



LEGAL BULLETIN

NICOLAUS COPERNICUS UNIVERSITY IN TORUŃ

Year 2023; item 13

ORDER No. 9

of the Rector of the Nicolaus Copernicus University in
Toruń
of 16 January 2023

on the Use of Passenger Cars Not Owned by the Nicolaus Copernicus University in Toruń for Work- Related Purposes

Pursuant to art. 52.3 of Resolution No. 37 of the NCU Senate of 16 April 2019 - the Statutes of the Nicolaus Copernicus University in Toruń (NCU Legal Bulletin 2019, item 120, as amended) in connection with the Regulation of the Minister of Infrastructure of 25 March 2002 on the conditions for determining and the method of reimbursing the expenses of using for work-related purposes of passenger cars, motorcycles, and mopeds not owned by the employer (Journal of Laws No. 27, item 271, as amended)

it is ordered as follows:

Chapter 1

General Rules for the Use for Work-Related Purposes of Private Cars Not Owned by the University

Article 1

1. Employees, doctoral students, students of the Nicolaus Copernicus University in Toruń, hereinafter referred to as the "University", and persons performing work for the University under civil law contracts, hereinafter referred to as "Users", may use passenger cars not owned by the University for the purpose of carrying out statutory tasks of the University, which:
 - 1) are owned or co-owned by the User;
 - 2) are at the User's disposal under a loan, rental, or leasing agreement
- hereinafter referred to as "private cars".

2. Whenever this Order refers to a "passenger car," it is understood as a vehicle as defined by the Road Traffic Regulations, i.e., a motor vehicle designed to carry no more than 9 persons, including the driver, and their luggage.

Article 2

1. The use of a private car by the User for work-related purposes is possible after concluding an agreement with the University. A condition for entering into the agreement is the fulfillment of the requirements specified in art. 2.2.
2. During the term of the agreement, the User is obligated to meet all of the following requirements:
 - 1) hold a relevant driving license required by the provisions of the Act of 20 June 1997 - Road Traffic Regulations (Journal of Laws of 2021, item 450, as amended), and the Act of 5 January 2011 on Vehicle Drivers (Journal of Laws of 2021, item 1212, as amended);
 - 2) have valid medical examinations as referred to in the Regulation of the Minister of Health of 29 August 2019 on medical examinations for applicants for driving licenses and drivers (Journal of Laws 2019, item 1659, as amended);
 - 3) have valid medical examinations as referred to in the Act of 26 June 1974 - Labour Code (Journal of Laws of 2022, item 1510, as amended) conducted in accordance with the Regulation of the Minister of Health and Social Welfare of 30 May 1996 on medical examinations for workers, the scope of preventive healthcare for workers, and medical certificates issued for purposes provided for in the Labour Code (Journal of Laws of 2016, item 2067, as amended).
3. The conditions for using a private car for work-related purposes are as follows:
 - 1) the technical efficiency of the private car, confirmed by a valid vehicle inspection;
 - 2) a valid third-party liability insurance policy for the driver;
 - 3) the User waiving any claims in the event of damage to or theft of the private car while it is being used for work-related purposes.

Article 3

Any obligations or liabilities (including penalties, fines, and tickets) resulting from violations of the law, including Road Traffic Regulations, shall be borne by the User - the person responsible for the violation.

Chapter 2

Special Rules for the Use of Private Cars for Business Travel (out-of-town travel)

Article 4

1. The decision to use a private car for business travel (out-of-town travel) may be made particularly in the following cases:
 - 1) when it is economically justified;
 - 2) when using the car shortens travel time;
 - 3) when large luggage is being transported, making travel by public transportation difficult or impossible;

- 4) when the destination is not easily accessible by public transportation;
 - 5) when more than one employee on a business trip travels in the same private car.
2. Users shall undertake business travel (out-of-town travel) in a private car based on a business travel order issued in accordance with Regulation No. 90 of the NCU Rector of 30 April 2020 on the rules for settling the expenses related to domestic business travel of employees and non-employees of the Nicolaus Copernicus University in Toruń (NCU Legal Bulletin of 2020, item 165). The order must additionally include the number of kilometres for the most advantageous route, considering distance and travel time, and must be signed by the persons indicated in art. 20 of Regulation No. 165 of the NCU Rector of 4 November 2019 - Organizational Regulations of the Nicolaus Copernicus University in Toruń (NCU Legal Bulletin of 2021, item 346).
 3. A scanned copy of the approved business travel order shall be an attachment to the request submitted in the appropriate system, i.e. XPRIMER for the Toruń part or WORKFLOW for the Bydgoszcz part of the University.

