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## **THE LAW**

### **about science and research**

"Official Gazette of RS", number 49 of July 8, 2019.

#### **I. BASIC PROVISIONS**

##### **Subject of the law**

###### **Article 1.**

This law regulates the system of science and research in the Republic of Serbia, namely the planning and realization of the general interest in science and research, ensuring the quality and development of scientific research work, the legal status of institutes, the establishment and management of institutes, the acquisition of the title of researcher, institutional funding and funding of other programs. of general social interest, record keeping, as well as other issues of importance for the system of science and research.

All terms used in this law for positions, professions, that is, occupations and titles, expressed in the grammatical masculine gender, imply the natural masculine and feminine genders of the persons to whom they refer.

##### **Science and research as an activity**

###### **Article 2.**

Science and research as an activity of special importance for the overall development of the Republic of Serbia, based on knowledge, experience and skills, together with higher education is the driver of economic and overall social development.

Science and research in the Republic of Serbia are part of the international scientific, educational, cultural and artistic space.

###### **Article 3.**

Science and research are, in the sense of this law, systematic creative work undertaken for the purpose of creating new knowledge, with the aim of raising the general civilizational level of society and using that knowledge in all areas of social development.

###### **Article 4.**

Science and research are based on the following principles:

- 1) freedom and autonomy of scientific and research work;
- 2) the public of scientific and research work and the results of that work, in accordance with the law;
- 3) scientific and professional criticism;
- 4) respecting the standards of science and profession;

5) application of international standards and criteria in evaluating the quality of scientific and research work in each field separately, in relation to its specificity;

6) competitiveness and excellence of scientific programs and projects;

7) ethics of scientific and research work, in accordance with the principles of good scientific practice;

8) gender equality in science and research, as well as in decision-making bodies;

9) connections with the education system, especially with the higher education system;

10) openness to international scientific and technological cooperation;

11) conducting research in accordance with the principles of open science;

12) concern for sustainable development and environmental protection;

13) originality and authenticity.

The use of existing and newly created knowledge is directed towards the creation of additional value for society, while respecting the principles of protection and circulation of intellectual property.

#### Article 5.

Scientific work is free and not subject to any restrictions, except for those arising from respect for the standards of science and ethics in scientific and research work, protection of human and minority rights, protection of defense and security interests, as well as environmental protection.

Scientific work is subject to scientific criticism.

The freedom of scientific work and creativity is reflected in the freedom of scientific activity, freedom of choice and development of scientific methods of research and interpretation, as well as respect for copyright.

#### Article 6.

In order to increase the quality and visibility of scientific work, research is conducted in accordance with the principles of open science, with optimal use of scientific research infrastructure.

The principle of open science and open access to scientific publications and primary data is based on the recommendations of the European Commission and international good practice.

Scientific research infrastructure includes facilities, capital scientific equipment, machinery and plant, data such as collections, archives and scientific data, e-infrastructures as well as databases, computer systems and communication networks, services and any other tools necessary to achieve excellence in science and research.

#### Article 7.

Science and research as an activity of general interest (hereinafter: scientific research activity) are carried out by the accredited scientific research organizations through programs established by this law, as well as programs established by the law governing the work of the Science Fund Republic of Serbia.

They carry out scientific research as an activity of general interest and institutions of national importance from Article 33 of this law, as well as institutes of which they are founders, in accordance with this and a special law.

#### Article 8.

The goals of scientific research activities are:

- 1) creation of new knowledge in order to encourage social, technological, cultural, artistic and economic development, increasing social products and raising citizens' standards and quality of life;
- 2) preserving and improving the general fund of knowledge, as a condition for understanding, strengthening and contributing to world development processes;
- 3) improvement of overall scientific research capacities (human resources and institution);
- 4) raising the general level of technologies in the economy and providing them competitiveness of goods and services on the domestic and world markets;
- 5) strengthening of international scientific cooperation and contribution in the regional, European and global research space;
- 6) support for the creation of innovations for the economy, technology transfer and strengthening engineering capacities with the aim of creating comparative ones advantages in the global market and promotion of entrepreneurship;
- 7) improvement and expansion of the cultural, artistic and creative environment education, with the aim of preserving and affirming national identity as works of civilizational heritage;
- 8) systemic encouragement of cooperation between institutions, as well as mobility researchers, that is, research and administrative staff within Serbian, regional, European and global research area.

#### Article 9.

In order to implement the goals from Article 8 of this law, obligations scientific research organizations are:

- 1) to make in accordance with the needs of the founder and the society as a whole five-year program of work and development and adapts it to what has been achieved results, goals and new circumstances;
- 2) to propose and harmonize its programs with the programs provided for herein the law, the law regulating the work of the Science Fund of the Republic of Serbia and strategies for the field of scientific research activity and economic and industrial development, and in relation to the specifics of the field of science for which are accredited;
- 3) to identify, analyze and develop new fields of research;

- 4) to act in those fields that will be globally recognized as the most promising, through the formation of new research groups, centers, laboratories and adequate engagement of human resources and equipment;
- 5) to maintain and regularly update the internet presentation;
- 6) to follow and report to the public about the latest achievements in science and technology and objectively presents the achieved results, as well as science and research in general;
- 7) to attract and retain researchers from the country, diaspora, region and of the world whose qualifications, work and results can contribute to improvement scientific results, achievement of goals and more efficient development scientific research organizations;
- 8) to have a scientific research and administrative development program human resources;
- 9) to organize accompanying and administrative tasks in accordance with development new information technologies;
- 10) to maintain and improve scientific and other infrastructure and to enable access to other scientific research infrastructure organizations and business entities with defined rules;
- 11) to prepare project proposals for significant scientific and infrastructural projects expansion of the capacity for financing through national and international funds;
- 12) to propose to the founder the pooling of resources with the aim of creating new ones and more functional institutions;
- 13) to actively cooperate with other scientific research organizations and economy;
- 14) to be actively involved in international flows and to establish i maintains international cooperation and applies for international projects funds;
- 15) that in accordance with the specifics of the research area, he actively works on commercialization of research results;
- 16) to strengthen the processes of creating public policies at the request of the founder and legal frameworks based on facts, through the application of scientific methods and results.

## II. PLANNING AND ACHIEVEMENT OF THE GENERAL INTEREST IN SCIENTIFIC RESEARCH ACTIVITY

### 1. Strategy of scientific and technological development of the Republic of Serbia

#### Article 10.

In order to plan and achieve long-term strategic goals and priorities and directions of scientific and technological development, the Government adopts the Scientific Strategy and technological development of the Republic of Serbia (hereinafter: Strategy), on proposal of the ministry responsible for scientific research activity (in

hereinafter: the Ministry), in accordance with the law regulating planning the system.

#### Article 11.

The strategy is harmonized with the general economic and social development strategy of the Republic of Serbia, as well as with other national, regional and European strategies, including the strategy that determines the priority areas of smart specialization.

The strategy determines: the situation in the field of scientific research activity; goals to be achieved in the field of science and technological development at the level of the Republic of Serbia (hereinafter: the Republic), priorities and directions of scientific and technological development; targeted funds for science and research allocated from the budget and economy, expressed as a percentage of the gross national income of the Republic of Serbia; scientific fields and narrower scientific disciplines as well as interdisciplinary and multidisciplinary directions that should be specially developed and materially supported in order to achieve the goals in the development of the Republic of Serbia; priority needs in science and technological development and investment priorities in scientific research programs; material and system prerequisites for the implementation of the Strategy, dynamics and phases of implementation; measures for implementing the Strategy and managing its implementation; other elements of importance for the implementation of the Strategy.

The strategy determines the priorities for coordinating the work of the Science Fund of the Republic of Serbia and the network of institutions.

The strategy is adopted for a period of five years.

## **2. Programs of general interest for the Republic**

#### Article 12.

The general interest in scientific research activities is realized through institutional funding programs and other programs of general interest in accordance with this law, as well as through project funding through the Science Fund of the Republic of Serbia in accordance with the law regulating the work of that fund.

The programs of institutional financing that realize the general interest of the Republic of Serbia are:

- 1) Program of institutional financing of accredited institutes founded by the Republic of Serbia, autonomous provinces, local self-government units and institutes founded by the Serbian Academy of Sciences and Arts;
- 2) Program of institutional financing of institutes of national importance for the Republic of Serbia;
- 3) The program for the establishment and financing of new institutes founded by the Republic of Serbia, an autonomous province, a unit of local self-government and the Serbian Academy of Sciences and Arts, in accordance with this law.

Other programs of general interest for the Republic are:

- 1) Program of scientific research work of the Serbian Academy of Sciences and Arts and Program of Scientific Research of Matica Srpska;
- 2) Program of co-financing the construction of apartments for the needs of young people researchers and scientists in the Republic of Serbia;
- 3) Program of international scientific cooperation of importance for the Republic of Serbia;
- 4) Funding program for scientific research work of centers of excellence values;
- 5) Program of encouragement and scholarships for young and gifted people scientific research;
- 6) Training program for personnel for scientific research work;
- 7) Project financing program for doctoral academic studies;
- 8) Program for the acquisition of scientific and professional literature from abroad i access to electronic scientific and professional databases;
- 9) Program for publishing scientific publications and holding scientific meetings;
- 10) Program of co-financing of scientific and educational program activities centers, specialized organizations and associations, which deal with additional education and training of talented pupils and students for engaging in scientific research work;
- 11) Provision, maintenance, depreciation and insurance program scientific research equipment and space for scientific research work;
- 12) programs provided by the Strategy, including programs that related to scientific research infrastructure and open science, as well as other programs provided for by this law;
- 13) Program for financing scientific research work and researchers' salaries engaged in accredited scientific research organizations whose founder of the Republic of Serbia, autonomous province and local unit self-government and institutes founded by the Serbian Academy of Sciences and arts;
- 14) Program to create a new framework for strengthening national capacities of the Republic of Serbia in the field of engineering sciences and advanced technologies in accordance with this law.

Programs from paragraph 2, as well as programs from paragraph 3, item 2)–14) of this article determined by the minister responsible for scientific research activity (hereinafter text: minister), with the previously obtained opinion of the National Council for scientific and technological development. Program of scientific research work of Srpska the Academy of Sciences and Arts and the Matica Scientific Research Program of Srpska is determined by the competent authority of the Serbian Academy of Sciences and Arts, i.e. Matica Srpska.

Programs from paragraph 3. point. 2)–14) of this article, as a rule, the minister passes for a period of up to five years. If the programs from paragraph 3. point. 2)–14), due to objective circumstances do not implement within the established deadlines, the minister can with the decision to extend the implementation of the program for a maximum of one year realizations.

Funding of the program begins, as a rule, at the beginning of the calendar year.

### III. ENSURING THE QUALITY OF SCIENTIFIC RESEARCH WORK AND THE DEVELOPMENT OF SCIENTIFIC RESEARCH ACTIVITY

#### Article 13.

Ensuring the quality of scientific research work and the development of scientific research activity in the Republic of Serbia is ensured by:

- 1) National Council for Scientific and Technological Development;
- 2) Committee for Accreditation of Scientific Research Organizations;
- 3) Commission for the acquisition of scientific titles;
- 4) Parent scientific committees;
- 5) Association of Institutes of Serbia;
- 6) Conference of Universities of Serbia;
- 7) Committee for International Cooperation and Diaspora;
- 8) Ministry.

A person appointed to one of the bodies referred to in paragraph 1, item 1)-4) of this article cannot simultaneously be a member of another body from the mentioned points.

#### **1. National Council for Scientific and Technological Development**

#### Article 14.

In order to improve scientific and technological development, the quality of scientific research work and the development of scientific research activity in the Republic of Serbia, the National Council for Scientific and Technological Development (hereinafter: the National Council) is established as the highest professional and advisory body in the system of scientific research activity in the Republic of Serbia.

#### *Composition of the National Council*

#### Article 15.

The National Council has a president and 13 members, from the ranks of academics, researchers with the title of scientific advisor and full professor of the university and businessmen.

The President and members of the National Council are appointed and dismissed by the Government, in accordance with this law.

The government appoints the president of the National Council from among full-time university professors and scientific advisers, on the proposal of the minister.

