

In accordance with Article 13 paragraph 1 Item 1), Article 15 paragraph 1 Item 3) and Article 24 of the Law on the Science Fund of the Republic of Serbia (*Official Gazette of the Republic of Serbia*, No. 95/18), at its meeting held on April 17<sup>th</sup>, 2019, the Managing Board of the Science Fund of the Republic of Serbia passes the following

## **S T A T U T E OF THE SCIENCE FUND OF THE REPUBLIC OF SERBIA**

### **I. INTRODUCTORY PROVISIONS**

#### **Article 1**

The Science Fund of the Republic of Serbia (hereinafter: “Science Fund”) is established under the Law on the Science Fund of the Republic of Serbia (*Official Gazette of the Republic of Serbia*, No. 95/18 – hereinafter: “Law”) to create conditions for the continuous development of scientific and research activities as well as development activities in the Republic of Serbia that are necessary for the improvement of the society as a whole, based on knowledge.

With its operations, the Science Fund of the Republic of Serbia provides for the development of scientific and research activities and the application of the obtained results to facilitate faster social, technological, cultural and economic development of the Republic of Serbia.

#### **Article 2**

The present Statute regulates the following: organisation and method of work, appearance and use of the official seal and stamp, competences of the Science Council, representation and agency, rights, obligations and responsibilities of the employed, workflow management and other issues that are relevant for business operations of the Science Fund.

#### **Article 3**

The Founder of the Science Fund is the Republic of Serbia (hereinafter: “Founder”).

The Science Fund has the capacity of a legal entity which is acquired at the moment of being entered into the Court Register.

According to its ownership structure, the Science Fund is a state-owned entity.

The Science Fund is doing business under the following business name: “Science Fund of the Republic of Serbia” (in Serbian: “Fond za nauku Republike Srbije”).

The business name of the Science Fund used in international correspondence is “Science Fund of the Republic of Serbia”.

The registered seat of the Science Fund is located in Belgrade.

The Science Fund registers its Internet domain in the Roman alphabet and in the Cyrillic alphabet and it maintains an updated web page as the carrier of information of a governmental body, in accordance with the law.

#### **Article 4**

In legal trade, the Science Fund is entitled to the right to enter into contracts and agreements and to undertake other legal actions and operations that fall within the scope of authorities granted to it pursuant to the Law, the Incorporation Act and the present Statute.

The core business activity of the Science Fund is the business activity assigned the code number 6499. The name of the core business activity reads as follows: “Other non-specified financial services, save insurance and pension funds”.

## **II. ORGANISATION AND METHOD OF WORK OF THE SCIENCE FUND**

### **Article 5**

Bodies of the Science Fund are the following: Supervisory Board, Managing Board, Director and Science Council.

The Managing Board and the Director are responsible for business operations of the Science Fund in accordance with the law.

### **Article 6**

The Director and members of bodies of the Science Fund are dismissed in the manner and in accordance with the procedure prescribed by the Law for their respective positions, depending on the way in which they have been appointed to the position.

To exercise functions stipulated by Article 15 Items 2) and 6) of the Law on the Science Fund of the Republic of Serbia, the Director of the Science Fund, appointed by the Government, shall notify the Ministry in writing of reasons for the temporary inability of a Member/Members of a body(ies) of the Science Fund of the Republic of Serbia to exercise his/her/their function(s) or of impediments that prevent the Member(s) to exercise his/her/their function(s) in accordance with the law, immediately or by the expiry of the term of five working days at the latest, starting from the date when the Director has become aware of such circumstances that affect the work of the relevant body in terms of its ability to exercise lawful authorities and competences as the body of the Science Fund or the inability to perform or to continue performance of the lawful activity of the Science Fund.

To prevent unjustified hold-ups in operations or decision-making processes that fall within the scopes of jurisdiction of bodies of the Science Fund of the Republic of Serbia and to resolve other issues that affect or might affect operations of the relevant body to the detriment of the lawful work of the Science Fund, the Ministry may demand to receive reports or it may issue instructions and undertake other measures within the scope of the supervisory authority granted to it under Article 27 of the Law on the Science Fund of the Republic of Serbia, in accordance with the law.

