

This amended text contains the Act on the National Foundation for Science, Higher Education and Technological Development of the Republic of Croatia published in the Official Gazette (OG) number 117 dated December 24 2001 which has entered into force on January 1 2002, the text of the Act on amendments to the Act on National Foundation for Science, Higher Education and Technological Development of the Republic of Croatia published in the Official Gazette number 46 dated April 10 2009 which has entered into force on April 18 2009, the text of the Act on amendments to the Act on the National Foundation for Science, Higher Education and Technological Development of the Republic of Croatia published in the Official Gazette number 94 dated July 24 2010 which has entered into force on August 1 2010, as well as the text of the Act on amendments to the Act on Croatian Science Foundation published in the Official Gazette number 78 dated July 13 2012 which has entered into force on July 13 2012.

## **Consolidated text of the ACT ON THE CROATIAN SCIENCE FOUNDATION**

### **I. General Provisions**

#### Article 1

(1) This Act shall be the founding Act of the Croatian Science Foundation (hereinafter: the Foundation), it shall determine the Foundation's purpose, bodies, assets, ways its incomes are used and sources of funding.

[OG 94/2010, Art. 1, 1/8/2010]

(2) All other issues not specified by this Act shall be governed by the provisions of the Act on Foundations and Funds.

#### Article 2

(1) The Republic of Croatia shall be the founder of the Foundation.

(2) The Foundation shall be officially designated by the name Croatian Science Foundation and its abbreviation HRZZ.

[OG 94/2010, Art. 1, 1/8/2010]

[OG 78/2012, Art. 1, 13/7/2012]

(3) The seat of the Foundation shall be in Zagreb.

[OG 94/2010, Art. 2, 1/8/2010]

[OG 46/2009, Art. 1, 18/4/2009]

(4) The structure and the scope of work of the Administrative and Professional Services Office for the needs of the Foundation shall be determined by the General Acts of the Foundation.

[OG 94/2010, Art. 2, 1/8/2010]

(5) The Foundation is a legal person, it shall become such upon entering into the Register of Foundations.

[OG 94/2010, Art. 2, 1/8/2010]

### **II. Foundation's Purpose**

#### Article 3

(1) The Foundation's basic purpose is the development and promotion of science and technological development of the Republic of Croatia with the main goal of ensuring social and economic development and encouraging employment according to the principles of social inclusiveness.

(2) To accomplish its basic purpose, the Foundation shall ensure financial support for basic, applied and developmental research on the topics of strategic importance for the Republic of Croatia and the research fellowships within the following general programme groups:

- programmes for the support of advanced scientific research internationally recognised by investing in the excellent ideas and excellent researchers in the Republic of Croatia within all research areas
- programmes for the support of excellent research groups by funding the collaboration of research organisations, researchers, scientific equipment and space and the development of research capacities of strategic interest
- programmes for the support of collaboration between research organisations and industry by funding the scientific research with the possible technological application for the purpose of economic and industrial development
- programmes for the support of future excellent researchers by funding the development of research careers in line with the social and economic needs, including the promotion of interdisciplinarity
- programmes for the support of participation of Croatian researchers and research organisations in the projects of European and international funds for

science and innovations by encouraging the applications to European and international funds, by funding the successful projects that were not supported and by additional funding of the accepted and funded projects

- programmes supporting the scientific research within social sciences and humanities

- programmes of the Unity Trough Knowledge Fund for the development of research cooperation between Croatian researchers from Croatia and from abroad with the goal to connect them with international research institutions and to attract the talents in the Croatian research system.

(3) The Foundation shall bring independent decisions on funding pursuant to its General Acts and the principles of freedom in research work and creation.

[OG 46/2009, Art. 2, 18/4/2009]

[OG 94/2010, Art. 3, 1/8/2010]

[OG 78/2012, Art. 2, 13/7/2012]

#### Article 3a

(1) The users of the Foundation's funds shall be doctoral students, postdoctorands, researchers and research organisations in line with the regulations determining research activities.

(2) Within all supports from the Foundation doctoral students and/or postdoctorands shall be funded. The associates in the projects shall be students, researchers and experts in research organisations and in industry from Croatia and from abroad.

