviations

- 1) **Agency, NAWA** – the Polish National Agency for Academic Exchange;
- 2) **Beneficiary** – a HEI which received funding under the Programme and signed an agreement with NAWA to implement and fund the Project;

- 3) **External Expert** – a person from Poland or abroad commissioned by NAWA for content-related evaluation of applications submitted as part of the call for applications for the Programme. An External Expert may carry out an individual content-related evaluation of applications as a Reviewer or as a member of the Evaluation Panel;
- 4) **Partner(s)** – eligible entity/-ies which signed with the Applicant a letter of intent or an agreement referred to in article 60(1) of AHES, provide second-cycle studies and plan to implement the Project jointly with the Applicant on condition that funding is received from NAWA. Unless otherwise specified in the Regulations, the Partner is subject to the same requirements and obligations that apply to the Applicant and Beneficiary;
- 5) **PAC** – Polish Accreditation Committee;
- 6) **Programme** – the KATAMARAN Programme – *Implementation of joint second-cycle studies*;
- 7) **study programme, curriculum** – a curriculum during joint second-cycle studies leading to a joint degree;
- 8) **Project** – a set of activities for which funding is granted under the KATAMARAN Programme – *Implementation of joint second-cycle studies*;
- 9) **Reviewer** – an External Expert commissioned by NAWA for individual content-related evaluation of applications submitted as part of the call for applications for the Programme;
- 10) **The Agency’s ICT System, System** – a system in which the call for applications submitted by Applicants and evaluation of applications are performed and by means of which the reports prepared by the Beneficiaries will be submitted and evaluated;
- 11) **Project Participant** – a person within the meaning of the *Guidelines on monitoring the material progress of the implementation of operational programmes for 2014-2020*, including in particular: an employee of the Beneficiary or Partner participating in the Project, a Polish or foreign student participating in the Project;
- 12) **Applicant** – a Polish HEI which has submitted or intends to submit an application to participate in the Programme, meeting the criteria indicated in section 2.1. of the Regulations;
- 13) **Application** – a form filled out by the Applicant in the Agency’s ICT System, submitted under the call for applications for the Programme via the Agency’s ICT System, containing information about the Project and prepared by the Applicant;
- 14) **Evaluation Panel** – a panel consisting of External Experts, appointed by the NAWA Director to perform content-related evaluation of applications within the scope indicated in the Regulations;

- 15) **Agreement** – an agreement signed between the Applicant and NAWA after obtaining a positive evaluation of the application and the decision of the NAWA Director, concerning the implementation and funding of the Project;
- 16) **AHES** – the Act of 20 July 2018 on Higher Education and Science (Journal of Laws, item 1668 as amended);

1.3 Programme Schedule



2. APPLICATION PROCEDURE

2.1. Eligible Applicants

Applications for participation in the Programme may be submitted by public and non-public HEIs referred to in AHES, which hold the Erasmus Charter for Higher Education.

In addition, the Applicant must meet all the following criteria:

- 1) the Applicant provides second-cycle education;
- 2) studies under the Project have obtained a permit from the minister (in accordance with Article 53 of the AHES) or in accordance with Article 53(7) of the AHES the HEIs are exempted from the requirement to obtain the minister's permission to establish studies;
- 3) studies under the Project are based on the content-related scope of new programmes or the existing ones at the HEI as long as they are aimed at adapting the programme to the requirements of international cooperation;
- 4) the Applicant is not put in liquidation at the time of submitting the application;
- 5) the basic organisational unit of the HEI which will implement the activities under the project has not been negatively evaluated by the Polish Accreditation Committee at the time of submitting the application;
- 6) the Applicant has fulfilled its obligations towards NAWA resulting from agreements signed in other programmes;
- 7) the Applicant has signed the agreement referred to in Article 60(1) of the AHES with a foreign HEI or research institution with which it will provide degree programmes under the Project, or has signed a letter of intent for the joint implementation of degree programmes if funding is granted.

The project must be implemented in partnership with at least one foreign HEI or research institution providing education corresponding to level 7 of the European Qualifications Framework. The profile and potential of the foreign HEI or research institution must be complementary with the profile and potential of the Polish HEI, i.e. the Applicant must show that the participation of the foreign Partner makes it possible to improve the quality of education at the Polish HEI.

2.2. Eligible activities

1. activities aimed at launching recruitment for the studies, including dissemination of information about the planned launch of the studies and acquiring students, e.g. direct contacts, participation in networking meetings, delivering lectures or participating in lectures, conferences and other events involving the target group;
2. activities related to the implementation of international joint second-cycle studies, including in particular:
 - 1) payment of scholarships for students of Polish HEIs going abroad and students of foreign HEIs or research institutions coming to Poland as part of a joint curriculum (the obligatory activity);
 - 2) organisation of or participation in the lectures, study visits or working meetings of the teaching and research staff with the foreign Partner(s), related to the implementation of studies;
 - 3) organisation of adaptation, integration, language, intercultural training or training on new educational methods or participation of staff who will be involved in the implementation of studies covered by the Project, in adaptation, integration, language, intercultural training or training on new educational methods (the obligatory activity);
 - 4) organisation of or participation of students in adaptation, integration, language, intercultural training.

The proposed activities must be highly relevant to the needs of the target group and the objectives of the Applicant and Partners.

If the Applicant submits more than one application, it is not allowed to copy the content-related parts of the applications, or to adopt identical solutions and provisions in content-related descriptions of applications. It is also unacceptable for the same Applicant to have the same cost items in their budgets for several applications, which would lead to double funding of the same activities if they were awarded a grant. If similar applications are submitted by one institution, these applications will score 0 points at the stage of content-related evaluation. Similar applications are applications that contain the same or similar content-related parts, describe the same or similar project activities/tasks, and are not individualised. An application that has scored 0 points as a result of the evaluation will be considered as not meeting the quality requirements, which means a negative content-related evaluation.

