

Statute of the LEPL - Shota Rustaveli National Science Foundation of Georgia

[Approved by the Order of Minister of Education and Science of Georgia, № 62, July 28, 2010]

Article 1. General Provisions

1. Shota Rustaveli National Science Foundation of Georgia (hereafter: Foundation) is a legal entity of public law under the governance of the Ministry of Education and Science of Georgia (hereafter: Ministry), established according to the Law of Georgia on “Science, Technologies and its Development”
2. The full title of the Foundation is: Legal Entity of Public Law – “Shota Rustaveli National Science Foundation of Georgia”. Foundation may use its short title – “National Science Foundation of Georgia”
3. Foundation is accountable to the Ministry of Science and Education of Georgia in the frame of the Law of Georgia on “Science, Technologies and its Development”, Law of Georgia on “Legal Entities of Public Law”, other legal acts and this statute
4. The Foundation is established to fulfill special goals and functions. The Foundation has special legal capacity to implement its rights and obligations, make deals and come out in court as plaintiff and defendant
5. The Foundation is established through privatization of state property with indefinite term
6. The Foundation possesses its Seal with the State Emblem and the title of the Foundation, its independent balance, account in the state treasury and bank, its emblem and other requisites of the legal entity
7. Legal address of the Foundation: № 1 Aleksidze str., Tbilisi

Article 2. Goals of the Foundation

1. Foundation goal is:
 - a) Support science and knowledge based society development in Georgia, by the grants system and international agreements signed by the Ministry, also, program funding foreseen by the bilateral international agreements;
 - b) Support outstanding, best quality academic research;
 - c) Develop scientific infrastructure of scientific-research and higher education institutions;
 - d) Support Young Scientists, encourage their integration into research and educational programs;
 - e) Popularization Georgian Studies programmes;
 - f) Enhancement international scientific cooperation;
 - g) Evaluation and development science, technologies and innovations system of Georgia;
 - h) Funding sources diversification.
2. To achieve the set goals and objectives, Foundation undertakes following activities:
 - a) Grant calls administration according to the rules set by the Georgian legislation;

- b) Targeted long term programs and projects funding, which support repatriation of prominent Georgian scientists residing abroad and their integration within the local scientific network;
- c) Support innovative, high technological international and local projects research part, oriented on tech transfer and commercialization;
- d) Institutional support of integration high education and research;
- e) Implement fair, objective (data-based) and transparent assessment system;
- f) Support research in the field of Georgian studies in Georgia and abroad;
- g) Establish a set of national awards and recognitions, such as a one-time prize, honorarium and scholarship for distinguished contributions and achievements in science and technology;
- h) Creates, publishes, disseminates and realizes information booklets, analytical reports, publications prepared within its competence, methodical and educational literature and others;
- i) Within the scope of its competence, evaluation science, technology and innovation system of Georgia and provide recommendations for the Ministry to improve the quality of science management;
- j) In order to achieve goals, set by the Statute, Foundation signs agreements with the individuals and legal entities of Georgia and foreign countries;
- k) Provides services to various organizations, individuals and legal entities, including orders that do not represent its obligation;
- l) Establishes relations with foreign science Foundations, research centers, international organizations, state and private funding agencies, donors and coordinates the programs and projects in the field of science. The Foundation is also authorized to organize international scientific calls;
- m) Provides financial and organizational support of seminars, conferences, workshops and training both within the country and abroad;
- n) Cooperation with the Ministries of Georgia, regional and local organizations to implement science, technology and innovation system reform and policy;
- o) Participates in disseminating information on the reform of science, technology and innovation, which will help to achieve the goals of the reform;
- p) Ensures transparency and publicity of its activities;
- q) Within the scope of its competence, evaluates the efficiency of the grants performance and promotes the quality of scientific research;
- r) Performs other duties prescribed by legislation.