(3) The conditions, criteria and the procedure of allocation, evaluation, funding and monitoring of the support for research projects shall be determined by the General Acts of the Foundation, and especially:

- the evaluation procedure shall be governed by the objective and measurable scientific and professional review

- the support shall be allocated exclusively on the base of public calls published on the Internet pages of the Foundation in Croatian and in English language

- the users of funds shall be responsible to handle the results from the scientific research in accordance with the intellectual property rights and in line with the Code of Conduct of the Foundation.

[OG 78/2012, Art. 3, 13/7/2012]

### III. The Foundation's Bodies

#### Article 4

(1) The Bodies of the Foundation shall be the

Board and the Executive Director.

[OG 94/2010, Art. 4, 1/8/2010]

[OG 78/2012, Art. 4, 13/7/2012]

(2) Members of the Foundation's bodies shall

conduct the Foundation's activities to the best of their knowledge, in accordance with the provisions of this Act and other Foundation's acts, its Statute and its General Acts.

(3) During their mandate and before the expiration of one year after the termination of their mandate within the Foundation's bodies, members of the Foundation's bodies shall not apply for nor participate in the projects and programmes funded by the Foundation.

(4) Members of the Foundation's bodies shall not be members of other highest professional bodies in charge of the development and quality of the entire research and higher education systems, employees of the responsible Ministry in charge of research and higher education, university Rectors, faculty Deans nor Directors of research institutes.

(5) Pursuant to the General Act on the Conflict of Interest brought by the Board, members of the Board and members of other Foundation's bodies shall report any conflict of interest related to the projects involved in the application procedure.

[OG 46/2009, Art. 3, 18/4/2009]

#### Article 5

(1) The Foundation is governed by the Board comprised of seven members.

(2) The members of the Board are appointed by the Croatian Parliament based on the recommendation of the Government of the Republic of the Croatia from the pool of excellent researchers, especially the researchers with internationally recognised scientific papers and results, taking into consideration all scientific areas. The nominations for the members of the Board of the Foundation shall be determined by the Government based on the recommendations delivered by the research institutes, Rector's Conference, Senates of the universities, Croatian Academy of Sciences and Arts, Croatian Chamber of Economy, associations of employers,

National Council for Science, researchers and members of the Croatian academia based on the public Call for recommendations.

(3) By the majority of votes the members of the Board shall elect the President and the Vice-President of the Foundation. The Vice-President shall substitute the President in case of his absence or disability.

[OG 78/2012, Art. 5, 13/7/2012]

(4) The work of the members of the Board shall be governed by the provisions of the Foundation's Statute.

(5) The work of the Board shall be specified by the Rules of procedure on its work.

[OG 94/2010, Art. 3, 1/8/2010]

[OG 46/2009, Art. 4, 18/4/2009]

#### Article 6

(1) The Board of the Foundation shall:

- adopt the Statute of the Foundation
- adopt the Book of Rules on the terms, conditions and procedures for the distribution of funding for fulfilling the Foundation's purpose
- adopt the Book of Rules on the Internal Structure of the Foundation
- adopt the Book of Rules on management of the research results in line with the intellectual property rights
- adopts the Annual Work Plan and Financial Plan of the Foundation
- bring the decisions on allocation of funds
- adopt the Rules of procedure on its work
- adopt the General Act on the Conflict of Interest
- manage and control the management of the Foundation's business
- decide on the utilisation of the Foundation's assets
- submit reports on the work of the Foundation
- suggest the Strategic Plan of the Foundation
- perform other business pursuant to the Act and the Statute of the Foundation.

[OG 46/2009, Art. 5, 18/4/2009]

[OG 46/2009, Art. 5, 18/4/2009]

[OG 78/2012, Art. 6, 13/7/2012]

(2) The Acts indicated in the para. 1 in this Article, subparagraph 1-3, the Board shall adopt with authorisation of the Ministry responsible for science.

[OG 78/2012, Art. 6, 13/7/2012]

(3) The Board shall submit the Foundation's five-year Strategic Plan to the Croatian Parliament. The Plan shall elaborate the objectives and programmes in line with

long-term strategic development directions of the Republic of Croatia. The Foundation's Strategic Plan shall recognise and develop priority scientific fields aiming at enhancing the integration of the Croatian research system into the European Research Area, linking research with innovation and production processes and ensuring conditions for absorption of European Union funds for research and innovation.

