

RESEARCH COUNCIL OF LITHUANIA

RESOLUTION

ON THE APPROVAL OF THE GENERAL RULES FOR THE COMPETITIVE FUNDING OF RESEARCH AND DISSEMINATION PROJECTS OF THE RESEARCH COUNCIL OF LITHUANIA

27 October 2014, No. VIII-26

Vilnius

The Research Council of Lithuania (hereinafter – the Council), acting in accordance with the Regulations of the Research Council approved by Item 2 of par. 5 of Resolution No. I-625 of 22 December 2009 of the Seimas of the Republic of Lithuania, has resolved:

1. to approve the General rules for the competitive funding of research and dissemination projects of the Research Council of Lithuania (hereinafter – the Rules) (attached).

2. to establish that:

2.1. the present General rules shall apply to projects of national research programmes, international programmes and of other field of activities supported by the Council, provided that is indicated in the call for proposals, and funded from the State budget the calls for the implementation whereof are published after the effective date of the present Rules;

2.2. the legal acts of the Council establishing the procedure for the funding and administration of national research programmes, researcher groups and international programmes funded from the State budget (hereinafter – the Descriptions) adopted prior to the effective date of the present Rules shall be valid until the full implementation of the contracts concluded in accordance with the Descriptions concerned and the related projects, and the discharge of the related contractual obligations;

3. to declare void Resolution No. VIII-3 of 25 July 2013 of the Council Regarding the amendment of Resolution No. VII-136 of 4 March 2013 of the Research Council of Lithuania Regarding the approval of the descriptions of the procedure for the implementation of bilateral (tripartite) cooperation in the area of research.

CHAIRMAN of the Council

Dainius H. Pauža

GENERAL RULES FOR THE COMPETITIVE FUNDING OF RESEARCH AND DISSEMINATION PROJECTS OF THE RESEARCH COUNCIL OF LITHUANIA

CHAPTER I GENERAL PROVISIONS

1. The General rules for the competitive funding of research and dissemination projects of the Research Council of Lithuania (hereinafter – the Rules) establish the procedure for the allocation of the State budget funds managed by the Research Council of Lithuania (hereinafter – the Council) for funding of research and dissemination projects (hereinafter – the projects), and the procedure for the management of such projects. With respect to the projects implemented according to the fields of activities supported by the Council the provisions of the Rules shall apply to the extent they do not contradict the provisions regarding programmes, international programmes or agreements and calls for proposals approved by the Government of the Republic of Lithuania or the Minister of Education and Science.

2. Concepts used for the purpose of the present Rules:

2.1. bilateral commission – a commission of a bilateral cooperation programme responsible for the coordination of the programme and passing decisions concerning its implementation. Representatives of a bilateral commission are approved by the Minister of Education and Science of the Republic of Lithuania;

2.2. bilateral (tripartite) committee – a committee of a bilateral (tripartite) cooperation programme responsible for the coordination of the programme, passing decisions for the implementation of the programme and managing the common resources. Representatives of a bilateral (tripartite) committee are approved by the Minister of Education and Science of the Republic of Lithuania;

2.3. research project – the entirety of research, dissemination of research results and other related activities and organisational actions performed within a predefined period of time by a project group (or a single researcher) to address specific research tasks; in the case of international programmes, a research project is part of an international project implemented by project implementers from Lithuania;

2.4. national research programme (hereinafter – NRP) – a programme approved by the Minister of Education and Science of the Republic of Lithuania encompassing the entirety of research, methods and measures required for the same, and facilitating addressing issues strategically important for the society and the State and enhancing the competitiveness of Lithuanian science;

2.5. non-principal project implementer – a person performing the work intended for the attainment of the project objectives and thus contributing to the implementation of the project;

2.6. principal project implementer – a person performing the main assignments according to the project, ordinarily performed throughout the project implementation period and whose scientific expertise is relevant when evaluating the proposal; the project leader is also considered to be a principal project implementer;

2.7. proposal – a document submitted by a project leader and other principal project implementer (together with the implementing institution) to the Council or another institution

managing a call of an international programme with a view to obtaining financing for the implementation of the project;

2.8. project partner – a public or private legal person that in cooperation with the implementing institution facilitates the project implementers in implementing the project;