Supplementary information:

- 1) The project must involve joint second-cycle studies. It is not allowed to include first-cycle studies or uniform Master's studies in project activities.
- 2) Joint studies are understood as programmes referred to in Article 60 of the AHES.
- 3) The studies must be provided in cooperation with the foreign HEI(s) and/or research institution(s) and must result in the award of a joint diploma referred to in Article 60(4) of the AHES and in the Regulation of the Minister of Science and Higher Education of 27 September 2018 on degree programmes (Journal of Laws, item 1861 as amended).
- 4) Studies must be provided on a full-time basis, with the proviso that studies may not last less than three semesters or more than five semesters.
- 5) If the specificity of the studies in a particular field allows it, it is permitted that some of the learning outcomes included in the curriculum are achieved through classes conducted using distance learning methods and techniques, using infrastructure and software ensuring synchronous and asynchronous interaction between students and lecturers. If the curriculum provides for the possibility of distance learning, it must be planned in a manner consistent with the provisions of § 12 of the Regulation of the Minister of Science and Higher Education of 27 September 2018 on degree programmes (Journal of Laws, item 1861 as amended). Distance learning may not replace visits to a foreign HEI, but can complement it.
- 6) The studies under the Project must take into account the implementation of a part of the programme in a foreign HEI.
- 7) It is required that at least 10 students from abroad participate in the study period covered by the Project. It is recommended that a balance be maintained in the number of students at the Polish HEI and the number of students at the foreign HEI(s).
- 8) Under the Project, scholarships will be paid to the students of the Polish HEI going abroad and to the students of the foreign HEI coming to Poland as part of their studies with their foreign Partner(s), as well as travel costs (including insurance and visas) will be covered. Travel costs related to the studies with the foreign partner(s) may be incurred by the student only once, there and back.
- 9) The Applicant will be accounted for the results of the Project declared in the application for financing.

- 10) The confirmation of the completion of the study program covered by the Project is the issue of a joint diploma, and in the case of academic staff a certificate of completion of short training forms.

2.3. Project implementation deadline

The implementation of a single Project must cover the period from 3 to 5 semesters, i.e. between 1 October 2020 and 31 March 2023.

In the case of activities to launch recruitment planned in the application, the implementation period of a single Project may be extended to a maximum of 6 semesters, i.e. between 1 October 2020 and 30 June 2023.

2.4. Deadlines and procedure for submitting applications

Call for applications under the *KATAMARAN Programme – Implementation of joint second-cycle studies* will be conducted **from 13 February 2020 to 29 May 2020 at 15:00:00 local time (Warsaw) exclusively in electronic form** in the Agency's ICT System. Late applications will not be accepted.

Sending the application in the Agency's ICT System changes the status of the application to "submitted" and the Applicant will receive an email with the application reference number.

Submission of an application is tantamount to the Applicant's acceptance of the principles set forth in the Regulations of the Programme and appendices thereto.

The Applicant must correctly complete the application form in accordance with the instructions in the Agency's ICT System, which detail the information needed for each required field of the application. Content-related information entered into the Application by the Applicant must be placed in the fields designed for this purpose. Placing the descriptions in other parts than those designed or dividing them between different parts will be a reason to lower the content-related evaluation of the application or not to award points for the relevant content-related evaluation criterion.

Applications in the current call are submitted only in Polish.

2.5. Required appendices

The application must be accompanied by the following documents in scanned form:

- 1) the Applicant's registration document (if not available in the relevant publicly accessible register, maintained in electronic form);
- 2) power of attorney to represent the Applicant (if the application is submitted by a person other than the one resulting from the registration documents) – a specimen power of attorney is attached as appendix no. 1 to these Regulations;
- 3) letter(s) of intent from the Partner(s) – a specimen of a letter of intent is attached as appendix no. 2 to these Regulations;
- 4) the agreement(s) with the Partner(s).

2.6. Persons entitled to submit applications

The application should be submitted by an authorised person whose scope of representation is derived from the registration documents. If the application is submitted by a person other than the one resulting from the registration documents, the Applicant is obliged to attach a scan of the power of attorney for this person. A person submitting the application means a person to whom an account is assigned in the Agency's ICT System from which the application is submitted.

2.7. Submission of the Application in the System

To submit an application you must:

- 1) register an account in the Agency's ICT System, available on the website: www.nawa.gov.pl;
- 2) send by electronic means through the Agency's ICT System the completed application form and the necessary appendices.

Only complete applications that meet all the requirements specified in the call for applications and these Regulations are submitted for consideration. In the event of submission of an incomplete application, the Applicant will be asked to provide the missing information via the Agency's ICT System **within 14**

days from the request to do so. Failure to do so within the time limit will result in the application not being further considered. The application may be amended once in this respect.

An application where the required appendices are missing or whose content is deficient will be considered incomplete.

It is the Applicant's responsibility to check whether the action of sending the application has ended correctly.

3. PROCEDURE FOR EVALUATION AND SELECTION

3.1. The process of evaluating applications

Applications are subject to formal and content-related evaluation. Only applications meeting the formal criteria are submitted for content-related evaluation.

3.2. Formal evaluation

The purpose of formal evaluation is to verify the applications to ensure that they fulfil formal criteria specified in these Regulations.

In case of doubts as to the status of the Applicant, NAWA may ask the Applicant for additional documents or explanations. Information about the need to complete the application / provide explanations concerning the application will be sent electronically as a notification from the Agency's ICT System to the Applicant's email address.

In contacts with the Applicant regarding the completion of the application, NAWA agrees that the correspondence will be conducted through the Agency's ICT System.

The consequence of not maintaining the indicated form of communication may be that the supplements submitted by the Applicant by other means of communication are not taken into account. The Applicant must regularly check correspondence in the Agency's ICT System after submitting the application.

Also, applications will not be considered in the following cases:

- 1) if they are submitted past the deadline specified in the call for applications;
- 2) if they fail to meet the formal requirements specified in the notification of call for applications for participation in the Programme.

The formal evaluation is carried out by NAWA employees.

An application may be rejected for formal reasons at any stage of the evaluation.

3.3. Content-related evaluation

At the stage of content-related evaluation, an application may score a maximum of 100 points. The evaluation is made up of the following components:

- 1) the scores of two Reviewers (arithmetic mean of both scores);
- 2) the score of the Evaluation Panel.

The Evaluation Panel appoints Reviewers to whom applications for evaluation will be addressed. The results of the Reviewers' evaluation are communicated to the Evaluation Panel. The task of the Panel is to evaluate the applications using the opinions of the Reviewers and to formulate the final content-related justification for each application. The Panel has a decisive influence on the final evaluation of the application and its place on the ranking list; therefore, it takes into account the evaluation criteria specified in the Regulations and the quality of the application in relation to other evaluated applications.

