

**LAW**  
**ON THE SCIENCE FUND OF THE REPUBLIC OF SERBIA**

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**I GENERAL PROVISIONS**

**Article 1**

This law regulates establishment and operations of the Science Fund (hereinafter: Fund), for the purpose of setting up conditions for continuous development of scientific research and development activities in the Republic of Serbia, necessary for the progress of knowledge-based society.

**Article 2**

Through its operations, the Fund enables the development of scientific research and application of the results thereof, in order to ensure faster social, technological, cultural and economic development of the Republic of Serbia.

The Fund shall provide funds and expert support to researchers from accredited scientific research institutions for the implementation of scientific projects (hereinafter: projects) within Fund's programs determined in accordance with this law (hereinafter: programs).

**Article 3**

Scientific research and development activities are performed through scientific, technological and development programs under which the projects are implemented, for the purpose of achieving objectives defined in the strategy of scientific and technological development of the Republic of Serbia.

Projects funding shall be implemented in a way that ensures competitiveness and quality of the results, efficiency in application of research, openness and availability of results of the programs and projects, as well as the development of scientific personnel, integration in international scientific and technological projects and systems, cooperation with scientific diaspora, economic sector and regulation of the property rights on research results, protection of intellectual property and copyright, as well as data protection.

Fund's programs under which the projects are implemented shall ensure high scientific level and innovativeness of the results, competitiveness on international level and relevance in regards to the challenges society is facing in general.

## II LEGAL STATUS OF THE FUND

### Article 4

The founder of the Fund is the Republic of Serbia.

The Fund shall have the capacity of a legal entity, which is obtained by registration in the Court registry.

The Fund shall operate under the name: “Фонд за науку Републике Србије”.

The name of the Fund in the international correspondence shall be ”Science Fund of the Republic of Serbia”.

The seat of the Fund shall be in Belgrade.

### Article 5

Funds for the establishment and operations of the Fund are provided from the budget of the Republic of Serbia.

The Fund shall begin operations starting from the day of registration in the Court registry.

## III BUSINESS ACTIVITIES OF THE FUND

### Article 6

The Fund shall carry out activities related to the funding of the preparation, execution and development of the programs, projects and other activities in the field of implementation of the scientific research policy.

The Fund shall perform following activities:

- 1) implement programs referred to in Article 20. of this law;
- 2) ensure financing of scientific research programs through public calls within the programs, for the purpose of providing continuity for the development of science and scientific personnel, as well as general progress of society. Public call shall regulate: right to participate, deadline for the proposal submission, requirements and duration of the project implementation, as well as other issues relevant for carrying out the public call;
- 3) conduct procedure for evaluating project proposals submitted within public invitations and public calls for the implementation of the Fund’s programs, as well as monitoring and evaluation of the projects relevant for carrying out the public call;
- 4) manage databases on the programs, projects and other activities in areas funded by the Fund;
- 5) provide financial and other support to the international cooperation projects;
- 6) determine and implement special programs for the improvement of working conditions for the scientific personnel and their development thereof;
- 7) implement infrastructure programs in order to additionally strengthen the capacity of the scientific and research institutions (SCI) in accordance with the strategy of scientific and technological development, smart specialization (SS) and roadmap of research infrastructure;

- 8) cooperate with the Innovation Fund and other business entities in specific programs related to the field of innovation and cooperation with the industry;
- 9) conduct activities of promoting science and research results for the purpose of raising general social awareness about the importance of science;
- 10) engage individuals both from the country and abroad, as the members of expert bodies in accordance with the law.

## IV FINANCING OF THE FUND

### Article 7

Financing of the Fund is provided from:

- 1) budgetary funds of the Republic of Serbia;
- 2) donations, contributions, benefactions and assistance;
- 3) funds incurred from implementing projects with the industry;
- 4) funds from other sources, trusts and other organizations;
- 5) revenues derived from managing cash flow of the Fund, except for the funds referred to in point 1) of this Article;
- 6) funds generated on the basis of implementing or applying results of the scientific and research activities financed by the Fund and in accordance the intellectual and other property rights determined by the respective agreement;
- 7) other sources in accordance with law.

Revenues can be used in accordance with the annual financial plan of the Fund which is adopted by the Management Board of the Fund.

Annual financial plan of the Fund shall be submitted for the consent to the ministry in charge of scientific and research activity, at latest 15 days from the day of adopting the budget law-of the Republic of Serbia.

Financial year starts on January 1<sup>st</sup> and ends on December 31<sup>st</sup> each year.

