



**INVESTIGADOR  
FCT**

# **REGULATION OF RECRUITMENT AND APPOINTMENT OF FCT INVESTIGATORS**

**Referred to in article 3  
of Decree Law no. 28/2013, 19 February**

*Please note that the Portuguese version of this text prevails  
over the English version.*



# Regulation for the Recruitment and Appointment of FCT Investigators

Referred to in article 3 of Decree Law  
no. ° 28/2013, February 19

Approved on May 29, 2013.

Does not exempt the  
consultation of *Diário da  
República* Regulation no.  
239/2013.

Does not exempt consultation  
of the respective Notice of the  
Call, the Application Guide,  
the Evaluation Guide and of  
draft contract for this  
Programme

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**Regulation for the recruitment and appointment of FCT Investigators,  
referred to in Article 3 of Decree Law no. ° 28/2013 of 19 February.**

## **CHAPTER I**

### **General provisions**

#### Article 1

##### **Scope and Object**

- 1 - This Regulation defines the rules and procedures for recruiting and appointing PhD holders within the FCT Investigator Programme, which aims to promote the professional integration of PhD holders in the National Scientific and Technological System.
- 2 - The activities of scientific research and technological development to be contracted with the FCT Investigator will be developed at the host institution under a programme-contract established between the host institution and the Fundação para a Ciência e a Tecnologia, IP (FCT, IP).
- 3 - The FCT Investigator Programme is funded by national funds through FCT, IP, and, when eligible, co-financed by European Union funds.

#### Article 2

##### **Applicants**

- 1 - The applicants to the FCT Investigator Programme are PhD holders, of Portuguese or foreign nationality, or stateless, in any scientific area, with a scientific and professional CV certifying the scientific ability suited to the level they apply for.
- 2 - The call is intended for PhD researchers considering three levels of grants, defined by the number of years after obtaining the degree and/or the merit and distinction of the applicants' scientific career, and also by the degree of scientific independence demonstrated, defined as follows:
  - a) "*starting grant*": PhD holders, with a CV of exceptional merit and no requirement for previous scientific independence, that have completed a PhD degree more than three and less than 8 years before application. Remuneration on this level is equivalent to the 1<sup>st</sup> category of *investigador auxiliar* (assistant researcher) within the scientific research career, under conditions of exclusivity or full-time functions;
  - b) "*development grant*": PhD holders with a CV of exceptional merit and experience as independent researchers, with remuneration equivalent, to the 1<sup>st</sup> level of the category of principal investigator within the scientific research career, under conditions of exclusivity or full-time functions;
  - c) "*Consolidation grant*": PhD holders with experience as independent researchers with an exceptional CV revealing clear scientific leadership in a particular area of knowledge. Remuneration is equivalent to the 1<sup>st</sup> level of the category of *investigador coordenador* (coordinating investigator) within the scientific research career under conditions of exclusivity or full-time functions.
- 3 - The scientific independence of a applicant is defined as having responsibility for leading a research team, securing funding in competitive calls as principal investigator, and by the quality of scientific publications, in particular those in which the applicant is senior or corresponding author.

4 - When counting the number of years elapsed referred to in sub-paragraph a) of paragraph 2, a tolerance of 11 months is granted, if duly justified.

5 - In the context of public policies to promote equality, exceptions to the preceding paragraph resulting from suspensions and interruptions to the research activity may be considered, if duly documented.

6 - The following suspensions or interruptions to research activity are eligible:

a) Maternity leave: the number of years after obtaining a PhD degree is reduced by 18 months per child born before and after obtaining the degree;

b) Paternity leave: the number of years after obtaining a PhD degree is reduced according to parental leave period, defined in legislation, for each child born before and after obtaining the degree;

c) Long-term illness, of over 90 days: the period of time stated in the medical report is considered in the reduction of the number of years after obtaining a PhD degree.

## Article 3

### Host institutions

The host institutions considered are those foreseen in article 5 of Decree-Law n. ° 28/2013 of 19 February.

## CHAPTER II

### Applications

## Article 4

### Opening of the call for proposals

1 - The opening of the call for proposals is the responsibility of FCT, IP, by order of the Board under article 6 (9) of Law no. 12-A/2008, of 27 February.

2 - The call procedure is publicised on the FCT website notwithstanding its dissemination by other means deemed appropriate.

3 - The deadline for submitting applications is defined in the notice of the call and shall be at least 30 working days.

4 - FCT reserves the right not to fill all vacancies mentioned in the notice of the call, as long as the decision is duly supported.

## Article 5

### Applications

1 - Applications are written in English, and submitted on the FCT online platform provided for that purpose.

2 - The CV is completed in electronic format on the website provided for that purpose by FCT.

3 - Applications in all scientific areas are accepted provided all relevant ethical issues are taken into account, where applicable, in accordance with the Ethics Guide.

4 - In each period of application, each applicant may only submit a single application.

5 - Application to more than one level by the the same applicant will lead to the applicant's exclusion from the competition procedure.