The Government appoints to the National Council: three members in the position of scientific advisor employed in institutes, from the list of candidates proposed by the Association of Institutes of Serbia, three members in the position of full professor employed at universities, from the list of candidates proposed by the Conference of Universities of Serbia, two members on the proposal of the Serbian Academy sciences and arts from among its members, one member at the proposal of Matica Srpska,

one member in the position of scientific advisor or full professor in the military - scientific research institution of the Ministry of Defense and the Serbian Army at proposal of the Ministry of Defense, one member at the proposal of the Academy of Engineering Sciences of Serbia from among its members and two members from among its members prominent businessmen from the list of candidates proposed by Privredna Chamber of Serbia.

Lists of candidates proposed by the Association of Institutes of Serbia, Conference universities of Serbia and the Chamber of Commerce of Serbia contain at least three a greater number of candidates than the number referred to in paragraph 4 of this article that the Government appoints in National Council. Lists of candidates contain: name and surname of the candidate, scientific or teaching title, function, e-mail address, contact telephone number, employment organization, short scientific or business biography and field of science in which he deals.

Authorized proposers from paragraph 4 of this article of the list of candidate proposals delivered to the Ministry.

When appointing members of the National Council from among the representatives organizations that perform scientific research activities are taken care of equal representation of all six scientific fields.

The scientific fields from paragraph 7 of this article are: natural-mathematical, technical-technological, medical, biotechnical, social and humanistic sciences (hereinafter: scientific fields).

The National Council has a deputy president whom it chooses from among its members members, in accordance with the rules of procedure.

The mandate of the president and members of the National Council lasts for five years.

The president and members of the National Council can be appointed at most two times.

The government can dismiss a member of the National Council even before the end of the mandate, i that:

- 1) at personal request;
- 2) if he does not fulfill the duties of a member of the National Council or is irregular he comes to the meetings or damages the reputation of that office by his actions;
- 3) at the reasoned request of the authorized proponent, that is, the competent authority Associations of Institutes of Serbia, Conferences of Universities of Serbia, Srpska Academy of Sciences and Arts, Matica Srpska, Ministry of Defense, Academy of Engineering Sciences of Serbia, Chamber of Commerce of Serbia and of the ministry responsible for scientific research.

#### *Jurisdiction of the National Council*

#### Article 16.

National Council:

- 1) monitors the state and development of scientific research activities in the Republic Serbia;

- 2) gives an opinion on the text of the draft strategy for scientific and technological development of the Republic of Serbia;
- 3) submits a report to the Ministry on the achieved results and on the overall implementation of the Strategy;
- 4) submits an initiative to the Ministry to change the Strategy;
- 5) propose to the minister the scientific fields, branches and disciplines for which the parent scientific committees are formed;
- 6) determines and proposes to the Minister a list of candidates for members of parent scientific committees, which contains twice the number of members than the one to be appointed by the decision of the Minister, after a public call;
- 7) submits an annual report on the state of science for the previous year, with proposals and suggestions for the following year, no later than October 1, which is adopted by the Government;
- 8) gives a preliminary opinion on programs of general interest for the Republic of Serbia, which are determined by the minister;
- 9) gives an opinion on the five-year report of scientific research organizations on the realization of the program of institutional financing, which is considered by the minister;
- 10) gives a preliminary opinion on the act on the acquisition of research and scientific titles from Article 30, paragraph 1, item 5) of this law;
- 11) appoints and dismisses the members of the Commission for the acquisition of scientific titles;
- 12) passes an act on the evaluation of scientific research work and the accreditation procedure of institutes, integrated universities, faculties and centers of exceptional value;
- 13) decides in the second instance on appeals in the procedure of accreditation of scientific research organizations;
- 14) decides in the second instance on appeals in the procedure of selection for scientific positions;
- 15) realizes international professional cooperation, as well as cooperation with the appropriate body in the field of higher education, and other bodies and organizations;
- 16) performs other tasks, in accordance with this law and rules of procedure.

The National Council adopts the rules of procedure.

The act referred to in paragraph 1, point 12) of this article is published in the "Official Gazette of the Republic of Serbia".

#### *Work of the National Council*

#### Article 17.

The National Council works in sessions.

The work of the National Council is public.

The National Council can establish commissions, boards and other professional and working bodies (hereinafter: working bodies) to carry out tasks within its jurisdiction.

The manner of work and decision-making are governed by the rules of procedure of the National Council.

When the National Council considers issues that form part of the overall policy of the Republic of Serbia in the field of science, and which are related to the areas of education, health, economy, art and culture, then it harmonizes its positions with the appropriate organs, bodies and institutions whose jurisdiction is the issues from those areas.

## **2. Committee for Accreditation of Scientific Research Organizations**

### Article 18.

In order to evaluate the quality and efficiency of scientific research work (hereinafter: accreditation) of scientific research organizations with legal personality, namely: scientific institutes, research and development institutes, institutes of national importance for the Republic of Serbia, faculties, integrated universities and scientific research organizations from of the field of defense and the Serbian Armed Forces (hereinafter: scientific research organizations), the Committee for Accreditation of Scientific Research Organizations (hereinafter: Accreditation Board) is established.

The Accreditation Board is an independent professional body that adheres to the principles of expertise, objectivity and internationally recognized standards and criteria of scientific research work in its work.

### *Composition of the Accreditation Board*

#### Article 19.

The accreditation committee has 13 members, from the ranks of academics, researchers with the title of scientific advisor and full professor of the university.

The members of the Accreditation Board are appointed and dismissed by the minister, namely: six members at the proposal of the Community of Institutes of Serbia, six members at the proposal of the Conference of Universities and one member at the proposal of the Serbian Academy of Sciences and Arts.

When appointing the members of the Accreditation Committee, care is taken to evenly represent all six scientific areas.

The accreditation committee has a president and a deputy president, appointed from among its members.

The term of office of the president, deputy president and members of the Accreditation Committee lasts four years, with the possibility of another election.

A member of the Board can be dismissed even before the end of the mandate, namely: at personal request, at the reasoned request of the authorized proposer or the reasoned request of the majority of the total number of members of the Accreditation Board.

### *Competence of the Accreditation Board*

#### Article 20.

Accreditation Board:

- 1) proposes to the National Council an act on the evaluation of scientific research work and the accreditation procedure of institutes, integrated universities, faculties and centers of exceptional value;
- 2) implements the procedure of accreditation of scientific research organizations;
- 3) achieves cooperation with the appropriate body in the field of higher education;
- 4) achieves international cooperation in the field of evaluation of scientific research work with appropriate bodies and institutions in Europe and the world;
- 5) performs other professional tasks, in accordance with this law and the rules of procedure.

The Accreditation Committee adopts the rules of procedure.

For the purposes of implementing the accreditation procedure, the Accreditation Committee forms expert teams that consider individual requests for the implementation of the accreditation procedure.

The members of the expert teams are appointed by the Accreditation Board from among internationally recognized scientists, university professors and experts.

The Accreditation Board can hire a recognized scientist or expert from abroad to perform certain professional tasks in the accreditation process.

#### *Accreditation procedure*

##### Article 21.

The Accreditation Board carries out the accreditation procedure every five years at the request of the scientific research organization (regular procedure), or in a shorter period, at the request of the Ministry (extraordinary procedure). The regular procedure for the accreditation of institutes of national importance is carried out every ten years.

The request for accreditation to carry out scientific research activities can be submitted by organizations with the status of a legal entity, namely: institutes, faculties, universities, higher education institutions for the needs of police education, scientific research organizations in the field of defense and the Serbian Armed Forces.

The request for accreditation in the status of a center of exceptional values, which can be obtained by an internal organizational unit in an institute, i.e. a higher education institution registered in the Register of Scientific Research Organizations, is submitted by that institute, i.e. a higher education institution, if the internal organizational unit has fulfilled the conditions prescribed by the act from Article 16, paragraph 1 . point 12) of this law.

For scientific research organizations in the field of defense and the Serbian Armed Forces, which do not have the status of a legal entity, the request for accreditation is submitted by the ministry responsible for defense affairs.

For an organization that is not registered in the Register of Scientific Research Organizations, the founder submits an application for accreditation to the Accreditation Board.

For an organization that is not registered in the Register of Scientific Research Organizations, the Accreditation Board evaluates the quality and results of its scientific research work for a period of five years in relation to the date of submission of the application.

Upon receipt of the request from para. 1. and 5. of this article, the Accreditation Board performs quality control of scientific research work, in accordance with this law, makes a decision within 90 days from the date of receipt of the request and submits it to the Ministry and the founder.

The accreditation committee can make a decision approving or rejecting a request for accreditation of a scientific research organization.

Based on the decision on the adoption of the request for accreditation, the registered scientific research organization retains the rights it has acquired by entering the Register of Scientific Research Organizations.

The founder of a scientific research organization, that is, a scientific research organization, can submit an appeal to the National Council within 15 days from the day of receipt of the decision rejecting the request for accreditation.

Within 30 days of receiving the appeal, the National Council issues a decision by which it can reject the appeal, cancel the decision in whole or in part and decide on the administrative matter itself, cancel the decision and return the matter to the Accreditation Committee for re-decision.

The Accreditation Board is obliged to make a decision within 30 days from the date of receipt of the decision of the National Council on annulment of the first-instance decision and return for re-decision.

The final decision rejecting the request for accreditation is the basis for deleting the scientific research organization from the Register of Scientific Research Organizations.

The founder of a scientific research organization, that is, a scientific research organization that received a decision rejecting the request for accreditation, has the right to repeat the request for accreditation after one year from the date of receipt of the final decision on accreditation.

### **3. Commission for obtaining scientific titles**

#### Article 22.

In order to decide on the acquisition of scientific titles, senior scientific associate and scientific advisor, the Commission for the acquisition of scientific titles (hereinafter: the Commission) is established.

#### *Composition of the Commission*

#### Article 23.

The commission has 17 members, from the ranks of academics, scientific advisers and regular university professors.

The president, deputy president and members of the Commission are appointed by the National Council, namely: eight members at the proposal of the Community of Institutes of Serbia (of which at least two from among institutes of national importance), six members at the proposal of the University Conference, two members at the proposal of the Serbian Academy of Sciences and Arts and one member at the proposal of the minister.

When appointing members of the Commission, care is taken to represent all six scientific fields.

The National Council can dismiss a member of the Commission before the end of the mandate, at the personal request or at the reasoned request of the authorized proposer, if he does not attend the sessions regularly, if he violates the Commission's rules of procedure or at the proposal of the Committee for Ethics in Science.

The term of office of the president, deputy president, and members of the Commission lasts four years with the possibility of another appointment.

*Work of the Commission*

**Article 24.**

The commission works in sessions.

The commission decides on the acquisition of the scientific title of senior scientific associate and scientific advisor in accordance with this law.

The commission adopts the rules of procedure.

**4. Parent scientific committees**

**Article 25.**

The Minister establishes parent scientific committees, as expert bodies for all scientific fields, branches or disciplines.

*Composition of the parent scientific board*

**Article 26.**

The parent scientific board has a minimum of seven and a maximum of nine members, depending on the scientific field, branch or discipline for which the education is being conducted.

The president, deputy president and members of the parent scientific board are researchers with the title of scientific advisor or full professor of the university.

The Ministry announces a public call for nominations of candidates for members of parent scientific committees.

In the public invitation, in addition to the deadline for submission of the candidate's proposal, it is determined that the proposal contains the following information: name and surname of the candidate, scientific or teaching title, employment organization, e-mail address, contact phone number, short scientific biography and the field of science in which the candidate member of the parent scientific board deals with.

The scientific and teaching-scientific councils of scientific research organizations and the Serbian Academy of Sciences and Arts have the right to propose candidates for members of parent scientific boards.

After a public call, the members of the parent scientific committees are appointed by the minister from the list of candidates established by the National Council.

When appointing members of parent scientific committees, account is taken of the even representation of scientific branches and disciplines within the scientific field, as well as the competence of researchers for the scientific field, branch and discipline for which the parent scientific committee is formed.

The term of office of the president, deputy president and members of the parent scientific committees lasts five years with the possibility of another appointment.

The president and deputy president of the parent scientific committee are elected by the members of the parent scientific committee, by a majority vote of all members of the parent scientific committee.

The minister can dismiss the president, deputy president and member of the parent scientific committee, even before the end of the mandate from paragraph 8 of this article, namely: at personal request, if he does not attend meetings regularly, if he violates the rules of procedure of the parent scientific committee or at the proposal of the Ethics Committee in science.

