



REGULATIONS OF THE PROGRAMS OF THE POLISH NATIONAL AGENCY FOR ACADEMIC EXCHANGE

Programs for natural persons

Warsaw, January 2024

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I. GLOSSARY OF TERMS AND ABBREVIATIONS

- 1) **Agency** – the Polish National Agency for Academic Exchange;
- 2) **Agency's ICT system** - the system referred to in Art. 14 of u.n.a.w.a.;
- 3) **Agreement** – an agreement concluded between the Fellow and the Agency referred to in Art. 26 of u.n.a.w.a.;
- 4) **Announcement** - announcement of the call for applications for participation in the Program referred to in Art. 19 u.n.a.w.a.;
- 5) **Application** - a form completed by the Applicant, submitted as part of the Recruitment via the Agency's ICT System;
- 6) **Applicant** – a person who intends or has submitted an Application under the Recruitment;
- 7) **Assessment Team** - a team consisting of Experts, appointed by the Director to carry out substantive assessment of applications in the scope indicated in the Announcement;
- 8) **Director** – Director of the Agency;
- 9) **Expert** – a person who performs substantive assessment of applications submitted as part of the call for applications for participation in the Program;
- 10) **Financial resources** – funds referred to in Art. 18(2) point 2 of u.n.a.w.a.;
- 11) **Guardian of a person with a disability** - in the case of a Fellow with diagnosed severe or moderate disability - a person who takes care of the Fellow during their stay at the Host institution;
- 12) **Host institution** - a foreign or domestic scientific or academic center which the Applicant plans to visit;
- 13) **NAWA Lecturer** – Fellow teaching Polish as a foreign language in a foreign host institution;
- 14) **Program** – a given program specified in the Announcement serving to implement the Agency's tasks;
- 15) **Project** – a set of activities implemented under the Program;
- 16) **Recruitment** - recruitment of applications for participation in the Program;
- 17) **Regulations** – these regulations for Programs for natural persons;
- 18) **Reviewer** – Expert performing an individual substantive assessment;
- 19) **Fellow** - a person who has been awarded a Scholarship and with whom a Scholarship Agreement has been concluded;
- 20) **u.i.b.** – Act of April 30, 2010 on research institutes;
- 21) **u.n.a.w.a.** – Act of July 7, 2017 on the Polish National Agency for Academic Exchange;
- 22) **u.o.r.** – Act of September 29, 1994 on accounting;
- 23) **u.p.a.n.** – Act of April 30, 2010 on the Polish Academy of Sciences;
- 24) **u.p.s.w.n.** – Act of July 20, 2018 - Law on higher education and science;
- 25) **u.s.b.ł.** - Act of February 21, 2019 on the Łukasiewicz Research Network;
- 26) **Young Scientist** – a person who holds a doctoral degree, from which no more than 7 years have passed since the date of submission of the application.

II. GENERAL INFORMATION – ENTITLED ENTITIES

The applicant may be a natural person who meets the requirements specified in the Announcement of the Call for Applications for a given Program, including:

- 1) doctoral students;
- 2) employees of the entities referred to in Art. 7 section 1 of the Act of July 20, 2018 - Law on higher education and science, and foreign universities and scientific institutions;
- 3) persons with at least a doctoral degree or an equivalent degree obtained abroad;
- 4) people sent abroad to teach Polish as a foreign language.

Detailed information about eligible Applicants under a given Program can be found in the Announcement.

The Polish National Agency for Academic Exchange ensures equal access to the implementation of activities for people with special needs, including various types of disabilities.

At the justified request of a person with a documented disability, the Director of the Agency may waive the application of selected program rules to that person if the fulfillment of them were excessively difficult for them due to the type of their disability, and a deviation from a given rule will contribute to ensuring equal conditions for such a person to participate in a competition or project implementation compared to other program beneficiaries.

