

GOVERNMENT REGULATION
No. 462

of 25 September 2002

**on the institutional support of research and development covered from public funds and
on the assessment of research objectives**

The Government directs under Section 39 of Act No. 130/2002 Coll. on the Support of Research and Development from Public Funds and on the Amendment to Some Other Related Acts (the Act on the Support of Research and Development) (hereinafter referred to as “the Act”) the implementation of Section 3 (4), Section 4 (7), Section 7 (4) and (5), Section 8 (1), Section 9 (7), Section 27 (1) and (6), Section 29 (2), (3) and (5) of the Act:

Section 1

**Requirements on the Provision and Use of Institutional Support of Research and
Development Covered by Public Funds**
(concerning Section 4 (7) of the Act)

(1) The Grantor shall issue a decision on providing institutional support of research and development covered by public funds (hereinafter referred to as “the institutional support”) for a research objective under Section 9 (6) of the Act, which shall be in force for the whole period required for completion of the research objective. Such decision shall be issued not later than 30 calendar days from the beginning of the calendar year which shall be the first year during which the institutional support is provided.

(2) The institutional support of any research objective may be used only in compliance with the allowable costs for the respective research objective (hereinafter referred to as “the allowable costs”).

(3) The institutional support of specific research carried out by universities shall be provided on the basis of an application submitted by an applicant. The application shall be submitted prior to the beginning of the calendar year during the course of which the institutional support is to be provided. The application shall contain data necessary for calculation of the amount of the institutional support under Section 2 (2).

(4) The grantor shall decide on the application under paragraph 3 within 30 calendar days from the beginning of the calendar year during the course of which the institutional support is to be provided.

(5) The grantor shall specify to the receiver in the Decision on the Provision of Institutional Support detailed terms and conditions for utilising the institutional support for the research objective or specific research at universities.¹

(6) Fees for participation of the Czech Republic in Framework Research and Development Programmes of the European Communities, EURATOM Framework Research and Development Programmes, or in programmes of international co-operation in research and development which the Czech Republic has pledged to pay in international agreements

¹ Section 14 (3) of the Act No. 218/2000 Coll., on Budgeting Rules and on the Amendment to Some Other Related acts (the Budgeting Rules)

are covered from the budget chapter of the Ministry of Education, Youth and Sports (hereinafter referred to as “the Ministry”). Payment shall be made in the manner laid down in the documents establishing the participation of the Czech Republic in Framework Research and Development Programmes of the European Communities, EURATOM Framework Research and Development Programmes, or in programmes of international co-operation in research and development.

(7) Fees for international co-operation in research and development are to be paid in the manner laid down in agreements in which the Czech Republic has undertaken to participate in such co-operation.

Section 2

Criteria and Procedures Laying Down the Provision and Utilisation of the Institutional Support of Specific Research Carried Out at Universities.

(concerning Section 7 (4) of the Act)

(1) The provision of the institutional support for specific research at universities² (hereinafter referred to “the institutional support of specific research”) is subject to the following criteria:

- a) the university received the support of research and development covered by public funds under the Act in the calendar year preceding the calendar year during which the institutional support of specific research is to be provided;
- b) the university provided data on research and development results supported from public funds and this was included into the register of results in the calendar year preceding the calendar during which the institutional support of specific research is to be provided;
- c) there are students studying in doctoral programmes or in the last year of master programmes at the university in the calendar year during which the institutional support of specific research is to be provided.

(2) The grantor shall determine the proportion of the respective university in the institutional support of all universities under the responsibility of the grantor on the basis of:

- a) the proportion of research and development support provided under the Act to the university in the total amount of research and development support provided in accordance with the Act to all universities under the responsibility of the grantor, multiplied by the proportion of research and development support demonstrating provable applicable results in the total research and development support provided to the university in question;
- b) the proportion of students who study in doctoral programmes or in the last year of master programmes at university in the number of students who study in doctoral programmes at all universities under the responsibility of the grantor;

² Act No. 111/1998 Coll. on Universities and on the Amendment to Other Acts (the Act on Universities) as amended by Act No. 210/2000 Coll. and Act No. 147/20001 Coll.

