



[The national emblem of the Republic of Poland]

OFFICIAL JOURNAL

of the Minister of Infrastructure and Construction

Warsaw, 13 June 2017

Item 43

ORDINANCE NO 27

OF THE MINISTRY OF INFRASTRUCTURE AND CONSTRUCTION ¹⁾

of 12 June 2017

on the approval of the Articles of Association of Building Research Institute

Pursuant to Art. 6 sec. 2 of the Act of 30 April 2010 on research institutes (Dz. U. /Journal of Laws/ of 2016, item 371, 1079, 1311 and 2260, and of 2017 item 202), it is hereby ordered as follows:

Art. 1. The Articles of Association of the Building Research Institute, which shall be annexed hereto, are hereby approved.

Art. 2. Ordinance No. 17 of the Minister of Infrastructure of 13 April 2011 (Official Journal of the Ministry of Infrastructure No. 4, item 21), is hereby repealed.

Art. 3. This Ordinance shall enter into effect on the date of its announcement.

Minister of Infrastructure and Construction: A. Adamczyk

1) The Minister of Infrastructure and Construction heads the construction, planning and spatial development and housing department of the public administration, pursuant to Art. 1 sec. 2(1) of the Regulation of the Prime Minister of 17 November 2015 on the detailed scope of activities of the Minister of Infrastructure and Construction (Dz. U. /Journal of Laws/, item 1907 and 2094).



Appendix
to Ordinance No. 27
of the Minister
of Infrastructure and Construction
of 12 June 2017

ARTICLES OF ASSOCIATION OF BUILDING RESEARCH INSTITUTE

Chapter 1

General provisions

Art. 1.

1. Building Research Institute, hereinafter referred to as the "Institute", was established by the Ordinance of the Minister of Construction of 29 July 1949 on the establishment of the Building Research Institute (M.P. No. A-49, item 689), amended by Ordinances No. 9/0rg of 26 March 1986, No. 41/0rg of 2 July 1986 and No. 21/0rg of 15 April 1987 of the Minister of Construction and Spatial and Municipal Development.
2. The Institute operates pursuant to:
 - 1) the Act of 30 April 2010 on research institutes (Dz. U. /Journal of Laws/ of 2016, item 371, as amended);
 - 2) Regulation of the Minister of Infrastructure of 20 October 2004 on the merger of Building Research Institute and Central Research and Development Centre for Engineering Construction "Hydrobudowa" (Dz. U. / Journal of Laws / no. 231, item 2320);
 - 3) Regulation of the Minister of Transport and Construction of 20 December 2005 on the merger of Building Research Institute and Central Research and Development Centre for the Construction Equipment Industry "Metalplast" (Dz. U. / Journal of Laws / no. 261, item 2193);
 - 4) Regulation of the Minister of Construction of 28 March 2007 on the merger of Building Research Institute and Central Research and Development Centre for Plumbing Technology "Instal" (Dz. U. /Journal of Laws/ No. 56, item 371);
 - 5) these Articles of Association.

Art. 2.

The Institute is headquartered in the capital city of Warsaw.

Art. 3.

The Institute may use the abbreviated name of "ITB".

Art. 4.

The Institute may establish branches and regional divisions.



Art. 5.

The Institute has legal personality.

Art. 6.

The Institute has the right to use a round seal with the emblem of the Republic of Poland in the centre and the Institute's name inscribed around the rim.

Art. 7.

The Institute shall be supervised by the minister responsible for construction, planning and spatial development and housing.

Chapter 2**Object and scope of the Institute's operations****Art. 8.**

The Institute shall carry out scientific and technical activities in construction and related fields, both in Poland and abroad.

Art. 9.

