

REGULATIONS
for the use of the research infrastructure of Poznan University of Technology, co-financed and created
as part of the project entitled „ECBiG – European Centre for Bioinformatics and Genomics”
(agreement no. POIR.04.02.00-30-A004/16-00 dated December 22, 2016)
Priority Axis IV: INCREASING RESEARCH AND DEVELOPMENT POTENTIAL
Measure 4.2: DEVELOPMENT OF MODERN RESEARCH INFRASTRUCTURE FOR THE SCIENCE
SECTOR for the duration of its sustainability period

PREAMBLE

1. These Regulations define the rules for using the research infrastructure of Poznan University of Technology that was purchased and/or created as part of the implementation of the project titled: "ECBiG – European Centre for Bioinformatics and Genomics" (Agreement No. POIR.04.02.00-30-A004/16-00 dated December 22, 2016).
2. The use of the research infrastructure referred to in Section 1 during the sustainability period of the Project shall comply with the provisions of these Regulations, the Project's grant agreement, and applicable relevant guidelines.
3. The research infrastructure referred to in these Regulations includes:
 - 1) Intangible assets and intellectual property:
 - a) Reference Genome – co-owned by Poznan University of Technology and the Institute of Bioorganic Chemistry of the Polish Academy of Sciences (PAN),
 - b) Database architecture for storing and sharing heterogeneous data – co-owned by Poznan University of Technology and the Institute of Bioorganic Chemistry PAN,
 - c) Genetic Variation Map – co-owned by Poznan University of Technology and the Institute of Bioorganic Chemistry PAN,
 - d) Fen-Gen – a database of genetic and phenotypic data along with a set of bioinformatics tools for analyzing relationships between phenotype and genotype, co-owned by Poznan University of Technology and the Institute of Bioorganic Chemistry PAN,
 - e) Et-Gen – a database of genomic data and bioinformatics tools for analyzing genetic variation among ethnic minorities, co-owned by Poznan University of Technology and the Institute of Bioorganic Chemistry PAN,
 - f) 3DGen – a set of data visualization tools, which are the exclusive property of Poznan University of Technology.
 - 2) Scientific and research equipment – Hardware infrastructure purchased or created by Poznan University of Technology and owned by it.

§ 1

Definitions

1. **Project** – the project titled ECBiG – European Centre for Bioinformatics and Genomics (Agreement No. POIR.04.02.00-30-A004/16-00 dated December 22, 2016), under which the research infrastructure was purchased and/or created.
2. **Research infrastructure** – facilities, resources, and related services used to conduct scientific research and/or development work. This definition includes scientific equipment or a set of instruments; knowledge-based resources such as collections, archives, and structured scientific information; ICT-based infrastructure such as networks; computing infrastructure; software and communication infrastructure; or any other means of a unique nature essential for conducting scientific research and/or development work, purchased and/or created under the Project.
3. **Provider** – Poznan University of Technology, hereinafter also referred to as the University, represented by the Rector.