Article 5

1. The User may use a private car for domestic or international business travel (out-of-town travel) in accordance with the business travel order, after concluding an agreement, the template of which is provided as Annex 1 to this Order.
2. The agreement referred to in art. 5.1 shall be concluded with the User by the following persons, respectively:
 - 1) the Rector - if the User is:
 - a) a Vice-Rector, Rector's Deputy, Dean, Director of the Doctoral School, Director of the University Library, Chancellor, or Bursar;
 - b) Director of a research unit, teaching unit, auxiliary, or service unit;
 - 2) the Dean - if the User is a subordinate employee, doctoral student, or student of the faculty, or a person performing work for the faculty under a civil law contract;
 - 3) The Director of the Doctoral School - if the User is a doctoral student;
 - 4) The Director of a research unit, university teaching unit, auxiliary, or service unit - if the User is a subordinate employee;
 - 5) The Chancellor - if the User is the Deputy Chancellor, Deputy Bursar (excluding the Deputy Bursar for Collegium Medicum), or an employee of the general university administration in the Toruń part, as well as a person performing work for the administration in the Toruń part under a civil law contract;
 - 6) The Deputy Chancellor for Collegium Medicum - if the User is the Deputy Bursar for Collegium Medicum, an employee of the general university administration in the Bydgoszcz part, or a person performing work for the administration in the Bydgoszcz part under a civil law contract.

Article 6

1. The User is entitled to the reimbursement of travel expenses amounting to the product of the number of kilometres traveled, not exceeding the number specified in the business travel order, and the rate per kilometer, as follows:
 - 1) for a passenger car with an engine capacity of up to 900 cm³ – PLN 0.70 per kilometer;
 - 2) for a passenger car with an engine capacity of over 900 cm³ – PLN 1.00 per kilometer.

2. The basis for the reimbursement of travel expenses is the submission of a travel expense report in the form prescribed by business travel regulations, along with the vehicle mileage log maintained by the User according to the template provided as Annex No. 2 to the Order, and confirmed by the administrator of funds at the stage of document approval in the respective system, i.e. XPRIMER – for the Toruń part, or WORKFLOW – for the Bydgoszcz part of the University.
3. If the number of kilometres actually traveled as indicated in the vehicle mileage log referred to in art.6.2 is less than the number of kilometres specified in the business travel order and the agreement, the reimbursement of travel expenses shall be settled based on the actual number of kilometres.
4. If the number of kilometres actually traveled as indicated in the vehicle mileage log referred to in art. 6.2 is more than the number of kilometres specified in the business travel order and the agreement, the reimbursement of travel expenses shall be settled based on the number of kilometres specified in the business travel order and the agreement.
5. Expenses related to business travel that are not fixed-rate in nature must be documented in accordance with the provisions of the Act of 29 September 1994 on Accounting (Journal of Laws 2021, item 217), the Act of 11 March 2004 on Goods and Services Tax (Journal of Laws 2021, item 685, as amended), regulations governing the rules for business travel, and in accordance with the Regulation No. 90 of the NCU Rector of 30 April 2020 regarding the rules for settling costs related to domestic business travel of employees and non-employees of the Nicolaus Copernicus University in Toruń (NCU Legal Bulletin of 2020, item 165).

Article 7

In cases not covered by this Order, permission to use a private car for business travel (out-of-town travel) shall be granted by the Rector.

Chapter 3

Special Rules for Using Private Cars for Local Business Travel

Article 8

1. A User may use a private car for local business travel after concluding an agreement, the template of which is provided in Annex 3 to this Order.
2. The agreement referred to in art.8.1 shall be concluded with the User by:
 - 1) the Rector (or the Vice-Rector for Collegium Medicum in the Bydgoszcz part of the University) if the User is an academic teacher;
 - 2) the Chancellor (or the Vice-Chancellor for Collegium Medicum in the Bydgoszcz part of the University) if the User is a non-teaching employee.
3. The reimbursement for the use of a private car for local business travel for work-related purposes shall be provided as a lump sum, after the User has submitted a written statement on the use of the vehicle for local travel in a given month, the template provided in Annex No. 4 to this Order.
4. The rate per kilometer of car travel shall be: 1) for a passenger car with an engine capacity of up to 900 cm³ – 0.70 PLN; 2) for a passenger car with an engine capacity exceeding 900 cm³ – 1.00 PLN.

5. The statement referred to in art. 8.3 shall be attached to the expense documentation form in the system, specifically: XPRIMER – for the Toruń part or WORKFLOW – for the Bydgoszcz part of the University.

Chapter 4 **Final Provisions**

Article 9

1. Order No. 226 of the NCU Rector of 26 November 2021 on the Use for Work-Related Purposes of Passenger Cars Not Owned by the Nicolaus Copernicus University (NCU Legal Bulletin of 2021, item 375, as amended), is hereby revoked.
2. This Order shall come into effect as of 16 January 2023.

R E C T O R

Prof. Dr Hab. Andrzej Sokala