2.9. project leader – a scientist who in cooperation with the other project implementer is implementing a project, or managing its implementation, or a scientist who implements the project alone;

2.10. project implementer – the principal project implementer and/or a non-principal project implementer as they are referred to in Items 2.5 and 2.6 of the present Rules;

2.11. dissemination project – the entirety of activities and organisational actions performed by a group of project implementers (or a single researcher) within a predefined period of time designed for publication of results of previously performed research intended for addressing the tasks defined in the project;

2.12. international programme – an initiative for the coordination of national research programmes (e.g. ERA-NET, or others), or a programme implemented according to an international contract (agreement) regarding bilateral cooperation in the area of research and development with the participation of the Council;

2.13. international partner – a public or private legal person implementing an international project from a foreign State participating in the international programme;

2.14. international project – a research project selected according to the rules of an international programme implemented by project implementers in cooperation with the implementing institution and international partners;

2.15. implementing institution – a Lithuanian research and education institution included into the Register of Education and Research institutions facilitating the implementation of projects by project implementers, managing, in the procedure stipulated by laws, the State budget funds allocated to the project, and representing project partners (if any). Provided this is indicated in the call for proposals an implementing institution may also be an academy of sciences referred to in the Law on Higher Education and Research of the Republic of Lithuania, or a national, State significance or a county public library, a State archive, a national or a republican museum, a state health care institution;

2.16. project team – a group of scientists and other researchers, also of practitioners approved by the Council managing and coordinating an NRP or the National Lithuanian studies development programme for 2009-2015 (hereinafter – the Lithuanistics programme) and is responsible for the implementation of the objectives of the programme.

2.17. Other concepts for the purpose of the present Rules shall have the meaning defined in the Law on Higher Education and Research of the Republic of Lithuania.

CHAPTER II GENERAL REQUIREMENTS FOR PROJECT IMPLEMENTERS AND PROJECT EXPENSES

SECTION ONE REQUIREMENTS FOR PROJECT IMPLEMENTERS

3. A proposal may be submitted by project implementer(s) in cooperation with the implementing institution (and, if necessary for the implementation of the project – with project partner(s) and an international partner(s)).

4. A person may submit only one proposal under the same call (as a project leader or another principal project implementer), unless the call for proposal indicates differently.

5. While submitting a proposal the person shall take into account the requirement that from the beginning of the implementation of the project until the end of its implementation the person may be the principal implementer of not more than three projects funded by the Council, and the project leader for only one such project. The requirement applies to the following areas of activities supported by the Council:

- 5.1. NRP;
- 5.2. research projects under the Lithuanistics programme;
- 5.3. researcher teams' projects
- 5.4. the implementation measure "Support to research activities by scientists and other researchers" (Global Grant) of the Human resources development action programme for 2007-2013 funded by the European Union structural funds;
- 5.5. Lithuanian-Swiss Cooperation Programme (hereinafter – LSCP) "Research and development";

6. In cooperation with the implementing institution or a project partner(s) the project implementer(s) shall conclude a project implementation employment contract(s), or a contract(s) equivalent in its essence in compliance with the following requirements:

- 6.1. the implementing institution shall ensure that the project implementers are employed only in the positions whose minimum qualification requirements, as approved by Resolution No. VII-71 of 16 May 2011 of the Council, they meet;
- 6.2. the work scope of each principal project implementer within the project may not be less than 20 hours multiplied by the duration of the project in months;
- 6.3. the remuneration set for the project implementers shall not exceed the maximum position hourly rate approved by the Chairman of the Council.
- 6.4. The provisions of the present Item shall apply in the cases when the remuneration, social insurance contributions and other payments are considered to be eligible expenses, and provided the call for proposals does not provide differently.

SECTION TWO REQUIREMENTS FOR PROJECT IMPLEMENTERS

7. Project expenses:

7.1. direct expenses – the expenses required to complete the tasks of a specific project;

7.2. indirect expenses – the expenses that are not directly related to the tasks of the project, but necessary for creating conditions for completing such tasks.