4. **Organisational unit**– an organisational unit of the University as defined in the University's Statute.
5. **Infrastructure Administrator** – the head of the organisational unit in whose custody the research infrastructure remains and/or another person authorised by the Rector to manage the research infrastructure.
6. **Coordinator** – a person appointed by the Rector whose tasks include:
 - 1) managing the economic efficiency of the research infrastructure;
 - 2) coordinating research projects implemented using the infrastructure;
 - 3) monitoring the use of the infrastructure;
 - 4) preparing, in cooperation with Infrastructure Supervisors, a service offer based on the infrastructure;
 - 5) maintaining contact with Users;
 - 6) reporting to the Infrastructure Administrator on the outcomes of the work and consulting on the implementation of long-term research activities.
7. **Infrastructure Supervisor** – a person appointed by the Rector to provide day-to-day oversight of the efficient use and technical maintenance of the research infrastructure, possessing the necessary qualifications and required authorisations to operate the research infrastructure as a whole and its individual components.
8. **User** – an entity or organisational unit to whom the Provider has granted access to the research infrastructure.
9. **Employee** – a person employed by the Provider, regardless of the legal basis of the employment relationship.
10. **Student** – a person enrolled in a degree program conducted by the Provider.
11. **Ph.D. student** – a participant in a doctoral programme, a student at the Provider's Doctoral School, or a person pursuing part or all of their doctoral procedure at the Provider.
12. **External entity** – a natural person, legal entity, or organisational unit without legal personality that is not part of the internal organisational structure of the Provider. An external entity also includes: an employee using the research infrastructure beyond the scope of their duties arising from their employment relationship with the University; a Ph.D. student or student using the University's research infrastructure while conducting scientific activities as part of their academic curriculum or while preparing a thesis or dissertation for an institution other than the University; a postgraduate student; a person undertaking an internship or traineeship at the University.
13. **Provision of access** – enabling use (directly or through the Infrastructure Administrator or Infrastructure Supervisor) of the research infrastructure by external entities conducting scientific research, development work, or business activities using the research infrastructure, as well as use of the research infrastructure by employees, Ph.D. students, or students for conducting scientific activity or development work;
14. **Scientific activity** – includes scientific research, development work, and artistic creativity, as defined in Article 4 of the Act of 20 July 2018 – Law on Higher Education and Science (Journal of Laws of 2024, item 1571).
15. **Commercial activity** – use of the infrastructure by users for their commercial activity, as understood in the European Commission's Communication – Framework for State aid for research and development and innovation (2014/C 198/01).
16. **Non-commercial activity** – use of the infrastructure by users for their non-commercial activity, as understood in the European Commission's Communication – Framework for State aid for research and development and innovation (2014/C 198/01).

§ 2

General Provisions

1. Individual components of the research infrastructure are assigned to the Institute of Computing Science at Poznan University of Technology.
2. It is the duty of the University and its employees to use the research infrastructure efficiently as part of their scientific activity, including by making it available to other organisational units and external entities.

3. The duties of the Coordinator shall include, in particular:
 - 1) preparing and updating the list of research infrastructure components that may be made available, based on information provided by the Infrastructure Administrator;
 - 2) forwarding requests for access to the research infrastructure to the Infrastructure Administrator in order to prepare the appropriate agreement or offer;
 - 3) determining the order in which work will be carried out and the fees for use of the research infrastructure;
 - 4) preparing quarterly reports on the provision of access to the research infrastructure (by the 30th day of the following month);
 - 5) storing complete documentation regarding the use of the research infrastructure.
4. The duties of the Infrastructure Administrator shall include, in particular:
 - 1) supervision of the proper use of the research infrastructure;
 - 2) preparation and updating of a pricing list for access to the research infrastructure;
 - 3) making decisions on granting or refusing access;
 - 4) securing the research infrastructure and its documentation in a way that prevents unauthorised access;
 - 5) preparing agreements and/or offers for the use of the research infrastructure;
 - 6) preparing monthly reports for the Coordinator regarding the security and availability of the research infrastructure, including reports from the Infrastructure Supervisor (by the 20th day of the following month);
 - 7) storing complete documentation concerning the security and access to the research infrastructure.
5. The duties of the Infrastructure Supervisor shall include, in particular:
 - 1) supervision of the correct operation and usage of the research infrastructure;
 - 2) supervision of the maintenance of the technical functionality of the research infrastructure;
 - 3) taking actions aimed at resolving any issues related to the functioning of the research infrastructure;
 - 4) immediately informing the Infrastructure Administrator and Coordinator of any limitations in the functionality of the research infrastructure, their causes, and their resolution;
 - 5) organising training sessions for users on the operation of the research infrastructure;
 - 6) preparing monthly reports for the Infrastructure Administrator on the operation of the research infrastructure, with particular emphasis on incidents preventing the use of all or part of the infrastructure (by the 10th day of each month);
 - 7) storing complete documentation related to the maintenance of technical functionality (servicing, inspections, recorded incidents) of the research infrastructure.
6. Use of the research infrastructure during the sustainability period of the Project must comply with the terms of the Project funding agreement and with relevant guidelines in this regard.
7. This Regulation applies to the following categories of entities:
 - 1) employees using the Provider's research infrastructure as part of their scientific work;
 - 2) students and Ph.D. students conducting research using the Provider's research infrastructure;
 - 3) external entities which, based on a request and agreement, use the Provider's research infrastructure.
8. This Regulation applies to all cases involving the provision (whether paid or unpaid) of access to the Provider's research infrastructure.
9. Use of the research infrastructure made available by the University must comply with applicable law, this Regulation, and the provisions of any agreement entered into, if such agreement has been concluded.
10. The Provider reserves the right to inspect, including through unannounced checks, the manner in which the research infrastructure is being used, in terms of compliance with the guidelines of the Provider, the Infrastructure Administrator, the Coordinator, or the Supervisor, as well as the user manual.
11. The maximum level of commercial use of the infrastructure shall not exceed 40%.