All proposals that have passed the formal evaluation are evaluated by the Panel, regardless of the score awarded by the Reviewers.

In the event that more than one application receives the same score, the order on the ranking list is decided by the Evaluation Panel.

An application that has a total score of less than 60 points as a result of the evaluation will be considered as not meeting the quality requirements, which means a negative content-related evaluation. In such a situation, a proposal cannot receive funding, even with sufficient financial resources in the Programme.

The names of External Experts carrying out content-related evaluation under the Programme are not made available. Each year, NAWA publishes an alphabetical list of External Experts participating in the evaluation of applications in a given calendar year, together for all programmes.

3.4. Criteria for the content-related evaluation

The following criteria are taken into account in the process of evaluation of applications:

No.	Description of criterion	The score of the Reviewer	The score of the Evaluation Panel
1.	Potential of the Applicant and Partner (didactic, organisational, technical and available staff)	0 - 30	0 - 20
2.	Experience of the Applicant in the implementation of second-cycle studies with the participation of foreigners	0 - 20	0 - 20
3.	Scientific quality of the Applicant's unit, which is responsible for the implementation of the Project, expressed in parametric evaluation*	x	0 - 10
4.	The implemented study programme	0 - 30	0 - 25
5.	Project feasibility in terms of tasks, schedule and budget	0 - 20	0 - 20
6.	Bonus criterion: Distinction from PAC in a given field of study	x	0 or 5
In total:		0 - 100	0 - 100
Evaluation weight:		0.40	0.60
Maximum final score of the application		100 points	

* Criterion 3 will be evaluated by the Reviewers and the Evaluation Panel as follows:

- 1) for having category A+ by the entity which will implement the project, the Applicant will score 10 points;
- 2) for having category A by the entity which will implement the project, the Applicant will score 8 points;
- 3) for having category B+ by the entity which will implement the project, the Applicant will score 6 points;

- 4) for having category B by the entity which will implement the project, the Applicant will receive 4 points;
- 5) for having category C by the entity which will implement the project, the Applicant will receive 2 points;
- 6) if the entity which will implement the project does not have a parametric evaluation, the Applicant will score 0 points.

At the stage of content-related evaluation, an application may score a maximum of 100 points. The evaluation is made up of the following components:

- 1) the final evaluation by two Reviewers of whom each may award a maximum of 100 points with the final evaluation of the Application taking into account the arithmetic mean of the scores awarded by both Reviewers multiplied by the weight of 0.4, i.e. a maximum of 40 points;
- 2) the evaluation of the Evaluation Panel, which may award a maximum of 100 points with the final evaluation of the Application taking into account the evaluation of the Panel multiplied by the weight of 0.6, i.e. a maximum of 60 points.

3.5. Ranking list and selection decision

Following the evaluation, the Evaluation Panel prepares a ranking list of applications together with the recommended funding amount and submits it to the NAWA Director for approval. The ranking list specifies:

- 1) applications with a positive content-related evaluation, qualified for funding;
- 2) applications rejected due to a negative content-related evaluation – an application which, as a result of the final evaluation, will be awarded less than 60 points will be considered as not meeting the qualitative criteria, which means a negative content-related evaluation and ineligibility for funding.

On the basis of the ranking list, the NAWA Director makes the final decision whether or not to accept for funding the applications submitted under the call. The NAWA Director may decide not to grant funding for applications with positive content-related evaluations on the ranking list. This decision to refuse funding may be motivated especially by the following reasons:

- 1) the exhaustion of the funds within the call for applications;

- 2) organisational and legal changes of the Applicant risking the appropriate implementation of the Project;
- 3) Applicant's failure to meet their obligations toward NAWA,
- 4) if NAWA received information that affects the process of granting funds for the Project,

NAWA reserves the right not to spend all the funds allocated in the call.

3.6. Publishing information on the results of the call

The Director issues a decision on whether to grant or refuse funding under the Programme. The list of entities to which funding has been granted, including their names, will be published on NAWA's website in the Public Information Bulletin.

3.7. Appeal procedure

Upon receiving notification that their application has not been considered or that the Director has issued a decision to refuse funding, the Applicant may request that the Director reconsider the application in the event of formal errors in granting funds.

The request that the NAWA Director reconsider the case may cover only reservations related to formal issues in the process of granting funds, and not to the validity of the content-related evaluation. Submission of an application to reconsider the case for another reason will result in an order declaring the application to reconsider the case inadmissible.

The application to reconsider the case should be submitted to the NAWA Director within 14 days of receipt of the decision or of the notification that the application has not been reconsidered, in writing, to the following address:

Polish National Agency for Academic Exchange NAWA
ul. Polna 40
00-635 Warszawa

or by electronic means to the address of the NAWA Electronic Mailbox in the form of an electronic document bearing a qualified electronic signature (either a trusted signature or a personal signature, or authenticated in such a way as to ensure that the origin and integrity of the verified data can be confirmed electronically).

If:

- 1) an order is issued declaring the application to reconsider the case inadmissible,
- 2) a decision is issued by the NAWA Director refusing to grant funding in the event that the application to reconsider the case is granted,
- 3) a decision is issued by the NAWA Director refusing to grant funding or a decision is issued upholding the decision by the NAWA Director refusing to grant funding,

The Applicant may appeal with the Voivodeship Administrative Court in Warsaw, ul. Jasna 2/4, 00-013 Warszawa. Such an appeal is lodged via the Director of the Polish National Agency for Academic Exchange NAWA, whose office is located at ul. Polna 40, 00-635 Warszawa, within 30 days from the date of service of this decision or order.

4. AGREEMENT WITH THE APPLICANT

In the decision granting the funds NAWA specifies the activities to be performed by the Applicant and the deadline for their performance, under pain of withdrawal from signing the Agreement.

The Agreement with the Applicant is signed on the basis of the final NAWA decision to award funds under the Programme, after positive completion of the formal and content-related evaluation procedure. A specimen Agreement is attached as Appendix no. 3 to the Regulations. NAWA reserves the right to amend the model Agreement as part of the changes permitted by these Regulations.

