

Ciência, Tecnologia e Ensino Superior
Fundação para a Ciência e a Tecnologia, I.P.

Regulation n.º 985-B / 2019

Summary: Third amendment to the Regulation of Scientific Employment

In recent years, the legal framework applicable to the National System of Science and Technology (SNCT) has undergone profound alterations that aimed, in particular, at contributing to strengthen the institutional contexts, the human capital, the responsibility and the internationalization of the system.

In this context of the renewal of the legal framework of the SNCT, the Decree-Law 63/2019, of 16 May, which has established the legal framework for the institutions that are involved in research and development (R&D) as well as other entities of this system, is of special relevance.

The structuring character of this Decree-Law has a significant impact on other regulatory instruments of the scientific and technological sector. This is the case of Regulation 607-A/2017, published in Diário da República, II Series, of 22 November, which governs the access conditions and support rules for the employment of doctorates in order to integrate them in the SNCT.

In particular, it is necessary to adapt the said Regulation so as to ensure that it permits supporting all the entities that, according to Decree-Law 63/2019, form part of the SNCT.

The opportunity was also used to improve and clarify some of the solutions foreseen in the Regulation, in order to maximize the employment of doctorates within the SNCT.

Thus, making use of the powers conferred upon it pursuant to paragraph 1 (h) of article 21 of the framework law of public institutes, approved by Law 3/2004, of 15 January, in its current wording, in combination with paragraph 2 (a), (c) and (e) of article 3 of Decree-Law 55/2013, of 17 April, which approved the organic law of the FCT, I.P., the Board of Directors, on its meeting held on 12 December 2019, decided as follows:

Article 1

Purpose

The present resolution introduces the third amendment to the Regulation of Scientific Employment, approved by Regulation 607-A/2017, published in Diário da República II Series, of 22 November 2017, and amended by Regulation 806-A/2019, published in Diário da República, II Series, of 14 October 2019.

Article 2

Amendment to the Regulation of Scientific Employment

Articles 4, 6, 10, 11, 14 and 25 of the Regulation of Scientific Employment, approved by Regulation 607-A/2017, published in Diário da República, II Series, of 22 November 2017, and amended by Regulation 806-A/2019, published in Diário da República, II Series, of 14 October 2019, are replaced by the following:

Article 4

[...]

1 — ...

- a) Individual Support: Doctorates, of any scientific area, who wish to develop scientific research, technological development or management and communication activities in S&T in Portugal, integrated in institutions listed in article 14 of Decree-Law 63/2019, of 16 May;

Institutional Support:

b) ...

i) ...

ii)...

iii) Other institutions listed in article 14 of Decree-Law 63/2019, of 16 May

2 — In the event of host institutions without legal personality, the Grant Agreements or other similar mechanisms that are concluded shall be signed by the institution with legal personality in which they are integrated and by the head of the host institution.

Article 6

[...]

1 — ...

2 —

- a) Individual Competitive Call for Proposals, where the submission of proposals shall be done by doctorates, in any scientific area, supported by an entity integrated in the national science and technology system, designated as the host institution;
- b) ...

Article 10

[...]

1 — ...

2 — ...

3 – In case the budgetary limit or the number of agreements referred to in the previous number are not met because the selected candidates, by their own decision, opted not to celebrate employment contracts following the competitions referred to in this regulation, then those limits may be filled by applications not selected in accordance with the previous number, considering the sequential order of the list of the evaluated proposals as well as the minimum merit threshold defined in the announcement of the call.

Article 11

[...]

1 — ...

2 —

3 — ...

4 —

5 — ...

a) ...

b) ...

c) ...

d) d) ...

6 — ...

7 — ...

8 — Upon completion of the evaluation parameters application, the members of each panel shall proceed to elaborate, in accordance with paragraph 2 of the previous article, the ordered lists of proposals.

9 — ...

Article 14

[...]

1 — ...

2 — Competitive Call for Proposals may also be terminated by a duly substantiated act of the Board of Directors, confirmed by the Ministry of Science, Technology and Higher Education , provided that the final ordered lists of candidates have not yet been notified.

SECTION II – INSTITUTIONAL FUNDING

Article 25

[...]

1 — Institutional funding is intended for the institutions referred to in paragraph 1 (b) of article 4, for the execution of research activities, under the terms expressed in their respective scientific employment plan.

2 — ...

3 — ...

Article 3

Republication

The Regulation 607-A/2017, published in Diário da República, II Series, of 22 November 2017, and amended by Regulation 806-A/2019, published in Diário da República, II Series, of 14 October 2019, is republished in annex I to this resolution, which shall form an integral part thereof.