#### *Jurisdiction of the parent scientific board*

##### Article 27

Parent Scientific Committee:

- 1) decides on the acquisition of the scientific title of scientific associate;
- 2) gives an opinion to the Commission on the quality of scientific research work and the contribution of researchers - candidates for selection and re-election to the scientific title of senior scientific associate and scientific advisor, in accordance with this law;
- 3) gives the Ministry an opinion on the annual report of scientific research organizations on the implementation of institutional funding programs, established by this law;
- 4) gives an opinion on the act on the categorization and ranking of scientific journals;
- 5) proposes a member to the Commission for determining the proposal of the annual list of categorized magazines;
- 6) decides in the second degree on the researcher's objection to the decision of the scientific council of the institute on the selection to the title of researcher-associate;
- 7) gives a preliminary opinion to the minister on the act on the acquisition of research and scientific titles from Article 30, paragraph 1, point 5) of this law;
- 8) gives an opinion, prepares reports and other materials at the request of the Minister, the National Council, the Accreditation Board and the Commission;
- 9) performs other tasks, in accordance with this law and the act on education.

The parent scientific board adopts the rules of procedure.

The parent scientific committee submits a report on its work to the minister at least once a year.

#### **5. Association of Institutes of Serbia**

##### Article 28

For the purpose of achieving common interests, development and organization of scientific research work, scientific research cooperation, mutual connection and cooperation with appropriate forms of association in the field of higher education, development of international cooperation, fostering scientific criticism and evaluation of own scientific research work, coordination of procurement and use of scientific research equipment and laboratory space, procurement and use of scientific publications, the institutes join the Association of Institutes of Serbia (hereinafter: Association).

The community has the status of a legal entity, in accordance with the law.

The community consists of institutes on the territory of the Republic of Serbia that are registered in the Register of Scientific Research Organizations.

The regulations governing associations are applied to the establishment, organization and work of the Community.

The community elects its representatives in bodies and commissions in accordance with this by law.

The organization, way of working, appointment of management bodies and professional bodies of the Community are regulated by the statute of the Community.

The Community conducts business in accordance with the Community statute and this law.

## **6. Committee for International Scientific Cooperation and Diaspora**

### Article 29.

In order to strengthen all activities in the field of international scientific cooperation as well as the inclusion of the diaspora in scientific research work in the Republic of Serbia, the Committee for International Scientific Cooperation and the Diaspora (hereinafter: the Committee) is being formed.

The president, deputy president and members of the Board are researchers and experts with experience in international cooperation.

The Ministry announces a public call for nominations of candidates for Board members.

After the public call, the members of the board are appointed by the minister.

The term of office of the president, deputy president and members of the Board lasts for three years with the possibility of another appointment.

The Minister can dismiss the president, deputy president and member of the Board even before the end of the mandate from paragraph 5 of this article, namely: at personal request, if he does not attend meetings regularly, if he violates the Board's rules of procedure or at the proposal of the Committee for Ethics in Science.

Board:

1) proposes to the Minister measures for monitoring and promoting international cooperation;

2) provides professional support in monitoring the implementation of the ministry's program in the field of international cooperation;

3) provides expert assistance to national representatives in program committees of European and other international scientific programs to take a position on issues;

4) contributes to increasing the visibility of scientific research organizations and their results abroad;

5) provides professional assistance in connecting researchers in the diaspora with scientific research organizations and researchers in the Republic of Serbia;

6) performs other tasks, in accordance with this law and the appointment act.

The board adopts the rules of procedure.

The board submits a report on its work to the minister once a year.

The Minister can form other commissions for cooperation with special international bodies and organizations.

## **7. Ministry**

### Article 30.

Ministry:

1) proposes to the Government a policy in the field of scientific research activity;

2) monitors and encourages the development of scientific research activities in the Republic of Serbia;

3) distributes financial resources from the budget of the Republic of Serbia to scientific research organizations for the implementation of the programs established in Article 12 of this law and controls their intended use;

4) passes a decision on the fulfillment of the conditions for carrying out scientific research activities of general interest, in accordance with this law;

5) passes an act on the acquisition of research and scientific degrees, which regulates the procedure and method of evaluation, and quantitative and qualitative presentation of scientific research results of researchers, with previously obtained opinion of the National Council, the Commission and parent scientific boards;

6) passes an act on the categorization and ranking of scientific journals;

7) forms the Commission for determining the proposal of the annual list of categorized magazines;

8) determines the annual list of categorized magazines by a special act of the minister, at the proposal of the commission from point 7) of this article;

9) maintains the Register of scientific research organizations and the Register of researchers, in accordance with this law;

10) achieves international scientific and technological cooperation and ensures the connection and inclusion of scientific research organizations in the European and international research area;

11) performs other tasks, in accordance with the law.

The act referred to in paragraph 1, point 6) of this article regulates the ranking, categorization, the procedure for determining the categorization list, the conditions for editing scientific journals and the scientific disciplines in which the ranking is carried out, as well as other elements of importance for the categorization and ranking of journals and their disposal to the repository. The repository is an electronic archive of scientific journals, which is managed by the National Library of Serbia for purposes of categorization.

The members of the commission referred to in paragraph 1, item 7) of this article are appointed by the minister, with each parent scientific committee nominating its representative from among the members of the parent scientific committee. The President of the Commission is appointed by the Minister from among the members proposed by the parent scientific committees. The Commission adopts rules of procedure.

#### Article 31.

Professional and administrative-technical tasks for the needs of the bodies referred to in Article 13, paragraph 1, point. 1)–4) of this law, is carried out by the Ministry.

Funds for the work of the body referred to in paragraph 1 of this article are provided in the budget of the Republic of Serbia.

#### Article 32.

The government adopts an act that determines the criteria and method of financing the National Council, as well as the remuneration for the work of the members of the National Council.

The Minister issues an act that determines the criteria for compensation for members' work and the method of financing the body referred to in Article 13, paragraph 1, point. 2)–4) of this law, as well as compensation for the work of the members of those bodies.

### IV. ORGANIZATIONS PERFORMING SCIENTIFIC RESEARCH ACTIVITIES

#### **Institutions of national importance**

#### Article 33.

The Serbian Academy of Sciences and Arts and Matica srpska are institutions of national importance.

The establishment and work of the Serbian Academy of Sciences and Arts and the institute of which it is the founder are regulated by a special law, i.e. acts in accordance therewith by law.

The establishment and work of Matica Srpska are regulated by a special law.

#### **Institutes**

#### Article 34.

The institute, in terms of this law, is a scientific research organization that performs scientific research activities of general interest, under the conditions established by this law.

#### **Higher education institutions**

#### Article 35.

Higher education institutions perform scientific research activities in accordance with this law.

## V. INSTITUTES

### 1. Establishment and performance of scientific research activities of general interest

#### Article 36.

The Institute can be established as an institution, in accordance with the regulations on public services, or as a company, in accordance with the regulations on commercial companies.

#### Article 37.

The founder of the institute can be the Republic of Serbia, an autonomous province, the Serbian Academy of Sciences and Arts, a local self-government unit, domestic and foreign legal entities and natural persons, in accordance with the law.

When the institute is established by several founders, their mutual rights, obligations and responsibilities are governed by a contract.

Before the adoption of the foundation act, the founder adopts an elaboration on the justification of the establishment of the institute, which he submits to the Ministry and the Accreditation Board.

When the founder of the institute is the Republic of Serbia, the Act on the establishment and termination of the institute is adopted by the Government. When the founder of the institute is an autonomous province or a local self-government unit, the act on the establishment and termination of the institute is passed by the competent provincial body, that is, the competent body of the local self-government unit.

Institutes that carry out scientific research activities for the needs of defense and internal affairs are established and abolished by the Government, in accordance with the conditions established by this law.

The Government, on the basis of the agreed proposal of the Ministry and the ministry responsible for defense, i.e. the ministry responsible for internal affairs, regulates in more detail the conditions and manner of carrying out scientific research activities in the field of defense and internal affairs, as well as the position of researchers, in terms of peculiarities related to the goals and nature of research from importance for defense and internal affairs.

#### Article 38.

The Institute, whose founder is the Republic of Serbia, an autonomous province, the Serbian Academy of Sciences and Arts and a unit of local self-government, operates with publicly owned funds.

The Institute, whose founder is the Republic of Serbia, an autonomous province and a unit of local self-government, uses immovable property and other assets, in accordance with the law governing publicly owned assets.

#### Article 39.

The activity and organization of the institute is governed by the statute.

The institute can change its name, headquarters, activity, form of organization, and make status changes, with the consent of the founder, that is, the owner.

Under the status change of the institute, in the sense of this law, is understood merger, division and separation.

An institute whose founder is the Republic of Serbia can make changes from para. 2. and 3. of this article with previously obtained consent of the Government.

#### Article 40.

A scientific research organization, in addition to scientific research activities, can also perform other activities that commercialize the results of scientific and research work, provided that these activities do not jeopardize the quality of scientific research work.

In order to commercialize the results of scientific research work, encourage entrepreneurship and business connections, the institute can be the founder of start-up and spin-off companies, technology transfer center, innovation center, business-technology incubator, science-technology park and other organizations, in accordance with the law.

## 2. Types of institutes

#### Article 41.

The institute can perform scientific research activities as: scientific institute; research and development institute; an institute of national importance for the Republic of Serbia.

#### Article 42.

According to the ownership structure, the institute can be: state and private.

A state institute, in the sense of this law, is an institute whose founder is the Republic of Serbia, an autonomous province or a unit of local self-government, that is, an institute with majority state capital.

A private institute, in the sense of this law, is an institute whose founder is a natural or legal person, or an institute in which private capital is the majority.

#### Article 43.

The scientific institute is established, that is, organized as an institution, in accordance with the regulations on public services.

The research and development institute is established, that is, organized as an institution, in accordance with the regulations on public services, or as a business company, in accordance with the regulations on business companies, unless otherwise regulated by this law.

The organization, performance of activities and other matters of importance for the work of the institute are regulated by the statute of the institute.

The institute can have regional scientific centers as its organizational parts, in accordance with the statute.

#### *Scientific Institute*

#### Article 44.

The scientific institute is an institution whose main activity consists of basic research and applied research, which are in the function of valorizing the results of basic research.

Article 45.

A scientific institute can carry out scientific research activities for the purpose of achieving the general interest, if:

- 1) has a scientific research program;
- 2) the results of scientific research contribute to the development of science, that is, they contribute to the general fund of knowledge;
- 3) there are at least 20 full-time researchers competent in the field of science that the institute deals with, of which at least ten researchers hold scientific or teaching titles (of which at least three hold the title of senior research associate or scientific advisor, i.e. in the corresponding teaching title) and ten researchers in the title of researcher-associate or higher title;
- 4) has a program for the development of scientific research youth;
- 5) has appropriate space, equipment and other means for realizing programs of general interest;
- 6) has scientific and informational documentation and a library and information center in accordance with the law regulating library and information activities.

A scientific institute in the field of social sciences and humanities can carry out scientific research activities of general interest if, in addition to the conditions established in paragraph 1. point. 1), 2), 4), 5) and 6) of this article, there are at least 12 full-time researchers competent in the field of science that the institute deals with, of which at least seven are researchers in scientific or teaching positions and five researchers in the title of researcher-associate or higher.

*Research and Development Institute*

Article 46.

A research and development institute is an institution, i.e. a company whose main activity is applied and development research aimed at meeting the needs of the immediate users of research results, and basic research as a basis for applied and development research.

Article 47.

A research and development institute may carry out scientific research activities for the purpose of achieving the general interest, if:

- 1) has a scientific research program;
- 2) the results of its research contribute to the development of new products and devices, varieties and types, as well as the introduction of new or improvement of existing technological procedures, systems and services;
- 3) transfers knowledge and technologies;

4) has at least 12 full-time researchers competent for the field of science that the institute deals with, of which the least seven researchers in scientific or teaching positions (of which at least one in the title of senior research associate or scientific advisor, i.e. u corresponding teaching title) and five researchers in the title of researcher - associate or higher title;

5) has a program for the development of scientific research youth;

6) has appropriate space, equipment and other means for realization programs of general interest;

7) has scientific and information documentation and library and information center in accordance with the law regulating library and information activity.