- c) the proportion of graduates of master programmes at university in the number of graduates of master programmes at all universities under the responsibility of the grantor;
- d) the proportion of the calculated number of professors working at the university in the calculated number of academic staff of the university in question;
- e) the proportion of the calculated number of associate professors at the university in the number of the calculated academic staff at the university in question.

(3) The institutional support of specific research may be used for research activities which university students are involved in. It can mainly be used to cover:

- a) personal and material expenses to cover co-operation with students of master and doctoral programmes (hereinafter referred to as “the students”) in completing projects and research objectives completed at universities;
- b) personal and material expenses of joint research carried out by academic staff and students in compliance with the internal regulation of universities;
- c) the costs of research carried out by students in drawing up their diploma or dissertation thesis.

Section 3

The Proportion of Institutional Support in the Allowable costs (concerning Section 7 (5) of the Act)

(1) The grantor shall specify the proportion of institutional support in the allowable costs on the basis of the evaluated research objective results under Section 29 of the Act or on the basis of the results of a check carried out under Section 13 of the Act or in relation to a change to the amount of allowable costs or the amount of institutional support under Section 9 (7) of Act.

(2) A proportion of the institutional support may cover 100 per cent of the allowable costs.

Section 4

Definition of Individual Items of Allowable costs (concerning Section 8 (1) of the Act)

The following may be included in the allowable costs:

- a) personal expenses or expenditures of researchers, technicians and other assisting staff of the receiver, or persons who are employees of an organisation of which the receiver is an organisational body including employees carrying out manual work and involved in the completion of the respective research objective and relevant expenses for

mandatory dues³ and contributions to the Fund of Cultural and Social Needs or its proportional part unless this Fund is formed from contributions taken from the profit;

- b) costs or expenses for appliances, machines, equipment, land and premises or other tangible and intangible assets used exclusively and consistently for research activities in direct relation to the completion of the respective research objective;
- c) other operational costs incurred in direct relation to the completion of an research objective, for example costs of material used, inventory and petty tangible assets;
- d) costs of services used in direct relation to the completion of the respective research objective;
- d) travel expenses⁴ and costs paid for international co-operation in direct relation to completing a research objective and costs for publishing a research objective including costs of ensuring the rights to research results;
- f) additional (overhead) costs and expenses incurred in direct relation to the project completion, for example administrative costs, costs of assisting personnel and infrastructure, energy, and services not listed under letters a) and c).

Section 5

Requirements for Documents to be Submitted in Relation to Draft Research Objectives (concerning Section 27 (1) of the Act)

(1) The requirements necessary for submitting a draft research objective shall include the qualifications of an applicant under section 28 of the Act. Provided that an applicant submits more than one draft research objective at the same time, such applicant need prove his/her qualifications only once.

(2) Furthermore, a draft research objective shall contain the following:

- a) basic information on the applicant as follows:

³ Act No.592/1992 Coll., on General Health Care Insurance as amended by Act No. 10/1993 Coll., Act No. 15/1993 Coll., Act No. 161/1993 Coll., Act No. 324/1993 Coll., Act No. 42/1994 Coll., Act No. 241/1994 Coll., Act No. 59/1995 Coll., Act No. 149/1996 Coll., Act No. 48/1997 Coll., Act no. 127/1998 Coll., Act No. 29/2000 Coll., Act No. 118/2000 Coll., Act No. 258/2000 Coll., Act No. 492/2000 Coll., and Act No. 138/2001 Coll. Act No. 589/1992 Coll., on Social Security Insurance and Contribution to the State Employment Policy, as amended by Act No. 10/1993 Coll., Act No. 160/1993 Coll., Act No. 307/1993 Coll., Act No. 42/1994 Coll., Act No. 241/1994 Coll., Act No. 59/1995 Coll., Act No. 118/1995 Coll., Act No. 149/1995 Coll., Act No. 160/1995 Coll., Act No. 113/1997 Coll., Act. No. 134/1997 Coll., Act No. 306(1997 Coll., Act No. 18/2000 Coll., Act NO. 29/2000 Coll., Act No. 118/2000 Coll., Act No. 132/2000 Coll., Act No. 220/2000 Coll., Act No. 238/2000 Coll., Act No. 492/2000 Col., and Act. No. 353/2001 Coll.