## V FINANCIAL MEANS OF THE FUND

### Article 8

Financial means of the Fund shall enable the financing of the implementation of the Fund's programs and shall be used for financing of the scientific and research activity.

In course of performing its activities, particularly when planning and using the financial means, the Fund shall apply principles of objectivity and responsibility, internationally recognized standards of good practice and transparency of operation and decision making.

### Article 9

The Fund can take participation in co-funding science and research programs, projects and other activities if organized and financed by the international organizations, financial institutions and entities in charge of scientific and research activity or other domestic legal and

natural persons, in accordance with the strategy regarding to scientific and technological development, upon the consent of the ministry in charge of scientific and research activity.

## VI BODIES OF THE FUND

### **Article 10**

The bodies of the Fund are: Supervisory Board, Management Board and Science Council of the Fund.

### **Article 11**

Supervisory board shall have the chairperson and two members appointed and dismissed by the Government, upon the proposal of the ministry in charge of scientific and research activity, for the period of four years, out of which two members have expertise in economics and finance. Supervisory board shall monitor material and financial operations of the Fund and shall submit the annual report to the minister in charge of scientific and research activity.

### **Article 12**

Management board shall have the chairperson and four members appointed and dismissed by the Government, upon the proposal of the ministry in charge of scientific and research activity. Members of the Management board must have international experience in activities covered by this law, as well as the experience in management jobs and 15 years of experience at least.

Management board members shall be appointed for the period of four years, with one re-election possible. Management board members are not allowed to apply or to participate on the projects and programs of the Fund during the period of their membership in the Fund's bodies, as well during one-year period upon termination of the respective membership.

### **Article 13.**

Management Board shall:

- 1) adopt the Fund's Charter;
- 2) adopt general acts of the Fund;
- 3) adopt the programs of the Fund upon the proposal of the Fund's Science Council;
- 4) adopt annual work programs of the Fund and financial plans of the Fund, upon the proposal of the director;
- 5) adopt report on performed activities and annual financial statement;
- 6) submit interim reports on the Fund's activities to the ministry in charge of scientific and research activity, as well as annual report on activities for the previous year not later than March 31<sup>st</sup> of the ongoing year;
- 7) decide on the usage of the Fund's financial means in accordance with the terms defined by the Charter and work program of the Fund;
- 8) adopt rules on its procedure;

9) perform other activities in accordance with the law.

#### **Article 14**

Director of the Fund shall be appointed and dismissed by the Government upon the proposal of the Fund's Management board, based on previously obtained consent of the minister in charge of scientific and research activity.

Director shall be appointed pursuant to the public invitation, for the period of four years.

A person appointed as the Director of the Fund must fulfill following requirements:

- 1) must be legally adult and have legal capacity;
- 2) must have doctoral academic studies (academic title doctor of science), at least ten years of experience in the expertise; knowledge of at least one world language and computer literacy;
- 3) must have at least seven years of working experience within business management, for which higher education is a minimum requirement;
- 4) is not a member of the political party's body;
- 5) is not sentenced to a six-months imprisonment at a minimum.

Other requirements that person must fulfill in order to be appointed as Director of the Fund can be envisaged by the Charter.

The Director of the Fund is a public official performing public function.

The Director is employed full time at the Fund.

#### **Article 15**

Director of the Fund shall:

- 1) represent and advocate for the Fund;
- 2) organize and manage operations of the Fund;
- 3) propose acts to be adopted by the Management Board;
- 4) propose to the Management Board annual work plan and financial statement of the Fund;
- 5) execute decisions of the Management Board of the Fund;
- 6) maintain legality of operations, usage and spending of the Fund's financial means and be responsible thereof;
- 7) adopt act on internal organization and systematization of jobs in the Fund, in accordance with the law and Fund's Charter;
- 8) submit to the ministry in charge quarterly progress and financial reports;
- 9) tend to ensure the independency of the evaluation process;
- 10) perform other activities determined by the law and Fund's Charter.

The Director is obliged to obtain consent of the ministry in charge of scientific and research activity to the act referred to in paragraph 1 point 7) of this Article.

### **VII SCIENCE COUNCIL OF THE FUND**

#### **Article 16**

The Science Council of the Fund is the highest expert and advisory body of the Fund.

The minister in charge of science and research activity shall appoint and dismiss the Science Council of the Fund, pursuant to the public call, for the period of four years, with one re-election possible.

The Science Council of the Fund shall have 15 members, as follows: two representatives from each of six scientific fields (sciences and mathematics, technology and engineering sciences, medical sciences, biotechnical sciences and social sciences and, two members from industry and one member upon the proposal of the Serbian Academy of Sciences and Arts, whereby gender equality is taken into account when appointing. Members of the Science Council must be internationally recognized within their respective scientific field. At least two thirds of the Science Council members must have highest scientific or teaching title.

