

National Central University

Regulations Governing Industry-Academic Cooperation

Approved by 2000 1st Research and Development Meeting (2000.11.24)
Amended at 2001 1st Research and Development Meeting (2002.1.17)
Amended at 2002 1st Research and Development Meeting (2002.11.26)
Amended at 2003 1st Research and Development Meeting (2003.11.11)
Amended at 2003 2nd Provisional Research and Development Meeting (2004.04.30)
Amended at 2005 1st Research and Development Meeting (2005.09.27)
Amended at 2005 5th Meeting of University Endowment Fund Management Committee (2006.6.15)
Retroactively Accepted at 2006 1st Research and Development Meeting (2006.10.24)
Amended at 2007 1st Meeting of University Endowment Fund Management Committee (2007.10.04)
Amended at 2006 2nd Research and Development Meeting (2008.03.14)
Amended at 2007 4th Meeting of University Endowment Fund Management Committee (2008.04.21)
Amended at 2007 2nd Provisional Research and Development Meeting (2008.05.07)
Amended at 2007 6th Meeting of University Endowment Fund Management Committee (2008.06.04)
Amended at 2010 1st Provisional Research and Development Meeting (2010.10.13)
Amended at 2010 2nd Meeting of University Endowment Fund Management Committee (2010.11.11)
Amended at 2011 1st Research and Development Meeting (2011.09.27)
Amended at 2011 2nd Meeting of University Endowment Fund Management Committee (2011.09.29)
Amended at 2012 1st Research and Development Meeting (2012.09.24)
Amended at 2012 2nd Meeting of University Endowment Fund Management Committee (2012.11.05)
Amended at 2002 1st Provisional Research and Development Meeting (2012.11.27)
Amended at 2012 2nd Research and Development Meeting (2013.03.06)
Amended at 2012 3rd Meeting of University Endowment Fund Management Committee (2013.03.28)
Amended at 2013 1st Research and Development Meeting (2013.09.27)
Amended at 2013 2nd Meeting of University Endowment Fund Management Committee (2013.11.29)
Amended at 2013 2nd Research and Development Meeting (2014.03.06)
Amended at 2013 4th Meeting of University Endowment Fund Management Committee (2014.03.24)
Amended at 2014 2nd Research and Development Meeting (2015.03.10)
Amended at 2014 3rd Meeting of University Endowment Fund Management Committee (2015.03.30)
Amended at 2015 2nd Research and Development Meeting (2016.03.04)
Amended at 2015 3rd Meeting of University Endowment Fund Management Committee (2016.03.24)
Amended at 2018 1st Research and Development Meeting (2018.09.27)
Reported at 2018 1st Meeting of University Endowment Fund Management Committee (2018.10.11)
Amended at 2018 2nd Research and Development Meeting (2019.03.05)
Reported at 2018 4th Meeting of University Endowment Fund Management Committee (2019.03.11)
Reported at 2019 1st Meeting of University Endowment Fund Management Committee (2019.10.15)
Amended at 2020 1st Research and Development Meeting (2020.09.29)
Reported at 2020 1st Meeting of University Endowment Fund Management Committee (2020.10.14)

Article 1 To promote knowledge accumulation and expansion, develop educational, training, research, and service functions as well as benefit national education and economic development, the “Regulations for the Industry-Academic Cooperation of the National Central University” (hereinafter the “Regulations”) are hereby established per the “Enforcement of Regulations Governing the Industry-Academic Cooperation at Institutions of Higher Education” of the Ministry of Education and the organization charter of the school.

Article 2 The industry-academic cooperation referred to herein means the cooperative management with governmental agencies, enterprises, private groups, and academic research institutions (hereinafter the “Industry-Academic Cooperation Institution”) for matters regarding the educational goals of the school, research grants of government, and matters designated by the government to promote the development of different

industries.

Article 3 The Department of Research and Development of the school shall be responsible for the preparation and management of industry-academic cooperation policies.

Article 4 The scope of the industry-academic cooperation is as follows:

1. Various research developments and their applications including research projects, substance exchanges, tests, examinations, technological services, consultations, patent applications, technological transfers, innovative incubation, etc.
2. Various education, training, study, seminar, internship, or training-related cooperation.
3. Intellectual property rights applications.

If otherwise provided by other applicable acts, the provisions of that other act shall prevail. If not, these regulations shall govern.