III. SUBMITTING AN APPLICATION FOR FUNDS AND THE RECRUITMENT DECISION

1. Registration and use of the Agency's ICT system

Pursuant to Art. 14 of u.n.a.w.a. the Agency runs an ICT system that processes data necessary to issue decisions on the allocation of funds under the Agency's Programs. The scope, rules and conditions of using the system are described in the "Regulations on the use of the Agency's ICT system".¹

In contacts with the Applicant, correspondence will be conducted via the Agency's ICT System or in another manner indicated by the Agency.

Failure to comply with the indicated form of communication may result in failure to take into account documents submitted by the Applicant using other means of communication. The Applicant is obliged to regularly check the correspondence in the Agency's ICT System after submitting the Application.

2. Submitting an application in the Agency's ICT system

¹ Regulations available at:

https://nawa.gov.pl/images/users/629/Regulamin_st_NAWA_wazny_od_09.08.2019.pdf

To submit an application for participation in the Program, you must:

- 1) register an account in the Agency's ICT system available on <https://programs.nawa.gov.pl>;
- 2) send the completed application with the necessary attachments electronically via the Agency's ICT System.

It is the Applicant's responsibility to check whether the application sending operation was completed correctly.

3. General rules for submitting applications

Submitting an application means that the Applicant accepts the rules described in the Announcement, the Regulations and the appendices.

The Agency reserves the right to cancel the recruitment, in particular in the event of significant changes in the law affecting the conditions for conducting the recruitment, force majeure events or in other justified cases.

All information necessary for the proper conduct of the recruitment process is published by the Agency on the website www.nawa.gov.pl. It is recommended that Applicants regularly review the information posted on the above-mentioned website.

The applicant is obliged to correctly complete the application in accordance with the instructions contained in the Agency's ICT System, which specify in detail the scope of information necessary to submit in each of the required fields of the application. Substantive information entered into the Application by the Applicant must be entered in the fields intended for the purpose. Placing descriptions in parts other than those designated or dividing them between different parts may result in lowering the substantive assessment of the application or not awarding points in terms of the appropriate substantive assessment criterion.

If more applications are submitted than those resulting from the rules of a given Program, applications submitted last according to the time of submission in the Agency's ICT System will be subject to assessment.

4. List of required attachments to the application

The required information in this regard is specified in the Announcement.

5. Assessment of the application

Detailed rules for assessing applications are described for each Program in the Announcement.

5.1. Formal assessment of the application

The subject of the formal assessment is the verification of the Application in terms of meeting the formal criteria indicated in the Announcement, taking into account Art. 24 of u.n.a.w.a..

Only complete applications are sent for consideration. If an incomplete application is submitted, the applicant is requested to complete it within 14 days from the date of receipt of the request, with an instruction that failure to complete the application will result in the application not being considered.

The following applications are also left without consideration:

- a) submitted after the deadline specified in the announcement of the call for applications for participation in the program;
- b) not meeting the formal requirements specified in the announcement of the call for applications for participation in the program.

5.2. Substantive assessment of the application (if applicable)

The purpose of the substantive assessment is to verify applications in terms of meeting the quality criteria indicated in the Announcement.

Only applications that meet the formal criteria are submitted for substantive assessment. The components and assessment criteria are specified in the Announcement.

At the substantive assessment stage, the application can receive a maximum of 100 points. An application that receives less than 60 points in total will be considered as not meeting the quality requirements, which means a negative substantive assessment. In such a situation, the application cannot receive funding, even with sufficient financial resources in the Program.

The substantive assessment is performed by the Assessment Team appointed by the Director of Polish National Agency for Academic Exchange. External experts are selected in accordance with the procedure applicable at Polish National Agency for Academic Exchange.

Substantive assessment of applications may be carried out by external experts, including reviewers. In the event of discrepancies in the point assessment exceeding 30% of the possible points, the Agency reserves the right to appoint additional Experts to conduct the assessment.

The first and last names of external experts performing substantive assessment in the Program are not made available. The Agency publishes annually an alphabetical list of external experts participating in the assessment of applications in a given calendar year, for all Programs.

6. Recruitment decision

As a result of the substantive assessment, a list of applications recommended for financing is prepared and a lower point threshold is set for applications recommended for financing, which cannot be lower than 60 points.