[OG 94/2010, Art. 6, 1/8/2010]

(4) The Foundation's Strategic Plan indicated in para. 3 shall be adopted by the Croatian Parliament.

[OG 94/2010, Art. 6, 1/8/2010].

(5) The President of the Foundation's Board shall represent the Foundation, implement the decisions of the Board, manage the Foundation in accordance with the decisions of the Board, account for the legality of the Foundation's activities, propose the Financial Plan and Annual Balance Sheet to the Board, report on the state of affairs and finances to the Board and carry out other duties pursuant to this Act, other acts and the Foundation's Statute.

(6) The President of the Board can, in writing, transfer to the Executive Director the rights to conclude specific types of contracts and perform other legal actions, or stipulation of specifically determined contracts and performance of specifically determined legal actions.

[OG 46/2009, Art. 5, 18/4/2009]

#### Article 7

(1) The sessions of the Foundation's Board are convoked by its president at least once quarterly.

(2) The session can be held in the presence of the majority of the Board members, while valid decisions shall be made by the majority vote of all members of the Board present at the session.

(3) The Foundation's General Acts, programmes, Calls and list of the funded projects indicating the basic data shall be published on the Foundation's Internet pages. The Board may bring the Decision to publish in English language some of the documents and information relevant to the researchers from other countries.

[OG 78/2012, Art. 7., 13/7/2012]

#### Article 8

(1) The members of the Board shall be elected on the five-year mandate with the right of one re-election.

(2) Pursuant to the recommendation of the Government or of the Board the Croatian Parliament shall suspend the member of the Board before the termination of his/her mandate according to his/her personal request or in case of his/her misconduct in line with the law and the Foundation's General Acts, in case of non-participation in sessions or if he/she in other ways does not fulfil his/her tasks, in case of personal or professional interests in collision with the interests of the Foundation.

[OG 78/2012, Art. 8, 13/7/2012]

#### Article 9

(1) The Board can establish the permanent and temporary scientific and professional committees comprising of Croatian and foreign experts in order to collect research project proposals, analyse and evaluate these proposals, process the requests, compile proposals for the Board as well as perform other duties falling within its competence. The committees shall be administratively supported by the Foundation's Office.

(2) The Board shall establish the Office of the Foundation with the tasks to: organise the evaluation procedures, compile for the Board the projects recommended for funding, run administrative and professional tasks, monitor the implementation and funding of the accepted projects as well as other administrative and professional tasks. The Office of the Foundation shall be managed by the Executive Director.

[OG 78/2012, Art. 9, 13/7/2012]

[OG 94/2010, Art. 7, 1/8/2010]

[OG 78/2012, Art. 10]

#### Article 9b

(1) The Executive Director shall manage the business of the Foundation and the Office of the Foundation independently.

(2) The Executive Director shall be appointed for the period of 5 years by the Board of the Foundation based on the public Call and he/she shall conclude the full time working contract.

(3) The Board of the Foundation shall suspend the Executive Director if he/she shall not perform its duties according to the Contract on employment in line with the law and other General Acts of the Foundation, participate in the sessions of the Board or in any other way fail to succeed his/her duties, if the conflict of his/her personal and business interests with

the interests of the Foundation shall be determined and in case his/her conduct and actions negatively reflect on the Foundation's reputation.

[OG 94/2010, Art. 7, 1/8/2010]

[OG 78/2012, Art. 11, 13/7/2012]

### IV. Foundation's Assets

#### Article 10

(1) The Foundation's assets amount to 10,000,000.00 (ten million) Kuna.

[OG 46/2009, Art. 6, 18/4/2009]

(2) The assets indicated in para. 1 shall be designated by the Founder.

[OG 46/2009, Art. 6, 18/4/2009]

#### Article 11

(1) The Foundation shall have its own domestic

currency account (in Kuna).

(2) The Foundation's foreign currency assets shall

be deposited in a foreign currency account administered by a commercial bank.