Article 5 Unless otherwise provided by the laws of the Ministry of Science and Technology, governmental agencies, or cooperative contracts, the undertaking of industry-academic cooperation projects shall be governed by the following regulations:

1. The full-time (project), part-time, joint appointment research fellows, chair professors, and postdoctoral research fellows may all serve as the principal investigator to consult the entrusting unit pursuant to school-related regulations or apply to undertake the project after winning the tender pursuant to tender regulations.
2. When the entrusting unit consults the full-time (project), part-time, joint appointment research fellows, chair professor, and postdoctoral research fellows directly, such units or preceding research fellows appointed by the unit shall serve as the principal investigator to undertake the project.
3. For letters issued by the entrusting unit to the school directly, the Department of Research forwards it to the relevant department based on the nature of the letter to undertake or not, against comprehensive consideration over their labor force, equipment, time, and expenses. If the integrated project is required, the Department of Research shall be responsible for its coordination and integration.
4. For principal investigators served by the postdoctoral research fellow

of the school, the full-time (project) research fellow of the school shall serve as the co-principal investigator. If the principal investigator resigns during the project implementation period, the co-principal investigator shall serve as the principal investigator.

Article 6 Application for the industry-academic cooperation project:

1. When the principal investigator undertakes the project per the preceding article, he/she shall prepare a research proposal and submit the same to the unit manager and college for approval. He/she shall also have the accounting office countersign and a review by the department of research. After it is approved by the principal, the principal investigator shall sign the contract in the name of the school and co-sign the contract.
2. If the full-time teacher of the school intends to undertake the project in the name of an association, he/she shall apply to the school for approval. The association with an office address in the school shall issue a statement to waive the rights of any industry-academic cooperation project or tender rights competitive to the school.
3. A full-time teacher also serving in an administrative post shall not undertake the project unless it is approved by the school in accordance with the Civil Servant Work Act.

Article 7 If the principal investigator fails to sign the contract pursuant to the preceding article, the principal investigator is prohibited to undertake the industry-academic cooperation project of the entrusting unit and non-governmental agency for one year from the approval date of the principal. This is upon the confirmation of investigation results and will be the reference for the application of academic rewards by said teacher.

Article 8 The principal investigator may apply to borrow a bid bond as necessary for the tender of the industry-academic cooperation project. After winning the tender, the correspondent bank of the school may provide the performance bond, alternatively by issuing a written guarantee or by creating a pledge. For a performance bond less than NT\$100,000 and a contract term of less than two years, the later section of the preceding paragraph may not be applicable.

Article 9 The school shall sign the written contract with the cooperative institution to

undertake the industry-academic cooperation project with the following matters specified in the contract and based on actual cooperation requirements:

1. The name of the industry-academic cooperation project, cooperation subject, delivery items, and schedule.
2. The budget, resources, and terms of payment are to be provided by the parties to the contract.
3. The rights and obligations of both parties.
4. Where there are research results acquired from the industry-academic cooperation, the attribution and application of research results and revenue shall be specified.
5. The penalty clauses for violations of both parties.
6. When the industry-academic cooperation institution asks the school to guarantee that the authorized technology or other matter is free from infringement to others, the scope of compensation liable to the school for infringement incurred wherefrom shall be specified.
7. If the industry-academic cooperation institution needs to use the name or label of the school or unit subordinated to the school, the method of authorization, reason, and scope shall be specified.
8. The books, journals, instruments, equipment, and remaining budget of such property management and application purchases for the industry-academic cooperation.
9. The avoidance of conflicts of interest and confidentiality of persons related to the technology transfer contract.

Article 10 The industry-academic cooperation project shall have an indirect administrative management fee (hereinafter the “Management Fee”) paid to the school. The preparation ratio of management fees shall be as follows:

1. The Project of the Ministry of Science and Technology: managed in accordance with regulations of the Ministry of Science and Technology.
2. The project in cooperation with governmental agencies and private entities:
 - (1) Academic research, education, or commissioned training projects: the management fee shall be at least 15% of the total project budget.
 - (2) Technological services: refer to the quality inspection, sales services over the long term, and commissions by governmental

agencies or private entities by using the existing equipment and labor force of the school. The management unit shall establish the charge standards for technological services and regulations for instrument management. This shall be implemented after the review of the unit at the college level and submitted to the school for approval.

For quality inspections, sales services over the long term, and commissions by governmental agencies or private entities by using the existing equipment and labor force of the school, no management fees will be charged if the service subject is a unit of the school. If the service subject is a unit outside the school, the management fee shall be at least 25% of the total budget. The surplus of management fees appropriated according to this ratio shall be carried forward to next year for use, and until the relevant instrument or equipment is replaced or transferred to the special account of the project implementation unit for revolving use on the date the service ends.

- (3) For a project budget over 10 million, the preparation of management fees may be determined via negotiation.
 - (4) If the ratio of management fees is otherwise provided by a governmental agency, the provisions of that other regulation shall prevail.
3. All types of seminars: in addition to the matching grant of the school, at least a 5% management fee shall be added to all kinds of incomes.
 4. If the implementation of the project will be difficult due to a special event or if management fees are appropriated according to the ratio stipulated herein, the application may be filed for the decrease or exemption of management fees.