The list may include applications assessed at not less than 60 points, which may receive financing if an agreement is not signed with an Applicant qualified for financing.

The Director decides to grant or refuse to grant financial resources under the Program implementation, taking into account the list of applications recommended for financing, the

purpose of the Program and the effective use of financial resources allocated for the implementation.

The grounds for refusing to grant financing include in particular:

- 1) the Applicant is in arrears with its obligations to the Agency;
- 2) the Agency obtaining information affecting the process of allocating funds for the implementation of the Project;
- 3) lack of financial resources;
- 4) other justified circumstances.

The decision to grant or refuse to grant funds under the Program is sent to the Applicant in the Agency's ICT system.

The list of Fellows, including their first names and last names, is published on the Agency's website in the Public Information Bulletin.

7. Appeal procedure

In the event of formal violations when granting funds, the Applicant may request the Director to reconsider the case. A request for reconsideration of the case may include reservations only regarding formal issues in the process of granting financial resources, and not regarding the validity of the substantive assessment.

An application for reconsideration of a case should be submitted to the Director within 14 days from the date of receipt of the decision, in writing to the following address: Narodowa Agencja Wymiany Akademickiej ul. Polna 40, 00-635 Warszawa or electronically to the address of the Agency's Electronic Inbox in the form of an electronic document with a qualified electronic signature (trusted signature or personal signature or authenticated in a way that ensures the possibility of confirming the origin and integrity of the verified data in electronic form).

During the proceedings, the director examines:

- admissibility of appeal (possibility of filing an appeal),
- submitting the appeal on time.

Inadmissibility of an appeal and a failure to comply with the deadline for an appeal shall be determined by the Director by an order, which in this case shall be final.

If an appeal is admissible, i.e. it concerns formal violations in the allocation of funds, the Director will review the decision issued in the first instance, i.e. they will re-examine and resolve the case. A person who previously participated in the issuance of the contested decision cannot participate in the activities related to the consideration of the application for reconsideration of the case.

An Applicant may submit a complaint to the Provincial Administrative Court in Warsaw to the following address: Wojewódzki Sąd Administracyjny w Warszawie, ul. Jasna 2/4 00-013 Warszawa. The complaint must be submitted through the Director within 30 days from the date of delivery of the above-mentioned decision or resolution.

IV. PROCEDURE FOR CONCLUDING AN AGREEMENT WITH A FELLOW

In case of a decision granting financial resources, the Agency specifies the activities to be performed by the Applicant and the deadline for their implementation.

An Agreement with the Applicant is signed based on the decision of the Agency's Director to grant financial resources under the Program, after positive completion of the application assessment procedure.

An Agreement template constitutes an appendix to the Regulations.

The Agreement is made available to the Fellow in the Agency's ICT System, of which the Fellow will be informed in an e-mail sent to the e-mail address provided during registration in the Agency's ICT System.

After receiving information about the availability of the Agreement, the Fellow's obligations include:

- 1) completing and checking the correctness of the data contained in the Agreement, including address and bank details, and in the event of any irregularities, reporting them to the Agency;
- 2) conclusion of the Agreement within the time and on the terms specified in the Announcement.

If the Applicant selected in the recruitment fails to sign the Agreement with the Agency on time, financing may be granted to another Applicant whose application was positively assessed in its substantive assessment.

The funds granted under the Program are expressed in Polish currency and are settled in it. If funds are transferred to the Fellow's account other than one kept in Polish currency, all related costs, including currency conversion costs, are borne by the Fellow.

1. Schemes of payments under the Programs

| Advance payment scheme | Advance payment | 1st interim payment | 2nd interim payment | Balancing payment |
|------------------------|-----------------|---------------------|---------------------|-------------------|
| A | 100% | Not applicable | Not applicable | Not applicable |
| B | 90% | Not applicable | Not applicable | 10% |
| C | 60% | 30% | Not applicable | 10% |
| D | 20% | 30% | 40% | 10% |

The Agency reserves the right to indicate a different payment method in justified cases.