Members of the Science Council of the Fund are not allowed to be leaders of the Fund's projects financed by the Fund and shall sign a statement on absence of the conflict of interest.

Ministry in charge of scientific and research activity shall adopt act determining criteria and way of financing of the Science Council of the Fund, permanent and temporary expert bodies, committees and other working entities referred to in Article 17. of this law, as well as remuneration for their work.

The Science Council of the Fund shall:

- 1) provide opinion on the annual work plan of the Fund;
- 2) provide opinion on the requirements of the public calls for projects financing;
- 3) monitor implementation of the annual evaluation of the Fund's projects;
- 4) adopt principles for the preparation of general regulatory instruments of the Fund;
- 5) coordinate and organize procedures for the evaluation of the Fund's activities;
- 6) conduct evaluation of research and development activities in the Republic of Serbia, in particular of the growth of the research and development quality;
- 7) adopt four-year development program and adequate activities for its implementation for the scientific and development field;
- 8) prepare proposals for formulating and implementing objectives and instruments of the research and development policy;
- 9) prepare reports on the results of the research and development activities;
- 10) perform other activities in regards to call preparation and evaluation procedures.

### **Article 17**

In order to perform activities within its jurisdiction, the Science Council of the Fund shall propose establishment of permanent and temporary expert bodies, as well as committees and other working entities for carrying out specific expert tasks, with the consent of the Fund's Management Board.

Permanent expert bodies are program boards that shall prepare, analyze and monitor program implementation. Program boards shall propose to the Science Council a list of projects to be financed within each program.

## VIII PROGRAMS OF THE FUND

### Article 18

Responding to social challenges in the development of the Republic of Serbia, as well as to global challenges in the society development, is the objective of each program of the Fund.

Programs of the Fund shall be defined based on the strategy of scientific and technological development of the Republic of Serbia, smart specialization (SS) and other sectorial strategies relevant for the development of society.

### Article 19

Programs of the Fund shall be planned and adopted every four year, usually aligned with the term of the Science Council.

Management board of the Fund shall adopt programs, upon the proposal of the Science Council of the Fund, whereby the planned budget for each program implementation shall be defined as well.

The Government shall give the consent to programs referred to in paragraph 2. of this Article.

Programs of the Fund shall be implemented within the program period that lasts four years.

The evaluation is conducted two years after the beginning of the program implementation and it shall be the basis for the potential changes of the program within the respective four-year program period.

### Article 20

Programs of the Fund must be diverse sufficiently enough to respond to various social challenges – technological development, support to progressive ideas, human resources development, development of scientific infrastructure, integration into the international scientific processes, cooperation of science and industry and other. Based on prior opinion of the Science Council of the Fund, the ministry in charge of scientific and research activity shall adopt appropriate regulation for the implementation of the Fund's programs.

Programs of the Fund shall be defined in respect to the following structure:

- 1) **Development** – Program of basic and applied research and technological development, which corresponds to concrete needs of society and industry. Program is implemented through clearly defined thematic projects within respective public call (“top down”) which are in accordance with the strategy of scientific and research development of the Republic of Serbia and smart specialization (SS). Themes are defined by various stakeholders including industry sector, society, state administration, Government and other institutions;
- 2) **Strategy** – Program of strategic importance for the development of the Republic of Serbia which corresponds to concrete problems defined in sectorial strategies adopted by the Government and is in accordance with the strategy of scientific and research