In case of failure to sign the Agreement by the Applicant selected in the call for applications, funding may be granted to the Applicant which received a positive content-related evaluation, but did not receive funding due to the exhaustion of resources under the Programme.

5. FUNDING PRINCIPLES

5.1. Period of eligibility of costs and expenses

The period of eligibility of costs and expenses is defined in the Agreement:

- 1) initial date of eligibility of costs and expenses – the initial date of Project implementation as stated in the Agreement;
- 2) final date of eligibility of costs – the final date of Project implementation as stated in the Agreement;
- 3) final date of eligibility of expenses – it is possible to incur expenses until the date of submitting the final report provided that the expenses relate to the period of Project implementation and are included in the final report.

5.2. Project budget

The amount of funding allocated for the implementation of a single project is a maximum of PLN 1,000,000.00.

The total costs of the Project are only direct eligible costs, indicated by the Applicant in the detailed budget proposal included in the application. The expenses incurred must be directly related to Project implementation. Costs directly related to Project implementation are those which are associated with content-related tasks, i.e. eligible costs of particular tasks implemented by the Beneficiary under the Project, which are directly associated with these tasks and are necessary for proper Project implementation. The Project will not fund indirect costs, understood as administrative costs of the Project and maintenance staff costs, which are not direct content-related activities planned in the project, e.g. costs of the project coordinator or project manager involved in Project management, costs of utilities, etc. are not eligible.

It is not acceptable to fund the same expenses from two different sources (double funding). If cases of double funding are identified (at each stage of the Project implementation), NAWA will consider these expenses ineligible.

The Beneficiary will be obliged to keep a separate financial and accounting record of funds received for the Project implementation, in accordance with the Accounting Act of 29 September 1994 (i.e. Journal of Laws of 2019, item 351 as amended), in a manner enabling the identification of individual accounting operations.

In case of Projects implemented in partnership, the Beneficiary is responsible to NAWA for correct settlement of the Project.

5.3. Eligible costs

- 1) Costs of starting recruitment for studies:
 - a) costs of organising or participating in networking meetings and lectures, conferences and other events involving the target group, including direct contacts;
 - b) the costs of preparing information and educational materials, including those aimed at disseminating information about the planned launch of studies and at attracting students;
 - c) costs of adapting websites or IT tools, e.g. virtual university, dedicated applications for the target group;
 - d) other costs directly related to the launch of the recruitment process.

The costs of launching the recruitment process are only for those HEIs which decide to implement the full curriculum from NAWA funds.

- 2) The costs of scholarships for students of a Polish HEI during the implementation of the study programme abroad amount to, respectively:
 - a) PLN 1,500 /1 person /1 month of studies – in the case of a visit to a foreign HEI in a non-OECD country;
 - b) PLN 2,000 /1 person /1 month of studies – in the case of a visit to a foreign HEI in an OECD country and located in a city in a non-OECD country among the first 50 countries in the MERCER¹ report.

¹<https://mobilityexchange.mercer.com/Portals/0/Content/Rankings/rankings/col2018h147963/index.html>

- 3) Costs of scholarships for students of foreign HEIs during the implementation of the study programme in Poland – scholarship in the amount of PLN 2,000 /1 person /1 month of studies.
- 4) Travel and subsistence costs for domestic or foreign travels – incurred in connection with Project implementation:
 - a) travel costs for students of a Polish HEI and foreign HEI participating in the exchange;
 - b) travel and subsistence costs for domestic or foreign travels by the staff involved in Project implementation (in accordance with the Regulation of the Minister of Labour and Social Policy of 29 January 2013 on the receivables to which an employee employed in a state or local government unit of the budgetary sphere is entitled due to business travel (Journal of Laws, item 167), which are connected with delivering lectures and classes in connection with the implemented Project, study or working visits between Partners, delivering lectures or participation in lectures, conferences or other events with the participation of the target group;
 - c) Travel costs include, in particular, the costs of travel from the place of residence to the place of destination, the costs of visas, health insurance, civil liability, accident insurance; subsistence costs include, in particular, accommodation and daily allowance.
- 5) Costs of remuneration for persons delivering lecturers, seminars, conducting laboratories and other activities:
 - a) costs of remuneration include the costs of employment contracts, performance bonuses or other components of remuneration; costs of civil law contracts.
- 6) Costs of remuneration for trainers:
 - a) costs of remuneration include the costs of employment contracts, performance bonuses or other components of remuneration; costs of civil law contracts.
- 7) Costs of the tutor of students of a Polish HEI during the implementation of the study programme abroad and students of a foreign HEI during the implementation of the study programme in Poland:
 - a) costs of remuneration include the costs of employment contracts, performance bonuses or other components of remuneration; costs of civil law contracts.
- 8) Costs of organisation of training sessions or participation in training sessions in Poland or abroad by staff involved in Project implementation or by students participating in the Project:
 - a) the costs of renting conference rooms;

- b) catering services (coffee breaks, lunch);
- c) preparation of training materials (including the costs of duplication of materials, purchase of office supplies and consumables for the event);
- d) the costs of purchasing the training, in case of participation in the training;
- e) other costs directly related to the organisation of the event.

The total amount of costs of remuneration for trainers (section 6) and costs of organising or participating in trainings (section 8) may not exceed 15% of the Project value.

The total costs of remuneration for persons delivering lecturers, seminars, conducting laboratory classes and other activities (section 5) may not exceed 25% of the Project value.

Costs will be considered eligible only if they fulfil the following cumulative conditions:

- 1) they comply with national law, including the principle of competitive expenditure or public procurement law;
- 2) they are actually incurred during the Project implementation period specified in the Agreement;
- 3) they are supported by accounting evidence and shown in the financial and accounting records of the Beneficiary;
- 4) they are shown in the financial part of the partial or final report on the Project implementation;
- 5) they are taken into account during the planning stage of the Project budget;
- 6) they are necessary for Project implementation and are incurred in order to implement the Project;
- 7) they are reasonably calculated based on market prices and comply with the requirements of applicable tax and social legislation;
- 8) they are proportionate to the planned activities and necessary for Project implementation;
- 9) they are used exclusively for the implementation of the objective(s) of the Project and its expected result(s) in a manner consistent with the principles of economy, effectiveness and efficiency;
- 10) they only cover VAT in cases where it is not recoverable or deductible under national VAT legislation.