8. Possible types of direct expenses (unless the documents of international programmes or the call for proposals indicate differently):

- 8.1. remuneration of the project implementer;
- 8.2. social insurance contributions and other payments of the project implementer;
- 8.3. expenses for services (except for copyright works);
- 8.4. expenses for copyright works;
- 8.5. expenses for goods;
- 8.6. business travel expenses;
- 8.7. expenses for the acquisition of non-current tangible, or intangible assets.

9. Possible groups of indirect expenses:

9.1. remuneration, social insurance contributions and other payments of the persons managing the project (except the project leader);

- 9.2. communication services;
- 9.3. utility services;
- 9.4. other goods and services.

10. The indirect costs of a project may not exceed 30 % of the direct costs of the project as provided for in Items 8.1-8.4 of the Rules, unless the documents of an international programme or the call for proposals indicate differently. In exceptional cases, additional indirect costs may be provided for the operation of scientific equipment.

11. The costs incurred for the purpose of the implementation of the project shall be recognised to be eligible, where they are :

11.1. actual and supported by financial, documents justifying the expenses and their payment or documents of equivalent probative value;

11.2. incurred by the implementing institution or a project partner(s);

11.3. incurred within the project implementation period set forth in the project financing contract;

11.4. intended for the implementation of the objectives and the attainment of intended results, are necessary and comply with the principles of economy and efficiency;

11.5. accounted for by the implementing institution or a project partner(s) in accordance with the relevant accounting principles and internal regulations;

11.6. incurred in accordance with the provisions of the Law on Public Procurement of the Republic of Lithuania;

11.7. correspond to the types of direct costs indicated in Item 8 of the Rules, or the groups of indirect costs indicated in Item 9 of the Rules, as well as other requirements of the project financing contract;

11.8. input value added tax (hereinafter – the VAT) related to the goods or services purchased on the funds allocated for the implementation of the project. The VAT paid from the funds of the project may not included in the VAT deduction and the VAT return.

12. Ineligible project implementation costs:

12.1. loss due to the fluctuation of foreign exchange rate and the foreign exchange commissions;

12.2. debt interest, land or immovable property procurement costs;

12.3. fines, late interest, litigation costs;

12.4. contributions in kind

12.5. expenses for studies;

12.6. funds paid to project implementers according to service and/or copyright agreements;

12.7. expenses according to service and/or copyright agreements where such agreements were concluded for performing the principal project implementation assignments;

12.8. expenses related to the acquisition of non-current tangible and intangible assets incurred by the implementing institution or a project partner(s) which is not a public institution of Lithuania;

12.9. declared, incurred or compensated expenses related to the other projects implemented at the implementing and/or partner's institution.

CHAPTER III PROPOSAL COMPETITION

SECTION ONE PUBLICATION OF CALLS FOR PROPOSALS AND THE SUBMISSION OF PROPOSALS

13. Proposals are submitted according to calls to submit proposals published by the Council or an appropriate institution managing the call according to an international programme.

14. The Council shall publish calls to submit proposals or the information about a published call under an international programme in the internet website of the Council at: www.lmt.lt (hereinafter – internet website).

15. A call for proposals published by the Council shall specify the general provisions concerning the submission of proposals, special requirements for a specific competition and other information.

16. Proposals shall be submitted in the Lithuanian language in the electronic system of the Council, unless the documents of an international programme or the call for proposals indicate differently.

17. As an integral part of the proposal attached thereto shall be the additional mandatory documents – a consent by the principal project implementers and the letter of the implementing institution, as well as attachments, unless the documents of an international programme or the call for proposals indicate differently. The forms of the proposal and of the additional documents are approved by an Order of the Chairman of the Council.

18. Where a call for proposals is published by an institution managing the call under an international programme, the proposals shall be drawn up and submitted according to the rules of the international programme and the requirements specified in the call. When publishing the information about a call for proposals of an international programme, the Council has a right to impose additional requirements for project implementers.

19. No proposals shall be accepted upon the expiry of the time limit for submitting proposals.

SECTION TWO EVALUATION AND SELECTION OF PROPOSALS

20. Upon the expiry of the time limit for submitting proposals, the proposals are subjected to eligibility check and an expert evaluation.