⁴ Act No. 119/1992 Coll., on Travel Expenses, as amended by Act No. 44/1994 Coll., Act No. 125/1998 Coll., Act No. 324/1998 Coll., Act No. 333/1999 Coll., Act No. 36/2000 Coll., Act No. 132/2000 Coll., Act No. 220/2000 Coll., Act No. 448/2000 Coll., and Act No. No. 445/2001 Coll.,

1. the names of the members of the bodies of the applicant and an organisational chart showing the number of employees;
 2. annual reports on the activities of the applicant for the last five years, if any;
 3. a definition of the proportion of research and development in total activities carried out by an applicant; the principal research focus of the applicant; contributions of the applicant to the development of the respective industry in national and international contexts; and the users of the results of research and development carried out by the applicant concerned;
 4. a description of the participation of the applicant in facilitating the international co-operation of the Czech Republic in research and development implemented under international agreements by which the Czech Republic is bound, information on the membership of an applicant or applicant's representatives in non-governmental international organisations involved in research and development, and information on contracts an applicant has entered into with respect to co-operation with foreign organisations involved in research and development;
 5. the applicant's budget for research and development within the last five years broken down to show institutional support, targeted support and other sources of research and development funding (including the actual source of funds);
- b) a detailed description of the research objective including a description of the following items:
1. the current situation of the level of knowledge and research activities in the field which is the subject of the research objective from both national and international points of view;
 2. the relation between the subject of the research objective and the research focus of the applicant and its connection with the long-term objective of research and development intentions of the applicant; the current proportion of the applicant's focus in the subject of the research objective in national and international contexts;
 3. the essential applied results of research and development relating to the subject of the research objective;
 4. the subject and goals of the research objective, and strategies, methods and a schedule of how they shall be achieved;
 5. the assumed results of the research objective including a specification of their nature and factual content and the schedule of their assumed application.
- c) a description of staffing to implement the research objective including:
1. the list of the names of employees of the applicant, or an entity of which the applicant is an organisational unit, who shall be engaged in completing the research objective (hereinafter referred to as "the team of researchers"), including their professional focus, assumed essential activities aiming at the meeting goals of

- the research objective, and assumed work to be performed in hours per year;
2. data on the ages and qualifications of the team of researchers;
 3. a list of the most significant results of research and development achieved by the team of researchers relating to the subject of the research objective within the last five years;
- d) a description of space and material and technical conditions required for completing the research objective, including the following items:
1. the extent to which the research objective may be implemented taking into account current space and material and technical conditions at the workplace of an applicant;
 2. infrastructure, appliances and technical equipment to be purchased for implementing the goals of the research objective;
- e) a description of funding of the research objective including:
1. the allowable costs, their specification and justification;
 2. a specification of financial sources.

(3) The draft research objective shall be submitted in the Czech language, parts of the research objective stipulated in paragraph 2 (a), (3) and (4) and letters (b) to (e) shall be also submitted in the English language.

Section 6

The Procedure to be Used for Changing the Amount of Allowable Costs or the Amount of Institutional Support

(concerning Section 9 (7) of the Act)

(1) The receiver may ask the grantor in writing to change the amount of the allowable costs or the amount of the institutional support. The receiver must do so at least 60 calendar days prior to the end of the calendar year preceding the year of the requested change of the amount of the allowable costs or the amount of the institutional support.

(2) If a material change of circumstances occurs concerning a research objective completion, which could not be foreseen by the receiver or was not caused by the receiver, the receiver shall request changing the amount of the allowable costs or the amount of the institutional support not later than seven calendar days from the date on which the receiver realised the circumstances thereof.

(3) A request for a change to the amount of the allowable costs or the amount of the institutional support shall contain the data under Section (2) (b) to (e) hereof.

(4) The grantor shall consider a request submitted under paragraph 1 by the end of the calendar year preceding the year of the requested change to the amount of the allowable costs or the amount of the institutional support. The grantor shall consider a request submitted under paragraph 2 within 60 calendar days from the day of its delivery.