- development of the Republic of Serbia and smart specialization (SS), through clearly defined thematic projects within respective public calls (“top down”);
- 3) **Ideas** – Program which enables financing of the projects based on exceptional ideas with the future potential of impact on the development of science and research, as well as on the society as a whole. Projects in this program do not have predefined themes; they are implemented through open public calls (“top down”) and continuously opened;
  - 4) **Human resources** – Program intended for the development of human resources through financing different activities – support to the research, establishment of laboratories, international cooperation and other. Program is intended for young scientist, postdoctoral students, researchers that became recognized in the international research space throughout their carriers and researchers in diaspora, in order to establish laboratories in the Republic of Serbia, as well as for exceptional teams with the significant potential;
  - 5) **Infrastructure** – Program of support to the establishment, construction, maintenance and improvement of the strategically important laboratories, in accordance with the strategy of scientific and research development of the Republic of Serbia, smart specialization (SS), roadmap of research infrastructure and other relevant strategies;
  - 6) **Cooperation** – Program of strategic support to the international cooperation and inclusion of individuals, teams and institutions in relevant international projects (Horizon 2020 and other). Support to research and development of teams that have achieved outstanding result within Horizon 2020 (and other respective) calls but were not financed;
  - 7) **Innovation** – Program of cooperation with the industry implemented with the Innovation Fund and other business entities. Objective of the program is implementation of the projects with the partner from industry sector and with mandatory direct application of research results;
  - 8) **Promotion** – Programs of support to the promotion of science, technological development and innovation with the purpose to raise general social awareness about the importance of science;
  - 9) **Publications** – Program of support to domestic publications that are internationally renowned or publications of strategic interest to the Republic of Serbia;
  - 10) **Creativity** – Program of support to the development of ideas inspired by the science in arts and creativity based on scientific concepts, methods and materials;
  - 11) **Other** – Other relevant programs with low budget, which can be proposed by the Science Council in accordance with ongoing needs.

## IX PROJECTS OF THE FUND

### Article 21

Projects are implemented within each program pursuant to the public calls for the projects that are in accordance with challenges set up for each program to address.

Public calls for the projects are published on regular basis, they can be periodic and ad hoc in accordance with the content and objectives of the call.



Projects duration within different programs shall be defined by the public call in accordance with objectives and dynamics of the call's implementation. Projects can be:

- 1) Long-term (up to four years) – project from the programs Strategy and Infrastructure.
- 2) Mid-term (from two to three years) – projects from the programs: Development, Ideas, Human resources, Cooperation.
- 3) Short-term (up to one year) – projects from programs Innovation, Promotion, Publications, Creativity and Other.

### **Article 22**

Total budget available for the implementation of the projects and maximum budget for individual projects shall be stated within each public call.

Certain public calls can envisage co-financing by other entities with the funds other than those from the Fund.

Funds for implementing respective projects are approved in accordance with the budget available for the specific public call, based on the ranking of eligible projects proposals.

### **Article 23**

Within each program, each of the following criteria must be taken as the parameter in the projects evaluation:

- 1) Excellence – measure of quality and scientific relevance, innovativeness and excellence of the idea the project is based on;
- 2) Impact – measure of the project's potential to meet the challenges within the respective program;
- 3) Implementation – management credentials and capacity for successful project implementation.

Within different programs and public calls for projects, impact of individual criterion on the evaluation can be different, but must not be less than 20% for each.

## **X GENERAL ACTS OF THE FUND**

### **Article 24**

The Fund shall have the Charter and other acts in accordance with the law and Charter.

The Charter is adopted by the Management board of the Fund, with the consent of the Government.

Charter of the Fund shall regulate following: organization and business model of the Fund, design of the Fund's seal and stamp and use thereof, competences of the Science Council of the Fund, rights, obligations and responsibilities of the Fund's employees, business organization method and other issues relevant to the operations and business activities of the Fund.

## **XI PUBLIC NATURE OF THE WORK OF THE FUND**

## **Article 25**

The work of the Fund is of a public nature.

The Fund shall in a timely manner and truthfully inform the public on the performance of the activity it was established for, in the way stipulated by the Fund's Charter.

Upon request of the public, the Fund shall provide information on the performance of operations within its scope of activities.

## **XII PERFORMANCE OF EXPERT AND OTHER ACTIVITIES**

### **Article 26**

Expert and other administrative and technical activities are performed by the employees of the Fund, in accordance with the Fund's Charter and other general acts of the Fund.

The founder shall provide consent to the act which regulates salary amounts in the Fund.

Employees referred in to paragraph 1 of this Article have the rights and obligations in accordance to the law regulating labor.

## **XIII SUPERVISION**

### **Article 27.**

Ministry in charge of scientific and research activity shall conduct supervision of the operations of the Fund and application of provision of this law.

## **XIV PROVISIONAL AND FINAL PROVISIONS**

### **Article 28**

Until the conditions for the appointment of the Director are met, the Government shall appoint acting director of the Fund within 30 days from the date of entering this law into force, upon the proposal of the minister in charge of scientific and research activity.

The Government shall appoint chairperson and members of the Management board within 30 days from the day of registration of the Fund in the Court registry.

### **Article 29**

Management board of the Fund shall adopt the Charter at latest 15 days from the day of the appointment of the chairperson and members of the Management board.

Management board of the Fund shall adopt Rules on operations at latest 15 days from the day the Charter enter into force.

### **Article 30**

This law shall enter into force on the eight day after it has been published in “Official Gazette of the Republic of Serbia”.