21. The eligibility check of the proposals shall be performed by the Research Foundation of the Council (hereinafter – the Research Foundation), unless the documents of an international programme or the call for proposals indicate differently. The eligibility check includes verifying whether or not the proposals submitted for the competition comply with the requirements of the Rules and/or the requirements specified in the international programme and the call for proposals. Where a proposal is determined to contain immaterial inconsistencies, the project leader is allowed to eliminate the inconsistencies within two working days from the dispatch of the relevant notice at the electronic mail address of the project leader indicated in the proposal. Immaterial irregularities include:

21.1. failure to submit or erroneous data submitted in the consent of the principal project implementers and the letter of the implementing institution;

21.2. failure to submit or erroneously submitted annexes to the proposal, such as curriculum vitae of the principal project implementers, list of research references, a consent of the project partner to jointly implement the project.

22. Where any missing data or information is established in the course of an eligibility check of a proposal submitted to an institution administering a call under an international programme, the Research Foundation shall have a right to request the project leader to explain, supplement or specify the information submitted in the proposal, and set a time limit for submitting such explanations or specifications. Where the project leader fails to submit the requested information within the set time limit, or submits incomplete information, the eligibility check of the proposal shall be performed on the basis of the submitted information.

23. The assignment of the project to a proposal group (a task, measure, etc.), the substantiation of such assignment, description of activities, or the cost estimate may not be amended.

24. The results of the eligibility check shall be recorded in the eligibility check statement of the form approved by the Chairman of the Council.

25. The results of the eligibility check (the lists of the proposals submitted for the competition, and of the proposals compliant with the requirements of the eligibility check indicating the proposal registration No., the implementing institution, and the funds requested for the project) shall be published in the website.

26. The Council shall submit the results of the eligibility check of the proposals submitted to the institution managing the call under an international programme to the relevant institution managing the call under the international programme.

27. Only the proposals that comply with the requirements of the eligibility check shall be submitted for the expert evaluation.

28. The expert evaluation of the proposals submitted to the Council shall be performed by the expert groups which shall be set up and organise their activities in accordance with the description of the procedure for the expert evaluation approved by the Council, and/or the provisions of the relevant international programme. The Description of the procedure for expert evaluation shall apply to the extent it does not contradict the provisions of the relevant international programme.

29. Upon the end of the expert evaluation of the proposals submitted to the Council the Committee of Humanities and Social Sciences or the Committee of Natural and Technical Sciences (hereinafter – the Committee), on the basis of the lists of the projects eligible for funding and having regard to the funds available, shall draw up (approve) a proposal to the Chairman of the Council or the bilateral (tripartite) committee or the bilateral commission regarding the projects eligible for funding specifying the funds allocated for each six months' period of the project implementation. The Committee shall draw up (approve) a proposal regarding the projects potentially eligible for funding (reserve projects), in which the reserve projects are ranked in priority order.

30. The expert evaluation of the proposals submitted to the institution managing a call under the international programme is organised by the institution managing the call under the international programme in accordance with the evaluation criteria and the procedure established by the relevant international programme. The Council may carry out the evaluation of the eligibility of the budget of the proposals submitted to the institution managing the call under the international project during the eligibility check or after the expert evaluation is completed.

31. Having regard to the proposal drawn up (approved) by the Committee or according to the rules of the international programme the Chairman of the Council approves the list of the projects eligible for funding, and, if necessary, the list of reserve projects. In exceptional cases before approving the list of the projects the Chairman of the Council may return the list to the Committee requiring the Committee to revise the amounts proposed to be allocated to individual projects.

32. The projects included into the reserve list may be funded whenever it becomes possible. The Committee may submit to the Chairman of the Council a proposal to fund a project from the list of reserve projects indicating the funding allocated annually to each project.

33. The list of reserve projects shall be valid until the next call for proposals, but not longer than until the end of the calendar year in which the funding of the projects starts. Implementers of the projects included into the list of reserve projects may participate in other competitions published by the Council.

34. The lists of the projects eligible for funding (indicating the proposal registration No., the project leader, the implementing institution, the project name, funds allocated for the project (for each year) and the list of reserve projects (indicating the proposal registration No., the implementing institution, and the funds requested for the implementation of the project) shall be published on the internet website.