(5) The receiver may not claim a change to the amount of the allowable costs or the amount of the targeted support under paragraphs 1 and 2. Provided that the grantor accepts the request for a change to the amount of the allowable costs or the amount of the institutional support under paragraphs 1 and 2 the grantor shall decide on altering the Decision issued under Section 9 (7) of the Act within 30 calendar years from the day of the request was assessed. If the grantor does not accept the request for a change to the amount of the allowable costs or the amount of the institutional support under paragraphs 1 and 2 the grantor shall notify the receiver of this fact within 30 days from the day the request was assessed; the reasoning of the decision on the request shall not be issued.

(6) In the case that the annual inflation rate published by the Czech Statistical Office increases by more than 5 per cent the grantor may, at his/her discretion, adjust the amount of allowable costs and the amount of institutional support without receiving any requests under paragraphs 1 to 3 and without changing the Decision under Section 9 (6) of the Act.

(7) If the grantor learns of reasons for withdrawing institutional support or its part laid down in a special legal regulation⁵ the grantor shall forthwith commence proceedings to withdraw the institutional support or its part in accordance with the Rules of Administration Procedure.⁶

Section 7

The Manner of Receiving and Accepting Draft Research Objectives and Related Records

(concerning Section 21 (1) of the Act)

(1) The grantor shall ensure that delivered draft research objectives are in envelopes marked by a sequence number, date and hour of delivery and that they are passed to the Commission established by the grantor in order to receive draft research objectives (hereinafter referred to as “the Receiving Commission”). If any draft research objective is delivered personally the grantor shall be obliged to issue a confirmation to the deliverer stating that the respective draft research objective was received and containing the data stipulated in the first sentence.

(2) The Receiving Commission shall consist of three members at least. Members of the Receiving Commission shall be appointed by the grantor who shall select them from among his/her employees or from among persons from the entity of which the grantor is an organisational body.

(3) An employee of the grantor about whom there are reasonable doubts with respect to his/her impartiality due to his/her relation to the project to be accepted or his/her

⁵ Section 15 of Act No. 218/2000 Coll.

⁶ Act No. 71/1964 Coll. on Administration Procedure (the Code of Administration Procedure) as amended by Act No. 29/2000 Coll. and Act No. 227/2000 Coll.

relation to any of the applicants may not become a member of the Receiving Commission.

(4) If any member of the Receiving Commission realises that he/she does not meet conditions stipulated in paragraph 3, he/she shall not participate in the work of the Receiving Commission and shall notify the grantor of this fact the grantor without any undue delay.

(5) The Receiving Commission shall draw up a protocol which contains in particular the following data relating to each draft research objective:

- a) the name of the research objective, its annotation, classification under codes of scientific disciplines, the company name or the name of the applicant or the name, surname and academic and/or scientific degrees, if any, of a natural person responsible to the applicant for the professional level of a research objective (the Research Manager);
- b) data on delivery within the time limit or after expiration of the time limit specified by the grantor in accordance with the Act; including the time of the delivery;
- c) data as to whether the draft research objectives met all requirements specified in the public tender documentation; if any draft research objective does not meet all requirements then the reason for its exclusion from assessment shall be stated.

(6) The grantor shall approve and distribute the protocol under paragraph 5 within seven calendar days from the date of its approval by the Ministry. The protocol is a part of the documents on research objective assessment.

Section 8

Composition of the Assessing Commission and Conditions for Its Impartiality (concerning Section 29 (2) of the Act)

(1) The Assessing Commission shall consist of five members at least. The grantor shall appoint or recall members of the Assessing Commission on the basis of the proposal of legal persons or organisational bodies of the Czech Republic (hereinafter referred to as “organisational body”) involved in issues which are a subject of drafts or results of research objectives under assessment. The members are to be appointed so that

- a) the Receiving Commission shall comprise representatives of the grantor, representatives of natural and legal persons or organisational bodies of the state involved in research and development or representatives of other legal persons engaged in the issues in question;
- b) the employees of the grantor or employees of the Czech Republic employed in the same organisational body of the Czech Republic and employees of organisations paid partially from the state budget and under the responsibility of the grantor are not to represent more than a half of the members; this provision shall not apply to the composition of Assessing Commissions established to assess research and development objectives relating to defence or security of the Czech Republic.