1. The Institute's core business shall be as follows:

1) carrying out research and development work (including participation in national and international research and development programmes) aimed at:

a) ensuring the sound technical and functional quality of structures and protecting the interests of their users due with respect to:

- structure load-bearing capacity and stability,
- fire safety,
- safety of use and accessibility of facilities,
- noise and vibration protection and the effects of vibration on people and structures,
- energy conservation and thermal insulation,
- water efficiency,
- durability, including protection against moisture and chemical and biological corrosion,
- building substrate,
- hygiene, health and the environment, including the impact of materials on health and the sanitary conditions of the premises,
- sustainable construction, including sustainable use of natural resources,



- the use of sanitary, industrial and fire protection systems, including fire detection, notification and alarm systems,
- safety of electrical systems,
- the use of building furnishing components (including anti-burglary and evacuation systems, as well as access hardware),

b) inspiring and creating conditions for the creation of effective solutions in terms of materials and construction, methods for carrying out construction work and diagnostics, including monitoring of construction work at all stages of construction and operation,

c) developing new and improved test methods and establishing scientific bases and criteria for the evaluation of construction materials and structures,

d) maintaining and modernising building facilities,

e) drafting national building regulations and European Union regulations in this field,

f) standardisation,

g) activities to assess the suitability of construction products for use in construction and prepare scientific and technical experts' reports in this regard;

2) adapting the results of scientific research and development work to the needs of practice, particularly by:

a) creating lines of development in the field of construction and material and technological solutions,

b) establishing the scientific basis for technical codification in the construction industry;

c) developing and improving structure design methods,

d) architectural activities including design consultancy in construction as well as urban design and architectural landscaping;

3) implementing the results of scientific research and development work, particularly by:

a) introducing modern testing and calculation methods into practice,

b) civil, hydraulic and traffic engineering activities, author's and investor's supervision, particularly including engineering design related to the use of the results of scientific and implementation research and the performance of geotechnical studies and designs, geophysical, geological, seismic and geodetic surveys,

c) developing projects in the field of air-conditioning, refrigeration, sanitation and pollution control systems,

d) introducing new design, construction and material solutions by:

- creating such technical standards as guidelines, manuals, handbooks, technical assessments and technical recommendations,

- carrying out specialised construction work,

- monitoring of construction work at all stages of their implementation and operation,

e) carrying out excavation and test drilling to test the ground for construction, geophysical, geological and similar purposes.



2. Other business of the Institute shall include:

1) disseminating the results of scientific research and development work, particularly by:

- a) holding scientific conferences and seminars,
- b) publication of scientific and technical works,
- c) working with the Polish Academy of Sciences, the Polish Centre for Accreditation, the Polish Committee for Standardisation, universities and other research establishments, scientific and professional associations, local governments, as well as business entities and their associations,
- d) working with foreign entities and international organisations in the fields of research and development, standardisation, technical approvals and assessments, certification, notification, laboratory accreditation and staff training,
- e) participating in projects of international organisations, including ones operating within the European Union structures, which results from tasks assigned by the government administration and from the Institute's activities;

2) conducting theoretical, experimental, laboratory and field research; carrying out analyses and preparing opinions and experts' reports in the field of scientific research and development work carried out by the Institute, in particular:

- a) technical consultancy; issuing technical opinions and Technical Recommendations; preparing experts' reports,
- b) advice on environmental matters, with particular emphasis on the environmental impact of construction,
- c) construction safety consulting,
- d) performing all types of tests, measurements and analyses of all types of materials, construction products and objects;

3) conducting studies and projects to guide the national construction policy with regard to the construction quality and the protection of users and the environment, in particular:

- a) preparing reports on the technical basis of the national construction policy,
- b) monitoring national and international developments in the sciences related to the Institute's activities;
- c) working with public administration bodies;

4) carrying out activities related to the marketing of construction products and certification and standardisation activities, including:

- a) issuing technical assessments of construction products in accordance with the powers granted to the Institute,
- b) issuing and supervising certificates,
- c) participating in the work of PKN, CEN and ISO Technical Committees;

5) maintaining and developing:

- a) databases related to the work carried out at the Institute,



b) specialised online portals;

6) carrying out scientific and technical information activities, including:

- maintaining an open-access library and reading room with collections related to construction,
- making data and other information available online;

7) carrying out activities in the field of invention and the protection of industrial and intellectual property, including by means of:

- acquiring proprietary copyrights to the works of Institute staff with a view to their dissemination,
- the designing of unique test equipment by the Institute's staff and ensuring protection for such designs;

8) supporting innovation in construction-related businesses;

9) production of the following in connection with scientific research and development work:

- test equipment,
- measuring devices;

10) validating test and measurement methods and calibrating equipment and measuring instruments;

11) carrying out publishing activities to disseminate the results of scientific work by publishing the following in printed or electronic form:

- books, brochures, leaflets, folders and similar publications,
- magazines and other periodicals,

12) sales of own publications:

- direct,
- by mail order and online.