§ 3

Rules for the Use of Research Infrastructure

1. The research infrastructure is used primarily for the purpose of conducting scientific activity and/or development work carried out within the organisational unit of the University to which it has been assigned.
2. The research infrastructure may also be used for other purposes, particularly in connection with the provision of research services, development work or business activity for the University or external entities, provided this does not conflict with the activity referred to in Point 1, nor hinder the Provider in carrying out its core statutory research and scientific functions.
3. The research infrastructure must be used in a manner consistent with its intended purpose and in accordance with the user manual.
4. It is strictly prohibited to use the research infrastructure:
 - 1) without appropriate training, where such training is required;
 - 2) for purposes that are inconsistent with the objectives of the Project, as set out in the Project funding application and the Project feasibility study.
5. The provision of infrastructure may be internal or external.
6. Internal provision occurs when the research infrastructure is made available to persons within the Provider's structure (i.e. employees or students/Ph.D. students).
7. External provision occurs when the research infrastructure is made available for use by external entities.
8. An entity or organisational unit intending to use the Provider's research infrastructure must submit a request for access to the Coordinator.
9. The request, in addition to clearly specifying the components of the infrastructure to which it applies, must include a justification indicating the purpose for which the infrastructure is to be used, as well as a declaration stating the nature of the intended activity (commercial or non-commercial) for which the infrastructure is to be used..
10. The template for the request for access to research infrastructure is established by the Rector by way of an ordinance.
11. Consent for access to the research infrastructure is granted by the Infrastructure Administrator, upon review of the access request submitted by the Coordinator. Granting of consent forms the basis for concluding the appropriate agreement or preparing a service offer.
12. Agreements concerning the use of research infrastructure by external entities are concluded by the Rector or a person authorised by the Rector. Such agreements must be made in writing.
13. The Rector has the right to refuse to sign an agreement.
14. Provision of infrastructure to external entities is based on a concluded agreement. The agreement shall, in particular, define the rights and obligations of the parties, the location where the research infrastructure is to be used, the amount of any deposit (if applicable), and the rules of liability for the entrusted research infrastructure.
15. If the research infrastructure is to be used outside the location to which it is organisationally assigned, its transfer to the User shall be confirmed in a handover protocol signed by both parties.
16. Provision of the research infrastructure components specified by the Infrastructure Administrator is subject to record-keeping. The records of provision are maintained on the basis of an infrastructure time sheet. The template for the infrastructure time sheet is established by the Rector by way of an ordinance.