(2) The grantor shall specify the number of Assessing Commissions so that a certain Assessing Commission shall assess research objectives of all participants or receivers involved in the same issues in terms of a particular scientific discipline except for research objectives assessed by one of the Inter-ministerial Assessing Commissions.

(3) A member of any Assessing Commission may only be a person who:

- a) has never been lawfully sentenced for a wilful criminal offence⁷ unless such a person is considered to be unconvinced. Such a person shall prove his/her suitability by submitting a certificate of no criminal records which must not be older than three months preceding the date on which such a person is to be appointed a member of the Assessing Commission;
- b) has not been disciplinarily punished within the last three years in accordance with a special legal regulation regulating the execution of professional activities⁸ within the last three years if such activities relate to the subject being assessed;
- c) is not a member of the Council for Research and Development;
- d) is not at the same time a member of more than two other Assessing Commissions or Inter-ministerial Assessing Commissions established under Section 29 (4) of the Act.

(4) Members of any Assessing Commission shall be appointed for a period of five years, however maximally for two subsequent periods. Each Assessing Commission shall elect from among its members a Chairperson who shall call and manage its activities.

(5) Membership in any Assessing Commission shall terminate

- a) by expiry of the stipulated period;
- b) if a member resigns out of their free will;
- c) by a member's death;
- d) if a member is recalled by the grantor.

(6) A reason for recalling any member of any Assessing Commission shall be:

- a) a loss of or limitation to his/her legal capacity;⁹
- b) lawful conviction for a wilful criminal offence⁷;

⁷ The Criminal Code

⁸ For example Act No. 246/1992 Coll., on the Protection of Animals against Cruelty as amended by Act No. 162/1993 Coll., Act No. 193/1994 Coll., Act No. 243 /1997 Coll., and Judgement of the Constitutional Court No. 30/1998 Coll. and Decree No. 311/1997 Coll., on the Breeding and Utilising of Animals used for Experimentation.

⁹ Section 10 of the Civil Code

- c) failure to meet the assignments of a member of the Assessing Commission stipulated in paragraph 9 and Section 9 (1) or the Statute of the Assessing Commission.

(7) Members of any Assessing Commission shall, without any undue delay, notify the grantor of facts decisive to his/her membership in the respective Assessing Commission stipulated in paragraphs 3 and 6.

(8) Members of any Assessing Commission shall participate in the Commission's meetings and shall be aware of all documents necessary for assessing the drafts or results of research objectives. An applicant or receiver shall enable the members of the respective Assessing Commission to verify facts concerning the research objectives at the applicant's or receiver's premises.

(9) No member of any Assessing Commission shall be allowed to be present whilst a draft research objective or research objective results are being assessed or shall be allowed to influence other members if there are well justified doubts about his/her impartiality in relation to any of the draft research objectives or the draft objective results.

Section 9

The Manner in Which the Activities of Any Assessing Commission Are Carried Out, the Data Contained in Draft Research Objective is Treated, and Other Requirements (concerning Section 29 (2) of the Act)

(1) Meetings of Assessing Commissions are not public and may be attended only by members of the Commissions or authorised representatives of the grantor. Other persons are permitted to participate in the meetings of any Assessing Commission only with its prior approval or the prior approval of the grantor. The grantor shall request from all persons who are to have contact with draft research objectives, documents on research objectives or results arising from assessing research objectives, a written affirmation by which they are bound:

- a) not to disclose information on the process of assessing a draft research objective to any applicant or receiver;
- b) not to provide information to other persons on draft research objectives or results arising from their assessment except for information in the scope stipulated in Section 12 of the Act after such information is published by the grantor;
- c) not to copy documents provided for assessing drafts or the results of research objectives;
- d) to return to the grantor or destroy documents provided for assessing drafts or results of research objectives after such documents were used for the specified purpose.