30 December 2019. – The President of the Board of Directors of FCT, I.P. , Helena Margarida Nunes Pereira

REGULATION OF SCIENTIFIC EMPLOYMENT (RSE)

REASONING NOTE

1. PROJECT CONTEXT

Project Rationale and Objectives

The focus on knowledge is central to the XXI Constitutional Government program and the National Reform Program, reflecting the relevance scientific employment has in Portuguese society.

Investment in knowledge, as proven in the last forty years in Portugal, is an essential cornerstone of a successful scientific and technological development of a country, and shall be translated into a public policy unequivocally oriented to stimulate the growing affirmation and recognition of advanced qualification and the usage of human resources at the national and international levels, in harmony with the importance of teaching and research activities.

The attraction and establishment of qualified human resources, including the encouragement for employment opportunities and the development of professional pathways for doctorates, together with the promotion of the rejuvenation of the entities integrating the National Scientific and Technological System (SCTN) human resources, are fundamental purposes of Portugal's commitment to knowledge.

Within the scope of the National Reform Program, the "Commitment to Science and Knowledge" Agenda, approved by the Resolution of Council of Ministers no. 32/2016, of June 3rd, and the Program to Stimulate Scientific Employment, adequate funding to stimulate the recruitment of new researchers shall be launched, together with plans for scientific employment and the development of scientific careers by higher education institutions, State laboratories and public or private scientific institutions, promoting scientific and academic employment, providing institutional rejuvenation and reducing the precariousness in scientific research employment through a diversified framework of scientific and academic employment funding.

This funding is sought to strengthen the national scientific and technological system and counteract the precariousness of its researchers, and to this end it is crucial to increase the employment opportunities for doctorates, to guarantee the formalization of their scientific employment after they get their PhD, to contribute for the higher attractiveness level of the national territory in order to entice highly qualified young people and also to ensure the rejuvenation of scientific institutions, increasingly attracting better scientists, and to facilitate a framework that encourages the researchers' mobility.

In this context, the Fundação para a Ciência e a Tecnologia, I.P. (FCT, I.P.) shall also act as a facilitator for the scientific employment increase.

Thus, the FCT, I.P. shall create two specific funding systems to stimulate scientific employment, of a competitive nature, namely:

- (1)** Direct support to the employment of PhD researchers, through annual competitions promoted by the FCT, IP, in order to facilitate the continuous and systematic integration of doctors in scientific institutions, starting in 2017 – Support the employment of PhD researchers in all scientific areas and their inclusion in research units, financed by the FCT, and their host institutions.

- (2) Support the development of R&D activities by implementing and encouraging, among others, the employment of doctorate researchers by scientific institutions, through annual competitions directed to the institutions, to be endorsed by the FCT, IP, from 2017 onwards - Support scientific employment and scientific careers development plans by higher education institutions, State laboratories and scientific institutions, public or private.

2. LEGAL ELEMENTS OF THE PROJECT

This project determines the rules for funding, its recipients, application documents, evaluation panels' composition and capacity, evaluation parameters, general conditions for funding, its reduction and revocation causes, general conditions for the doctorates employment, among others. It aims to pursue public interest, to protect citizens' rights and interests, to pursue good administration, to respect the principles of legality, justice and reasonableness, equality and impartiality, to achieve financial and legal stability, transparency, electronic government and effective control in the funding allocation and application to the recipients covered by this Regulation.

This project is executed under the following provisions: article 3, paragraph 2 a), c) and e), of Decree-Law no. 55/2013, of April 17, which approved the organic law of the Fundação para a Ciência e a Tecnologia I.P., paragraph h) of article 21 and paragraph 2 b) of article 41, both of Law no. 3/2004, January 15, republished by Decree-Law No. 5/2012, of January 17, and amended by Decree-Law No. 123/2012, of June 20.

This Regulation is compatible with the Regulation on State Funding, namely Regulation (EU) No 651/2014 of 16 June (General Block Exemption Regulation, GBER).

3. WEIGHTING OF COSTS AND BENEFITS

In compliance with the provisions of article 99 of the Administrative Procedure Code, approved by Decree-Law no. 4/2015 of January 7, which requires the introduction of a "justification note" to the regulations and establishes that they should include a weighting of costs and benefits of the measures planned/adopted, it is important to emphasize the direct benefits to the individual recipients who will benefit from funding provided for in this Regulation, which extends to STCN institutions and to the general population, who benefits from their activity.