Article 3. Foundations' governing bodies

Foundations' governing bodies are:

- a) International Policy International
- b) Director General

Article 4. International Policy Board

1. The International Policy Board is the collegiate body that is formed to manage the Foundation

2. The International Policy Board consists of minimum 5 and maximum 11 members
3. The International Policy Board's members are appointed by the Minister of Education and Science of Georgia (hereafter: Minister) for a term of 4 years based on the nomination of the Foundation's Director General. 1/3 of the International Policy Board memberships is to be renewed after the half of the determined term is completed
4. Director General or any other staff member of the Foundation shall not be entitled to become a member of the International Policy Board
5. The International Policy Board elects its own Chairman for the term of the same International Policy Board
6. In the event of Chairman's absence, the relevant responsibilities shall be fulfilled by a designated International Policy Board member
7. The Chairman of the International Policy Board calls and leads the International Policy Board meetings. The Director General of the Foundation, Chairman or the majority of the International Policy Board members (collectively) can initiate the invitation of the International Policy Board meeting.
8. The International Policy Board decisions are valid if the meeting is attended by more than a half of the International Policy Board members. A member of the International Policy Board has the right to one vote. International Policy Board makes decisions with the voice of the majority
9. International Policy Board Meetings shall be held in accordance to the needs, but not less than twice a year
10. Decisions of the International Policy Board are formalized through the minutes signed by the Chairman of the International Policy Board. In case a member of the International Policy Board disagrees with the decision taken, she/he is entitled to express the different opinion in meeting's minutes
11. The International Policy Board members are obliged to participate in the activities of the International Policy Board, maintain confidentiality of the information that became known to them during the implementation of their – as International Policy Board members – activities
12. The International Policy Board members are not entitled to reimbursement. However, the Foundation is obliged to cover travel (international and local) and accommodation expenses for international member as part of their working visits and reimburse per diem of 150 Georgian Lari
13. Functions of the International Policy Board include:
 - a) Approval of the Foundation's strategy and action plan, relevant amendments and main directions;
 - b) Discussion of the Foundation's annual draft budget request;
 - c) Evaluation of the Foundation's reports presented by the Director General of the Foundation;
 - d) Awareness of conclusions and recommendations of Audit reports;
 - e) Other duties foreseen by the Georgian legislation
14. The International Policy Board is entitled to arrange a meeting and discuss issues by means of the distance electronic format:
 - a) By the chairman 's decision;

- b) By the decision of the board members' majority;
 - c) Considering other reasonable cases, such as technical, financial restrictions, based on the grounded request of the Director General
15. Meeting of the International Policy Board in electronic format means:
- a) Sending meeting materials (agenda, place, date) 7 calendar days prior to the meeting;
 - b) Board members simultaneously participation in meeting by means of "Skype" or other communication applications;
 - c) Decisions of the International Policy Board shall be formalized with the minutes, which is signed by the chair of the International Policy Board and the Secretary of the Meeting. Within 10 working days from the date of the meeting, the draft minutes will be forwarded to the members of the International Policy Board on the e-mail address
 - d) Decisions of the International Policy Board are formalized through the minutes signed by the Chairman of the International Policy Board. In case a member of the International Policy Board disagrees with the decision taken, she/he is entitled to express the different opinion in meeting's minutes
 - e) Members of the International Policy Board may attend the meeting at the Foundation Building
16. Foundation organizes technical arrangements of International Policy Board meetings in a remote electronic format

Article 5. Director General

1. Director General is responsible for management and representation of the Foundation. The Director General is appointed for a term of 4 years by the Minister of Education and Science of Georgia upon the approval of the Prime-Minister of Georgia. The same person can be appointed as the Director General for the duration not to exceed two consecutive terms.
2. Director General:
 - a) Acts on behalf of the Foundation and represents the Foundation in relation to third persons;
 - b) Single-handedly manages Foundations' activities;
 - c) Is responsible for the compliance with the Constitution of Georgia and other legislative and sub-legislative acts within the competence of the Foundation;
 - d) Upon agreement with the minister, within the term of his/her own liabilities, Director General appoints and dismisses Deputy Directors and defines their functions by means of the individual administrative – legal act;
 - e) In accordance with the Georgian legislation, signs individual administrative-legal acts – orders;
 - f) By means of the individual administrative–legal act, shall appoint and dismiss the Foundation employees, conclude employment contracts;
 - g) Shall use Incentives and Disciplinary Responsibilities to the Foundation staff;
 - h) Shall approve the staff list and a salary of the Foundation with the consent of the Ministry, by means of individual legal - administrative act;
 - i) Distributes responsibilities among Deputy General Directors and employees, shall give relevant indications and tasks, shall monitor fulfillment of the duties;