3. Further, the Institute may carry out:

- activities related to the authority granted to the Institute to confer the degree of Doctor of Technical Sciences in the field of construction;
- postgraduate and doctoral studies related to the Institute's research and development work;
- various forms of education, including training and vocational courses to improve the academic and professional qualifications of both its own and third-party staff.

4. The Institute may carry out activities in the scope of:

- conducting work in the field of civil engineering, hydraulic engineering and traffic engineering, in particular, engineering design and author's and investor's supervision;
- carrying out specialised construction work;
- manufacturing concrete and gypsum products;
- manufacturing of finished metal products, particularly:



- a) woodwork components,
- b) locks and hinges,
- c) other metal products;

5) calibration of measuring instruments;

6) carrying out work in the field of information technology, in particular:

- a) developing, delivering and documenting software,
- b) managing and operating customer-owned computer systems and/or data-processing equipment on-site, including support services,
- c) installing software,
- d) providing clients with mainframe computer equipment along with time-sharing and data processing, including complete processing and specialised reports on client data or providing automated data processing and data entry, including database maintenance;

7) publishing and printing;

8) running short-term accommodation;

9) the management of the Institute's property, in compliance with the research institute management principles set forth in Act of 30 April 2010 on research institutes;

10) renting of lorries with drivers.

5. The activity referred to in sec. 4 shall be separated in terms of finances and accounting from the Institute's operations set out in sec. 1–3.

Art. 10.

The Institute carries out its tasks in accordance with public demand and its financial and technical resources.

Chapter 3

Organisation of the Institute

Art. 11.

1. The Academic Council, established by law and operating based on adopted rules of procedure, shall comprise 40 members.

The Academic Council shall consist of:

1) 20 persons of the Institute's academic and research and technical staff, including:

- a) 10 holders of the academic title or degree of doctor habilitatus,
- b) 7 holders of the academic degree of doctor,
- c) 3 academic staff without a title or degree and research or technical staff;

2) 20 people from outside the Institute.

3. The first meeting of the Academic Council shall be convened by the Director of the Institute.



4. The term of office of the Academic Council shall start on the day of the first meeting and end on the day preceding the meeting of the next Council.
5. At its first meeting, the Academic Council shall elect the Council Praesidium which shall comprise the Council Chair, at least two Vice-Chairs and at least four members.
6. If the mandate of an Academic Council member lapses, the Council shall act in a reduced composition until another person is selected to take up this mandate.
7. The function of the Academic Council Secretary may be entrusted by the Council (in consultation with the Director of the Institute) to a person who is not a member of the Council.

Art. 12.

1. The Director of the Institute may appoint:
 - 1) Scientific Secretary of the Institute;
 - 2) Board;
 - 3) no more than 7 advisory bodies.
2. Board members shall be appointed and dismissed by the Director of the Institute.
3. The proceedings of the Board shall be chaired by the Director of the Institute or his or her deputy.
4. The Director of the Institute shall determine the tasks and procedures of the bodies referred to in sec. 1 point 3.

Art. 13.

1. The employment of a researcher shall be preceded by a contest.
2. A contest for the post of a researcher may be announced once the need for a new staff member has been identified and the specific qualification requirements necessary to fill the post have been determined.
3. The decision to launch the contest shall be taken by the Director of the Institute on his or her initiative, or at the request of his or her deputy, or the head of the organisational unit in which the staff member is to be employed.
4. The call for contest applications shall be published on the Institute's website, in the Public Information Bulletin on the website of the minister responsible for science, as well as on the website of the European Commission (European researcher mobility portal). The call may also be placed in the national or foreign press and on other websites.
5. In particular, the contest announcement shall indicate the following: the job title to which the competition relates, the requirements to be met by the candidate, the job description, as well as the list of documents to be submitted by the candidate, and the deadline for their submission.
6. The deadline for applying may not be shorter than 14 days from the date of posting the announcement in the Public Information Bulletin on the website of the minister responsible for science.