2. Termination of the Agreement with a Fellow

Termination of the Agreement may take place in justified cases by mutual consent of the parties or in cases specified in the agreement on granting financial resources, including gross failure to comply with the provisions of the agreement on granting financial resources, ignoring signals calling for improvement on the part of the Agency or the Host institution, placing false information by the Beneficiary in application in the recruitment process for the Program, the untruth of which the Agency becomes aware of during the term of the Agreement or behavior that goes beyond the legal and cultural norms of a given country, as a result of information from the Host institution or a diplomatic mission, or when the Fellow has been disciplined or convicted by a final court judgment of a crime committed intentionally or willful tax offense - also with immediate effect.

v. REPORTING AND PROJECT ACCOUNTING RULES

1. General principles of project settlement

A Fellow is responsible for timely settlement of project implementation by submitting to the Agency interim reports (if applicable), final reports and other settlement documents indicated in the Announcement.

Reports will be submitted electronically via the Agency's ICT System using electronic forms prepared and made available by the Agency, unless the Agency indicates another form of submitting the report.

Interim reports are submitted within 14 days from the end of the reporting period, final reports within 30 days from the date of completion of the Project indicated in the Agreement, and other settlement documents within the deadlines indicated in the Announcement.

All amounts provided in the Project implementation reports must be expressed in PLN.

Templates of reports and other settlement documents are part of the Agreement.

A properly prepared report is subject to verification and acceptance in terms of compliance with the Announcement and the Agreement. The report is assessed in accordance with the principles set out in the Announcement or the Agreement.

In the event of submitting an incorrectly prepared report or submitting an incomplete report, the Fellow is obliged to correct or supplement the report within 14 days from the date of receiving information on the need to correct or supplement the report in the Agency's ICT system. In such a case, the deadline for its assessment will be suspended.

Failure to submit a report within the specified period or to complete or correct it within the specified period constitutes the basis for suspending further financing and may constitute the basis for calling the Fellow to return the funds received.

Failure to submit the final report within the specified deadline or submitting a report that does not meet the requirements specified in its template may constitute grounds for not allowing the Fellow to participate in the next call for applications announced by the Agency and for requesting the return of the funds received.

2. Eligible costs

Details regarding individual Programs are described in the Announcement.

There are two main categories of costs possible under programs:

- costs settled on the basis of lump sums,
- costs settled on the basis of actually incurred expenses.

2.1. Costs settled on the basis of lump sums

The lump sums is one of the simplified methods of settling expenses.

The rates may be applied only to costs that are defined as lump sums in the Announcement.

The use of lump sum amounts in the project means that they will not be settled on the basis of the actually incurred expenses. The Fellow is not obliged to collect and present accounting evidence to confirm expenses.

Flat rates may apply to the following types of costs:

- 1) Scholarship - the eligible amount is calculated by multiplying the number of months for which the scholarship is due and the scholarship rate specified in the Announcement;
- 2) Lump sum for living and accommodation costs - the eligible amount is calculated by multiplying the number of months and the rate for living and accommodation costs specified in the Announcement
- 3) Lump sum for travel costs - the rate covers the round trip and the costs associated with getting to the mobility site by various means of transport. The amount of the flat rate is specified in the Announcement.

In cases of scholarship and living and accommodation costs: the full monthly rate is payable if the Fellow's stay is 15 days or more. For stays shorter than 15 days, half the monthly rate applies.

The qualifying condition for receiving funding is that the Fellow completes mobility.

Verification of the eligibility of costs in the case of lump sum amounts will consist in checking:

- 1) project implementation period,
- 2) mobility period of the Fellow (and accompanying persons, if applicable).