Article 11 The allocation ratio of management fees:

1. Allocate an 8.5/15 management fee to the school, 1.5/15 to the college, and 5/15 to the department (graduate school).
2. Projects implemented by research centers of the school: 9/15 to school, 5/15 to research center of the school, 1/15 to the major department where the principal investigator is employed.
3. Projects implemented by functional research centers in the school level: 9/15 to school, 4/15 to the functional research center of the school, 1/15 to the college, 1/15 to the major department (graduate school, center)

where the principal investigator is employed. However, for a special event, the management fee ratio for centers, colleges, and departments may be determined via negotiation.

4. Project implemented by functional research centers in the college level: 8.5/15 to the school, 1.5/15 to the college, 4/15 to the functional research center in the college level, 1/15 to the major department (graduate school, center) where the principal investigator is employed. However, for a special event, the management fee ratio for centers, colleges, and departments may be determined via negotiation.
5. Projects implemented by joint operation research centers: 9/15 to the school, 5/15 to the joint operation research center, 1/15 to the major department (graduate school, center) where the principal investigator is employed.
6. Where there is counseling or development provided by the counseling unit for the project specified in this paragraph, the counseling unit may negotiate with the center, college, and department (graduate school) for the distribution of management fees.

When the allocations of management fees of projects are not adequate or insufficient, the surplus by the end of the project shall be appropriated first for the deficit of management fees.

In case the principal investigator fails to complete the project by the deadline, the management fee must be appropriated first before completing the project.

A 50% project management fee from the Ministry of Science and Technology shall be allocated to all units proportionally over the ratio abovementioned at the beginning of the project's implementation and shall be used fully before the end of the project. For unused amounts by the end of the project, the school will collect all remaining amounts. Meanwhile, another 50% will be included in the surplus of the project and 20% of this will be set aside for the surplus of management fees of the school, and the remaining 80% will be transferred to the surplus account of all units proportionally over the ratio aforementioned.

Article 12 The payment request procedures, principles of budget appropriation, and application:

1. After the industry-academic project cooperation contract is concluded, a receipt shall be issued pursuant to the contract (the uniform receipt of the school shall prevail), and a payment request letter shall be prepared. After the trusting unit has appropriated the payment to the appointed account of the school, the responsible unit of the project or the

Department of Research shall notify the principal investigator to start using the budget.

2. To ensure the project is implemented smoothly, the principal investigator may fill in the “Application for the advance of NCU industry-academic cooperation project payment” to advance the project budget after receiving approval for the project (or an effective contract). Additionally, this must be before the budget is appropriated to the appointed account of the school and provided that the advance shall not exceed 50% of the project budget (NT\$5 million). A project of the Ministry of Science and Technology for more than one year shall be calculated according to the project budget of the current year. For special circumstances, this shall be managed upon a special application being approved.
3. In addition to the allocation of management fees in accordance with article 10 herein, the personnel, equipment, and miscellaneous fees shall be used by the principal investigator pursuant to the contract or relevant regulations. For adjustments or changes of preceding expenses, the budget shall not be used until the contract is amended upon the agreement of both parties in advance.
4. The principal investigator shall manage the contract employment procedures aimed at the manpower as required by the project after the contract is effective and fill the budget allocation table upon the approval of MOST projects, and sign other industry-academic cooperation projects other than MOST. Please refer to the “Outlines for the Management of NCU Industry-Academic Cooperation and Promotion for the Education of Project Personnel” for the contract employment procedures aforementioned.
5. If the project budget is insufficient to support the salary/allowance of the project personnel employed for the industry-academic cooperation project, the hiring unit shall make this up before the deadline. Additionally, the deficit shall be supported in order for the payment to the principal investigator, the surplus of the unit in the secondary level, the unit in the first level, and management fees beyond the deadline. Regarding the return of an advance, this shall be negotiated by the employment unit, the unit in the secondary level, and the unit in the first level.

For other project members employed under the budget without relevant regulations, this article shall govern.

6. The procurement of the industry-academic cooperation project shall be implemented in accordance with the Government Procurement Act and Procedures for the Procurement of the school, or Procedures for the Procurement of Science and Technology Research Development of the school.
7. For disputes arising from the budget of an industry-academic cooperation project, this shall be managed in accordance with the “Procedures for the Handling of Disputes Arising from a Reimbursement of NCU Industry-Academic Cooperation Budgets”.