## Article 6

### Supporting documents for the application

1 - Besides specific documentation required in the notice of the call and in the FCT platform, application procedures must comprise the following documents:

- a) Documents certifying that the applicant fulfills the conditions required in article 2 of the present Regulations for submission of the application (by electronic submission and also in paper, originals or certified copies, if the application is approved);
- b) Scientific research project (electronic submission only);
- c) Development plan of the applicant's professional career (electronic submission only);
- d) *Curriculum vitae (cv)* (electronic submission only);
- e) Statement of the host institution, with explicit agreement to the terms of the application, ensuring the necessary and adequate conditions to the execution of the scientific research project and proposed career development plan.

## Article 7

### Admissibility of applications

- 1 - The verification of the formal requirements for admission of the application is performed by FCT.
- 2 - The list of admitted and non-admitted applications is published on the FCT website.
- 3 - Non-admitted applications are the object of exclusion, duly justified and notice given to the interested parties, as provided for in art.16 (1).

## CHAPTER III

### Evaluation procedure

## Article 8

### Evaluation of applications

- 1 - Accepted applications are subject to one or two phases of evaluation, both of which are eliminatory, defined in the notice of call.
- 2 - Applications are evaluated on an integer scale from 1 (one) to 9 (nine).
- 3 - In case a single evaluation phase is adopted, the responsibility for this phase rests exclusively with the Evaluation Panel, referred to in article 9, Decree-Law n. ° 28/2013, of February 19, and the regime provided for the first phase of evaluation, with appropriate adjustments, will be applicable.

## Article 9

### First phase of evaluation

- 1 - The first phase, pre-selection, is the evaluation of the suitability and merit of the submitted applications to the level applied for, selecting up to a maximum of four times the number of vacancies described in the notice of the call, based on the CV, the achievement indicators and scientific project proposal submitted, always observing the requirements set out in the evaluation guide.
- 2 - The evaluation referred to in the preceding paragraph is performed by a pre-selection panel, appointed by the Board of FCT.
- 3 - The applications evaluated in the first phase of evaluation that are graded lower than five (5) will not be accepted for the second phase of evaluation, regardless of the number of vacancies contained in the notice of the call.
- 4 - Applications not accepted for the second phase of evaluation are subject to exclusion, duly justified and interested parties will be notified as provided for in art. 16 (1).

## Article 10

### Pre-selection Panel

- 1 - The pre-selection panels are composed of the permanent members of the scientific councils of FCT and /or others chosen for this purpose.
- 2 - The pre-selection panel is responsible for the evaluation of the suitability and merit of applications submitted to the first phase, eligible under the terms of the evaluation guide, and for submitting the list of accepted and excluded applicants to the second phase of evaluation, as well as other decisions, to the FCT Board.
- 3 - The pre-selection panel shall decide with all its members, and the decisions are taken by simple majority.
- 4 - The grounds for the decisions of the pre-selection panel are committed to writing, and applicants may have access, under the law, to the minutes and documents to which they refer.
- 5 - The rules for impediments, incompatibilities, suspicion and excuse under the *Código do Procedimento Administrativo* (Code of Administrative Procedure) are applied to the members of the pre-selection panel.

## Article 11

### Second phase of evaluation

- 1 - The evaluation panel is responsible for the second phase of evaluation and should proceed with the ranking of applicants on absolute and relative merit, according to the criteria defined in the evaluation guide.
- 2 - The panel is designated by Order of the FCT Board, subject to approval by the member of Government with oversight for Science, and published on the FCT website.
- 3 - The panel is composed exclusively of international experts of well-established merit, representing different scientific domains corresponding to the scientific councils of FCT, and numbers 3, 4 and 5 of the previous article shall apply with necessary adaptations.
- 4 - The evaluation results are reported to the applicants and to host institutions, within a maximum of six months after the deadline for submission of applications.
- 5 - Applications graded lower than 7 (seven) will be excluded.

## Article 12

### Required evaluation criteria

1 - Notwithstanding the criteria defined in the Notice of Call , the following evaluation criteria are mandatory:

- a) Merit of the applicant;
- b) Quality of the scientific research project;
- c) The adequacy of the applicant's career development plan.

2 - Evaluation shall follow the evaluation guide.

## CHAPTER IV

### Ranking, reserve list, preliminary hearing and challenge

## Article 13

### Publication of the applicants' ranking

The publication of the scores obtained in each phase is made available on the website and on the applicants' personal area, as a sorted list:

- a) In alphabetical order, for the first phase;
- b) As a ranking of assigned grades, for the second phase.

## Article 14

### Final ranking of applicants

1 - The final ranking of applicants who complete the procedure is presented as a sorted list of assigned grades.

2 - To the final ranking list article 13 of this Regulation shall apply with necessary adaptations.

3 - Upon completion of the preliminary hearing of interested parties, the final ranking list is submitted by the evaluation panel for approval of the FCT Board.

4 - All applicants who have been excluded in the course of the procedure are notified of the act of approval of the final ranking list of applicants.

5 - The final ranking list, after approval, is published on the FCT website.

## Article 15

### Recruitment reserve list

1 - Whenever the final, duly approved, ranking compiled at the end of the call for FCT Investigators, contains a number of selected applicants which exceeds the approved number of positions in the call, a reserve list for recruitment will be drawn up.