### V. Financing, financial management and Monitoring of the Foundation's Work

#### Article 12

(1) The Foundation shall be financed by income from its assets, as the specific item within the state budget, grants, any other income in accordance with this Act as well as other incomes.

[OG 94/2010, Article 8, 1/8/2010]

(2) Upon decision of the Board, incomes are distributed to serve Foundation purposes and operational costs in line with the Strategic plan and Annual Work Plan of the Foundation.

[OG 46/2009, Art. 7, 18/4/2009]

[OG 78/2012, Art. 12, 13/7/2012]

#### Article 13

Incomes from assets shall include bank's interests and other income from financial assets, such as lease fees and other fees in case the Foundation owns real estates or other movable property other than money and financial assets.

#### Article 14

(1) Grants shall include financial contributions, goods, services and rights the Foundation receives for achieving its

purpose; they can be from companies, physical persons, NGOs, funds, in other words such contributions from other domestic and foreign persons.

(2) Tax relieves and concessions shall apply for grants indicated in para. 1, pursuant to the Specific Acts.

#### Article 15

(1) Should, on the basis of regulation or by the Decision of the Government of the Republic of Croatia, the Foundation become share- or stock-holder in a company, owned or partly owned by the Republic of Croatia, the Foundation shall not hold management rights; however, an appropriate part of dividend shall become the Foundation's income.

(2) The Foundation is entitled to generate income in accordance with Article 17 para. 5<sup>1</sup> of the Act on Foundations and Funds.

[OG 78/2012, Art. 13, 13/7/2012]

#### Article 16

(1) The term other income of the Foundation refers to income generated from additional activities such as organization of charity events, compilation and selling of printed materials, badges, pins and similar activities.

[OG 46/2009, Art. 8, 18/4/2009]

[OG 78/2012, Art. 14, 13/7/2012]

#### Article 17

(1) Financial year of the Foundation shall run from January 1 to December 31 of the same year.

(2) The Foundation's Board shall, within one month after the expiry of each quarter, submit to the responsible ministry in charge of research and higher education the Foundation's annual balance sheet.

[OG 46/2009, Art. 9, 18/4/2009]

(3) After the end of each financial year, the Foundation's Board shall submit appropriate reports to the Croatian Parliament and state bodies, in accordance with the provisions of Article 31 para. 3<sup>2</sup> of the Act on Foundations and Funds.

<sup>1</sup> Art. 17 para. 5 of the Act on Foundations and Funds: "Special laws may also regulate mandatory contributions to respective foundations from the incomes of game of chance or from the profits of particular state-owned companies."

<sup>2</sup> Art. 31 para. 3 of the Act on Foundations and Funds: "Foundation bodies are under obligation of submitting each year, at the same time when legal entities are bound to submit such reports to the financial control bodies, an annual balance sheet for a previous calendar year to the Ministry of Administration, Ministry of Finance and the State Office for Revision. The balance sheet must contain, among other, a

#### Article 18

The Board of the Foundation shall deliver annually the Report on its activities to the Croatian Parliament.

[OG 46/2009, Art. 9, 18/4/2009]

[OG 46/2009, Art. 9, 18/4/2009]

[OG 78/2012, Art. 15, 13/7/2012]

### VI. Foundation's Liability

#### Article 19

(1) The Foundation shall be liable for its obligations with its whole property.

(2) The Foundation's debts shall be covered from the Foundation's sources.

### VII. The Statute and Other General Acts of the Foundation

#### Article 20

(1) The Foundation shall have the Statute which defines the ways its purpose shall be achieved, its internal structure as well as other issues important for the fulfilment of the Foundation's purpose.

(2) Other general acts shall comply with the provisions of the Statute, this Act and other regulations.

(3) The interpretation of the provisions of the Statute and other General Acts shall be given by the Foundation's Board.

### TRANSITIONAL AND FINAL PROVISIONS

**Act on the National Foundation for Science, Higher Education and Technological Development of the Republic of Croatia published in the Official Gazette (OG) number 117 dated 24/12/2001**

### "VIII. Transitional and final provisions

#### Article 21

(1) The Government of the Republic of Croatia shall appoint the Foundation manager within 8 days after this Act has entered into force. The Foundation manager shall represent the Foundation and perform all activities deemed necessary until the appointment of the Foundation's bodies, when all his/her authorizations terminate.