5.4. Ineligible costs

Costs not eligible under the Programme include:

- 1) costs incurred outside the Project implementation period;
- 2) costs not included at the Project budget planning stage;
- 3) foreign exchange losses, foreign exchange commissions, interest charges on financial transaction overdrafts;
- 4) the loan and the cost of servicing the loan;
- 5) VAT and other taxes and charges which are recoverable under national law;
- 6) the same costs funded from two different sources (double funding);
- 7) undocumented costs;
- 8) fines, financial penalties, litigation costs, accrued interest;
- 9) administrative costs related to the handling and management of the Project, including office supplies, stationery related to the administrative handling of the Project;
- 10) purchase of fixed assets and intangible assets with a value that prevents them from being classified as one-off costs;
- 11) other costs which are not in line with the catalogue of eligible costs in section 5.3;
- 12) costs of opening and maintaining bank accounts (including costs of transfers from or to the Agency charged by the Beneficiary's bank);
- 13) costs exceeding the limits given in section 5.3;
- 14) costs of employing persons who are employees of the Beneficiary on the basis of job performance contracts;
- 15) costs reduced in the Project budget during the content-related evaluation and indicated in the funding decision issued by NAWA;
- 16) costs of document reproduction services related to the administrative handling of the Project;
- 17) costs of office supplies and stationery related to the administrative service of the Project;
- 18) costs of the maintenance staff (HR, financial, administrative, secretarial, office, legal services – including public procurement) for the operation of the unit;
- 19) costs of promotional activities of the Project, e.g. mugs, T-shirts, etc.

In the case of placing in the budget of the application for funding the aforementioned costs, which fall into the category of indirect costs, such budget items will constitute ineligible costs and will not be recognised at the stage of content-related evaluation as well as at the stage of Project implementation.

NAWA funding may not be used to generate profit. Projects may not be commercial in nature.

In the case of Projects implemented with the participation of the Partner(s), it is not permissible for the Beneficiary to commission the Partner to purchase goods or services and vice versa.

The expenses considered ineligible by NAWA and related to Project implementation will be borne by the Beneficiary.

5.5. Expenses actually incurred

The expense actually incurred is considered to be the expense incurred in the cash sense, i.e. the disbursement of cash from the Beneficiary's cash register or bank account.

The date of the expense will be taken as follows:

- 1) in the case of payments made by bank transfer: the date of debiting the Beneficiary's account;
- 2) in the case of payments made in cash: the date on which the expense was actually incurred;
- 3) for credit card payments: the date of the transaction resulting in the debiting of the credit card account.

5.6. Payment execution rules

The Agreement is entered into for the duration of the Project, i.e. from 3 to 5 semesters, in the period between 1 October 2020 and 31 March 2023, or in the case of activities planned in the application to launch the recruitment for studies up to a maximum of 6 semesters, in the period between 1 October 2020 and 30 June 2023.

Payments related to the Project are made by NAWA on the basis of the payment schedule, which is an element of the partial report. The payment schedule is prepared by the Applicant on the basis of the

forecast demand for funds during the Project implementation. NAWA reserves the right to make at least 3 payments, including:

- 1) **Advance payment** – in the amount of 30% of the Project costs, transferred to the Beneficiary's bank account indicated in the Agreement within 21 working days from the date of signing the Agreement;
- 2) **Partial payments** – in the amount resulting from the payment schedule, paid on the condition that at least 80% of the tranches received so far are settled by the Beneficiary, and transferred to the Beneficiary's bank account indicated in the Agreement within 30 working days from the date of approval of the periodic partial reports, with the partial payment not exceeding 30% of the Project value;
- 3) **Balancing payment** – up to 10% of the total funding amount, transferred to the Beneficiary's bank account indicated in the Agreement within 21 working days from the date of acceptance of the final report.

Payments are made to the Beneficiary's bank account, which is responsible for conducting further financial settlements towards the Partner(s).

NAWA reserves the right to change the payment date. This change will depend on the availability of resources to fund the projects.

5.7. Documentation of expenses

All expenses incurred under the Project must be documented. Documents confirming the expenses incurred by the Beneficiary or Partner(s) are in particular invoices or other accounting documents of equivalent evidence value together with the payment confirmations.

Accounting documents documenting Project expenses must indicate a clear link with the Project. The description of the document should include at least:

- 1) title of the Project and number of the Agreement;
- 2) the amount of eligible expenses covered by a given document;

- 3) the purpose of the expense;
- 4) Project budget item number;
- 5) the date of payment.

The description should be made on the original accounting document or permanently attached to it. A specimen of a sample description of the accounting document will be made available to the Beneficiaries after the Agreement is signed.

In the case of the Partner(s), accounting documents should be described at least so that the description demonstrates the relationship between the expense and the project and confirms the fact that it was incurred within the Project.

In the case of documents drawn up in a foreign language, a rough translation of a given document into Polish should be attached with the signature of the person making the translation.

Moreover, the usual accounting practice and internal control procedures applied by the Beneficiary must ensure that the amounts declared can be directly reconciled with the amounts appearing in the Beneficiary's accounting statements and with the amounts indicated in the confirmation documents.

Expenses under the Project (public funds), in accordance with generally applicable regulations, must be incurred in a competitive manner. It is the responsibility of the Beneficiary to ensure competitive spending of funds under the Project by applying the procedure compliant with the provisions of the Act of 29 January 2004 – Public Procurement Law (i.e. Journal of Laws of 2019, item 1843), regardless of whether the Applicant is exempt from the application of the aforesaid act.

5.8. Storage of documents

Project documents and accounting records related to Project implementation must be kept at the seat of the Beneficiary for 10 years from the date of completing Project implementation. If it is necessary to extend this deadline, NAWA will immediately inform the Beneficiary about this fact. Any evidence of costs incurred by the Beneficiary under the Project must be made available to NAWA or other authorised bodies for control or audit purposes.

5.9. Value Added Tax (VAT)

Expenses under the Project may include the cost of Value Added Tax (VAT). These expenses will be considered eligible only if the Applicant is not legally able to recover them.