There is, therefore, on one hand, an advantage from this Regulation adoption: the introduction of new rules for funding the employment of PhDs, thus improving the transparency and precision levels of its transfers, as well as of all matters concerning the fair treatment of its recipients. On the other hand, the importance, quality and relevance of the applications to be funded are accredited.

A reciprocity vision is also reinforced in the relationship established between the FCT, IP, the doctorates and the institutions involved: to the FCT, IP provision counters a consideration by the doctorates/contracting institutions, translated into the development of research activities, which are vital to the SCTN strengthening, thus providing the rejuvenation of scientific institutions and the higher education system.

Mainly, the simplistic and one-sided view of funding is opposed by a reciprocal relation of mutuality point of view, which emphasizes a permanent institutional collaboration.

In addition, through the introduction of criteria for disciplining the funding allocation and the subsequent application of this regulation, several attributions credited to the FCT, I.P. can be implemented - cf. article 3 of Decree-Law no. 55/2013, of April 17, which approved the FCT, I.P. organic law.

As for the costs resulting from the measures provided for in the Regulation, they will be measured by their inclusion in the FCT, I.P. forecast documents, mainly in the annual budget. The adoption of this Regulation, which lays down rules and procedures for funding, shall not create any immediate costs. It is not possible to specify at this moment the costs that the application of this regulation will imply, but it is certain that they will be assessed each year by the analysis of the forecast documents, with subsequent confirmation in the documents related to that financial year. Nevertheless, the weighting of costs and benefits of the envisaged measures does not require an accurate quantification, as the same can be replaced by a cost/effectiveness analysis.

Benefits and costs resulting from the application of the rules defined in this regulation were thus weighed and it was determined that the benefits are clearly higher than the costs. All things considered, there are no immediate and direct costs resulting from the approval of the regulation, since funding does not ipso facto result from the existence of this regulation, which merely regulates the respective rules of its allocation.

The Governing Board

REGULATION OF SCIENTIFIC EMPLOYMENT (RSE)

CHAPTER I GENERAL PROVISIONS

Article 1

Enabling Law

This Regulation is executed under the provisions of paragraph 2 a), c) and e) of article 3 of Decree-Law no. 55/2013 of April 17, which approved the Fundação para a Ciência e a Tecnologia I.P. organic law, and paragraph h) of article 21 of Law no. 3/2004, dated January 15, republished by Decree-Law no. 5/2012, of January 17, and amended by Decree-Law no. 123/2012, of June 20.

Article 2

Scope and object

- 1 – This Regulation aims to establish the access conditions and the funding rules for the employment of doctorates in order to integrate them in the national scientific and technological system (STCN).
- 2 – This Regulation shall apply to the whole national territory.
- 3 – The doctorates' employment shall be supported by national funds through the FCT, I.P. and, where eligible, shall be co-financed by other funding sources.
- 4 – Other technical conditions and/or restrictions to the rules described in this regulation may be defined in the Announcement of Competitive Call for Proposals.

Article 3

Goals

The employment of doctorates funding has the following purposes:

- a) To support, deepen and specialize scientific research, technological development and management and communication in S&T activities, developed by PhDs;
- b) To stimulate scientific employment, regarding the employment of PhD researchers to develop research and development activities, within distinct institutional frameworks that characterize the national scientific and technological system;

- c) To strengthen scientific employment in Portugal, including one innovation oriented, in order to contribute to the increased competitiveness of its productive and social fabric.

Article 4

Funding Recipients

1 – Funding shall be granted to:

- a) Individual Support: Doctorates, of any scientific area, who wish to develop scientific research, technological development or management and communication activities in S&T in Portugal, integrated in R&D units financed by the FCT, I.P;
- b) Institutional Support:
 - i. Non-corporate entities of the R&I system, namely institutions of higher education, their institutes and R&D units, State or international laboratories headquartered in Portugal and private non-profit institutions whose main object is R&D, including associated and collaborative laboratories.
 - ii. Companies whose activity has been recognized as of scientific or technological interest or that have been awarded the title of Collaborative Laboratory.

2 – In the event of R&D units without legal personality, the Grant Agreements or other similar mechanisms that are concluded shall be signed by the institution with legal personality in which they are integrated and by the head of the R&D unit.

Article 5

Funding

1 – Funding by the FCT, I.P. shall consist of reimbursable grants.

2 – Reimbursable grants shall mean the reimbursement of eligible costs actually incurred and paid.