(2) Within 10 days after the day of his/her appointment, the Foundation manager shall submit the Foundation's Statute for authorisation to the Ministry of Science and

review of the foundation incomes and expenditures during the previous accounting period and the state of foundation property."

Technology. After the authorisation has been granted he/she shall within another 15 days, and not later than 30 days, submit the Statute to the Ministry of Justice, Public Administration and Local Self-Government for authorisation.

#### Article 22

This Act shall enter into force on the eighth day of its publication in the Official Gazette.  
Class: 643-02/01-01/01  
Zagreb, 14 December 2001

CROATIAN PARLIAMENT

President of  
the Croatian Parliament  
Zlatko Tomčić, m.p.

**Act on amendments to the National Foundation for Science, Higher Education and Technological Development of the Republic of Croatia Act published in the Official Gazette number 46 dated 10/4/2009**

#### " Transitional and final provisions

##### Article 10

- (1) The Foundation's Board shall within a month after this Act has entered into force adapt the Foundation's Statute to the provisions of this Act and request authorization from the responsible ministry in charge of research and higher education.
- (2) After the authorization has been granted the Foundation's Board shall within another 15 days submit the Foundation's Statute for authorization to the Central State Administration Office for Public Administration.
- (3) The Foundation's Board shall within three (3) months after this Act has entered into force adopt other General Acts of the Foundation foreseen by this Act and the Foundation's Statute and submit these for authorization to the responsible ministry in charge of research and higher education.

##### Article 11

- (1) By the entry into force of the present Act, the provision under Article 111 of the Act on Scientific Activity and Higher Education (Official Gazette, no. 123/03, 105/04, 174/04, 2/07-Decision and 46/07) shall be discharged.
- (2) Tendering procedures related to the funding of research projects and programmes, initiated in accordance with

Article 111 of the Act on Scientific Activity and Higher Education (Official Gazette, no. 123/03, 105/04, 174/04, 2/07-Decision and 46/07) shall conclude in accordance with the provisions of that Act.

#### Article 12

This Act shall enter into force on the eighth day of its publication in the Official Gazette.  
Class: 643-02/09-01/01  
Zagreb, 3 April 2009

CROATIAN PARLIAMENT

**President  
of the Croatian Parliament  
Luka Bebić, m.p."**

**Act on amendments to the National Foundation for Science, Higher Education and Technological Development of the Republic of Croatia Act published in the Official Gazette number 94 dated 24/7/2010**

#### „Transitional and final provisions

##### Article 10

- (1) The Government of the Republic of Croatia shall nominate the members of the Foundation's Board in accordance with the provisions of this Act within 60 days after this Act has entered into force.
- (2) The mandate of the current members of the Foundation's Board shall cease after the members of the Foundation's Board have been appointed in accordance with the provisions of this Act.
- (3) The Foundation's Board, appointed in accordance with the provisions of this Act, shall within 60 days after they have been appointed, appoint the members of the Foundation's Scientific Committees and the Foundation's Executive Director in accordance with the provisions of this Act.
- (4) The mandate of the current members of the Foundation's Scientific Committees shall terminate after the members of the Foundation's Scientific Committees have been appointed in accordance with the provisions of para. 3 of this Article.
- (5) The mandate of the current Executive Director shall terminate after the Executive Director has been appointed in accordance with the provisions of para. 3.

##### Article 11

The Foundation's Board, appointed in accordance with the provisions of this Act shall, within 6 months of its appointment, submit the Foundation's five-year Strategic Plan to the Croatian Parliament.

#### Article 12

(1) The Foundation's Board, appointed in accordance with the provisions of this Act shall, within 3 months of its appointment, adapt the Statute and other general acts of the Foundation and submit them for authorisation to the responsible ministry in charge of research and higher education.

(2) After the authorisation of the responsible ministry in charge of research and higher education has been granted, the Board shall within another 15 days submit the Foundation's Statute for authorisation to the responsible ministry in charge of public administration.