2.2. Costs settled on the basis of actually incurred expenses

- 1) The actual expenses incurred (actual costs) are confirmed by an appropriate accounting document (nominated invoice or equivalent document) and payment confirmation (e.g. transfer).
- 2) Costs are settled at the stage of submitting a Report containing a list of source documents confirming the costs incurred.
- 3) Additionally, if indicated in the Announcement, the Fellow attaches scans of accounting documents to the settlement, e.g. invoices issued to the Fellow, bills, tickets, a copy of their visa from the passport, etc.
- 4) Documents in foreign currencies should be converted at the average NBP exchange rate from the day preceding the date of issue of the financial document (invoice, tickets), e.g. ticket from May 6, 2021 - NBP table from May 5, 2021.
- 5) If documents confirming the cost are not presented, the Polish National Agency for Academic Exchange will consider the cost ineligible.

3. Ineligible costs

3.1. Costs settled on the basis of flat rates

Costs settled on the basis of flat rates may be considered ineligible if the Fellow does not carry out mobility to the extent indicated in the application.

3.2. Costs settled on the basis of actually incurred expenses

Ineligible costs in the Program are:

- 1) costs incurred outside the eligibility period specified in the Agreement;
- 2) the same costs financed from two different sources (double financing);
- 3) undocumented costs;
- 4) costs exceeding the limits specified in the Announcement;
- 5) costs inconsistent with the project budget.

4. Record keeping

Documentation related to the implementation of the Program should be kept by the Fellow for a period of 5 years from the last day of the year in which the agreement to grant financial resources was settled. Within the above-mentioned deadline, the Agency reserves the right to carry out inspections and audits regarding the implementation of the agreement for granting financial resources.

VI. ASSESSMENT

The Fellow is obliged to participate in the assessment of the Program conducted by the Agency. Participation in the assessment includes:

- 1) completion of the assessment survey by the Fellow within the deadline applicable to the final report, i.e. 30 days from the date of completion of the Project indicated in the Agreement;
- 2) participation of the Fellow, as well as Project participants (if applicable) in separate assessment studies conducted by the Agency or with its consent in the period from the date of signing the Agreement to 5 years from the end of the Project implementation;
- 3) in programs addressed to Lecturers - at the end of each academic year, completing an assessment survey - within 30 days from the date of completion of classes in a given academic year (in the case of an agreement for two academic years, the Lecturer completes the survey both after the first and second year).

Additionally, the NAWA Lecturer in each group, during the last classes in a given academic year, will provide students with a link to a short assessment survey prepared by Polish National Agency for Academic Exchange regarding the classes conducted.

The assessment survey referred to in point 1 above, is made available to the Fellow by the Agency online, outside the Agency's ICT System; information about the survey along with a link to it is

provided in an e-mail sent from the address: ewaluacja@nawa.gov.pl to the e-mail address provided during registration in the Agency's ICT system.

Detailed information on the Fellow's other obligations regarding participation in the assessment conducted by the Agency is published in the Announcement.

The Fellow is also obliged to participate in assessment studies conducted by the Ministry of Education and Science on the terms specified by the Ministry of Science and Higher Education in the period from the date of signing the Agreement to 5 years from the completion of the project (does not apply to projects co-financed by POWER).

VII. INFORMATION AND PROMOTION

The Fellow is obliged to include on all materials, publications, presentations, etc. resulting from the implementation of the Project, information that it was financed by the Agency under the Program (full name in Polish or English). Publications and other effects of the Project implementation that do not indicate the Agency as the institution financing the Project will not be treated as a result of the Project implementation and will not be taken into account in its settlement.

The Agency encourages to provide open access to scientific articles created as part of the project by publishing them in an open journal or making their final author's version (the so-called Author's Accepted Manuscript) or the published version of the publisher (the so-called Version of Record) available in an open publication repository. The recommended method of ensuring open access to the publication is to make it available under the Creative Commons Attribution License (CC BY), Creative Commons Attribution Share Alike License (CC BY-SA).

The Agency also encourages the provision of open access to research data generated as part of the project by publishing them in an open repository of research data, with preference for making them available under the terms set out in the Creative Commons Zero (CC0) statement.