## **III. SUPERVISORY BOARD OF THE SCIENCE FUND**

### **Article 7**

The Supervisory Board consists of three members, out of which one is the President appointed and dismissed by the Government of the Republic of Serbia (hereinafter: “Government”), at the proposal of the Ministry competent for the scientific and the research activity (hereinafter: “Ministry”), out of which at least two members are professionals in the field of economics and finance.

The mandate of the Supervisory Board Members is four years.

The Supervisory Board monitors material and financial operations of the Science Fund and submits the Annual Report for the previous year to the Minister competent for the scientific and research activity (hereinafter: “Minister”) by the end of the first quarter of the current year at the latest.

#### **Article 8**

The Supervisory Board:

- 1) makes its Rules of Procedure in which it prescribes in more details the method of its work and the decision-making process;
- 2) reviews the Annual Statement of Accounts and Business Reports and determines whether they are drawn up in compliance with the law;
- 3) controls rational spending of funds of the Science Fund;
- 4) controls the compliance of business operations of the Science Fund with the law;
- 5) performs other tasks in accordance with the Statute and the law.

The Supervisory Board may review business books and other documents of the Science Fund to execute duties assigned to it.

The Supervisory Board submits to the Ministry a report on results of the exercised supervision within the term of 15 days, starting from the date of completion of supervision.

### **IV. MANAGING BOARD OF THE SCIENCE FUND**

#### **Article 9**

The Managing Board of the Science Fund consists of five members, out of which one is the President appointed and dismissed by the Ministry, at the proposal of the Ministry. The Managing Board Members have to have international experience in tasks stipulated by the Law, managerial experience and at least 15 years of work experience.

The mandate of the Managing Board Members is four years, and they may be appointed to the position for one more time.

Members of the Managing Board cannot apply or participate in Projects and Programs of the Science Fund stipulated by Article 21 hereof during their membership in that body and one year after the termination of their membership in the Managing Board.

Meetings of the Managing Board are held as necessary and at least once in two months.

#### **Article 10**

The Managing Board:

- 1) passes the Statute, upon the proposal of the Director, with the Government’s consent;
- 2) passes the Rules of Procedure for its work;
- 3) passes general acts of the Science Fund;
- 4) passes Programs of the Science Fund, upon the proposal of the Science Fund;
- 5) adopts Annual Programs of Work and Financial Plans of the Science Fund, upon the proposal of the Director;
- 6) adopts the Business Report and the Financial Statements of the Science Fund;
- 7) submits to the Ministry periodical reports on its operations and the Annual Business Report of the Science Fund for the previous year, by March 31<sup>st</sup> of the current year at the latest;

- 8) makes decision about the use of funds of the Science Fund in accordance with the conditions and in the manner defined in the present Statute and the Program of Work of the science Fund;
- 9) gives its consent for the use of investment funds of the Science Fund in compliance with the opinion of the Expert Committee;
- 10) gives its prior consent to the Director for the conclusion of higher value contracts;
- 11) decides about indebtedness of the Science Fund in the country and abroad;
- 12) grants the authority to the Director to conclude the Liability Insurance Agreement for the Director and the bodies of the Science Fund (Members of the Supervisory Board, the Managing Board and the Science Council as well as members of professional bodies established in accordance with the law and the general acts);
- 13) enters into the Labour Agreement with the Director as a full-time employee and a public official;
- 14) performs other tasks in accordance with the present Statute and the law.

To Programs referred to in paragraph 1 Item 4) of this Article the Government should give its consent, and after getting the opinion of the Science Council, the Ministry shall pass the appropriate regulation for the implementation of a Program of the Science Fund. Programs also define the budget allocated to the implementation of each Program. Programs are implemented during the course of the Program implementation term which is four years. After two years, starting from the beginning of the Program implementation, evaluation shall be made based on which potential adjustments of the Program may be made in the current Program implementation term of four years.