3 – Funding shall comply with the thresholds laid down in Regulation (EU) No 1407/2013 of (EC), of December 18, applicable to Minimis Aid, or when that is not the case, the Regulation (EU) No 651/2014 of 16 June (General Block Exemption Regulation, RGIC), for exemption of notice provided for in Article 108 (3) of the Treaty.

Article 6

Procedures for the applications submission

1 - The submission of applications shall be made under a competitive call for proposals.

2 – Competitive calls for proposals may be launched in the following systems:

- a) Individual Competitive Call for Proposals, where the submission of applications shall be done by doctorates, of any scientific area, supported by an R&D unit, designated as the host institution;
- b) Institutional Competitive Call for Proposals, where the submission of applications shall be done by the institutions referred to in paragraph 1 (b) of article 4, designated as the beneficiary institution.

Article 7

Competitive Call for Proposals Launch

1 – The launch of the competitive call for proposals shall be executed through a decision of the Board of Directors.

2 – The announcement of the call for proposals shall be advertised on the FCT portal, I.P., without prejudice to its disclosure by other means deemed necessary.

3 – The deadline for the applications' submission shall be defined in the announcement and cannot be less than 20 working days.

4 – Applications shall be submitted within the deadline and under the conditions indicated in the announcement of the call for proposals.

Article 8

Announcement of the call for proposals

Without prejudice to others, the announcements of the call for proposals shall contain the following elements:

- a) Purposes and priorities of the work to be developed, including the compulsory identification of at least one of the Sustainable Development Agenda 2030 purposes;
- b) Recipients and call for proposals system;
- c) The indicative allocation of funding or the number of agreements to be supported;
- d) Limits to the number of applications to be submitted;
- e) Rules and limits to the expenses eligibility;

- f) Funding conditions, namely co-financing rates and minimum and maximum amounts;
- g) Evaluation parameters, specifying the evaluation methodology described in the evaluation guide, indicating the minimum merit threshold;
- h) Application Documentation;
- i) Where additional information or clarification can be obtained.

Article 9

Verification of the applications' admissibility

- 1 – The verification of the formal requirements for the admissibility of applications shall be carried out by the FCT, I.P. services.
- 2 – Failure to submit any requested clarifications, information or documents, within 5 working days, shall determine the application withdrawal.
- 3 – The list of applications admitted and excluded shall be approved by the Board of Directors, with a delegation option, and shall be publicized on the FCT portal, I.P.
- 4 – Excluded candidates shall be notified for the purposes set out in Article 12.

Article 10

Evaluation Parameters

- 1 – Applications shall be evaluated taking into account its merits, based on the parameters set out in the announcement of the call for proposals and the evaluation guide.
- 2 – The evaluated applications shall be listed in descending order according to its merit and selected up to the budgetary limit or the number of agreements defined in the announcement of the call for proposals, however the limit or number of agreements can be increased by a FCT decision, when the minimum merit threshold defined in the aforementioned announcement is verified.

Article 11

Evaluation panels

- 1 – The evaluation panels shall be designated by a decision of the FCT, I.P. Board of Directors, or by whom it delegates, and its composition shall be disclosed on the FCT, I.P. page, before the prior hearing.
- 2 – The evaluation panels shall be preferably composed of international experts of recognized merit, the representativeness of the scientific areas corresponding to the scientific councils of the FCT, I.P. being ensured

3 – Evaluation panels may use external evaluators, who shall execute reports on the applications assigned to them, in order to inform the works and decisions of the panels.

4 – The impartiality guarantee regime provided for in articles 69 to 76 of the Administrative Procedure Code, as well as confidentiality, transparency and the non-existence of conflicts of interest regimes, shall apply to the call for proposals.

5 – The evaluation panels shall:

- a) Apply and deliberate reasonably in accordance with the evaluation parameters defined in the announcement of the call for proposals and the evaluation guide;
- b) Prepare an evaluation report for each application;
- c) Select and prioritize the applications to be granted;
- d) Prepare a Final Report that shall include, in addition to the results, criticisms or recommendations that may contribute to the improvement of the evaluation system. The Final Report shall identify all the conflict of interest situations occurred during the panel's operation.

6 – All meetings, including those held to reach a final decision, may be held by videoconference.

7 – Minutes of each meeting shall be drawn up, in which a summary of the work carried out shall be described, namely, indicating its date and place of execution, members present, the respective reasons for the classifications assigned, the scheduled and treated matters of the agenda, the applications analysed and their deliberations.

8 – Upon completion of the evaluation parameters application, the members of each panel shall proceed to the elaborate, in accordance with paragraph 2 of the previous article, the list of applications.