CHAPTER IV IMPLEMENTATION OF PROJECTS

SECTION ONE SIGNATURE OF THE CONTRACT

35. After the Chairman of the Council approves the list of the projects eligible for funding, a tripartite project funding contract in the form approved by the Chairman of the Council shall be signed with respect of each contract included into the list. The parties to the contract are the Council, the implementing institution and the project leader. The Annexes to the Contract are the proposal and the estimate of the project costs of the current year.

36. Before the conclusion of the contract the proposal may be adjusted having regard to the suggestions made in the course of the expert evaluation and the selection process. The project leader and the implementing institution may agree with the Council the proposed changes in the estimate of the project costs, and the related changes in the intended activities of the project; the total amount allocated for the implementation of the project may not be increased. In the event the Council refuses to approve the changes concerned, or where the project leader fails to amend the proposal according to the suggestions of the Council (if any), the contract may be not signed.

37. At the time of the signing the contract, or from the beginning of the implementation of the contract indicated in the contract (where different from the contract signature date), the principal implementers of the project shall comply with the requirements specified in Item 5 of the Rules. Where the principal project implementers do not comply with the requirements of the Item, the contract shall not be signed.

38. The contract shall be signed within 10 working day from the date of the dispatch of the draft contract. The project leader and the implementing institution may once request the term for the signing of the contract to be postponed. Where within the specified term the contract is not signed, and no request has been filed to postpone the term of the contract signing, the other parties shall be considered to have refused to sign the contract.

SECTION TWO SCIENTIFIC SUPERVISION OF THE IMPLEMENTATION

39. The project leader and the implementing institution shall submit to the Council a scientific (annual report(s), or an interim and the final report), or a dissemination (the final) report. The type of the report to be submitted shall be indicated in the proposal and/or the contract.

40. The annual report shall be submitted upon the end of the first year of the implementation of the project (or of the second year, where the project is implemented for longer than 24 months). The interim report shall be submitted at mid-term of the implementation of the project. Where a project is implemented for a period shorter than 18 months, no interim scientific report shall be submitted. The final scientific (dissemination) report shall be submitted upon the completion of the project.

41. The scientific (dissemination) report shall be submitted within the terms and in the manner specified in the contract by filling in a report form approved by the Chairman of the Council. A letter of the implementing institution in the form approved by the Chairman of the Council shall be filed in connection to the scientific report.

42. Scientific (dissemination) reports shall be evaluated by an expert group or by an individual expert. The work of an expert group or an individual expert shall be organised according to the Description of the procedure of expert evaluation approved by the Council, which shall be applied to the extent the Description does not contradict the provisions of the relevant international programme.

43. Upon the completion of the expert evaluation of the reports the Committee passes a decision regarding the scientific (dissemination) reports having regard to the conclusions of the expert group or the individual expert(s).

44. If so provided, upon the completion of the expert evaluation of an international programme, having regard to the conclusions of the expert group or the individual expert(s) the Committee shall draw up a proposal to the bilateral (tripartite) committee or the bilateral commission regarding the approval of the reports.

45. Where necessary, the Committee (NRP, or, with respect to reports of projects – the implementation group) may invite the project leader to present the scientific (dissemination) report or explain it.

46. Having regard to the evaluation of the annual or the interim scientific report the Council may reduce the funds allocated to the implementation of the project, or refuse to allocate (terminate) the funding for the next project implementation period.

47. Summaries of the principal results of the projects contained in the annual, interim and the final scientific (dissemination) reports are published in the internet website.

SECTION THREE

FINANCIAL SUPERVISION OF THE IMPLEMENTATION OF PROJECTS

48. The funds allocated for the implementation of a project shall be used according to the project cost estimate specifying the direct costs according to the cost types and the indirect costs (if any).

49. The implementing institution and the project leader shall submit to the Council the (quarterly and annual) financial reports of the project.

50. Financial reports, such as the quarterly and the annual funds utilisation reports shall be submitted according to the forms approved by the Chairman of the Council within the terms indicated in the contract.

51. The financial reports of the project shall be evaluated by the Research Foundation. The Council may request additional information related to the data provided in the reports, or request the data to be specified, submit explanations regarding the use of the funds, or regarding any changes made in the cost estimate, or refuse to recognise the costs as eligible.