*Institute of national importance for the Republic of Serbia*

Article 48.

The Institute of National Importance for the Republic of Serbia (hereinafter: Institute of National Importance) is a top scientific research institution of special national importance for one or more related sciences area that carries out research of priority importance for the scientific, educational, cultural and overall socio-economic development of the Republic Serbia.

The institute of national importance carries out research aimed at: developing and improving the general fund of knowledge, especially in the field of science, that is, the scientific disciplines for which it was founded; raising the technical-technological level; valorization of research results and dissemination

scientific knowledge; education and training of personnel for scientific research.

In order to carry out the research referred to in paragraph 2 of this article, the Institute of national importance determines the ten-year program of scientific research of work, consistent with the goals and priorities that have been established strategies.

An institute of national importance can participate in the implementation of the program doctoral and master's academic studies, in accordance with the law by which governs higher education.

Article 49.

The status of an institute of national importance can be acquired by a scientific, i.e research and development institute, in the manner and under the conditions prescribed herein by law.

The Act on the acquisition of the status of an institute of national importance is adopted by the Government.

An institute that has acquired the status of an institute of national importance is registered with that indication in the Register of Scientific Research Organizations Ministries.

The institute, which, in accordance with this law, acquired the status of an institute from of national importance, along with the name of the institute, enter the designation: "Institute of of national importance for the Republic of Serbia".

The institute of national importance has bodies in accordance with this law.

An institute of national importance is financed in accordance with this law.

#### Article 50.

The status of an institute of national importance can be acquired by a scientific, i.e. research and development institute and institute whose founder is Srpska Academy of Sciences and Arts, if, in addition to the conditions from Article 48, para. 1. and 2. of this of the law, also fulfills the following conditions:

- 1) that it is registered in the Register of Scientific Research Organizations Ministries;
- 2) that it was founded by the Republic or the Serbian Academy of Sciences and Arts, and yes operates with funds in public ownership;
- 3) to carry out research in the scientific field for which it was founded, at least 20 years before submitting an application (request) for accreditation to acquire the status of an institute of national importance for the Republic of Serbia;
- 4) to have a ten-year program of scientific research work, in accordance with s the goals and priorities established by the strategies;
- 5) to achieve top results in his field of research in the period of at least ten years, taking into account the peculiarities of the institute which carry out multidisciplinary research;
- 6) to have established and developed international scientific cooperation, in particular with institutions of national importance in other countries;
- 7) to have at least 50 full-time researchers in scientific or teaching positions, i.e. 35 researchers in the field of social sciences and humanities, of which  
at least 50% in the scientific title of scientific adviser, senior scientific associate i.e. teaching titles full professor and associate professor, competent in the field of science or scientific discipline to which the institute is based  
deals with;
- 8) to have a program for the development of young scientific researchers;
- 9) to have appropriate space, capital scientific research equipment and other funds for the implementation of programs of general interest and priority programs that are determined by strategies;
- 10) to have scientific and informative documentation and a library and information center in accordance with the law regulating library and information activity.

The institute whose founder is the Serbian Academy of Sciences and Arts can acquire the status of an institute of national importance under the conditions provided for in paragraph 1. point. 1)–10) and according to the conditions provided for institutes in the field of social and of humanities.

#### Article 51.

The institute of national importance is subject to the accreditation procedure (regular and extraordinary procedure), in accordance with this law.

Request for accreditation in order to obtain the status of an institute from the national level significance can be submitted by a scientific or research and development institute which is registered in the Register of Scientific Research Organizations of the Ministry.

Fulfillment of the conditions prescribed by this law and the act regulating it determines the evaluation of scientific research work and the accreditation procedure. The Committee for Accreditation of Scientific Research Organizations makes a decision on the accreditation of the institute in order to acquire the status of the institute from the national level significance.

Based on the decision on accreditation, and on the proposal of the Ministry, the Government makes act on acquiring the status of an institute of national importance.

The status of an institute of national importance, the institute can lose if ceases to fulfill the conditions prescribed by this law, i.e. if the Board for accreditation in a regular or extraordinary procedure, issues a negative decision the decision on the accreditation of that institute.

The act on revoking the status of an institute of national importance is adopted by the Government, on proposal of the Ministry.

Act of the Government on acquiring or withdrawing the status of the institute from the national one significance is published in the "Official Gazette of the Republic of Serbia".

#### Article 52.

Institute of national importance in addition to the obligations specified in Article 9 of this the law also has the following obligations:

- 1) to participate in the drafting of strategic and other documents in the scientific field which he deals with, at the request of the founder;
- 2) to enable free access and use of capital scientific research equipment for non-commercial purposes to other accredited institutionally funded scientific research organizations from the budget of the Republic of Serbia;
- 3) to carry out the procedure of determining proposal of decisions for acquisition of scientific titles at the request of researchers who are not employed, returnees from abroad and researchers who could not have that right achieved in the parent institution with appropriate explanation.

#### Article 53.

If the institute meets the requirements set out in Art. 45, 47 and 50 of this law and if the Accreditation Board has made a decision on the accreditation of that institute, the Ministry makes a decision on the fulfillment of the conditions for performance scientific research activities of general interest.

Based on the decision from paragraph 1 of this article, the Ministry performs registration institute in the Register of Scientific Research Organizations.

*Use and usage of the name institute*

#### Article 54.

An organization that is not registered in the Register of Scientific Research Organizations as a scientific research organization, in accordance with this law, may not include the names: "scientific institute", "research and development institute" and "institute of national importance" in its business name.

#### *Forms of cooperation of scientific research organizations and participation of institutes in higher education*

#### Article 55.

Scientific research organizations from Art. 33-35. of this law can cooperate and participate in the implementation of joint scientific research programs and projects, through the formation of joint research teams, on a specific project assignment.

Scientific research organizations can achieve cooperation in joint participation in the implementation of international programs and projects, projects with the economy, as well as in the joint use of scientific research, laboratory and other infrastructure equipment.

Mutual rights and obligations in achieving cooperation from para. 1. and 2. of this article are regulated by scientific research organizations by contract, in accordance with their general acts, i.e. statutes.

#### Article 56.

The institute can participate in the realization of studies with a related higher education institution, in accordance with the regulations on higher education and the statute of the higher education institution.

The institute can participate in the execution of doctoral and master academic study programs, in accordance with the law regulating higher education.

#### *Privatization of institutes*

#### Article 57.

The Institute, whose founder is the Republic of Serbia and which is organized as a company, is privatized based on a special program adopted by the Government, at the proposal of the ministry responsible for scientific research, with the prior opinion of the National Council.

#### Article 58.

An institute founded, i.e. organized as a company whose founder is the Republic of Serbia, and is of strategic interest to the Republic of Serbia, can be privatized so that at least 51% of the capital remains in state ownership.

The Ministry determines which institutes from paragraph 1 of this article are of strategic interest for the Republic of Serbia, based on the opinion of the National Council.

YOU. BODIES OF THE INSTITUTE

## **Bodies of institutes that were established as institutions and as economic companies**

### Article 59.

The bodies in the scientific, research and development and institute of national importance that were established as institutions are: the board of directors and the director.

A research and development institute that is established, that is, organized in accordance with the regulations on companies, has authorities in accordance with those regulations.

When the Republic of Serbia owns part of the capital of a research and development institute, the Government appoints its representatives to the bodies of that institute, in proportion to the share of the capital, regardless of whether the institute is organized as an institution or a business company.

The scientific body of the institute is the scientific council.

An institute whose founder is an autonomous province, a local self-government unit, domestic and foreign legal entity and natural person has the bodies established by this law.

In scientific research organizations in the field of defense and the Serbian Armed Forces, institute bodies are formed in accordance with a special law.

### **1. Appointment of bodies in the institute founded by the Republic of Serbia, which are organized as an institution**

#### *board of directors*

### Article 60.

The board of directors of scientific, research and development institutes of national importance founded by the Republic of Serbia has seven members appointed by the Government, of which the president and three members are appointed by the Government as its representatives, and three members are proposed by the scientific council of the institute from among researchers in scientific or teaching titles of employees in the institute.

In the scientific and research and development institute, the majority of the members of the management board appointed by the Government must be researchers in scientific or teaching positions, competent in the field of science that the institute deals with, as their representatives.

In an institute of national importance, the president and members of the management board are researchers with the title of scientific advisor or full professor of the university, competent in the field of science or scientific discipline that the institute deals with.

The management board has a president and a deputy president.

The deputy president of the management board is appointed and dismissed by the management board from among the members proposed by the scientific council of the institute.

The term of office of the president, deputy president and members of the board of directors is four years.

The president, deputy president, and members of the board of directors may be dismissed even before the end of their mandate, at the personal request or at the reasoned request of the authorized proposer from paragraph 1 of this article.

The Act on dismissal of the president and members of the board of directors is adopted by the Government.

Article 61.

Board of directors:

- 1) adopts the statute of the institute;
- 2) decides on the business of the institute;
- 3) adopts the business report and annual accounting;
- 4) adopts the program and work plan of the institute, upon the proposal of the director of the institute;
- 5) appoints and dismisses the director, except for the director of the institute in the field of defense;
- 6) decides on the use of funds, in accordance with the law;
- 7) adopts rules of procedure on its work;
- 8) performs other tasks, in accordance with the law and statute.

The management board adopts the statute of the institute, with the prior consent of the Ministry.

*Director*

Article 62.

The director manages the institute, in accordance with the law.

The director is appointed on the basis of a public competition. The director's term of office lasts four years and can be appointed a maximum of two times in a scientific career at the same institute.

A person with a scientific or teaching title can be appointed as the director of a scientific and research and development institute, and a person with the title of scientific advisor or full university professor can be appointed as the director of an institute of national importance.

The person from paragraph 3 of this article must be competent in the field of science for which the institute is accredited.

The director who is employed in the institute establishes a fixed-term employment relationship with full-time employment by concluding an employment contract, in accordance with the law regulating the work of employees in public services.

If the person appointed as the director is not employed in the institute, the appointed person establishes a full-time employment relationship in the institute, for a certain period of time, in accordance with the law regulating the work of employees in public services.

The director is appointed by the management board of the institute, with the prior approval of the minister.

The Board of Directors, based on the prior consent of the Minister, makes a decision on the appointment of the director of the institute and the date of taking office, within 15 days from the date of receipt of the act of granting prior consent.

The board of directors is obliged to announce a public competition for the director of the institute, at least three months before the end of the mandate of the director of the institute.

The director of the institute in the field of defense is appointed and dismissed by the minister responsible for the defense, with the previously obtained opinion of the scientific council institute.

The Board of Directors announces a competition for the election of directors and forms a Commission for implementation of the tender procedure. The commission consists of three members, of which is one member of the management board, one member is an employee researchers at the institute, and one member is a law graduate.

Candidates who are employees of the institute, as well as candidates who are not employed in institute, at the moment of submitting the application to the competition.

The scientific council of the institute gives an opinion to the management board about the candidates who have applied for the director's competition.

The director cannot be a member of the board of directors, but he can attend sessions of the board of directors.

The board of directors can dismiss the director before the end of the mandate: personally request, if he is performing his duty negligently or unprofessionally, upon a reasoned request minister or if he was convicted of a criminal offense by a final decision.

The management board dismisses the director with prior approval minister.

The Board of Directors submits to the Ministry a proposal for the dismissal of the director explanation and necessary supporting evidence and documentation the reasons for the dismissal of the director of the institute and the opinion of the scientific council institute, except when the director is dismissed at personal request.

#### Article 63.

The director of the institute, which is organized as an institution:

- 1) represents and represents the institute;
- 2) organizes and manages the work of the institute;
- 3) takes care of legality and is responsible for the legal work of the institute;
- 4) executes the decisions of the management board of the institute;
- 5) takes care of the implementation of scientific research activities and the overall work institute;
- 6) is responsible for the financial and material operations of the institute;
- 7) passes an act on the organization and systematization of workplaces in the institute i other general acts, in accordance with the law and the statute of the institute;

8) decides on the rights and obligations of the employees of the institute, in accordance with the law;

9) the director has other rights and obligations established by this law.

*Acting director*

Article 64.