9 – The lists referred to in the previous number are subject to approval by the member of the Board of Directors with powers delegated to do so, who shall also be responsible for uttering the final decision.

Article 12

Announcement of the proposed decision, prior hearing and decision

1 – The FCT, I.P. shall notify the decision proposal and the respective scoreboard report, without prejudice to the exemption provided for in the Administrative Procedure Code, within 20 working days of the evaluation panels opinions and reports receipt.

2 – The FCT, I.P. Governing Board may notify the proposed decision prior to the receipt of all opinions.

3 – The candidate/beneficiary institution may, if it so wishes, comment on the proposed decision within 10 working days of its notice.

4 – The submitted comments by the candidate/beneficiary institution to the proposed decision shall be considered:

- a) By the FCT, I.P. in its administrative and procedural aspects;
- b) By the panels that carried out the evaluation, regarding matters of a scientific nature.

5 – Comments of an administrative or procedural nature and observations of a scientific nature shall be submitted simultaneously on the FCT portal, I.P.

Article 13

Appeal

1 – After the decision notice, an appeal can be sent to the FCT, I.P. board of directors, within 15 working days.

2 – The appeal shall be analysed:

- a) by the FCT, I.P., regarding the administrative and procedural aspects;
- b) by a second panel of independent experts, regarding scientific merit matters, who shall duly substantiate the maintenance or modification of the decision.

3 – The confirmation of the existence of gross errors or negligent acts constitutes grounds for modifying the decision.

4 – The FCT, I.P. Governing Board, or any of its delegated members, shall designate the members of the panels of experts referred to in paragraph 2 (b).

5 – The expert panels referred to in paragraph 2 (b) shall draw up a Final Report which shall include, in addition to the results, criticisms or recommendations that may contribute to the improvement of the evaluation system, as well as the identification of all conflict of interest situations verified during the operation of the panel.

Article 14

Competitive Call for Proposals Termination

1 – The Competitive Call for Proposals shall be concluded with the signature of the Grant Agreement with the FCT, I.P. or when its execution doesn't take place within the time limit set for that purpose.

2 – Competitive Call for Proposals may also be terminated by a duly substantiated act of the Governing Board, approved by the competent bodies, provided that the final list of candidates has not yet been notified.

Article 15

Funding reduction or withdrawal

1 – Failure to comply with obligations, as well as the non-existence or loss of any of the requirements for the funding may lead to its reduction or revocation.

2 – The following shall constitute grounds for determining the funding reduction or, if the situation remains, its revocation, namely and when applicable:

- a) Non-compliance, in whole or in part, with the recipients' obligations;
- b) Justification of the expense or imputation of values higher than those legally permitted or ineligible values;
- c) Failure to comply with the information and publicity rules, and the dissemination rules of scientific publications generated within the funding scope, in accordance with the FCT, I.P. open access policy, the reduction being determined accordingly to the seriousness of the non-compliance;
- d) Failure to comply with ethical standards of conduct and with the provisions of applicable European and national legislation, the reduction being determined accordingly to the seriousness of the non-compliance;

3 – The following are grounds for determining the funding's revocation:

- a) Failure to send the Grant Agreement to the FCT, I.P., within the period established for this purpose;
- b) When the implementation of the grant agreement does not start within a maximum period of 90 days, for individual support, or 6 months, for institutional support, counting from the date of the decision notice;
- c) Failure to comply with the regulations or commitments undertaken, jeopardizing the achievement of the defined goals, for reasons attributable to the funding recipients, as well as the refusal to provide information or other requested relevant elements;
- d) Failure to comply, for reasons attributable to the Host or Beneficiary Institution, with their legal obligations, namely tax and social security obligations;
- e) When false information on the recipients' status is provided, when the data provided is tampered and falsified during the application, evaluation, signature and/or monitoring of implementation stage of the agreement, including the final activity report and the supporting evidence of the costs (presenting them to more than one financing entity, without duly substantiated allocation criteria, or to other entities responsible for public financing);
- f) Failure to meet the essential objectives foreseen in the application for reasons attributable to the recipients;

- g) The substantial non-execution of the application in the approved terms;
- h) Changes to the decisive elements of the funding decision that compromise the application merit;
- i) Failure to submit the final activities report and the Host Institution or Beneficiary report, within 60 days upon termination of the contract;
- j) Non-existence or lack of regularization of organizational deficiencies of the process regarding the employment and failure to send the requested elements by the FCT, I.P., within the established deadlines;
- k) Refusal to submit to control and audit to which they are legally subject;
- l) Serious violation of codes of ethics, deontology and responsible conduct in scientific research.