52. Each quarter the funds for the implementation of the project shall be transferred only provided the funds utilisation report for the previous quarter has been evaluated positively. Having regard to the evaluation of the quarterly or the annual funds utilisation report the Council has a right to reduce the funding allocated for the implementation of the project.

53. The implementing institution shall use the indirect costs of all the research and dissemination projects funded by the Council in compliance with the ratios of indirect costs between the different cost groups as established by the Chairman of the Council. In case this requirements is not complied with, the Council shall have a right to terminate all the contracts concluded with the implementing institution.

SECTION FOUR AMENDMENT OF THE CONTRACT

54. Within the duration of the implementation of the contract the parties thereto may initiate motivated amendments to the contract (Annexes thereto), related to the project cost estimate, project implementers, project activities, etc.

55. Amendments to the contract may be material and immaterial. The provisions of the Council in relation to the amendments are specified in the contract.

56. It shall be prohibited to:

56.1. change the amounts of the previous quarters provided for in the project cost estimate;

56.2. having approved the cost estimate for the current year increase the expenses for remuneration, social insurance contributions and other payments;

56.3. having approved the cost estimate for the current year increase the expenses for the non-current tangible assets, intangible assets, in case the non-current tangible or intangible assets intended to be acquired according to the proposal have increased in price in the market and is acquired in the first, second or third quarter;

56.4. increase the indirect costs.

57. The decision regarding the permission to implement any material changes related to the time limits for the submission of the scientific (dissemination) reports of the parties to the contract or the principal project implementers, the nature of the scientific and/or other production, or the level of its preparedness shall be passed by the Committee.

58. The decision to effect any material changes of the contract which are related to changes in the project cost estimates shall be passed by the Director of the Research Foundation. In case there are any issues whether the proposed amendments will have any adverse impact upon the implementation of the project, the issue shall be decided by the Chairman of the Committee who may also submit it for consideration to the Committee.

59. The project leader shall indicate all the changes that have been implemented in the course of the project implementation, the material and immaterial amendments to the contract in the annual report(s), or the interim and the final scientific (dissemination) report.

CHAPTER V RESTRICTIONS REGARDING NON-PERFORMANCE OF CONTRACTUAL OBLIGATIONS

60. Where the Supervisor of academic ethics and procedures determines that a person has violated the academic ethics, or the Council decides that a person who has been implementing (has implemented) a project funded (which has been funded) by the Council has violated the scientific ethics principles approved by the Council, the proposals in which the person is designated as the project leader or another principal project implementer shall not be considered according to all areas of activities supported by the Council for five years from the date of the relevant decision.

61. Where the Committee decides to terminate the implementation of the project or recognise the project as failed, the proposals for the projects according to all areas of activities supported by the Council in which the scientists who had been managing a terminated or a failed project is again indicated as the leader for the intended project, shall not be considered for three years from the adoption date of the Resolution.

CHAPTER VI FINAL PROVISIONS

62. The Council shall have a right to conduct on-the-spot checks of projects with a view to ascertaining the compliance with the relevant regulations of the Council, also whether the implementing institution and the project leader are performing the contractual obligations and using the funds reasonably, and whether the information related to the implementation of the project agrees with that provided to the Council. Such checks shall be organised and implemented according to the provisions of the Description of the procedure for conducting on-the-spot checks. Having in the course of the check established any material irregularities (shortcomings), the Council shall have a right to terminate the contract.

63. Within the time limits specified in the contract the Council shall examine the proposals of the implementing institution and the project leader regarding the course of the implementation of the project, its suspension or termination, also the appeals against the resolutions of the Council to terminate the implementation of the project or change the funding.

64. Acting in accordance with the provisions of the Law on Higher Education and Research of the Republic of Lithuania the implementing institution shall publish the results of the project-based research to the extent allowed by the legal acts governing the protection of intellectual property, commercial and State secrets.

65. The project leader and the implementing institution shall undertake in the manner and under the conditions established by the institution to ensure that the data obtained within the implementation of the project are properly retained and used, and an access thereto is ensured within three years of the end of the project.

66. The Council does not claim ownership of the property rights to the results of the intellectual activity carried out within the projects funded by the Council.