2 - The recruitment reserve list will be used whenever the possibility of recruiting new PhD holders arises, within 12 months of the approved final ranking



## Article 16

### **Preliminary hearing and administrative and legal challenge**

- 1 - For the purposes of preliminary hearing, pursuant to the *Código de Procedimento Administrativo* (Code of Administrative Procedure), interested parties are notified to be heard, if willing, within ten working days of notification for excluded applicants under article 7 (3) and article 9 (4) or article 11 (5), and applicants in the second phase of the referred call mentioned in article 14 (3), all included in this Regulation.
- 2 - Notification is given by e-mail with delivery receipt notification.
- 3 - Applicants' comments and the ensuing decision are submitted in a required model document.
- 4 - Decisions of exclusion of may be appealed against via a complaints procedure addressed to the FCT Board
- 5 - When the decision is favorable to the complainant he/she has the right to complete the procedure.
- 6 - The exclusion of applicants is subject of legal challenge, pursuant general rules.

## Article 17

### **Conclusion of the call procedure**

- 1 - Notwithstanding the established above concerning the reserve list for recruitment, the call procedure ends with the establishment of the programme-contract between FCT and the host institution, or when this does not come to pass.
- 2 - Exceptionally the call procedure can also cease by decision of the FCT Board, approved by the Ministry, as long as the final ranking list of applicants has not been published within the hearing of the interested parties.

## **CHAPTER V**

### **General conditions subject to appointment and funding**

## Article 18

### **Programme-contract**

Funding is provided through the establishment of a programme-contract between FCT and the host institution.

## Article 19

### **Eligible costs**

- 1 - The work contract is established according to the level defined in the notice of the call and complies with the laws in force.
- 2 - Funding may also be allocated to FCT Investigators for the development of a scientific research project, notwithstanding the duties referred to in article 13 of Decree-Law no. 28/2013 of 19 February.

3 - The amount allocated for the funding foreseen in the preceding paragraph, is proposed by the FCT Board according to budget availability.

4 - The management of funding is the responsibility of the host institution, to which the Rules of access to scientific research and technological development projects apply, adapted as necessary.

## Article 20

### Funding Conditions

1 - The procedure of eligible costs begins after the establishment of the programme-contract.

2 - The transfer of remuneration of the work contract is made monthly.

3 - Whenever the host institution is a company, fifty percent of all items associated with remuneration costs are reimbursed to FCT by the host institution under the conditions laid down in the European Union rules and other applicable legislation.

4 - In the event of the termination of work contracts, the financial support provided for in the programme-contract will cease immediately and the parties assume the legal obligations derived from the act before FCT, IP.

## Article 21

### Obligations of host institutions

1 - The obligations of the host institutions, in addition to those provided for in article 12 of Decree-Law no. 28/2013 of 19 February are as follows:

a) To define the conditions relating to intellectual and industrial property rights in a contract with the applicant, in compliance with the provisions of article 59 of the *Estatuto da Carreira de Investigação Científica* (Scientific Research Career Statute) approved by Decree-Law no. 124/99 of 20 April, in its current wording;

b) To sign a programme-contract with FCT, in which it commits to provide adequate hosting conditions for the implementation of the submitted scientific research project and work plan, as well as to ensure, if applicable, that the initial funding is entirely allocated to the research project;

c) In the cases of industry host institutions, the programme-contract referred to in the preceding sub-paragraph should also contain the commitment of this organisation to ensure the payment of fifty percent of the remuneration costs;

d) To submit to the end of each year of contract, an activity report with detailed description of the implemented research and the results, together with an opinion delivered by the person responsible for the host entity;

e) To comply with the European Charter for Researchers.

2 - The programme-contract referred to in sub-paragraph c) of no. 1 of the preceding paragraph, is signed and initialed by the person who, in legal terms, has the capacity and is duly authorised for the purpose.

## Article 22

### Advertising

1 - FCT Investigators and respective host institutions should, where applicable, comply in advertising terms with the provisions of article 34 of Regulatory Decree no. 84-A/2007 of 10 December, namely ensuring the inclusion of

national insignia and of the European Union, the reference to the financing by *Fundo Social Europeu* (European Social Fund) and the *Programa Operacional Potencial Humano* (Human Potential Operational Programme), namely in:

- a) Notices published or edited by any media;
- b) Seminars, training activities or other events.

2 - All activities for promotion listed in the preceding paragraph should also bear the logo of FCT Investigator available on the FCT website.

## Article 23

### **Infringement of contractual obligations**

In case of infringement of contractual obligations by the FCT Investigator or host institution, FCT may cease funding of the contract, in accordance with the applicable law.

## CHAPTER VI

### Final Provisions

## Article 24

### **Revision**

- 1 - This Regulation shall be revised whenever necessary.
- 2 - The revision requires approval of the relevant Ministry.

## Article 25

### **Subsidiary law**

The provisions of national and European Union law apply to all absences to the present Regulation.

## Article 26

### **Entry into force**

This Regulation shall enter into force on the day following its publication.

June 19, 2013 - The Member of the Board, *Paulo Pereira*.