4 – The revocation of the funding decision shall imply the funding suspension and the consequent obligation to restitute all values already received, and the Host or Beneficiary Institution shall, within 30 working days from the receipt of the respective notice, reimburse the received amounts, plus any interest, in accordance with the provisions of the Grant Agreement.

5 – When the revocation shall occur due to any of the reasons referred to in paragraph 3 (e), the respective candidate and/or institution shall not be eligible for funding under the Funding System for Entities of the National Scientific and Technological System for a period of three years.

6 – Non-application of the funding reduction, provided for in paragraph 2, may occur if duly authorized by the Board of Directors, or its delegated competent member, when based on reasons of force majeure.

Article 16

Funding Recovery

1 – All amounts wrongly received, namely resulting from failure to comply with legal or contractual obligations, the occurrence of any irregularity, and non-existence or loss of any funding requirement, shall be considered due by the beneficiary institution.

2 – For the previous number purposes, the FCT, I.P. shall notify the institution of the debt amount and its reasons, in accordance with the Administrative Procedure Code.

3 – The restitution shall be made within 30 working days, counting from the aforementioned notice receipt, and, in case of default, interest shall be added to the amount due, which, in the absence of special European legislation, shall be accounted for at the statutory rate established under Article 559 (1) of the Civil Code, from the voluntary payment period term until full and actual repayment of the amount due.

4 – If the aforementioned restitution is not executed, the FCT, I.P. shall promote the due amount recovery by any legal means or thought fiscal execution coercive collection, and the Grant Agreement may be revoked,

which shall entail the obligation to replace all the received amounts by the institution, and its management bodies shall also be responsible for the due amount payment.

5 – No restitution process shall be initiated, whenever the due amount is equal to or less than that established annually in the budget execution decree.

CHAPTER II

GENERAL CONDITIONS FOR THE FUNDING AND EMPLOYMENT OF DOCTORATES

Article 17

Grant Agreement

Funding shall be granted with the execution of a Grant Agreement between the FCT, I.P and the doctorate contracting institution.

Article 18

Costs

1 – The following remuneration costs actually borne by the contracting institution shall be eligible, in proportion to the funding established by FCT, I.P.:

- a) Salary, holiday and Christmas allowances costs, which shall be determined according to that of public functions workers, at that time;
- b) Food allowance, corresponding to that of public functions workers;
- c) Compulsory social charges of the employer, including work accidents insurance;
- d) Proportional charges arising from compensation, if applicable, and the ones due to the termination of the fixed-term employment contract, calculated in accordance with the applicable legislation.

2 – Other higher costs or amounts the contracting institution determines, on its own initiative, to pay or provide to the doctorate(s), including costs related to leave unexpended payment, upon the employment contract termination, shall not be eligible.

Article 19

Funding general conditions

1 – The eligible costs processing begins after the receipt of the employment contracts and after all applicable ethical aspects are duly taken into account.

2 – Transfers related to funding are made in accordance with the terms of the Grant Agreement.

3 – In case of termination of the employment contracts, funding provided for in the Grant Agreement shall cease immediately, and the parties shall assume their arising legal obligations to the FCT, I.P.

4 – Employment contracts shall be executed:

- a) Regarding Individual Competitive Call for Proposals, under the system, duration and exercise of functions regime provided for in Articles 6 and 7 of Decree-Law no. 57/2016, of August 29, amended by Law no. 57/2017 of 19 July.
- b) Regarding Institutional Competitive Call for Proposals, under the system, duration and exercise of functions regime provided for in Articles 6 and 7 of Decree-Law no. 57/2016, of August 29, as amended by Law no. 57/2017, of July 19, or for an indefinite period in Scientific Research careers, University Teaching and Polytechnic Teaching, and without term for institutions not covered by the career Statutes.

Article 20

Recipients' Obligations

1 – Without prejudice to other obligations, contracting institutions shall:

- a) Integrate the doctorate's activity in the scope of the academic, scientific and technological politics of the institution, assuring their scientific and technical autonomy;
- b) Guarantee the necessary technical and logistic conditions so that the doctorate can develop its activities according to the scientific investigation project or the work plan in which he is integrated;
- c) Communicate, in a timely manner, to the doctorate, the operation rules of the institution and other conditions for exercising its functions;
- d) Adopt, regarding hygiene, safety and health at work standards, the measures provided for in legal and common requirements, for the institution or activity;
- e) Define contractually with the doctorate the conditions regarding intellectual and industrial property rights, in the terms established in the career statutes and the internal regulations of the contracting institution;
- f) Issue a report accompanying the final activities report elaborated by the doctorates with a detailed description of the research carried out, to be sent to the FCT, I.P. within 60 days after the contract's termination.