#### Article 13

(1) Offices established pursuant to Article 2 para. 3 of the Act on the National Foundation for Science, Higher Education and Technological Development of the Republic of Croatia (Official Gazette, no. 117/01 and 45/09) shall terminate to work on the day in which offices indicated in Article 1 of this Act shall start working.

(2) By the entry into force of this Act, any office establishment procedures began in accordance with the provisions of Article 2 para. 3 of the Act on the National Foundation for Science, Higher Education and Technological Development of the Republic of Croatia (Official Gazette, no. 117/01 and 45/09) shall stop.

#### Article 14

This Act shall enter into force on the eighth day of its publication in the Official Gazette.

Class: 643-02/10-01/01  
Zagreb, 15 July 2010  
CROATIAN PARLIAMENT

**President  
of the Croatian Parliament  
Luka Bebić, m.p."**

### **TRANSITIONAL AND FINAL PROVISIONS**

#### Article 16

(1) The Government of the Republic of Croatia shall nominate the members of the Board pursuant to the provisions of this Act

within 45 days after this Act has entered into force.

(2) The mandate of the current members of the Board shall be terminated by the nomination of the members of the Foundation's Board pursuant to the prepositions of this Act.

(3) Pursuant to the prepositions of this Act the Board of the Foundation shall appoint the Executive Director of the Foundation in a way determined by this act within 30 days after the Statute has entered into force according to this Act.

(4) The mandate of the current Executive Director shall be terminated by the appointment of the Executive Director of the Foundation pursuant to para. 3 in this Article.

#### Article 17

(1) The Board of the Foundation, appointed pursuant to the prepositions of this Act, shall adapt the Statute of the Foundation to the prepositions of this Act within 30 days after its constitution and deliver it for authorisation to the Ministry responsible for research.

(2) Upon its authorisation by the Ministry responsible for science, the Board shall, within further 15 days, forward the Statute of the Foundation for authorisation to the Ministry for public administration.

(3) The Board shall adopt the General Acts of the Foundation and the Action Plan for Public Calls for research project proposals within the groups of programmes from the Article 3 of this Act within 30 days after the Statute has entered into force according to this Act.

(4) The Board of the Foundation, appointed pursuant to the prepositions of this Act, shall adopt the Preposition of the Five-year Strategic Plan pursuant to the Article 6 in this Act within six months after its constitution.

#### Article 18

The Board shall initiate the public calls for research project proposals within the programme groups prescribed in Article 3 in this Act within one month after the adoption of the Action Plan from the Article 17, para. 3 in this Act and pursuant to the Annual Work Plan and Financial Plan as well as pursuant to the other General Acts.

#### Article 19

(1) The Foundation shall overtake the implementations of the programmes of the

Unity Through Knowledge Fund, including their financial assets, programme cooperatives, equipment, archive and other documentation, running funds as well as all other rights and obligations.

(2) The Ministry responsible for research and the Foundation shall conclude the Agreement on Transition of the Programme Implementation from the para. 1 in this Article within three months after the Statute has entered into force according to this Act.

(3) The Foundation shall conduct the programme from the para. 1 and 2 in this Article with the programme cooperatives and in line with the operational documentation and business practices agreed between the Government of the Republic of Croatia and the World Bank.

#### Article 20

(1) The procedures of evaluation and implementation of the projects of the Foundation in place before this Act has

entered into Force shall be continued according to the regulations and General Acts in force in time of their initiation and terminated not later than six months after this Act has entered into force.

(2) The mandate of the current members of the Scientific Committees shall be terminated by the termination of the procedures pursuant to the para. 1 in this Article.

#### Article 21

This Act shall enter into force on the date of its publication in the Official Gazette.

Class: 643-02/12-01/01

Zagreb, July 6 2012

CROATIAN PARLIAMENT

**Vice-President  
of the Croatian Parliament  
Josip Leko, v. r.**

#### Legend:

Abbreviations:

**OG** = "Narodne novine", Official Gazette of the Republic of Croatia; **Art.** = Article; **para.** = Paragraph

**Explanation of the terms in square brackets, respectively:** [number of the Official Gazette in which the amendments were published, amended Articles, date of entry into force of the amendments].

*[The italic text in square brackets refers to the amendments which have in the meanwhile been abolished.]*