

Director's Order No. 47/2019
of the Director of the Institute of Agrophysics,
Polish Academy of Sciences in Lublin
of 25 September 2019

defining the rules of procedure for the preparation and circulation of contracts concluded
at the Institute of Agrophysics, Polish Academy of Sciences in Lublin

issued pursuant to §10 of the Statute of the Institute of Agrophysics, Polish Academy of Sciences in Lublin, in the wording approved by the President of the Polish Academy of Sciences on 17 March 2017, by virtue of which, in order to improve the organisation of work and to increase the effectiveness of formal-legal and financial-accounting control, the following rules are established:

§1

General rules concerning the preparation of contracts

1. This Order applies to all contracts, including letters of intent signed by the Institute, with the exception of contracts in the field of employment law, owing to the separate procedure applicable to them (GDPR).
2. A draft contract should include information stating the first name and surname of the Institute employee (hereinafter: the Responsible Employee) who:
 - a) drew up the contract, if the draft contract was prepared at the Institute, or
 - b) supplemented the contract with the relevant data, if the draft contract is based on an approved template in use at the Institute, or
 - c) preliminarily accepted the contract in substantive terms and supplemented it with the required data, if the draft contract originates from the other party to the contract or from another external entity.
3. The information referred to in para. 2 should appear on the last page of the contract, in a footer, according to the following template: "Prepared by: first name and surname of the Responsible Employee and the date of preparation of the contract".
4. Where possible, the draft contract should indicate in its text the first names, surnames, positions and contact details of the employees responsible for the performance of the contract on behalf of each party to the contract.

§2

Supervision over the circulation of contract documents

Ongoing supervision over the proper circulation of all contracts signed by the Institute is exercised by the Director's Assistant, who in particular:

- a) forwards draft contracts to the Legal Counsel and the Chief Accountant for their opinion;
- b) submits draft contracts for signature by the Institute's Directorate;
- c) sends copies of signed contracts to the relevant organisational units of the Institute;
- d) keeps a register of signed contracts.

§3

Circulation of contract documents

1. Before being submitted for signature by the Institute's Directorate, a draft contract should be initialed by the Legal Counsel and the Chief Accountant.

2. In order to obtain the initials, the Responsible Employee submits the draft contract to the Director's Assistant immediately after its preparation, and in any case no later than 7 working days before the planned signing of the contract.
3. In justified cases, in particular owing to the length of the contract, its subject matter, the need to obtain additional information or to introduce numerous corrections and additions, the minimum 7-day period for issuing an opinion on the draft contract referred to in para. 2 may prove insufficient; for this reason, draft contracts should be submitted as early as possible, as far as circumstances allow.
4. The draft contract is forwarded without delay to the Legal Counsel and the Chief Accountant.
5. The Legal Counsel and the Chief Accountant may approach the Responsible Employee for additional explanations and information relating to the draft contract.
6. Where it is necessary to extend the period referred to in para. 3, the Legal Counsel and the Chief Accountant shall inform the Responsible Employee and the Director's Assistant of this fact by e-mail, at the same time indicating the expected date of issuing the opinion on the contract.
7. The draft contract, once the opinions have been issued, is forwarded to the Director's Assistant:
 - a) where it has been accepted by the Legal Counsel and the Chief Accountant, the paper version is initialled by those employees;
 - b) where it has not been accepted, the Legal Counsel and/or the Chief Accountant forward their comments together with a recommendation as to further action.
8. The accepted and initialled draft contract is submitted without delay to the Institute's Directorate for signature.

§4

Legal support in the preparation of contracts

Cases requiring the use of legal support in the preparation of a draft contract or in the negotiation of its terms should be reported directly to the Legal Counsel no later than 15 working days before the planned signing of the contract, taking into account the complexity of the subject matter of the contract, the time needed to conduct negotiations, and the acceptance procedures and the signing of the contract by all parties to the contract.

§5

Final provisions

This Order enters into force on 1 October 2019.

DIRECTOR

prof. dr hab. Cezary Sławiński

[signed]