2 – Without prejudice to other obligations, contracting institutions and employees shall:

- a) Fulfil the object established in the respective contract;
- b) Respect and comply with the internal rules of operation of the contracting institution;
- c) Use and ensure the maintenance of equipment and other assets entrusted to them for exercising their functions;

- d) Respond, in a timely manner, to the requests addressed to them by the FCT and provide the documents related to the contracted activity, without prejudice, where applicable, to those covered by professional secrecy;
- e) Maintain the confidentiality of all information and data to which they shall have access and which are identified as confidential by the institution;
- f) Comply with all other obligations arising from applicable legislation and regulations, as well as from the respective contract.

CHAPTER III

SPECIFIC PROVISIONS

SECTION I - INDIVIDUAL FUNDING

Article 21

Specific conditions

- 1 – Individual funding is destined to national, foreign and stateless doctorates, holders of a relevant curriculum in any scientific area who wish to develop their scientific activity in Portugal.
- 2 – Doctorates who hold legal employment relationships for an indefinite term or without term with any of the institutions identified in paragraphs a) and b) of no. 1 of article 4, whose object or content may include scientific research activities, cannot be candidates.
- 3 – In each Competitive Call for Proposals, each candidate shall submit a single application.
- 4 – The submission by the same candidate of more than one application shall constitute grounds for his exclusion.
- 5 – Applications shall be accepted in all scientific areas.
- 6 – Each application shall be supported by an R&D unit and, where applicable, its host institution.

Article 22

Application process

- 1 – The application process shall follow the Application Guide.
- 2 – In addition to the required documentation in the Announcement for Competitive Call for Proposals, each application must comprise the following documentation:
 - a) Documents proving that the candidate meets the conditions required in paragraph 1 of the previous article (by electronic submission);
 - b) Research plan (only by electronic submission);
 - c) Summary of scientific and curricular course, with a selection of the main activities and results obtained in the last 5 years (only by electronic submission);
 - d) Applicant's Curriculum Vitae (only by electronic submission);
 - e) Motivation letter, identifying up to two of candidate's main contributions in the last 5 years and the expectation of his main contribution proposal for the next years (only by electronic submission);

- f) Summary of the reception conditions and how the proposed research plan shall incorporate the strategy of the associated research unit (only by electronic submission);
- g) Funding declaration from the host institution (to be submitted on the electronic platform upon the host institution association).

3 – Failure to submit the documents referred to in the preceding paragraph within the period established for this purpose shall determine the exclusion of the application.

Article 23

Evaluation Specifics

1 – The evaluation of the scientific and curricular course shall be made according to the parameters to be defined in the Announcement for Competitive Call for Proposals and in the evaluation guide.

2 – The definition of the evaluation parameters shall follow the principles set forth in no. 4 of article 5 of Decree-Law no. 57/2016, of August 29, as amended by Law no. 57/2017 of 19 July.

3 – The evaluation may include an interview or a public presentation or demonstration session by the candidates, or by some candidates to be selected by the jury, which is exclusively intended to clarify aspects related to their research results and has a maximum weight of 10% in the evaluation total.

Article 24

Funding Specifics

1 – The FCT, I.P. shall execute Grant Agreements with the candidates' host institutions, ensuring the financing of the expenses considered to be eligible, incurred by the doctorate's employment, for a maximum period of 6 years.

2 – For the purposes of the previous number, the considered salary levels are the ones provided for in no. 1 of article 15 of Decree-Law no. 57/2016, of August 29, as amended by Law no. 57/2017 of 19 July.

SECTION II – INSTITUTIONAL FUNDING

Article 25

Specific conditions

- 1 – Institutional funding is intended for the institutions referred to in paragraph 1 (b) of article 4, for the execution of research activities in R&D units financed by FCT, IP, under the terms expressed in the respective scientific employment plan.
- 2 – Each beneficiary institution may be associated with more than one application.
- 3 – Each beneficiary institution may submit up to a maximum number of applications equal to the amount indicated in the respective Announcement for Competitive Call for Proposals.