(2) The Assessing Commission shall have a quorum if more than a half of all its members are present. A resolution shall be adopted by the quorum of the votes of the present

members of the Commission meeting the conditions under Section 8 (9). If the Assessing Commission is not repeatedly able to come to a final resolution it shall submit to the grantor all draft resolutions including their justifications. If a member of the Assessing Commission so requires his/her opinion differing from the opinion of the Commission may be included in the Resolution.

(3) The Assessing Commission shall recommend to the grantor which draft research objectives submitted under Section 27 (3) of the Act are to be provided for the evaluation of the Inter-ministerial Assessing Commission.

(4) The grantor shall decide which draft research objectives submitted under Section 27 (3) of the Act shall be provided for the evaluation of the Inter-ministerial Assessing Commission. The grantor may decide contrary to recommendations given by the Assessing Commission.

(5) The grantor shall deliver draft research objectives under paragraph 4 or determined by the Ministry on the basis of protocols drawn up under Section 7 (6) to the Ministry within 120 calendar days from the beginning of the calendar year during the course of which draft research objectives were submitted to the grantor.

(6) In its activities the Assessing Commission shall observe its Statute and Rules of Order. The grantor shall issue and publish on its web sites the Statute and the Rules of Order not later than on the date determined for submitting draft research objectives.

(7) As its final task the Assessing Commission shall draw up the protocol on the evaluated drafts or results of research objectives which shall contain in particular identification data of any research objective, the name of the applicant, the allowable costs, the amount of institutional support and justification of the evaluated results based also on opponents' opinions. The Assessing Commission shall submit the protocols on evaluated drafts or results of research objectives to the grantor. Then the grantor shall decide on the provision of institutional support. The grantor may make a decision contrary to the recommendation of the Assessing Commission provided that the grantor justifies the decision in writing and attaches it to the protocol.

(8) The activities carried out by the Commission are ensured with respect to administration, organisation, and finance by the grantor.

(9) The protection of draft research objectives and research objective results under special legal regulations¹⁰ is not prejudiced.

(10) The grantor is entitled to disclose only data eligible for publishing in the documents concerning the submitted drafts under Section 27 (2) of the Act not sooner than

¹⁰ For example Act No. 121/2000 Coll., on Copyright and Rights Relating to Copyright and on the Amendment to Some Other Acts (the Copyright Act), Act No. 101/2000 Coll., on the Protection of Personal Data and on the Amendment to Some Other Acts as amended by Act No. 227/2000 Coll., Act No. 177/2000 Coll., and Act No. 450/2001 Coll., the Commercial Code.

after the evaluated results of the research objectives are published except for data on draft research objectives subject to protection under a special legal regulation.¹¹.

Section 10

Conditions for Impartiality of Opponents towards Draft Research Objectives and Applicants and the Manner of Treating Data Contained in Draft Research Objectives (concerning Section 29 (3) of the Act)

(1) An opponent drawing up their opinion concerning any draft research objective shall not be a person about whom there are reasonable doubts with respect to his/her impartiality due to his/her relation to any draft research objective or to any of the applicants.

(2) The grantor shall require from an opponent a written affirmation on his/her impartiality with respect to the applicants or draft research objectives and at the same time an affirmation on observing obligations as stipulated in Section 9 (1) (a) to (d).

(3) Opponents assessing the same draft research objective must not be employees of the same employer; if the Czech Republic is their employer they must not perform their job within the same organisational body of the Czech Republic. This provision shall not apply to assessing draft research objectives in the field of research and development concerning defence or security of the Czech Republic.

(4) An opponent of a research objective must not be a member of the Assessing Commission or the Inter-ministerial Commission assessing the research objective in question.

(5) If it is proved within the course of assessing any draft research objective that any of the opponents' opinions were drawn up by an opponent who does not conform with conditions laid down in paragraph 1 neither the Assessing Commission nor the grantor shall take the content of such an opinion into account and the grantor shall ensure that a new opponent's opinion is provided.

Section 11

The Manner of Establishing the Inter-ministerial Commission for Evaluating Similar Research Objectives Supported from Various Chapters of the State Budget, its Activities, and Other Requirements (concerning Section 29 (5) of the Act)

(1) The Inter-ministerial Assessing Commission shall assess draft research objectives or research objective results focused on issues of similar scientific disciplines. The research objectives are determined under Section 9 (4) or specified by the Ministry after the protocols under Section 7 (6) are drawn up.