In order to indicate the source of financing, the Agency's guidelines should be used, available at (rules for using the Agency's logo):

[Polish version](#)

[English version](#)

VIII. PERSONAL DATA PROCESSING

The administrator of personal data (within the meaning of the General Data Protection Regulation (GDPR) of NAWA Experts, Lecturers, Young Scientists, Guardians of disabled people, Fellows, Applicants, representatives of Centers and other persons involved in the implementation of the Program is the Agency.²

² To the extent referred to in Art. 14 of u.n.a.w.a., the administrator is the Director.

The data will be used for the following purposes:

- 1) implementation of the Program (legal basis - Article 6(1)(e) of the GDPR) – “action carried out in the public interest”),
- 2) implementation of agreements concluded under the Program (legal basis - Article 6(1)(b) of the GDPR – “performance of the agreement”
- 3) implementation of the Agency's legal obligations related to the Program, e.g. keeping accounting records (legal basis - Article 6(1)(c) of the GDPR) – “legal obligation”,
- 4) pursuing or defending against possible claims related to the Program or in connection with the need to prove specific facts that are of significant importance to the Agency in this respect (legal basis - Article 6(1)(f) of the GDPR) – “legitimate interest”; the deadlines for pursuing claims arising from the Agreement are specified in detail in the Civil Code,
- 5) carrying out promotional activities of the Program (legal basis - Article 6(1)(f) of the GDPR) – “legitimate interest”.

Provision of data is voluntary, but necessary for participation in the Program and the implementation of other above-mentioned Agency's purposes. Refusal to provide data may result in the inability to participate in the Program and the inability to implement the other above-mentioned activities related to the Agency's purposes. The data will not be used to make decisions based solely on automated processing of personal data, including profiling within the meaning of Art. 22 of the GDPR.

The data will be used for the period necessary to implement the above purposes, i.e. in particular:

- 1) for the duration of the Program implementation,
- 2) for the period of consideration of applications or until they are removed from the NAWA ICT System by the persons submitting the application (data of persons whose applications were not positively considered),
- 3) for the period specified in legal provisions (data that the Agency must store in accordance with applicable law, e.g. accounting data),
- 4) for the period of making any other necessary settlements (data of all persons involved in the implementation of the Program),
- 5) for the period of implementation of the Program's promotional activities.

The data subject may submit an application to the Agency for:

- 1) access to personal data (information about processed personal data and a copy of the data),
- 2) rectification of data (when they are incorrect), transfer of data (in cases specified in the GDPR),
- 3) deleting or limiting the processing of personal data

– on the terms specified in the GDPR.

Notwithstanding the rights set out above, the data subject may object to the processing of their data at any time if the legal basis for the use of the data is:

- 1) legally justified interest (Article 6(1)(f) of the GDPR) or
- 2) a task carried out in the public interest (Article 6(1)(e) of the GDPR).

The data subject also has the right to lodge a complaint with the President of the Personal Data Protection Office if it is found that the processing of personal data violates the law.

While maintaining all data security guarantees, data may be transferred - apart from persons authorized by the Administrator - to other entities, including:

- 1) entities involved in the implementation of the project,
- 2) entities authorized to receive them in accordance with legal provisions,
- 3) entities processing them on behalf of the Agency (e.g. technical service providers and entities providing advisory services) and
- 4) other administrators (e.g. notary or law offices).

In the case of transfer of personal data outside the European Economic Area, it will be carried out in accordance with the requirements set out in Chapter V of the GDPR.

In matters related to the protection of personal data, please contact the data protection officer (DPO) of the Agency: odo@nawa.gov.pl.

IX. CHANGES IN THE REGULATIONS

The Agency reserves the right to make changes to the Regulations. The changes introduced are effective from the moment of their publication.

Applications submitted before the publication of changes to the Regulations require re-submission by the Applicant if their provisions are inconsistent with the changes introduced. The Agency will notify all Applicants who submitted applications before the publication of the changes to the Regulations about the changes introduced by sending information in the Agency's ICT System or by e-mail to the Applicants' address.

Changes that are of an orderly or clarifying nature, or to correct obvious errors in the Regulations, do not require separate notification of their introduction, provided that the content of the changes is published.

X. CONTACT THE AGENCY

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<https://nawa.gov.pl/kontakt>