When the director of the institute's term of four years to which he was appointed expires, and the board of directors has not proposed a candidate for the director of the institute based on the public competition, or when the director is dismissed from office before the end of the mandate, or when the Ministry refuses to give prior consent to the decision of the board of directors of the institute, which proposed by the director of the institute, the board of directors, with the consent of the Ministry, appoints the acting director for a period of one year, and within that period the board of directors is obliged to announce a public competition and appoint the director of the institute.

If the board of directors does not appoint the director of the institute within the period referred to in paragraph 1 of this article following a repeated public competition, the minister appoints the acting director of the institute for a period of six months, and the Government dismisses the existing and appoints new members of the board of directors of the institute.

The newly appointed board of directors from paragraph 2 of this article is obliged to announce a new public competition within six months and appoint the director of the institute. If the management board does not appoint the director of the institute, the Government, on the proposal of the minister, appoints the director of the institute for a period of four years.

A person with a scientific or teaching title may be appointed as the acting director of a scientific and research and development institute, and a person with the title of a scientific advisor or full professor of a university may be appointed as the acting director of an institute of national importance.

The person from paragraph 4 of this article must be competent in the field of science for which the institute is accredited.

The acting director of the institute is employed in the institute on a fixed-term, full-time basis.

**2. Bodies of institutes founded by the Republic of Serbia, which are organized as commercial companies**

Article 65.

In the bodies of the research and development institute organized as a company with majority state capital, depending on whether the management is unicameral or bicameral, the Government appoints representatives in proportion to the share of state capital, by appointing four of its representatives from the ranks of researchers in scientific or teaching fields to the assembly. titles, competent for the scientific field in which the institute deals, and three representatives are proposed by the scientific council of the institute from the ranks of researchers in scientific or teaching positions employed in the institute, and the government appoints two of its representatives from the ranks of experts in the economic and financial profession to the supervisory board, and one representative is proposed by the scientific council of the institute from among the persons of economic and financial profession employed in the institute.

The director of a research and development institute organized as a business company is appointed and dismissed by the assembly of the institute, for a period of four years, on the basis of a public competition from among persons in a scientific or teaching profession, competent in the scientific field for which the institute is accredited.

The provisions of this law on the director of a scientific or research and development institute organized as an institution, which refer to the appointment and dismissal procedure, the director's employment relationship, the rights and obligations of the director, as well as the provisions on the acting director, are accordingly applied to the director of the research and development institute organized as a business company.

### **3. Scientific council of the institute**

#### Article 66.

The scientific council is the scientific body of the institute.

The scientific council is formed in a scientific, research and development institute of national importance.

The scientific council of a scientific and research and development institute must have at least seven researchers in scientific or teaching positions who are employed full-time in the institute.

The scientific council may have more members prescribed in paragraph 3 of this article, if there are more than seven researchers in scientific or teaching positions working full-time.

The number, composition and method of selection of the members of the scientific council from paragraph 3 of this article are regulated by the statute of the institute.

The scientific council of the institute referred to in paragraph 3 of this article is competent to determine proposals for acquiring scientific titles if there are at least seven researchers employed in the institute who are in a higher or the same scientific or teaching title as the candidate acquires.

The statute of the institute of national importance regulates the number, composition and method of election of members of the scientific council.

#### Article 67.

Scientific Council:

- 1) proposes a program of scientific research work, aligned with the Strategy;
- 2) gives an opinion on the director's reports in the part related to the implementation of scientific research programs and projects;
- 3) determines the proposal for acquiring a scientific title;
- 4) decides on the acquisition of a research title;
- 5) gives an opinion to the board of directors on candidates for the director of scientific, research and development institutes and institutes of national importance, as well as an opinion on the dismissal of the director of said institutes;

- 6) makes a reasoned proposal for the appointment or dismissal of its representatives in the management board, the assembly and the supervisory board of the institute;
- 7) proposes the procurement of scientific research equipment;
- 8) performs other duties determined by the statute of the institute and this law.

## VII. RECORD KEEPING

### Article 68.

The Ministry keeps records of scientific research organizations that meet the conditions for performing scientific research activities of general interest, in accordance with this law (hereinafter: Register of Scientific Research Organizations) and records of researchers (hereinafter: Register of Researchers).

The purpose of keeping the registers referred to in paragraph 1 of this article is to plan and monitor the financing and work of scientific research organizations and the scientific research work of researchers, monitoring the quality of research and research results, monitoring the progress of researchers, improving the quality, efficiency and effectiveness of the science and research system with the aim of better utilization of research results .

Accredited institutes, higher education institutions, Serbian Academy of Sciences and Arts and institutes of which it is the founder and Matica srpska are registered in the Register of Scientific Research Organizations, in accordance with this law.

Enrollment in the Register of Scientific Research Organizations is carried out based on the decision from Article 53, paragraph 1 of this law.

Persons residing in the Republic of Serbia and who have obtained titles of researchers in accordance with this law, as well as persons who have obtained titles in accordance with the law governing higher education, are entered in the Register of Researchers.

Enrollment in the Register of Researchers is carried out on the basis of the act of selection for the title of researcher in accordance with this law, that is, on the basis of the act of selection for the title in accordance with the law governing higher education.

The form and manner of keeping the registers referred to in paragraph 1 of this article, as well as the procedure for entering and deleting from those registers, is prescribed by an act issued by the minister.

The act referred to in paragraph 7 of this article determines in more detail the submission, registration, ie data entry and data management in the registers, as well as the method of determining the responsible persons from scientific research organizations, with the aim of ensuring the correctness of the data in the registers.

The Register of Scientific Research Organizations keeps records of the following data: name, i.e. business name of the scientific research organization, address of the scientific research organization, registration number, type of scientific research organization, form of organization, i.e. legal form, scientific field in which the scientific research organization deals, number and date of act on accreditation of the scientific research organization, the date of registration of the scientific research organization in the Register of Scientific Research Organizations and notes on status changes of the scientific research organization

organizations, the amount of funds that annually finance scientific research organizations from the budget of the Republic of Serbia on all grounds, as well as data on scientific research equipment.

The Register of Researchers keeps records of the following data: name and surname of the researcher, name of one parent, gender, unique citizen registration number, identification number of the researcher, scientific or teaching title, date of acquisition of the title and institution where it was obtained, scientific research organization in which researcher employed and address of residence, list of scientific publications, patents and technical solutions achieved by the researcher in his scientific research work.

Data on the list of scientific publications, patents and technical solutions that the researcher achieved in his scientific research work, the researcher is obliged to report in electronic form and is responsible for the accuracy of the reported and entered data.

The registers from paragraph 1 of this article are part of the electronic database maintained by the Ministry in accordance with this law.

#### Article 69.

In addition to the registers from Article 68, paragraph 1 of this law, the Ministry creates a database within the implementation of the programs established in Article 12 of this law, which contain data on the financing of scientific research organizations and researchers, and for which data from the registers from Article 68 are used. of this law.

#### Article 70.

A scientific research organization that is registered in the Register of Scientific Research Organizations, as well as researchers that are registered in the Register of Researchers, may participate in the competition for the implementation of programs of general interest established by this law.

#### Article 71.

If the institute registered in the Register of Scientific Research Organizations ceases to fulfill any of the conditions established in Art. 45, 47 and 50 of this law, the director of the institute is obliged to report it to the Ministry, no later than within 60 days from the day when the institute ceased to fulfill the condition.

If the director of the institute does not act in accordance with paragraph 1 of this article, the minister can submit a request for his dismissal to the management board of the institute.

If the institute does not meet the conditions prescribed in Art. 45, 47 and 50 of this law, the minister determines the deadline, the longest of 120 days, in which the institute should fulfill the prescribed conditions.

If the institute does not meet the requirements in paragraph 3 of this article, the Ministry issues an act on its deletion from the Register of Scientific Research Organizations and terminates the contract, i.e. contracts on financing the institute.

The Ministry terminates the contract, or contracts on the financing of an approved program, or project with a scientific research organization that has been deleted from the Register of Scientific Research Organizations.

Exceptionally, the financing of an approved and started program, i.e. a project implemented by an institute that has been deleted from the Register of Scientific Research Organizations, can be approved by the Minister on the condition that the parent scientific committee positively evaluates the results of the implementation of that program or project, and on the condition that another scientific research organization accepts further implementation of the started program, that is, the project.

#### Article 72.

Data from the Register of Scientific Research Organizations and the Register of Researchers are open data, publicly available on the Ministry's website in a machine-processable form for use and further publication. Of the data from the Registry of Researchers, all data are available to the public except data on gender, unique citizen identification number and residential address.

When using personal data, the provisions of the law governing the protection of personal data are applied, unless otherwise specified by this law.

### VIII. RESEARCHERS

#### **Definition of researcher**

#### Article 73.

Scientific research activities are carried out by persons who meet the conditions prescribed by this law (hereinafter: researchers), as well as teachers and associates of higher education institutions.

#### Article 74.

A researcher, in the sense of this law, is a person with at least a higher education, that is, with at least completed basic academic studies, who works on scientific research and development jobs and who was elected to the position, in accordance with this law.

#### **Titles of researchers and title equivalence**

#### Article 75.

Depending on the achieved results in scientific research work, a researcher may acquire, in accordance with this law, the research title: researcher - trainee and researcher - associate, and the scientific title: scientific associate, senior scientific associate and scientific advisor.

The titles of researchers with a university degree who are not selected for the titles referred to in paragraph 1 of this article, and who work in research and development work, have published scientific and professional works or achieved results in research and development work or patent-protected inventions, are: professional associate, senior professional associate and professional advisor.

The method of obtaining the title referred to in paragraph 2 of this article is regulated by the general act of the scientific research organization.

#### Article 76.

The title researcher - intern is acquired by a candidate who has completed the second degree of academic studies, which enables him to enroll in doctoral academic studies, with an average grade of at least eight (8.00) and is enrolled in doctoral studies. The researcher-intern is elected for a period of three years, and the title is acquired by the decision of the scientific council of the institute, that is, the teaching-scientific council of the faculty.

The title of researcher - associate can be obtained by a candidate who is a student of doctoral academic studies, has a registered doctoral dissertation topic, and who completed the previous degrees of study with a total average grade of at least eight (8.00), engages in scientific research work and has at least one published peer-reviewed scientific paper. The researcher-associate is elected for a period of four years, without the right to re-election, and the title is acquired by the decision of the scientific council of the institute or the teaching-scientific council of the faculty, based on the report of the commission appointed by that council.

The lowest average grade from para. 1. and 2. of this article must be achieved at each of the previous study levels individually.

A researcher-associate is obliged to complete doctoral academic studies and have published scientific works within the period established by the regulations on higher education.

The title of scientific associate can be obtained by a researcher who has the academic title of Doctor of Science and published and peer-reviewed scientific papers and other scientific research results, and who shows through his overall scientific work that he is qualified for independent scientific research work. Categories of scientific research results are: 1) monographs; 2) chapters in books, ie articles in thematic anthologies; 3) scientific articles in journals of international and national significance; 4) technical solutions; 5) patents; 6) scientific works announced at scientific meetings, published in their entirety or excerpts; 7) scientific reviews and polemics, reviews, translations, that is, lexicographic definitions.

The title of senior research associate can be acquired by a researcher who has the academic title of Doctor of Science, published and peer-reviewed scientific works and other scientific research results and who contributes to the development of the corresponding scientific field with the quality of scientific research work. The categories of scientific research results are: 1) monographs of international and national significance; 2) chapters in books, that is, articles in thematic anthologies of international and leading national significance; 3) scientific articles in journals of international and leading national significance; 4) technical solutions; 5) patents; 6) scientific works announced at scientific gatherings of international and leading national rank, published in their entirety or excerpts; 7) scientific reviews and polemics, reviews, translations, that is, lexicographic definitions; 8) citation; 9) international cooperation; 10) management of sub-projects or project tasks.

The title of scientific advisor can be acquired by a researcher who has the academic title of Doctor of Science and has published and peer-reviewed scientific works and other scientific research results, and who has had a significant impact on the development of the corresponding scientific field with the quality of his scientific research work. Categories of scientific research results are: 1) leading monographs

of international, international and leading national importance; 2) chapters in books, that is, articles in thematic anthologies of leading international importance, international importance and leading national importance; 3) scientific articles in leading international, international and leading national journals; 4) technical solutions; 5) patents; 6) scientific works announced at scientific gatherings of international and leading national rank, published in their entirety or excerpts; 7) scientific reviews and polemics, reviews, translations, or lexicographic definitions; 8) citation; 9) international cooperation; 10) management of sub-projects or project tasks; 11) managing projects or participating in scientific work with candidates who are completing their doctoral dissertations.