Article 13 Notices for the submission of reports of an industry-academic cooperation project and closure of the project:

1. The principal investigator shall submit the final report, and manage the budget reimbursement and the closure of the project by the deadline set forth in the contract. The Ministry of Science and Technology shall complete within 45 days from the end of the project. The industry-academic cooperation project other than MOST shall be completed no later than 3 months from the expiration of the contract.
2. Unless other provisions are provided by the trusting unit, the overseas travel report for an industry-academic cooperation project, management fees, and the surplus shall be submitted within three months from returning to the country.
3. Except for the number of report copies to be managed in accordance with the contract, additional copies may be printed for the collection of the library of the school.

Article 14 The surplus of an industry-academic cooperation project:

1. Where there is a surplus after the entire industry-academic cooperation project budget is reimbursed and the project closure procedures are completed (except when the surplus is returned upon the request of the trusting unit and paid to the school surplus for amounts less than 10,000), 20% of the balance for budget implementation over 80% (included) shall be used by the school collectively. And 80% shall be included in the surplus account for the revolving use of the principal investigator or project unit.
If the budget implementation is less than 80% of the total project amount, 30% of the balance for budget implementation over 80% (included) shall be used by the school collectively, and 70% shall be

used by the principal investigator or project unit according to the principle above mentioned.

2. After the resignation of a researcher, his/her personal surplus shall be used by the school collectively. After retirement, his/her personal surplus of less than 10,000 (included) shall be included in the school surplus. For amounts over 10,000, 80% shall be used by the school collectively; 20% for the use by the unit of said researcher except when he/she transfers to a project researcher for the school.
3. For other special circumstances, this may be managed with special approval.

Article 15 For income derived from the transfer of research results gained by industry-academic cooperation or patent or technology authorization, the allocation of income or interest after deducting the portion of rewards to the funding agency pursuant to laws or the contract shall be managed in accordance with the regulations governing the management of the research results and promotion of the school.

Article 16 Unless otherwise provided in an industry-academic cooperation contract, the books, journals, instruments, and equipment shall be included in the school property for collective use in accordance with the relevant property management regulations.

Article 17 The technological or administrative personnel of an industry-academic cooperation agency who is qualified to teach may teach classes or direct the graduate student of the school upon the agreement of the school and may collect the hourly pay.

The associate professor or teachers in a level above may also serve the post of his/her expertise or the professional instructor at an industry-academic cooperation agency, provided that his/her part-time service hours and compensation are still subject to part-time service-related regulations, Or, the limiting of relevant rewards shall be managed in accordance with the “Procedures for Handling the Secondment of NCU Teachers”, “Procedures for Handling Part-time Services of NCU Teachers”, and “Regulations Governing the Reward of NCU Teachers for Part-time Services or Secondment to Private Enterprises and Organizations”.

Article 18 The unit of the principal investigator shall measure the conditions before determining whether to accept the industry-academic cooperation project or not.

Article 19 When an industry-academic project requires a matching grant, the school, college, and department shall provide 1/3 grant each; the school and center shall provide 1/2 grant each provided that the grant of the school shall not exceed the school management fees of that project, and which shall be submitted to the principal for approval.
Each unit shall submit a letter for an explanation when the budget is insufficient in matching the grant.

Article 20 Unless other provisions are provided by the entrusting unit in writing, the supplementary NHI premium derived from the compensation of the project shall be supported by other prepared relevant budgets of the project.

Article 21 The handling of violations or failure to submit reports or closing budgets against the regulations of an industry-academic cooperation project:

1. If the budget reimbursement of the project is not completed for the project by the deadline set forth in article 13 via a notice, this project budget will be frozen and all remaining amounts will be included in the school's surplus.
2. In case the principal investigator of the MOST project fails to submit the report or complete the budget pursuant to the regulations due to personal reasons, resulting in management fees reduced or deducted by MOST, this will be paid by the surplus of the principal investigator. If the principal investigator has no surplus, resigns, or retires, his/her unit shall deduct the money proportionally over the allocation ratio of each college and department (center), and the return method of the principal investigator shall be established by each college and department (center). In case the principal investigator of a non-MOST project fails to submit a report or complete the budget pursuant to regulations due to personal reasons, resulting in deductions, fines of the trusting unit, or litigation fees incurred thereby, the preceding regulations shall prevail.
3. If the principal investigator fails to implement the project pursuant to the contract resulting in damages suffered by the school, the principal

investigator shall be responsible for the damage compensation.

Article 22 The Department for Research and Development shall summarize the report of the performance of the industry-academic cooperation in a research and development meeting, administrative council meeting, and university council meeting regularly.

Article 23 These regulations shall be implemented upon the approval of the Research and Development Meeting and reported to the University Endowment Fund Management Committee to record, and shall be applied to the amendment also.