Paid VAT is considered eligible expense only if the Applicant is not entitled to claim a refund of VAT or a reduction in the amount of output tax by the amount of input tax according to the applicable law.

If the Applicant has the aforementioned right, it is impossible to consider the expenditure eligible.

5.10. State aid

NAWA does not grant public aid or *de minimis aid*. The applicant is obliged to submit a declaration of no public aid in the application.

5.11. Accounts and interest

For the needs of Project implementation, the Beneficiary is obliged to open a separate bank account, dedicated exclusively to the Project (account or subaccount).

Interest accrued on the bank account will be reimbursed in full to NAWA at the latest within 30 days of the Project completion date, to the bank account indicated by NAWA, unless otherwise specified. The date of interest reimbursement will be the moment of crediting the NAWA account.

The Beneficiary undertakes to inform NAWA, upon its request and within the deadline set by NAWA, about the amount of funds remaining on the Beneficiary's account as at 31 December of a given calendar year.

6. REPORTING

The Beneficiary is responsible for timely submission of partial reports and the final report to NAWA.

Partial reports and the final report will be submitted in electronic form via the Agency's ICT System, using electronic forms prepared and made available by NAWA, unless the Agency indicates another form of submitting reports.

Additionally, with regard to personal data of Project Participants, the Beneficiary will be obliged to submit to NAWA original documents: i.e. the Project Participant's Statement and the Project Participant's Personal Data Form, which will be necessary for these data to be reported by NAWA in the SL2014 system. Specimens of the aforementioned documents are attached to the Agreement with the Applicant.

The reports may include costs that have been paid, and the Beneficiary has adequate accounting evidence. The report should indicate all dates of payment for the expense concerned. A cost that has not been paid in full cannot be included in the report.

All amounts given in financial reports on Project implementation must be expressed in PLN currency. The method of converting expenses incurred by the Partner(s) in foreign currency into PLN is determined by the Beneficiary and the Partner(s) themselves.

A properly prepared report is subject to verification by NAWA's employees and approval for compliance of Project implementation with the Agreement. NAWA may decide to have the report evaluated by External Experts appointed by the NAWA Director.

6.1. Partial report

The Beneficiary is obliged to submit partial reports on the course of Project implementation.

In particularly justified cases, e.g. when 80% of the received funds are not settled by the Beneficiary in the partial report or when 80% of the received funds are settled earlier by the Beneficiary, at the request of the Beneficiary, it is possible to submit an additional partial report.

The first partial report (if applicable) will be submitted by the Beneficiary after the lapse of three months from the date of commencement of Project implementation.

Subsequent partial reports will be submitted in periods of maximum 3 months, as specified in the Agreement.

The partial Report consists of:

- 1) the content-related part, including a description of the progress of the ongoing work envisaged in the application;
- 2) the financial part, including the statement of incurred expenses and financial progress of the Project.

A specimen of the partial report is attached to the Agreement.

The partial report will not be accompanied by source documents evidencing the expenses incurred. At the request of NAWA, the Beneficiary is obliged to provide all required documents.

The partial report will be submitted within 10 working days of the end of the reporting period to which it relates.

6.2. Final report

The Beneficiary is obliged to submit the final report on the course of Project implementation, covering the whole period of Project implementation indicated in the Agreement. In particularly justified cases, at the request of the Beneficiary, it is possible to submit the final report earlier provided that the Project is completed earlier.

The final report consists of:

- 1) the content-related part, including a description of the completed work envisaged in the application;
- 2) the financial part, including the statement of incurred expenses and financial progress of the Project.

A specimen of the final report is attached to the Agreement.

The final report is submitted within 30 days from the end of the Project implementation period.

The final report will not be accompanied by source documents evidencing the expenses incurred. At the request of NAWA, the Beneficiary is obliged to provide the required documents.

The final report will be approved by NAWA if, at the end of Project implementation, the number of students declared by the Applicant in the application complete the joint study programme (the result indicator shown in the application).

The failure to approve the final report results in a failure to make the final payment, i.e. the balancing payment of up to 10% of the total funding. Furthermore, in the event of failure to comply with this condition, the NAWA Director may decide to demand repayment in part or in whole of the funding granted.

The suspension of payment of the balancing payment is independent of the provisions on suspension of funding contained in the Agreement.

6.3. Verification of Beneficiary's reports

All communication concerning the Beneficiary's reports will be made via the Agency's ICT System or by email.

NAWA will, within 30 working days from the submission of the report, verify and approve it or make written comments, to which the Beneficiary must respond by way of written explanations or correction of the report within the deadline indicated by NAWA.

If explanations or corrections to subsequent versions of the submitted report are necessary, the comment procedure may be repeated three times.

In the absence of a response from the Beneficiary within the time limit set by NAWA, or in the event that, despite the comments reported by NAWA three times, the Beneficiary's report does not meet the requirements of NAWA and cannot be approved, NAWA may decide to consider the Agreement as not having been performed in full or in part and to demand repayment of the funds in full or in part, respectively.

During the verification of the Beneficiary's report, NAWA may request that additional documents related to Project implementation be submitted for in-depth control, in particular those related to the conducted proceedings for the purchase of goods and services, or financial documents.

7. CONTROL OF THE PROJECTS

Each of the Beneficiaries of the NAWA programmes may be subject to controls and audits. Controls and audits are aimed at verifying whether the management of the funding received by the Beneficiary is correct and compliant with the provisions of the Agreement and at determining the final amount of the allocated funds to which the Beneficiary is entitled and, in the event of irregularities, the right to demand the return of the funds incorrectly spent (also by means of a statement of deduction if this is permitted under the relevant provisions).

Furthermore, NAWA may carry out an interim or final evaluation of the impact of the Project in order to determine to what extent the implementation of specific activities has contributed to the achievement of the Project's objective.

The control of the final report will be carried out for all Projects. Partial reports may also be subject to control.

Additionally, each of the Projects may be subject to a further document control "from behind the desk" or in the form of an on-site inspection – at the Beneficiary's seat if the Agreement was included in the statistical sample used for the control required by NAWA or if NAWA selected it for a target document control in connection with its risk assessment policy.