§ 4

Rights and Obligations of Users of the Research Infrastructure

1. Access to the research infrastructure is granted on transparent and non-discriminatory terms.
2. Users who are employees, students, or Ph.D. students of the Provider may use the research infrastructure in connection with research or economic activities consistent with the objectives of the Project.
3. External entities may use the research infrastructure solely for the performance of tasks specified in the request for access or in the agreement concluded with the University.
4. Priority access to the research infrastructure (subject to § 5 Section 4) is granted to the following categories

of persons/entities (in the order listed):

- 1) an employee employed within the organisational unit to which the infrastructure is assigned;
 - 2) a Ph.D. student or student of the unit referred to in Point 1, in connection with research activity, as part of their academic duties or curriculum of studies;
 - 3) an employee employed in a different organisational unit than that of the Infrastructure Administrator;
 - 4) a Ph.D. student or student of a different organisational unit than that of the Infrastructure Administrator, in connection with research activity;
 - 5) an external entity under separate agreements.
5. The User is obliged to:
 - 1) properly secure the research infrastructure made available for use, against damage or loss;
 - 2) ensure that all individuals authorised to work with the provided research infrastructure possess appropriate qualifications;
 - 3) notify the Provider of any irregularities observed during the use of the infrastructure;
 - 4) exercise due care in the use of the infrastructure, including compliance with health and safety and fire safety regulations;
 - 5) adhere to all instructions issued by the Provider, the Infrastructure Administrator, the Coordinator, and the Infrastructure Supervisor (in the order listed) regarding the correct use of the infrastructure;
 - 6) return or cease use of the infrastructure after the access period ends, in an undamaged condition.
 6. The Provider is obliged to deliver or make available the research infrastructure to the User in a complete and functional state, allowing for its use in accordance with its intended purpose, including all necessary documentation (user manuals) and required additional equipment.
 7. The Provider may refuse to make the research infrastructure available without further explanation if:
 - 1) the activities involve the use of flammable, explosive, corrosive, radioactive, toxic, infectious, or other hazardous materials;
 - 2) there is a suspicion that the intended activities or purposes are unlawful or may damage the University's reputation.

§ 5

Fees for the Use of Research Infrastructure

1. The provision of research infrastructure to external entities is subject to fees.
2. A list of available research infrastructure, the price list for access to the infrastructure, and the price list for services delivered using it are available online, including, at a minimum, on the University's website.
3. Subject to Sections 4 and 5, the amount of fees for access to the infrastructure is determined based on market principles.
4. External entities that have financed at least 10% of the investment in the research infrastructure within the economic part of the Project shall be granted preferential access to the infrastructure, in accordance with the agreement concluded with the Provider.
5. In justified cases, the Provider may waive fees for access to the infrastructure for scientific purposes. The justification must be based on a significant public interest.
6. The principles for determining the price list are established by the Rector by way of a separate ordinance.
7. The collection of fees for the use of the infrastructure shall take into account the provisions of these Rules and the financial management regulations in force at the University.
8. Access to the research infrastructure by employees, students, or Ph.D. students from outside the organisational unit of the Infrastructure Administrator is provided on a cost-recovery basis.

§ 6

Liability Rules

1. The Provider shall not be liable in any case for damages caused by the research infrastructure or in connection with its operation by the User who is an external entity.

2. A User who is an external entity shall bear full liability for any damage to the provided research infrastructure arising from their actions or omissions, in particular from its use in a manner inconsistent with these Rules, the user manual, or the instructions of the Provider, Infrastructure Administrator, Coordinator, or Supervisor, regardless of whether fault can be attributed to the User.
3. A User who is an employee, student, or Ph.D. student shall bear full liability for any damage to the provided research infrastructure arising from their actions or omissions that constitute gross negligence, in particular resulting from its use in a manner inconsistent with these Rules, the user manual, or the Provider's instructions.
4. The Provider shall not be liable for any materials, files, or other documents left by the User, regardless of their form, and in particular shall not be liable for their disclosure or publication by unauthorised persons.

§ 7

Final Provisions

1. These Rules shall enter into force on the date of adoption by the Senate of Poznan University of Technology.
2. These Rules apply to all activities involving the use of research infrastructure of Poznan University of Technology that is co-financed and created as part of the project entitled: "ECBiG – European Centre for Bioinformatics and Genomics" (contract no. POIR.04.02.00-30-A004/16-00 of 22 December 2016).
3. In matters not regulated by these Rules, the applicable provisions of law shall apply.