Article 26

Application process

- 1 – The application process shall follow the Application Guide.
- 2 – In addition to the documentation required in the Announcement for Competitive Call for Proposals, each application must be accompanied by the following documentation:
 - a) Scientific Employment Plan, demonstrating effective efforts to rejuvenate and reinforce five-year careers of the contracting Institution(s) and articulation with the associated R&D unit(s) in the application;
 - b) Level of requested funding, regarding the number of contracts, for a 6 year period;
 - c) Characterization of the research and/or teaching staff of the contracting Institution(s), as of the last official report, if applicable;
 - d) Declaration of commitment of the highest body(ies) of the contracting Institution(s);
- 3 – Failure to submit the documents referred to in the preceding paragraph within the period established for this purpose shall determine the exclusion of the application.

Article 27

Evaluation Specifics

- 1 – The evaluation shall be made according to the parameters to be defined in the Announcement for Competitive Call for Proposals and in the evaluation guide.
- 2 – The evaluation of applications shall consider the scientific employment plan of the Institution (s), the reception conditions of the R&D unit(s), the link between the Institution(s) and the R&D unit(s) and the

framework's composition of the contracting institution and its reinforcement and rejuvenation, as well as the scientific area to be reinforced and/or developed with the contracts to be executed.

3 – The evaluation criteria are also based on the reception conditions of the beneficiary institution, necessarily including practice, in parallel and independently of the funding to be granted by the FCT, I.P. for the recruitment of doctoral researchers, the launch of Competitive Call for Proposals for the reinforcement of the top categories of careers in Scientific Research, University Teaching and Polytechnic Higher Education Teaching, approved by Decree-Laws No. 124/99, of April 20, no. 448/79, dated November 13, and no. 185/81, of July 1, in their current versions, respectively, under the conditions to be stipulated in the Announcement for Competitive Call for Proposals.

4 – Regarding institutions not covered by the career Statutes, the evaluation criteria must also consider the launch of Competitive Call for Proposals to access scientific research careers or recruitment for permanent employment contracts in the career scope equivalent to those mentioned in the previous number, and laid down in their scientific employment plan, under the conditions to be stipulated in the Announcement for Competitive Call for Proposals.

Article 28

Funding Specifics

1 – The FCT, I.P. shall execute Grant Agreements with the candidates' host institutions, ensuring the financing of the expenses to be considered eligible, incurred by the employment of doctorates, for a maximum period of:

- a) Six years regarding employment contracts to be celebrated under the system, duration and functions exercise provided for in Articles 6 and 7 of Decree-Law no. 57/2016 of 29 August, as amended by Law no. 57/2017, of July 19.
- b) Six years regarding employment contracts to be concluded for an indefinite period for the Scientific Research, University Teaching and Polytechnic Teaching careers, and without term for institutions not covered by the careers Statutes.

2 – For the purposes of sub-paragraph a) of the previous paragraph, the remuneration levels considered shall be the ones provided for in no. 1 of article 15 of DL no. 57/2016, of August 29, as amended by Law no. 57/2017 of 19 July.

3 – For the purposes of sub-paragraph b) of the preceding paragraph, the value corresponding to level 54 of the TRU shall be considered, in the event of a research career or an institution not covered by the Career Statutes, and corresponding to level 23 of TRU, regarding a teaching career as long as the employee is integrated in an R&D unit evaluated by the FCT, IP and their teaching service does not exceed six hours per week.

4 – Competitive Call for Proposals shall be launched within a maximum period of 6 months from the date of the Grant Agreement execution, under penalty of expiration of the funding decision.

5 – Competitive Call for Proposals for permanent contracts of the institutions not covered by the Statutes of Career and for the contracts to be executed under the systems, duration and regime of exercise of functions provided for in articles 6 and 7 of Law no. 57/2016, of August 29, as amended by Law no. 57/2017 of July 19, shall follow the rules established in this regulation for the doctorates' employment.

CHAPTER IV

FINAL PROVISIONS

Article 29

Advertising

1 – Doctorates and their institutions shall, where applicable, comply with the provisions of the applicable advertising regulations, particularly in advertisements published or edited by any means of communication, seminars, training actions or other events.

2 – In all advertising activities the FCT, I.P logo shall appear.

Article 30

Revocation

1 – Pursuant to article 146 of Decree-Law no. 4/2015, of January 7, Regulation No. 179/2014, of May 2, is revoked with the entry into force of this regulation.

2 – Revocation shall occur without prejudice to the transitional maintenance of that regime, applicable to contracts in force on the date of this Regulation implementation.

Article 31

Doubts and omissions

Omitted cases, exceptional cases, gaps and doubts of interpretation arising from the application of this Regulation that cannot be resolved by the application of legal interpretation and integration criteria shall be resolved by a Governing Board resolution.

Article 32

Implementation

This Regulation shall enter into force on the day following its publication in Diário da República.