(2) The Inter-ministerial Assessing Commission shall consist of at least five members. The Ministry shall appoint members of the Inter-ministerial Assessing Commission

¹¹ Act No. 148/1998 Coll., on the Protection of Classified Information and on the Amendment to Some Other Acts as amended by Act No. 164/1999 Coll., Act No. 18/2000 Coll., Act No. 29/2000 Coll., Act No. 30/000 Coll., Act No. 363/2000 Coll., Act No. 60/2001 Coll., and Act No. 322/2001 Coll.

so that it comprises grantors, natural or legal persons or organisational units of the state or self-governing territorial units involved in research and development or other legal persons engaged in the issues in question

(3) The Ministry shall specify the number of Inter-ministerial Assessing Commissions so that one Inter-ministerial Assessing Commission shall assess the research objectives of all applicants or grantors involved in issues of similar scientific disciplines.

(4) The provisions of Section 8 (3) to (9) and Section 1 (2) and (7) shall apply to activities carried out by the Inter-ministerial Assessing Commission accordingly.

(5) In its activities the Inter-ministerial Assessing Commission shall observe the Statute and the Rules of Order which shall be issued by the Ministry after the agreement of the other grantors who are represented in the respective Inter-ministerial Assessing Commission is received.

(6) The activities carried out by the Inter-ministerial Assessing Commission are supported with respect to administration, organisation, and finance by the grantor. Funding is subject to the agreement between the Ministry and the grantors concerned.

Section 12

Awarding Extraordinary Results of Research and Development Covered from Institutional Support (concerning Section 3 (4) of the Act)

(1) The grantor may give an award to a natural person for extraordinary results in research and development (hereinafter referred to as “the award”) achieved on the basis of institutional support provided by the grantor, however such an award may only be provided if less than five years have passed since the publication, protection or implementation of such results under a special legal regulation¹².

(2) The grantor from whose state budget chapter or from whose budget the award is covered shall decide on the award. The amount determined for the award shall be a part of the institutional expenditures of the state budget chapter of the grantor pursuant to Section 6 (1) of the Act.

(3) The grantor shall issue the certificate concerning the award stating in particular the appellation of the award, the maximum number of awards provided, the form of the award, the amount or the value of the material award, prerequisites concerning the award, the manner and the date for submitting proposals for such award. The certificate of the award shall be published on the grantor’s websites at least 30 days prior to the deadline for accepting proposals for awards.

(4) The amount of one financial award or the value of one material award shall be maximally CZK 100,000.

¹² For example Act No. 121/2000 Coll.

(5) Proposals for awards shall be presented by grantors or receivers of institutional support in the manner and with all prerequisites on dates specified by the grantor.

(6) In order to assess proposals for awards the grantor shall appoint a special advisory body. A member of such an advisory body may only be a person who

- a) has never been lawfully sentenced for a criminal offence relating to the subject of scientific activities or for an economic criminal offence or a criminal offence against property unless such person is considered to be unconvicted. Such a person shall prove his/her suitability by submitting a certificate of no criminal records which must not be older than three months preceding the date on which such a person is appointed a member of the special advisory body;
- b) has not been disciplinarily punished within the last three years in accordance with special legal regulations regulating the execution of professional activities if such activities relate to the proposal of material or financial award;
- c) is not under a special legal regulation the next of kin of the person proposed for the award.

(7) A special advisory body shall draw up a protocol on the award proposals accepted. The protocol shall contain the list of persons proposed for the award, recommendation or rejection of the award, including its justification, and the proposal of the financial award or material award.

(8) Meetings of the special advisory body shall be held in accordance with the Rules of Order issued by the grantor. The grantor shall disclose the Rules of Order of the special advisory body on his/her websites not later than by the deadline for accepting proposals for the award.

(9) The award shall be published on the web site of the grantor.

Section 13

Effect of this Regulation

This Regulation shall come into effect on the day of its publication in the Collection of Laws.

Prime Minister
PhDr. Špidla m.p.

Minister of Education, Youth, and Sports
JUDr. Buzková m.p