#### Article 77.

In the performance of scientific research activities, the titles established by the law governing the field of higher education correspond to the titles established by this law, namely: the title of associate in teaching - the title of researcher - intern; title of assistant - title of researcher - associate; assistant professor title - scientific associate title; the title of associate professor - the title of senior research associate and the title of full professor - the title of scientific adviser.

### **Selection procedure for scientific and research positions**

#### Article 78.

Any person who considers that he meets the conditions prescribed by this law can submit a request to a scientific research organization that has a competent scientific, i.e. teaching-scientific council to determine the proposal for acquiring a scientific or research title, and researchers employed at the institute or at the faculty submit the request, exclusively, to that institute or faculty. Exceptionally, the researcher may also submit a request to another institute or faculty, if the institute or faculty where the researcher is employed does not have a competent scientific or teaching-scientific council for the candidate's field, with a reasoned opinion of the scientific or teaching-scientific council of the institute or faculty where researcher employed.

The procedure for selection into a scientific or research title is initiated by the scientific council, or the teaching-scientific council in the scientific research organization where the candidate for selection into the title is employed.

The selection procedure for a scientific or research position is initiated within 30 days from the date of submission of the application for selection to a scientific research position.  
vocation.

A person who is not employed in a scientific research organization at the time of submitting the request can also submit a request for selection into a scientific or research position.

### **Selection procedure for scientific professions**

#### Article 79.

In order to carry out the procedure for obtaining a scientific title, the scientific council, i.e. the teaching-scientific council, when starting the procedure for selection for the title, forms a commission of at least three members who have a scientific title in the scientific field in which the candidate acquires the title.

Committee members cannot hold a lower rank than the rank to which the candidate is selected. At least one member of the committee must be from outside the scientific research organization in which the selection procedure is conducted vocation.

Article 80.

The scientific council, that is, the teaching-scientific council of the scientific research organization that determines the proposal for the election to the scientific title is obliged to determine the proposal for the acquisition of the scientific title within 90 days from the day when the procedure for the election to the scientific title was initiated at the session of the scientific council. In the event that the scientific council, i.e. the teaching-scientific council does not approve the proposal at the session held, the candidate, with appropriate proof, has the right to submit an application for selection to the title to the parent scientific board, i.e. the commission for acquiring scientific titles, depending on the title to which he is elected , with the fact that he retains his current title until the end of the procedure.

Article 81.

The committee is obliged to submit a report to the scientific council within 30 days from the day it was formed.

Article 82.

The commission's report contains: the name and surname of the candidate for the selection to the scientific title, data on current and previous employment, an overview of professional and scientific work, an evaluation of the candidate's scientific and professional work for the previous election period, an evaluation of whether the conditions for obtaining a scientific title have been met , as well as a proposal to the scientific council for decision-making.

The report of the commission will be made available to the public in the manner determined by the general act of the scientific research organization, at least 30 days before the decision of the scientific council is made.

Article 83.

The right to decide on the acquisition of a scientific title belongs to researchers who are in the same or higher scientific title in relation to the title to which the candidate is selected.

The decision on the proposal for election or re-election to the scientific profession is made by the scientific council or the teaching-scientific council by a majority of the total number of members of the scientific council who have the right to decide on the election or re-election to the scientific profession.

Article 84.

The scientific council or teaching-scientific council submits the decision on the proposal for election or re-election to a scientific title, with the appropriate documentation, to the relevant parent scientific board or the Commission, depending on which title the election or re-election is proposed for.

The parent scientific board is obliged to decide on the selection of a candidate for the position of research associate within 60 days from the receipt of the proposed decision with documentation. The parent scientific committee is obliged to give an opinion to the Commission on the selection of a candidate for the position of senior research associate or scientific advisor within 30 days from the receipt of the proposed decision with documentation.

The committee is obliged to make a decision on the selection or re-selection of candidates for the title of senior research associate and selection for the title of scientific advisor within 90 days from the date of receipt of the proposed decision with documentation.

If the candidate is dissatisfied with the decision of the Commission or the parent scientific board, he can file an appeal with the National Council within 15 days from the date of receipt of the decision. The National Council is obliged to consider the appeal within 30 days from the date of receipt of the appeal and issue a decision by which it can reject the appeal, cancel the decision in whole or in part and decide on the administrative matter itself, cancel the decision and return the matter to the Commission or the parent scientific board for a new decision .

The commission, i.e. the parent scientific board, is obliged to make a decision in accordance with the legal understanding of the National Council within 30 days from the date of receipt of the decision of the National Council on annulment of the first-instance decision and return for re-decision.

#### **Selection procedure for the research title of researcher - intern and researcher - associate**

##### Article 85.

In order to carry out the procedure for obtaining the title of researcher-trainee, the scientific council, that is, the teaching-scientific council, determines the fulfillment of the conditions for selection to the title of researcher-trainee and makes a decision on the selection at the same session.

In order to carry out the procedure for obtaining the title of researcher-associate, the scientific council, i.e. the teaching-scientific council, when starting the procedure for selection to the title, forms a committee of at least three members who have a scientific or teaching title in the scientific field in which the candidate acquires the title.

For selection to the position of researcher-associate, the committee is obliged to submit a report to the scientific council, that is, to the teaching-scientific council, within 30 days from the day it was formed.

##### Article 86.

The commission's report contains: the name and surname of the candidate for the research title, data on current and previous employment, an overview of professional and scientific work, an evaluation of the candidate's professional and scientific work for the previous election period, an evaluation of whether the conditions for obtaining a research title have been met , as well as a proposal to the scientific council, that is, the teaching-scientific council for decision-making.

The report of the commission will be made available to the public in the manner determined by the general act of the scientific research organization, at least 30 days before the decision of the scientific council, that is, the teaching-scientific council.

##### Article 87.

The decision on the selection to the title of researcher-associate is made by the scientific council, that is, the teaching-scientific council by a majority of the total number of members of the council.

##### Article 88.

The scientific council, that is, the teaching-scientific council, is obliged to make a decision on the acquisition of the title of researcher-associate within 90 days from the day when the procedure for selection to that title was initiated at the session of the scientific council.

If the scientific council, that is, the teaching-scientific council does not make a decision on the acquisition of the title of researcher - associate within the period referred to in paragraph 1 of this article, the person who is elected to the title may, within 15 days, submit an objection to the competent parent scientific board.

The competent parent scientific board is obliged to accept or reject the objection within 30 days of receiving the objection.

If the competent matric scientific board accepts the objection, it forms a commission that repeats the procedure of selection for the title.

The competent parent scientific board makes the final decision on the acquisition of the title of researcher-associate from paragraph 2 of this article, no later than 90 days from the day of receipt of the complaint.

#### Article 89.

Every year, the scientific council of the scientific research organization evaluates the work of researchers - interns and researchers - associates, based on the mentor's report on the researchers' success in studies and in scientific work.

#### Article 90.

By choosing a scientific or research title, a researcher acquires the right to be entered in the Register of Researchers.

### **Term of office and re-election procedure**

#### Article 91.

The titles of scientific associate and senior scientific associate are acquired for a period of five years, with no limit on the number of re-elections, while the title of scientific advisor is permanent. The existing scientific title lasts until the completion of the timely initiated procedure for acquiring a higher scientific title, i.e. re-election to the existing vocation.

Re-selection is the process of re-acquiring an existing title for candidates who have not met the conditions for selection to a higher scientific title. More detailed conditions for re-election, as well as the re-election procedure, are regulated by the act referred to in Article 30, paragraph 1, point 5) of this law.

If the researcher in the title of scientific associate and senior scientific associate is not re-elected to the corresponding title, he is assigned to a vacant position that corresponds to his professional training, in accordance with the general act of the institute, and if there is no such position, the researcher's employment at the institute ends.

Acquired scientific or research titles cease to be valid: upon expiry of the term for which they were acquired, upon election to a higher title or upon revocation of the title.

#### Article 92.

A researcher with a scientific or research title, or the scientific research organization in which the researcher is employed, initiates the procedure for obtaining a higher title, that is, re-election, six months before expiration of the period for which they were elected to a certain position.

The procedure for obtaining a higher title can be started even earlier, at reasoned request of a scientific research organization or researcher.

#### Article 93.

A scientific or research title may be revoked:

1) if new facts become known, i.e. evidence from which it emerges appears that at the time of election to the position, the candidate did not meet the prescribed requirements by this law and the act on research and scientific titles that was on effective at the moment of election to the position;

2) if it is determined that the scientific works on the basis of which the candidate was selected in titles represent plagiarism or contain other types of ethical violations (the papers are wrong, and no subsequent corrections were given, etc.).

The procedure for revocation of the scientific title of senior research associate and scientist the adviser is carried out by the Commission for the Acquisition of Scientific Titles, and the procedure is carried out conducts revocation of the title of scientific associate and research title competent parent scientific committee (hereinafter: competent bodies).

The procedure of revocation of the research or scientific title can be initiated scientific council of the institute, i.e. teaching-scientific council of the faculty, as well as a person who has a doctorate in science and a person who has a research or scientific degree vocation.

The procedure referred to in paragraph 3 of this article is initiated by submitting an explanation requests to the Committee for Ethics in Science, with attached evidence and documentation which support the facts for the revocation of the title.

If the Committee for Ethics in Science determines that there are relevant facts from the paragraph 1st point. 1) and 2) of this article for revocation of title, makes a conclusion on implementation of the procedure for revocation of the title, and the reasoned request, with documentation, as well as a conclusion on the implementation of the confiscation procedure of titles is forwarded to the Commission for the acquisition of a scientific title, i.e. to the competent authority to the parent scientific committee or scientific council, depending on whether the procedure is initiated to revoke a scientific or research title.

Competent bodies from paragraph 2 of this article are obliged to within 60 days from on the date of receipt of the conclusion of the Committee for Ethics in Science on the initiation of the procedure for revocation of title and reasoned request, with evidence and documentation, make the appropriate decision. The decision can be positive by which it is adopted the request for revocation of the title or the negative by which the request for revocation rejects the titles as unfounded. Decision of competent bodies from paragraph 2 of this article shall be submitted to the applicant for the request for revocation of the title, to the Board for ethics in science and the person against whom the procedure for revocation of the title was initiated.

The decision on revocation of the title made by the competent bodies referred to in paragraph 2 of this member's decision is final, and the person whose title has been revoked can challenge that decision initiate an administrative dispute.

If a final decision is made to revoke the title, on the day of finality decisions, the person whose title was revoked is deleted from the Register of Researchers and his right to funding based on scientific research work ceases, i he is assigned to a vacant position that corresponds to his professional position prepare, in accordance with the general act of the institute, and if such a workplace no, his employment at the institute ends.

### **Committee for Ethics in Science**

#### Article 94.

The National Council adopts the Code of Conduct in Scientific Research (in hereinafter: Codex).

The code defines the principles of integrity in scientific research work in order to preserve the dignity of the profession, develop and improve moral and ethical values, protect the value of knowledge and respect and raise awareness of the responsibility of researchers in scientific research work, with respect for the principle of academic integrity.

In order to monitor and implement the provisions of the Code from paragraph 1 of this article, the Ministry establishes a Committee for Ethics in Science.

The Committee for Ethics in Science has 13 members, from the rank of researchers scientific advisor and full-time university professor and academician.

The members of the Committee for Ethics in Science are appointed and dismissed by the Minister.

The Minister appoints six members to the Committee for Ethics in Science upon proposal Association of institutes of Serbia, six members at the proposal of the Conference of the University of Serbia, and one member is proposed by the Serbian Academy of Sciences and art.

The Committee for Ethics in Science has a president who is chosen from among its members, in accordance with the rules of procedure for its work.

The term of office of the president and members of the Committee for Ethics in Science lasts four years year, with the possibility of another election.

The president and member of the Committee for Ethics in Science can be dismissed earlier expiration of the mandate, namely: at personal request, at the reasoned request of the authorized person of the proposer or the reasoned request of the majority of the total number of members Committee for Ethics in Science.