## **V. DIRECTOR OF THE SCIENCE FUND**

### **Article 11**

The Director is appointed and dismissed by the Government, upon the proposal of the Managing Board, with the prior consent of the Minister.

The Director is appointed after a public competition is made, for the term of four years.

The Director of the Science Fund has to fulfil the following requirements:

- 1) to be of age and not to have impaired legal capacity to work;
- 2) to hold a PhD degree (the academic title of a Doctor of Philosophy/Science), to have at least ten years of work experience in his/her line of work; to be fluent in at least one foreign language and computer literate;
- 3) to have at least seven years of work experience holding a managerial position for which at least a University Degree is required;
- 4) not to be a member of any body of a political party;
- 5) not to be pronounced an imprisonment sentence of minimum six months.

The Director of the Science Fund is an official who holds a public office.

The Director is employed with the Science Fund, working full-time.

### **Article 12**

The Director:

- 1) represents and acts on behalf and in the name of the Science Fund and within the scope of authorities granted to him/her, the Director may give a written individual Power-of-

Attorney to another person to represent, in accordance with the law and the present Statute;

- 2) organises and manages the work of the Science Fund;
- 3) proposes acts to be passed by the Managing Board;
- 4) proposes to the Managing Board the Annual Work Plan and Financial Statements of the Science Fund;
- 5) implements decisions of the Managing Board;
- 6) ensures and is responsible for the lawfulness of work and for the use and disposal of assets of the Science Fund;
- 7) passes the Act on the Internal Organisation and Job Classification of the Science Fund in accordance with the law and the present Statute;
- 8) submits Quarterly Work Reports and Financial Reports to the Ministry;
- 9) ensures independent evaluations of Projects;
- 10) makes decisions about the commencement and termination of employment of the employed and decisions on their rights, duties and responsibilities;
- 11) performs other tasks stipulated by the law and the present Statute.

For the Act referred to in paragraph 1 Item 7) of this Article, the Science Fund is obligated to obtain the prior consent of the Ministry.

## **VI. SCIENCE COUNCIL OF THE SCIENCE FUND**

### **Article 13**

The Science Council is the highest professional and advisory body of the Science Fund. Members of the Science Council are appointed by the Minister, in accordance with the public call, and they are dismissed in accordance with the Law.

The mandate of Members of the Science Fund is four years, with the possibility to be reappointed to the position one more time.

The Science Fund consists of fifteen members, i.e.: two representatives of six scientific fields (natural sciences and mathematics, technical and technological sciences, medical sciences, biotechnical sciences, social sciences and humanities), two members are from the corporate world and one member is elected at the proposal of the Serbian Academy of Sciences and Arts. The principle of gender equality is observed in the appointment of the Science Fund Members. The Science Fund Members have to be internationally recognised experts in their field of science. At least two thirds of the Science Fund Members have to hold the highest scientific and/or academic title.

The Science Fund Members cannot be Project Managers and they shall sign the Conflict of Interest Declaration stating that they do not have any conflict of interest in compliance with the law.

Sessions of the Science Fund shall be held when necessary and at least once in three months.

### **Article 14**

The Science Council:

- 1) gives its opinion about the Annual Work Program/Plan of the Science Fund;
- 2) gives its opinion about the terms of public calls for the financing of Projects;

- 3) monitors the implementation of the annual evaluation of Project results;
- 4) adopts the Act on the Criteria for and the Guidelines on the Preparation of General Regulatory Instruments of the Science Fund;
- 5) coordinates and organizes evaluation procedures of activities undertaken by the Science Fund;
- 6) evaluates research and development activities in the Republic of Serbia, in particular the improvement of the quality of research and development;
- 7) adopts four-year Development Programs and undertakes appropriate activities for their implementation in the field of science and research;
- 8) prepares proposals for the formulation and implementation of objectives and instruments relating to the research and development policy;
- 9) prepares reports on results of a research and development activity;
- 10) performs other tasks relating to the preparation of public calls and evaluation procedures.