- j) According to the rule set by the legislation of Georgia, is entitled to pay salary bonus to the Foundation employees;
 - k) In order to achieve Foundation goals, based on agreement, is authorized to invite Georgian and foreign experts;
 - l) On behalf of the Foundation, according to the rule set by the legislation of Georgia signs agreements and contracts;
 - m) Shall approve internal regulations of the Foundation, its structural sub-units, job descriptions by means of individual administrative legal act;
 - n) Shall implement activities assigned under the agreements and memorandums concluded with foreign institutions;
 - o) Should a need arise, approves the rules on issuing state scholarships, honorariums, Premium (one-hand towards a beneficiary) by means of individual legal act;
 - p) Shall takes decisions on project / call funding in compliance with a competition regulatory acts;
 - q) Submits to the ministry proposals on amendments to the statute;
 - r) Shall work on the development of employees' professional skills and abilities and increase of their qualification;
 - s) Participates in the International Policy Board meetings without right to vote;
 - t) Should a need arise, regarding the issues related to the Foundation's competences, creates commissions and other types of bodies by means of individual administrative - legal act, defines the rules of their activities;
 - u) Implements other liabilities granted by this statute and current legislation of Georgia.
3. Director General reports to the Ministry of Education and Science of Georgia.
 4. Director General has a Deputy Director (Deputy Directors), the number of deputies is defined by the Foundations staff list. All Deputy Directors report to the Director General.
 5. In the event of the absence of the Director General, responsibilities shall be fulfilled by one of the deputies (in case of absence deputies, by Foundation staff) defined by the individual administrative-legal act;
 6. (how?)
 7. Director General may entitle Foundation staff to solve the issues that fall under Foundation authority and sign correspondence.

Article 6. Source of Funding

1. The following can be the funding source of the Foundation:
 - a) Funds allocated from the state budget of Georgia;
 - b) Funds received from international organisations, as targeted grants made to the Foundation;
 - c) Endowment from legal entities and individuals;
 - d) Contributions;
 - e) Fees acquired by the Foundation for provided services;
 - f) Income received from the contract based work/services;
 - g) Other income permitted by the Georgian legislation.

2. The funds and incomes under the 1st paragraph of this article are to be used solely for achieving Foundation's goals and implementing its functions.

Article 7. State Control

1. The controlling authority over the Foundation is the Ministry that supervises Foundation's financial and economic activities, the lawfulness, appropriateness and efficiency of its activities
2. The Ministry has a right to request information and materials necessary to implement its controlling function and oversight
3. With the consent of the Ministry, in accordance with the rules set forth by the legislation, the Foundation may implement the following activities:
 - a) purchase, take on a lease, alienate and encumber a real estate;
 - b) take a loan;
 - c) give a warranty;
 - d) determine budget, staff list and salary (payroll) fund, Set the fund limits to be allocated to employees' financial encouragement (bonus, incentives), as well as, for fuel to be purchased by the Foundation and for communication expenses to be incurred by the Foundation;
 - e) Make other decisions related to the Foundation's property, outside of its regular activities.
4. In order to carry out activities under subparagraphs b and c of paragraph 3 of this Article, consent of the Ministry of Finance of Georgia shall be sought.
5. Objection of the Ministry to the implementation of the activities defined by paragraph 3 of this article should be justified in writing.

Article 8. Foundations' property

1. The Foundation possesses the property in accordance to the rule set forth by the legislation
2. The Foundation property is major cash flow, other material and non-material values (patents, property right, licences) and financial resources.

Article 9. Foundation accountability

1. Foundation is obliged immediately submit activity report to the Ministry upon request
2. The Foundation is obliged to carry out financial accounting and reporting Balance and submit to the Ministry

Article 10. Reorganization and liquidation of the Foundation

1. Procedures of reorganization and liquidation of the Foundation shall be regulated in accordance to the Georgian legislation.
2. Act of the termination foundations' activity may not have less legal force then establishment act, if this requirement is not protected, Foundation continues its activity
3. Foundations' liquidation is carried out by the liquidators, who are appointed by the ministry. Foundations' Director General may be liquidator

4. Liquidators carry out their activities according to the Georgian legislation and are restrict by the liquidation tasks
5. The property following the liquidation of the Foundation shall be passed over the state.

Article 11. Final Provisions

1. Amendments to the budget of the grant contracts concluded with the authors of the selected grant proposals (announced winners) as the result of competitions announced by the Foundation including the year of 2014 shall be implemented based on the decision of the director general
2. In the event of failure of meeting set requirements by the authors of the selected grant proposals (announced winners) as the result of competitions announced by the Foundation including the year of 2014, the term for improving, termination or decline on termination shall be defined by means of the individual act