The Committee for Ethics in Science adopts the rules of procedure governing the procedure and the method of decision-making in case of violation of the rules of good scientific practice, established by the Code from paragraph 1 of this article, as well as other issues of importance for the work of the Committee for Ethics in Science.

The members of the Committee for Ethics in Science are not entitled to compensation for their work.

#### Article 95.

The Committee for Ethics in Science, when it determines that the researcher violates the rules and norms of the Code of Conduct in Scientific Research, is authorized to:

1) issues a public warning;

2) makes a conclusion on the initiation of the procedure for the revocation of a research, or scientific title, at the request of the scientific council of the institute, or the teaching-scientific council of the faculty and persons who have a doctorate of science or a research, or scientific title;

3) propose a ban on participation in the work of bodies responsible for ensuring the quality of scientific research work (National Council for Scientific and Technological Development, Commission for Acquiring Scientific Titles, Committee for Accreditation of Scientific Research Organizations and parent scientific committees);

4) propose a ban on the use of funds for science and research determined according to the regulations on scientific research activity on projects, for a period of five years.

The final decision on the proposals of the Committee for Ethics in Science from paragraph 1, item 3) and 4) of this article are adopted by the Ministry.

### **Participation of researchers in teaching**

#### Article 96.

A researcher with a scientific title who is employed in a scientific research organization can participate in the teaching of master's and doctoral studies, examine students in exams, be a member of the committee for the preparation of reports for the selection of teachers, a mentor, as well as a member of the committee for the evaluation and defense of the doctoral dissertation, in accordance with the law regulating higher education and the statute of the higher education institution.

### **Awards and recognitions for outstanding scientific achievements and life work of researchers**

#### Article 97

Researchers can exercise the right to awards and recognitions for outstanding scientific achievements and life's work in accordance with the act regulating the awarding of awards and recognitions, issued by the minister.

## **IX. RIGHTS AND OBLIGATIONS OF EMPLOYEES IN THE INSTITUTE**

### **Employees of the institute**

#### Article 98

Employees in scientific, research and development and institutes of national importance, in the sense of this law, are researchers, professional, administrative-technical and support staff.

With regard to the rights, obligations and responsibilities of employees in an institute founded by the Republic of Serbia, an autonomous province or a local self-government unit, the law regulating the work of employees in public services, i.e. the law regulating work, unless otherwise regulated by this law, applies.

### **Establishing an employment relationship**

#### Article 99.

Researchers, administrative-technical and support staff establish a working relationship in a scientific institute, a research and development institute and an institute

of national importance (hereinafter: the institute), in accordance with the law regulating the work of employees in public services, i.e. the law regulating the work, if not otherwise regulated by this law.

Researchers in scientific, teaching and research professions can establish a working relationship in the institute for an indefinite or a fixed period of time.

Researchers in scientific, research and professional positions are assigned to appropriate scientific, research and professional positions.

Scientific positions in the institute are: research associate, senior research associate and scientific advisor, and research positions are: researcher - intern and researcher - associate.

Professional positions in the institute are: professional associate, senior professional associate and professional advisor.

An employment contract is concluded with researchers in scientific, i.e. in research positions, elected to the positions referred to in paragraph 3 of this article, with the obligation to carry out re-selection (re-election) or promotion to a higher position, within the deadlines for which the appropriate scientific, i.e. acquires a research title, except for the title of scientific adviser.

The internal organization, type and number of workplaces in which the employees of the institute are assigned, as well as the manner and procedure of establishing an employment relationship, are regulated in accordance with the law regulating the work of employees in public services, unless otherwise regulated by this law.

#### **Termination of the researcher's employment relationship**

Article 100.

The employment of a researcher at the institute ends by force of law when he reaches the age of 65 and has at least 15 years of insurance experience.

The researcher from paragraph 1 of this article can be extended the employment relationship with the institute for a fixed period of up to five years, if he has at least 20 years of work experience in scientific research activity, five years of work in that institute and if, after obtaining the title of scientific adviser, he has fulfilled the conditions required for obtaining the scientific title of scientific advisor, in accordance with this law. The statute of the institute may prescribe additional criteria that the researcher must fulfill in order to extend his employment.

The decision on the extension of the employment relationship of the researcher from paragraph 2 of this article is made by the director of the institute, and the decision on the extension of the employment relationship of the researcher who is the director of the institute is made by the management board of the institute.

The decision from paragraph 3 of this article is made on the proposal of the scientific council and the obtained positive opinion of the competent parent scientific board.

A researcher in a scientific title whose employment has ended due to retirement retains the title he had at the time of retirement.

#### **Suspension of deadlines for selection to positions and paid leave of absence of researchers**

Article 101.

During maternity leave, sick leave longer than three months, public office, professional development, as well as in other cases when the researcher is unable to engage in scientific research for justified reasons, at the request of the researcher, the deadlines for selection to a higher title are suspended and will not be included in the deadline for election, that is, re-election.

#### Article 102.

After five years of work at the institute, a researcher in a scientific position may be granted a paid leave of up to one year for professional and scientific training abroad or writing a monograph, in accordance with the statute of the institute.

Suspension of deadlines for selection into titles and paid leave of researchers in scientific titles employed at faculties and innovation centers are regulated in accordance with Article 101 of this law and this article.

The rights and obligations of researchers related to the establishment and termination of employment, according to Art. 99 and 100 of this law are regulated in accordance with the regulations on higher education.

### X. FINANCING OF SCIENTIFIC RESEARCH ACTIVITIES

#### **Financial resources**

#### Article 103.

Funds for financing scientific research activities are provided from:

- 1) funds of the founder;
- 2) the budget of the Republic of Serbia;
- 3) the budget of the autonomous province and local self-government units;
- 4) funds from the Science Fund of the Republic of Serbia;
- 5) assets of business companies, associations and other organizations;
- 6) own revenues of scientific research organizations;
- 7) funds from domestic funds and endowments and gifts from legal and natural persons;
- 8) funds from foreign foundations, legal and natural persons and donations;
- 9) other sources, provided that the autonomy and dignity of scientific research work is not threatened.

#### **Funding of programs of general interest for the Republic of Serbia**

#### Article 104.

Funds for financing programs of general interest for the Republic of Serbia, established in Article 12 of this law, are provided in the budget of the Republic of Serbia, that is, in the budget of the founder of the scientific research organization.

Autonomous provinces, local self-government units and other legal and natural persons may also participate in the co-financing of the programs established in Article 12 of this law.

### **Funding of science and research**

#### Article 105.

Financing of scientific research activities consists of institutional financing programs, other programs of general interest, project financing in accordance with the law governing the work of the Science Fund of the Republic of Serbia, and financing from other sources.

Institutional funding can be provided from:

- 1) funds of the founder;
- 2) the budget of the Republic of Serbia;
- 3) of the budget of the autonomous province and local self-government units.

#### Article 106.

Project financing will be implemented in accordance with the law governing the work of the Science Fund of the Republic of Serbia.

#### Article 107.

Funds for financing scientific research activities from other sources are provided from:

- 1) assets of business companies, associations and other organizations;
- 2) own revenues of scientific research organizations;
- 3) funds from domestic funds and endowments and gifts from legal and natural persons;
- 4) funds from foreign foundations, legal and natural persons and donations;
- 5) funds obtained through participation in doctoral and master's studies;
- 6) other sources, provided that the autonomy and dignity of scientific research work is not threatened.

#### Article 108.

Institutional financing of accredited institutes, which were founded as institutions, and whose founder is the Republic of Serbia, autonomous province and local self-government unit, as well as institutes whose founder is the Serbian Academy of Sciences and Arts includes:

- 1) funds for salaries and other incomes of researchers in scientific titles;
- 2) funds for salaries of administrative-technical, professional and support staff;
- 3) funds for overhead costs;
- 4) funds for material costs of research;

5) funds for the acquisition, maintenance, depreciation and insurance of equipment;

6) funds for other costs of scientific research work.

Funds for salaries of researchers in research titles are provided in accordance with Article 129 of this law.

#### Article 109.

Funds generated by the institute, with the exception of funds provided by the Republic of Serbia, autonomous provinces, or local self-government units, constitute the institute's own income (providing services to third parties, gifts, sponsorship, own production and other sources of funding).

The funds from paragraph 1 of this article are used to improve activities and raise the quality of work.

The funds from paragraph 1 of this article and assets acquired from its own income are independently disposed of by the institute, in accordance with the law and the general act of that institute.

The Institute determines, in accordance with this law, the distribution of its own income by means of a general act.

The Ministry continuously collects, monitors and analyzes data on the institute's own revenues and their spending, individually and in total.

#### Article 110.

Funding of scientific research work of accredited higher education institutions founded by the Republic of Serbia, an autonomous province and a local self-government unit includes funds for material research costs, including the costs of maintenance, depreciation and insurance of scientific research equipment acquired with budget funds, in accordance with this law.

#### Article 111.

The evaluation of the work of the institute will be carried out for five years based on the submitted report, based on the following general criteria:

1) excellence - evaluation of the improvement of the quality of scientific research work in relation to the previous period and in relation to similar leading institutions in the region and the world. This criterion takes into account both the number and scope of competitive projects and centers of exceptional value;

2) influence – visibility and recognition of the institution in society;

3) capacity expansion - improvement of research and auxiliary infrastructure, the institution's ability to apply for and attract funds from research funds, the ability to establish and implement international cooperation, the ability to attract and retain returning researchers as well as foreign researchers.

Closer criteria that take into account the specificities of scientific fields and institutions, as well as the structure of the five-year report, will be determined by a special act issued by the minister.

### **Funding of other programs of general interest**

#### Article 112.

Programs from Article 12, paragraph 3, item 3)–14), are financed from the budget through a public call.

In order to implement the program, grants from the budget of the Republic of Serbia are given to scientific research organizations, unless otherwise determined by a special contract regulating the mutual rights and obligations of the program implementers and the Ministry.

### **Funding of researchers from the diaspora**

#### Article 113.

Based on Article 103, paragraph 1, item 4) of this law, researchers engaged in scientific research organizations abroad, who are also citizens of the Republic of Serbia, may submit applications for management and participation in projects that are financed in accordance with the law governing the work Science Fund of the Republic of Serbia. These researchers are engaged in accredited scientific research organizations immediately after the decision on financing the project, and in accordance with the conditions of the public call of the Fund for Science of the Republic of Serbia.

Researchers engaged in scientific research organizations abroad, who are also citizens of the Republic of Serbia, can submit applications for leadership and participation in projects that are financed in accordance with the law governing the work of the Science Fund of the Republic of Serbia. These researchers are engaged in accredited scientific research organizations immediately after the decision on financing the project, and in accordance with the conditions of the public call of the Fund for Science of the Republic of Serbia. The obligation of the researcher is to submit all the necessary documentation for the professional recognition of the doctorate obtained abroad in the first year of project implementation, with the fact that the recognition is carried out in a direct decision-making process, that is, without conducting a special examination procedure. The diploma recognition procedure must be completed no later than three months before the deadline for the implementation of the approved project. The stipulated deadline for project implementation cannot be shortened, and the candidate has the obligation to implement the project in its full duration. The candidate is responsible for the accuracy of all data provided when applying for funds from the Science Fund of the Republic of Serbia, by providing a separate statement.

### **Financing of institutions of national importance**

#### Article 114.

Funds for the work and implementation of the Scientific Research Program of the Serbian Academy of Sciences and Arts, the Scientific Research Program of Matica Srpska, as well as the institute founded by the Serbian Academy of Sciences and Arts, are provided in the budget of the Republic of Serbia.

### **Conditions and method of implementation of the institutional financing program**

#### Article 115.

Funds for institutional financing of scientific research organizations are provided by the founders, in the budget of the Republic of Serbia, of autonomous provinces or local self-government units, in accordance with the annual work program of the accredited scientific research organization.

The management body of the accredited scientific research organization is responsible to the Ministry for purposeful and economical spending of funds allocated from the budget.

Norms and standards for the allocation of funds to accredited scientific research organizations are established by the Government, at the proposal of the Ministry, based on the Program from Article 12, paragraph 2 of this law, the annual plan and results of work of accredited scientific research organizations.

### **Conditions and method of realization of other programs of general interest for the Republic of Serbia**

#### Article 116.

For financial resources from the budget of the Republic of Serbia intended for the implementation of programs of general interest determined in Article 12, paragraph 3, point 3)–14) of this law apply, under equal conditions, to scientific research organizations registered in the Register of Scientific Research Organizations.