For the purpose of controlling the final or partial report, for the purpose of controlling documents "from behind the desk", the Beneficiary must provide NAWA with copies of the documents proving the

spending of the allocated funds (for categories settled on the basis of actual costs) unless NAWA requests the provision of original documents. After the analysis of the documents, NAWA will return the original documents to the Beneficiary. If the Beneficiary is not entitled to send original documents in accordance with the provisions of law, they may send copies of proving documents.

The Beneficiary must bear in mind that, during each control, NAWA may additionally request the provision of proving documents or evidence stipulated for another type of control.

Individual controls will include the following elements:

1) Control of the report

The control of the report (content-based and financial control) takes place after its submission with the Agency through the Agency's ICT system. The control of the final report is additionally aimed at determining the final amount of funding to which the Beneficiary will be entitled.

2) Control of documents "from behind the desk"

The control of documents "from behind the desk" is an in-depth control of additional proving documents, carried out at NAWA's seat. At the request of NAWA, the Beneficiary must provide additional proving documents relating to the budget categories concerned.

3) Controls at the Beneficiary's seat

NAWA carries out such controls at the Beneficiary's seat or in any other place related to Project implementation. During the control, the Beneficiary must make available to NAWA for verification the original proving documents provided for the purposes of the final or partial reports control and "from behind the desk" control.

There are two types of control at the Project implementation site:

- 1) Control at the Beneficiary's seat during Project implementation

Such a control is carried out during the implementation of the Project so that NAWA can directly verify the feasibility and eligibility of all activities and Participants of the Project.

- 2) Control at the Beneficiary's seat after Project completion

Such a control is carried out after the completion of the Project and usually after the control of the final report.

Apart from presenting all proving documents, the Beneficiary must provide NAWA with access to the Project's cost register contained in the Beneficiary's accounts.

NAWA also reserves the right to carry out a special control in any of the above mentioned manners. Special control means carrying out an ad-hoc control in case of serious reservations concerning the carrying out of the Project or in case of becoming aware of irregularities occurring during Project implementation.

The Beneficiary may be subject to controls and audits by administrative authorities.

As a result of a control or audit, the Beneficiary may be requested to carry out specific actions aimed at restoring the state ensuring proper implementation of the Project within the time limit specified by NAWA.

NAWA supervises the proper implementation of the Agreement. The supervision covers in particular:

- 1) supervision on an ad-hoc basis, in particular the right of NAWA to request explanations, information and all documentation related to the Project from the Beneficiary within the time limit specified by NAWA;
- 2) evaluation of reports;
- 3) the right of the NAWA Director to suspend the funding of the Project;
- 4) the right of the NAWA Director to terminate the Agreement.

8. SUSPENSION OF THE FUNDING AND TERMINATION OF THE AGREEMENT

8.1. Suspension of the Funding

The NAWA may suspend the funding of the Project (until doubts in this respect are clarified) in case of irregularities in its implementation, failure to submit a partial or final report, spending of the funds against the Agreement, failure to provide documents and explanations requested by NAWA or failure to submit to control activities within the time limit specified by NAWA.

If the explanations are considered or if the breaches of the Agreement identified by NAWA are stopped, the NAWA resumes the funding of the Project and informs the Beneficiary about it via the Agency's ICT system.

8.2. Termination of the Agreement and Return of the Funds

The Agreement may be terminated by NAWA with immediate effect in the event of the following situations:

- 1) a gross breach of the provisions of the Agreement;
- 2) failure to submit the report(s) within the specified time limit;
- 3) failure to remedy the irregularities identified by the control within the specified time limit;
- 4) Beneficiary's delay in Project implementation;
- 5) inclusion by the Beneficiary of false information or false statement in the application or reports within 30 days from the date of the abovementioned circumstances.

In the event of termination of the Agreement as a result of NAWA's notice of termination with immediate effect, the Beneficiary is obliged to return all or part of the funds received together with interest.

9. EVALUATION

The Beneficiary is obliged to participate in the evaluation of the Programme conducted by NAWA. Participation in the evaluation includes:

- 1) completion of the evaluation questionnaire made available online by NAWA within 30 days from the date of the completion of the Project; the list of questions included in the questionnaire constitutes an appendix to the Agreement;
- 2) participation of the Beneficiary as well as the Project Participants in separate evaluation studies carried out at the request of or with the consent of NAWA.

NAWA guarantees full confidentiality of opinions and information provided in the course of the Programme evaluation and guarantees that the data obtained from the Beneficiary in the course of the evaluation will not affect the conditions of payment of the allocated funds.

10. INFORMATION AND PROMOTION

The Beneficiary is obliged to mark all prepared materials and documents related to the implementation of the Project, which are made publicly available or intended for the target group with the sign of the European Funds with the Programme's name, the sign of the European Union with the name of the European Social Fund and NAWA's logotype. A set of logotypes will be available for download from the website www.nawa.gov.pl

All information and promotion activities of the Beneficiary and any document that is made publicly available or used by the Project Participants, including any certificates of participation or other certificates should contain information about receiving funding from the European Union, including the European Social Fund. In audio products, the information concerning the funding by NAWA must be read out during the recording.

At NAWA's request, the Beneficiary will be obliged to enter into a separate agreement on the transfer of author's economic rights, including the exclusive right to grant permits for exercising a derivative copyright to all works created under the Project. Detailed rules are set out in the Agreement.

11. PERSONAL DATA PROTECTION

Personal data of Project Participants, External Experts, representatives of Beneficiaries and Applicants or Partner(s) including project staff, participants of meetings are processed in the following files:

- 1) “The Operational Programme Knowledge Education Development” and “the Central ICT system supporting the implementation of operational programmes”; the data files controller is the minister in charge of regional development acting as the Managing Authority for the Operational Programme Knowledge Education Development 2014-2020.
- 2) The Polish National Agency for Academic Exchange, the data files controller is the Polish National Agency for Academic Exchange, represented by its Director.

The personal data are processed in the files referred to in point 1. for the purpose of the implementation of the project entitled “*Supporting the institutional capacity of Polish HEIs through the creation and implementation of international study programmes*”, in particular in order to confirm the eligibility of expenses, provision of support, monitoring, evaluation, control, audit and reporting, as well as information and promotional activities under PO WER.