7. The Director of the Institute shall appoint a Selection Board and its Chair. The Selection Board shall have at least three members, including the head of the unit in which the new hire is to be employed.
8. The Selection Board shall examine the applications submitted for the contest after interviewing the candidates and reviewing the documentation submitted.
9. At the request of the Selection Board, the Director of the Institute may appoint reviewers holding the academic title of professor or the academic degree of doctor habilitatus, including ones from outside the Institute, to give an opinion on the achievements of the candidate applying for the post of associate professor or full professor in a given contest procedure.
10. The Selection Board shall recommend a candidate or candidates for approval or decide that none of the candidates meets the requirements.
11. Should the Selection Board recommend a greater number of candidates than is justified by the Institute's staff recruitment needs, the decision to select a candidate shall be taken by the Director of the Institute, after consulting the head of the unit in which the staff member is to be employed and the competent Deputy Director.
12. The Selection Board's recommendation shall be a prerequisite for the initiation of the recruitment procedure, i.e. an application by the Institute Director to the Scientific Council for an opinion on the candidate's qualifications for a given scientific post.
13. If the Selection Board does not recommend any candidate, the contest shall remain unresolved, in which case the Director of the Institute may announce a new contest for the post concerned.
14. The Director of the Institute may also refrain from employing a candidate and proceed to announce a new contest if the Academic Council expresses a negative opinion about the candidate.

Art. 14.

1. The Disciplinary Board operating within the Institute shall consist of seven members, at least one of whom must be employed as a full professor. The Disciplinary Board shall adjudicate on cases of academic and research and technical staff involving gross misconduct or failure to uphold the dignity of a scientific employee.
2. The first meeting of the Disciplinary Board shall be convened by the Director of the Institute.
3. At its first meeting, the Disciplinary Board shall elect from among its members:
 - a Chair of the Board,
 - at least one Deputy Chair of the Board.
4. For the consideration of a particular disciplinary case, the Chair of the Disciplinary Board (or his or her Deputy) shall appoint a panel of three from among the Board members, as well as the panel's Chair.
5. The Director of the Institute shall, by means of an order, appoint an Election Committee consisting of at least 5 members, from among the Institute staff who do not have active or passive electoral rights and shall appoint the Chair of the Committee.
6. Each academic and research and technical staff member employed full-time at the Institute shall have the active right to vote.



7. Each full-time member of the Institute's academic and research and technical staff who has been employed by the Institute for no less than one year before the date of commencement of the Disciplinary Board election procedure shall be eligible to stand for election, provided that he or she is not a member of the Disciplinary Board of the second instance or does not perform the function of the disciplinary ombudsperson.
8. Nominations must be submitted to the Chair of the Election Committee within 14 days of the date on which the Director of the Institute orders the election.
9. The Election Committee shall inform the Institute staff of the date of the election and provide a list of candidates for the members of the Disciplinary Board at least 7 days before the election day.
10. The vote shall be by secret ballot. The Disciplinary Board shall be composed of the candidates who receive the highest number of votes consecutively. If none of the candidates is employed as a full professor, then the Board shall be composed of two candidates who received the highest number of votes and a person employed as a full professor who received the highest number of votes in this group.
11. The Board shall take minutes of the election, which it shall forward to the Director of the Institute.
12. The Commission shall issue an announcement containing the results of the election.

Chapter 4

Final provisions

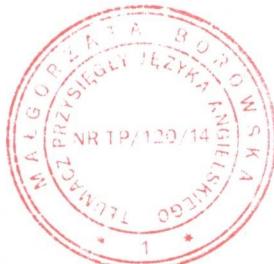
Art. 15.

1. Any amendments to the Articles of Association shall require a resolution of the Academic Council, the opinion of the company trade union organisation and the approval of the minister responsible for construction, planning and spatial development and housing.
2. The Articles of Association shall enter into effect on the day following the day of their announcement.

I, Małgorzata Borowska, a sworn translator of English, listed in the register of sworn translators of the Minister of Justice with number TP/120/14, hereby certify the conformity of this translation with the electronic document presented to me.

Katowice, 12 July 2022

Repertory number: 341/22



Małgorzata Borowska