For financial resources from the budget of the Republic of Serbia intended for the implementation of other programs of general interest determined in Article 12, paragraph 3, point 5) of this law, persons who have completed basic academic studies and master's academic studies, as well as integrated studies and enrolled in doctoral academic studies, as well as high school seniors who won one of the first three places at international knowledge olympiads.

Scientific research organizations that are registered in the Register of Scientific Research Organizations, publishing organizations in cooperation with scientific research organizations, and scientific and scientific - professional societies, and for the program established in Article 12, paragraph 3, point 10) of this law, scientific and educational centers, specialized organizations and associations, which deal with additional education and training of talented pupils and students for doing scientific research work, can apply.

#### Article 117.

Financing, ie participation in co-financing of other programs of general interest, established in Article 12 of this law, is carried out in accordance with a separate act for each individual program.

The act referred to in paragraph 1 of this article is determined by the minister.

#### Article 118.

For the implementation of other programs of general interest determined in Article 12, paragraph 3, item 3)–14) of this law, the Ministry announces a competition.

The competition determines: the deadline for submitting the application, conditions and time for the implementation of the program, as well as other issues of importance for the implementation of the competition.

Organizations and persons referred to in Article 116 have the right to apply for the competition of this law.

#### Article 119.

With the organizations from Article 116, para. 1 and 3 of this law, which approved the implementation of the program, the Ministry concludes a contract on their implementation, which regulates mutual rights and obligations.

For the financing of the scientific research work of the center of exceptional values, which is carried out in accordance with the Program from Article 12, paragraph 3, point 4) of this law, the Ministry concludes a contract with the institute, i.e. the higher education institution that includes the centers of exceptional values, which regulates mutual rights and obligations .

With the person referred to in Article 116, paragraph 2 of this law, the Ministry concludes an agreement on mutual rights and obligations.

The Ministry supervises the intended use of funds and terminates the contract if it determines that the budget funds are being used inappropriately.

#### Article 120.

The organization from Article 116, paragraph 1. and 3. of this law, which has been approved to implement the program, is obliged to submit a report on the implementation of the program at the request of the Ministry.

If the organization referred to in Article 116, paragraph 1 of this law, at the request of the Ministry, does not submit a report on the implementation of the program, that is, the project, the Ministry terminates the contract on the financing of that program, that is, the project.

### **Property rights to research results**

#### Article 121.

The results of the research, financed with funds from the budget of the Republic of Serbia, belong to the accredited scientific research organizations that carried out the research (hereinafter: the research implementer).

The results of the research from paragraph 1 of this article include all tangible and intangible assets that resulted from programs that were financed with funds from the budget of the Republic of Serbia.

#### Article 122.

When the result of the research is financed with funds from the budget of the Republic of Serbia, in the form of an invention (patent and small patent), the right to protect the invention, i.e. the right to obtain a patent and a small patent, belongs to the research implementer, and the researcher as the inventor has the right to be listed in that capacity in the patent application, files, registers, documents and publications about the invention.

Inventors are obliged to give all necessary written consent in a timely manner in the procedure of intellectual property protection of the scientific research organization.

If the patent or small patent is economically exploited, the inventor from paragraph 1 of this article has the right to compensation in the amount of at least 50% of the profit that the research implementer achieved by exploiting the patent or small patent.

When multiple research participants have created an invention, their profit sharing depends on their individual contribution to the creation of the invention, and if individual contributions cannot be determined, then all inventors are entitled to equal shares.

#### Article 123.

Every employee in a scientific research organization who creates an invention is obliged to submit a written report informing him of the invention to the research implementer immediately after the creation of the invention. Inventors are obliged to provide the employer with all relevant data and results generated during the creation of the invention. Inventors are obliged to submit a proposal for the distribution of author's contributions to the employer along with accompanying documentation.

All intellectual property created through the institutional funding program is regulated exclusively by the general act of the scientific research organization, which regulates the protection of intellectual property.

The research implementer is obliged to examine the potential for economic exploitation of the invention and the justification of protecting the invention as a trade secret, with a patent or small patent, within 60 days from the date of receipt of the report referred to in paragraph 1 of this article.

The deadline from paragraph 3 of this article can be extended in agreement with the inventor.

If, based on the analysis from paragraph 3 of this article, the research implementer within the deadlines from paragraph 3 and 4 of this article makes a decision to submit a patent application, that is, a small patent, he is obliged to notify the inventor in writing.

An employee in a scientific research organization does not have the right to publish the invention, nor to make it available to the public in any other way, until the research implementer determines the way to protect the invention.

If the implementer of the research within the deadlines referred to in para. 3 and 4 of this article does not inform the inventor that he intends to file a patent application, that is, a small patent application, or informs him that he does not want to file such an application, the inventor has the right to file a patent application, that is, a small patent application in his own name and on his cost.

#### **Tax incentives**

#### Article 124.

The Republic of Serbia, through its tax policy and other measures, encourages domestic and foreign legal entities and individuals to invest funds for the implementation of the program

and projects determined by this law and the law regulating the work of the Science Fund of the Republic of Serbia.

### **Solving the housing needs of scientists under more favorable conditions**

#### Article 125.

The housing needs of researchers, teachers and associates in institutes and higher education institutions founded by the Republic of Serbia, an autonomous province, a unit of local self-government and institutes founded by the Serbian Academy of Sciences and Arts are provided by leasing under special conditions, with the right to purchase at affordable prices, i.e. at prices lower than market prices, of apartments built with loan funds in accordance with a confirmed international agreement.

## XI. SUPERVISION

#### Article 126.

Supervision over the implementation of the provisions of this law is carried out by the Ministry.

The supervision of the work of the institute in the field of defense and the realization of research of importance for defense is carried out by the ministry responsible for defense affairs in cooperation with the Ministry.

## XII. TRANSITIONAL AND FINAL PROVISIONS

#### Article 127.

The Government will adopt the Strategy for Scientific and Technological Development of the Republic of Serbia within one year from the date of entry into force of this law.

#### Article 128.

The Minister will pass by-laws prescribed by this law within six months from the date of entry into force of this law.

#### Article 129.

The Ministry responsible for scientific research activities will continue to finance the scientific research activities of all researchers in research titles engaged in scientific research organizations and innovation centers until they obtain the title of Doctor of Science, i.e. until the expiration of the research titles they obtained in accordance with the provisions of the Law on Scientific Research Activities ("Official Gazette RS", no. 110/05, 50/06 - correction, 18/10 and 112/15).

The hiring of new researchers in research positions will be regulated by a special program of the ministry responsible for scientific research activities in accordance with this law and the law regulating the work of the Science Fund of the Republic of Serbia.

The Ministry in charge of scientific research activities will finance all researchers in scientific titles engaged in faculties and innovation centers, on the date of entry into force of this law. Funding will also apply to all researchers engaged in faculties and innovation centers, whose selection procedure for the title of scientific associate will be initiated during the duration of project funding in

research cycle from 2011, ending on December 31, 2019, provided that they acquire the title of scientific associate through this procedure.

Faculties and innovation centers can hire new researchers in scientific titles only within the framework of international projects, projects of the Fund for Science, the Fund for Innovation Activity, their own funds as well as from all other budget funds outside the department of the ministry responsible for scientific research activities.

#### Article 130.

Institutes that are registered in the Register of Scientific Research Organizations in accordance with the Law on Scientific Research Activities ("Official Gazette of the RS", no. 110/05, 50/06 - correction, 18/10 and 112/15) will harmonize the statute and other general acts with this by law within one year from the date of entry into force

of this law.

#### Article 131.

Institute bodies appointed before the date of entry into force of this law continue to work according to the act by which they were appointed before the entry into force of this law, until the end of the mandate for which they were appointed.

The constitution and election of the bodies of the institute in accordance with this law will be carried out after the expiration of the mandate of those bodies constituted, that is, elected according to the regulations that were valid before the entry into force of this law.

The total number of mandates from paragraph 1 of this article does not include mandates until the entry into force of this law.

The National Council for Scientific and Technological Development, the Committee for Accreditation of Scientific Research Organizations, the Commission for Acquiring Scientific Titles and the parent scientific committees continue to work according to the act by which they were appointed before the entry into force of this law until the adoption of the act on their appointment in accordance with the provisions of this law.

The total number of mandates of the body referred to in paragraph 4 of this article includes the mandates until the entry into force of this law.

#### Article 132.

Procedures for acquiring scientific and research titles started according to the regulations that were valid until the date of entry into force of this law will end according to those regulations, except in cases where the provisions of this law are more favorable for researchers. The deadline for the completion of the initiated procedures is nine months from the date of entry into force of this law, except in the case that the necessary documentation has already been submitted to the Commission for Selection in Scientific Professions, when the deadline is six months from the date of entry into force of this law.

#### Article 133.

Institutes of national importance that have acquired that status according to the regulations that were valid before the entry into force of this law retain that status until the end of the period for which the status was acquired.

The issue of financing the institute from paragraph 1 of this article will be regulated by the Program from article 12, paragraph 2, point 2) of this law.

Article 134.

Centers of exceptional value that have acquired that status according to the regulations that were valid before the entry into force of this law retain that status until the expiration of the time for which the status was acquired.

The issue of financing the centers from paragraph 1 of this article will be regulated by the Program from article 12, paragraph 3, item 4) of this law.

Article 135.

Funding of projects that are implemented within the Basic Research Program, the Research Program in the Field of Technological Development and the Program for Co-financing of Integral and Interdisciplinary Research in the research cycle from 2011 continues in the manner and under the conditions prescribed by the act on the financing of the aforementioned programs adopted before the entry into force of this of the law - until the conditions for financing under the Institutional Financing Programs from Article 12, paragraph 2 of this law are met, i.e. until December 31, 2019, with the possibility of extension for another year.

The Ministry can finance scientific research work by redistributing funds for the realization of scientific research work by using funds from all projects in which an individual scientific research organization whose founder is the Republic of Serbia, an autonomous province or a local self-government unit, as well as the Serbian Academy of Sciences and Arts and the institutes of which it is the founder, participates. , to be collectively paid to that scientific research organization, and at the level of the payment for the month of December of the previous year, with all associated increases according to the regulations on the budget, i.e. the budget system. Funding in accordance with this article will be realized for a maximum of two years from the beginning of the implementation of the regulations governing the work of employees in public services.

Rights and obligations between the Ministry and scientific research organizations, that is, founders and scientific research organizations, will be regulated by a special contract on temporary financing of scientific research work by scientific research organizations.

Until the adoption of the program from Article 12, paragraph 3, point. 5), 6), 8) and 9) of this law, financing of the Program of encouragement and scholarships for young and gifted people for scientific research work, the Program for the training of personnel for scientific research work, the Program for the acquisition of scientific and professional literature from abroad and access to electronic scientific and professional databases and The program of issuing scientific publications and holding scientific meetings will continue until December 31, 2020, in the manner and under the conditions prescribed by the program and the act on the financing of the aforementioned programs adopted before the entry into force of this law.

Article 136.

With the entry into force of this law, the Law on Scientific Research ("Official Gazette of RS", no. 110/05, 50/06 - correction, 18/10 and 112/15) ceases to be valid, except for the provisions of Art. 27a–27d, which refer to the Center for the Promotion of Science. The Center for the Promotion of Science will implement all started projects. With the entry into force of this law, the Center for Promotion

of Science assumes the role of coordinating the work of all scientific and educational centers established by the Government, which are financed on the basis of Article 12, paragraph 3, item 10) of this law. At the latest by the end of five years from the date of entry into force of this law, the Government will decide on the further status and competences of the center, as well as on the structure and method of coordinating the work of the network of scientific and educational centers, on the proposal of the Ministry of Education, Science and Technological Development.

By-laws adopted on the basis of the law from paragraph 1 of this article shall be applied until the adoption of by-laws in accordance with this law, unless they contradict the provisions of this law.

Article 137.

At the beginning of the application of the law regulating the rights, obligations and responsibilities of the employment relationship of employees, that is, the rights and obligations based on work in public services and the Catalog of jobs, researchers' salaries will be determined in accordance with Article 77 of this law.

Article 138.

This law enters into force on the eighth day from the day of its publication in the "Official Gazette of the Republic of Serbia".