### **Article 15**

To perform tasks that fall within the scope of its competence, the Science Fund proposes the establishment of permanent and temporary professional bodies, committees and other working bodies that shall perform individual professional tasks, with the prior consent of the Managing Board.

Permanent professional bodies are Program Boards composed of maximum five members, presided by a Member of the Science Fund. The Program Board prepares, analyses and monitors the implementation of a particular Development Program.

Program Boards propose to the Science Fund a list of projects to be financed within the framework of each Program, in accordance with the adopted evaluation criteria, while the final list shall be adopted by the Managing Board.

## **VII. FINANCING OF THE SCIENCE FUND**

### **Article 16**

Financing of the Science Fund comes from:

- 1) the budget of the Republic of Serbia;
- 2) donations, contributions, gifts and aid;
- 3) funds earned from projects that are implemented with corporate entities;
- 4) other sources, funds and other organisations;
- 5) income earned from managing free money of the Science Fund, save the money stipulated by Item 1) of this Article;
- 6) assets earned from the implementation and/or application of results of scientific and research activities for which the Science Fund provided the funding for their development, with the observance of contracted intellectual property rights and other ownership rights;
- 7) international and other sources of financing, in accordance with the law.

For the execution of tasks that fall within the jurisdiction of the Science Funds, funds may be transferred to the Science Fund by state authorities and organizations and by other organizations or funds, for a specific scientific and research activity or to ensure the material basis for operations of the Science Fund.

The transferred funds referred to in paragraph 2 of the present Article shall be used solely for their designated purpose.

Funds for the work of the Science Fund are provided from the budget of the Republic of Serbia.

### **Article 17**

Revenues have to be used in accordance with the Annual Financial Plan adopted by the Managing Board which has to be forwarded to the Ministry for its consent, within the term of 15 days at the latest, starting from the date of adoption of the Act on the Budget of the Republic of Serbia.

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

### **Article 18**

Funds of the Science Fund provide for the financing of implementation of programs of the Science Fund and are used to finance scientific and research activities.

In the performance of tasks assigned to it, especially in the planning and use of funds, the Science Fund applies the principles of objectivity and responsibility, international recognised standards of Good Practice and the principle of publicity in work and in the decision-making processes.

The Science Fund may take part in co-financing of scientific and research programs, projects and other activities if they are organised and financed by international organisations, financial institutions and bodies competent for the scientific and research work or by other foreign and local legal and natural persons, in accordance with strategies of scientific and technological development, with the prior consent of the Ministry.

### **Article 19**

Financial operations of the Science Fund are made via bank accounts of that legal person.

The Science Fund has a consolidated account at the Treasury Administration and dinar and foreign bank accounts opened with business banks.

### **Article 20**

The Science Fund earns money through its business operations and provides professional assistance to researches from accredited scientific and research organizations in the implementation of scientific projects (hereinafter: "Projects") within the frameworks of the programs of the Science Fund stipulated by the Law (hereinafter: "Programs").

Programs within which Projects are implemented via public calls are provided a high scientific level and innovative results, competitiveness on the international scene and relevance with regard to challenges faced by the society as a whole.

The Science Fund ensures that scientific and research as well as development activities are implemented via scientific, technological and development Programs in which various projects are implemented, in order to reach goals set forth in the Strategy of the Scientific and Technological Development of the Republic of Serbia; therefore, the financing of Projects is provided in a way that ensures the following:

- 1) competitiveness and quality of the results,
- 2) efficacy of application of the research,
- 3) openness and availability of results of Programs and Projects,

- 4) development of human resources in science,
- 5) integration in international scientific and technological projects and systems,
- 6) cooperation with the scientific diaspora,
- 7) cooperation with the corporate world,
- 8) regulation of proprietary rights over research results,
- 9) protection of intellectual property rights and copyrights,
- 10) data protection.