Personal data is processed in the file referred to in point 2 for the purpose of carrying out the recruitment procedure and evaluation of applications in the Programme, selecting applications that will receive funding, implementing the agreements entered into for the implementation of the Project, cooperation between NAWA and Project Participants after the completion of the implementation of the Project, including cooperation for the purpose of evaluation, control, monitoring of the Programme, cooperation between NAWA and Project Participants after the completion of the implementation of the Project to inform about the programmes and activities of NAWA. Personal data are collected in the Agency’s ICT System referred to in Article 14(1) of the Act of 7 July 2017 on the Polish National Agency for Academic Exchange (consolidated text Journal of Laws of 2019, item 1582).

The Beneficiary will be obliged to submit, together with each report, information on all Project Participants, in accordance with the scope defined in the appendix to the Agreement and under the conditions specified in the Monitoring Guidelines and statements of Project Participants and other persons involved in the implementation of the Project on becoming aware of the fact concerning

personal data processing in connection with joining the project co-funded from POWER funds / taking part in the NAWA programme.

Personal data of the abovementioned persons may be transferred to employees of NAWA, persons preparing recommendations, External Experts cooperating with NAWA or representatives of Applicants/Beneficiaries in connection with the implementation of the purposes of processing in the files referred to in points 1 and 2.

The legal basis for the data transfer is as follows:

- 1) in the case of the files: “Operational Programme Knowledge Education Development” and “Central ICT system supporting the implementation of operational programmes” – Article 6(1)(b) and (e) of the General Data Protection Regulation (GDPR).
- 2) in the case of the file: the Polish National Agency for Academic Exchange NAWA – Article 6(1)(b), (c) and (e) of the GDPR.

The provision of data is voluntary, but necessary for participation in the implementation of the NAWA Project or Programme. Refusal to provide data means that the particular individual cannot participate in the implementation of the NAWA Project or Programme.

Personal data of the above mentioned individuals, involved in the implementation of the Project, will be used at the stage of application consideration, and for the period necessary for archival purposes, indicated in the office instruction.

Personal data of individuals whose applications have not been successfully considered will be kept for the duration of the consideration of applications or until they are deleted from the Agency’s ICT system through which the applications were sent by the applicants.

Data will not be used for decisions based solely on automated processing of personal data, including profiling as defined in Article 22 of the GDPR.

Any data subject has the right to submit an application to NAWA or the minister in charge of regional development on the following matter:

- 1) to request access to their personal data;
- 2) to rectify, erase or restrict the use of their personal data;
- 3) to object to the use of their personal data;

- on the terms and conditions stipulated in the GDPR.

Moreover, each individual has the right to lodge a complaint with the supervisory authority (President of the Personal Data Protection Office, ul. Stawki 2, 00-193 Warszawa).

Contact details of the data protection officer in the POWER Managing Authority, iod@miir.gov.pl

Contact information of the NAWA's data protection inspector: Adam Klimowski, odo@nawa.gov.pl

12. EXAMINATION OF THE FINANCIAL CAPACITY OF THE APPLICANT

NAWA reserves the right to carry out an examination of the financial capacity of the Applicant. Financial capacity means that the Applicant has stable and sufficient sources of funding to maintain their activity during the Project implementation period or in the year for which the funding has been granted and to participate in the funding of the Project. The result of the examination determines the signing of the Agreement.

The verification of financial capacity applies to non-public bodies which, during the financial year in question, request more than EUR 100,000 of funding from the Polish National Agency for Academic Exchange.

On the basis of a decision of the NAWA Director, the Agency may waive the examination of the financial capacity of the Applicant.

In the case of applications for funding below EUR 100,000, Applicants must provide a statement that they have the financial capacity to implement a given Project. The statement in question forms a part of the Application form.

An Applicant applying for funding above EUR 100,000 is required to submit, at the request of the Polish National Agency for Academic Exchange, a full version of the financial statement of their activity,

including in particular the balance sheet and the profit and loss account of the Applicant for the period covering the last financial year for which the accounts have been closed.

Entities that are not able to provide the documents listed above because they are newly established entities may provide a financial statement or a statement on holding an insurance policy stating the risk taken by the Applicant in the course of their business instead of the documents listed above.

If, after the examination of these documents, NAWA considers that the financial capacity has not been confirmed or is insufficient, it may carry out the following actions:

- 1) ask for the provision of further information;
- 2) propose entering into the Agreement or issue a decision concerning granting of the funding with advance payments covered by the financial security;
- 3) propose entering into the Agreement or issue a decision concerning granting of the funding without advance payments or with limited advance payments;
- 4) propose entering into the Agreement or issue a decision concerning granting of the funding with advance payments paid in several instalments;
- 5) reject the application.

13. AMENDMENTS TO PROGRAMME REGULATIONS

NAWA reserves the right to introduce amendments to these Regulations, excluding amendments resulting in unequal treatment of Applicants unless the necessity to introduce such amendments results from the provisions of generally applicable law. The introduced amendments are effective from the moment of their publication, made in a manner analogous to the announcement of the recruitment. Applications submitted prior to the publication of amendments to the Regulations require to be re-submitted by the Applicant if their provisions are inconsistent with the introduced amendments. NAWA will notify all Applicants who have submitted applications before the publication of amendments to the Regulations by sending information via the Agency's ICT System. At the same time, NAWA reserves the right to introduce corrective changes to the Regulations, which are of an orderly, precise nature, as well as to correct obvious mistakes, without separate information about the introduced changes, subject to the publication of the modified content of the Regulations, which is also the moment from which they become effective.

NAWA reserves the right to cancel the recruitment, in particular in the event of significant changes in the provisions of law affecting the conditions of the recruitment, force majeure events or in other justified cases.

All information necessary for the proper conduct of the recruitment process is published by NAWA on the website www.nawa.gov.pl

It is recommended that those interested in applying for funds under this recruitment should read the information provided on the abovementioned website on an on-going basis, where all relevant information is published.

14. CONTACT WITH NAWA

The contact person for Programme matters is:

Bożena Kurek

bozena.kurek@nawa.gov.pl

tel. + 48 22 390 35 63

Appendices:

- 1) Appendix no. 1 – Specimen of Power of Attorney
- 2) Appendix no. 2 – Specimen of Letter of Intent
- 3) Appendix no. 3 – Specimen of Agreement the implementation of the Project