## **Article 21**

The Science Fund performs tasks dealing with the provision of finances for the preparation, implementation and development of Programs, Projects and other activities in the implementation of the scientific and research policy, in particular the following:

- 1) implementation of Programs stipulated by Article 20 of the Law;
- 2) provision of finances to scientific and research Projects via public calls that are made within the framework of various Programs, for the purpose of ensuring continuity of development of science and human resources in science as well as the development of the society in general; a public call defines the following: entities that may take part in it, the deadline for the submission of applications, the time and the terms for the implementation of Projects and other issues that are relevant for the announcement of the public call;
- 3) conducting the procedure of evaluation of Project Proposals received in public competitions and public calls for the Program implementation and monitoring and evaluation of Projects financed by the Science Fund;
- 4) management of databases of Programs, Projects and other activities in the fields financed by the Science Fund;
- 5) provision of financial and other support to international cooperation projects;
- 6) determination and implementation of special programs for the improvement of working conditions and development of human resources in science;
- 7) implementation of infrastructural programs for the purpose of additional strengthening of the capacities of Scientific and Research Organisations (SROs) in compliance with the Strategy of the Scientific and Technological Development, Smart Specialisation (RIS3) and the Roadmap for Research Infrastructures;
- 8) cooperation with the Innovation Fund of the Republic of Serbia and other business entities in specific programs dealing with innovations, and cooperation with the corporate world;
- 9) implementation of activities aimed at the promotion of science and research results to raise general awareness of the society about the importance of science;
- 10) engagement of third persons from the country and abroad as members of professional bodies in accordance with the law.

## **Article 22**

The amount of net fees for Members of the Managing Board and the Supervisory Board shall be specified by the Managing Board in compliance with the guidelines provided by the Government of the Republic of Serbia on the determination of the highest amount of the fees for the work of the Chairperson and members of the management bodies and supervisory bodies of public companies, public agencies and other forms of organisation where the founder is the Republic of Serbia.



With its act, the Ministry regulates the criteria and the method of financing of the Science Fund, permanent and temporary professional bodies, committees and other working bodies stipulated by Article 15 hereof and fees for their work.

## **VIII. APPEARANCE AND USE OF THE SEAL AND STAMP OF THE SCIENCE FUND**

### **Article 23**

The Science Fund has its seal and stamp in accordance with the law.

The seal is round, having the diameter of 30 mm and an inscription which reads as follows: “REPUBLIC OF SERBIA – Science Fund of the Republic of Serbia, Belgrade“ (in Serbian: “REPUBLIKA SRBIJA – Fond za nauku Republike Srbije, Beograd”). If there is more than one seal, they will be marked numerically.

A stamp of the Science Fund is rectangular, having the dimensions of 47x18 mm and it has the same inscription as the seal, with the extra space for the Protocol File No. and the date, the place and the address of the registered seat of the Science Fund.

### **Article 24**

The text of the seal and the stamp of the Science Fund is written in Serbian, in the Cyrillic alphabet.

The use and keeping of the seal are regulated in more details by the Director who is responsible for its use.

The Science Fund has its trademark – logo with a text in Serbian and in English, and the content of the text and the appearance of the logo shall be regulated by the decision rendered by the Director.

## **IX. RIGHTS, OBLIGATIONS AND RESPONSIBILITIES OF THE EMPLOYED OF THE SCIENCE FUND**

### **Article 25**

Professional administrative and technical tasks are performed by employees of the Science Fund in accordance with the law, Statute, Rulebook on the Internal Organisation and Job Classification, Rules of Procedure and other general legal acts of the Fund.

### **Article 26**

Employees and those who are engaged as the labour force by the Science Fund are entitled to the rights and obligations in accordance with the law governing labour and the rights, obligations and responsibilities arising from labour relations.

The Science Fund may engage independent local and foreign natural and legal persons for the performance of some professional tasks that fall within the scope of business activities of the Fund. Their rights and obligations in relation to the Fund will be regulated in a contract, in compliance with the law.

## **X. METHOD OF ORGANIZATION OF OPERATIONS OF THE SCIENCE FUND**

### **Article 27**

For the performance of tasks that fall within the scope of activities of the Science Fund internal organizational units will be established and work positions beyond these internal organizational units may also be opened.

All organisational units will cooperate among themselves, exchange information, data, notifications and experiences available to them and/or that they have obtained during the execution of their work and tasks assigned to them.

### **Article 28**

The internal organisation is established in accordance with business operations of the Science Fund and the need for their effective and professional execution, to ensure:

- 1) fitness of the internal organisation for the performance of all tasks assigned to the Science Fund;
- 2) professional, effective, rational and compliant execution of work;
- 3) effective internal supervision over the execution of tasks;
- 4) grouping of the same or related and interconnected tasks into a relevant internal organisational unit;
- 5) effective cooperation with other bodies and organisations.

## **XI. PUBLICITY OF WORK OF THE SCIENCE FUND**

### **Article 29**

The work of the Science Fund is organised in such a way that publicity of its work via public information media, its web page and in other ways is ensured.

Information generated from the work of the Science Fund or in reference to its work shall be disclosed by the Director or the person authorised by the Director to do so.

The publicity of work is provided by the Director.

### **Article 30**

By passing its decision, the Managing Board and the Director specify the documentation and data that shall be regarded as a business secret or proprietary information, in accordance with the law.

A business secret or proprietary information and data referred to in paragraph 1 of this Article are those whose disclosure to an unauthorised person might cause damage to the lawful operations or interests of the Science Fund. In each concrete case when there is a possibility that one may access information marked as proprietary information or business secrets, the Science Fund shall conclude a contract.

Labour Agreements and/or work agreements of the Science Fund shall regulate in more details the confidentiality obligation.

Employees and Members of bodies of the Science Fund are obligated to keep business secrets in the execution of their respective work with other legal or natural persons even after their membership in the various body of the Science Fund or their employment with the Science Fund is terminated, in accordance with the law.

### **Article 31**

The Managing Board, upon the proposal of the Director, determines which data and documents will be marked as a business secret or a proprietary information, in accordance with the legal provisions regulating a business secret.

The decision from paragraph 1 of the present Article refers in particular to data on Project Proposals and results of the implemented Projects in the period preceding the moment of disclosure of the Project results and success.

Individual decisions about tasks of analytical monitoring of the concluded contracts on management of financed Projects, such as responses to requests of Project Managers, changes of the Financial Plan, the Schedule or the Work Plan of Project Teams are available only to individuals and organizations to which they refer, and to natural and legal persons who prove that they have an interest which is protected by any right in compliance with the law.

### **Article 32**

The confidentiality obligation or obligations in reference to the proprietary information are not applicable to documents and decisions disclosed by the Managing Board or to scientific results and success of Projects after being made public.

## **XII. LEGAL ACTS OF THE SCIENCE FUND**

### **Article 33**

General legal acts of the Science Fund are as follows: Statute, Rulebook on the Internal Organisation and Job Classification, Rules of Procedure and other general legal acts in accordance with the law and the present Statute.

The internal organization and job classification, special terms and conditions for employment and the assignment of employees to various positions are regulated in more details by the Rulebook on the Internal Organisation and Job Classification passed by the Director, with the prior written consent of the Ministry.

The Rules of Procedure are passed by the Managing Director, at the proposal of the Director. The Founder has to give its consent to the part of the Rules of Procedure which contains an act regulating salaries of the employed.

## **XIII. FINAL PROVISION**

### **Article 34**

The present Statute shall come into force after being given consent of the Government of the Republic of Serbia, on the eighth day starting from the date of being posted on the Notice Board of the Science Fund.

MANAGING BOARD

President

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Professor Vujo Drndarević, PhD