

<p>National Taiwan University of Science and Technology Directions Governing Conflicts of Interest and Information Disclosures Related to Research and Development Results</p> <p>Passed by the 579th Administrative Board Meeting on 10 September 2019</p>	
Point 1	<p>These Directions are adopted by National Taiwan University of Science and Technology (NTUST) for the handling of recusal cases related to conflicts of interest involving the management and utilization of research and development (R&amp;D) results.</p> <p>Unless otherwise provided by law or regulation, conflicts of interest and information disclosures related to R&amp;D results shall be governed by the provisions of these Directions.</p>
Point 2	<p>The NTUST Office of Research and Development is responsible for the handling, adoption, and administration of matters and procedures regarding conflict-of-interest recusal and information disclosures related to NTUST R&amp;D results.</p>
Point 3	<p>Terms used in these Directions are defined as follows:</p> <ol style="list-style-type: none"> <li>1. "R&amp;D results": R&amp;D results achieved, in the course of duties or utilizing NTUST resources, by NTUST faculty and students and anyone hired by NTUST to engage in R&amp;D.</li> <li>2. "Supporting entity": a government agency or institution, public or private enterprise or entity, private business, firm, or incorporated body that, as a subsidizer, client, or funder, enters into a contract with NTUST for a science or technology R&amp;D project.</li> <li>3. "Interest" in these Directions includes pecuniary interests and non-pecuniary interests: <ol style="list-style-type: none"> <li>(1) Pecuniary interests <ol style="list-style-type: none"> <li>1. Personal property, real property.</li> </ol> </li> </ol> </li> </ol>

	<p>2. Cash, deposits, foreign currency, securities.</p> <p>3. Claims or other rights related to property.</p> <p>4. Other interests that have economic value or that can be obtained through monetary transactions.</p> <p>(2) Non-pecuniary interests</p> <p>Refers to appointment, engagement, hiring, employment, contract-based employment, temporary hiring, labor dispatch, promotion, transfer, performance evaluation, and other similar personnel measures, involving the party or a related party thereof, at NTUST or a profit-seeking enterprise or other entity that utilizes NTUST R&amp;D results.</p> <p>4. "Party" in these Directions means:</p> <p>A creator of utilized R&amp;D results (including a person who engages in part-time employment or contribution of technology as an equity investment under the Regulations for Researchers' Part-Time Employment and Contribution of Technology as an Equity Investment), or a person who is involved in the operations of submission for approval, or review, or decision-making.</p> <p>5. "Related party" in these Directions means:</p> <p>A party's spouse, relatives within the second degree of kinship, and any other family member living together with the party.</p>
Point 4	<p>"Conflict of interest" in these Directions means that a party, at the time of the intended licensing or assignment of the R&amp;D results, already possesses, or by agreement will obtain upon the licensing or assigning the R&amp;D results, an interest as set out below:</p> <p>1. The party, his/her spouse, and minor children, during the preceding 1 year, have or will have obtained from the supporting entity pecuniary interest in aggregate exceeding NT\$150,000 in value, or hold 5 percent or more of the equity in the supporting entity.</p>

	<p>2. The party or a related party thereof holds at that supporting entity a position of responsible person, director, supervisor, or managerial officer. However, when an aforesaid person has been appointed by the government or NTUST to serve in an aforesaid position, the matter shall be handled in accordance with other applicable laws and regulations.</p>
Point 5	<p>1. If a party who is involved in operations of submission for approval, or review, or decision-making has a conflict of interest, the party shall immediately voluntarily recuse themselves.</p> <p>2. If a party who is a creator has a conflict of interest, the party shall voluntarily disclose it, and submit a written Disclosure of Interest in a written notice to the Office of Research and Development.</p> <p>3. If the Office of Research and Development knows of any party who has a conflict of interest and should be required to voluntarily recuse themselves but fails to recuse themselves, the Office shall order the party to recuse themselves.</p>
Point 6	<p>The Office of Research and Development shall submit information disclosed by creators to the Technology Rights Committee for review. If upon review the Technology Rights Committee determines that recusal is necessary, the Office of Research and Development shall notify the creator to recuse themselves.</p>

Point 7	<ol style="list-style-type: none"> <li>1. If a third party complains of or NTUST itself discovers any violation of rules regarding conflicts of interest, the Office of Research and Development will open a case and notify the respondent to provide a written defense, which shall be submitted to the Technology Rights Committee for review.</li> <li>2. If upon review the Technology Rights Committee determines there indeed has been a violation, it shall impose a penalty appropriate to the seriousness of the violation. If the violation is severe, it will notify the competent authorities and the R&amp;D results supporting entity or entities.</li> <li>3. In the event of failure to duly make an information disclosure or recusal for a conflict of interest as required, if there is any resultant injury to the property or reputation of NTUST, the party shall be liable for compensation and shall bear relevant legal liability.</li> </ol>
Point 8	NTUST shall regularly publish on its website the numbers and outcomes of conflict of interest review cases.
Point 9	A person who engages in part-time employment under the Regulations for Researchers' Part-Time Employment and Contribution of Technology as an Equity Investment, during the period of the part-time employment and for a two-year period after termination, shall recuse themselves from involvement in any procurement or project review operations involving the enterprise, institution, or group with which it engaged in that part-time employment, or any affiliate thereof. However, if such recusal will adversely effect fair competition or the public interest, a party may specify the reasons, and apply for exemption from recusal. Such exemption may be granted only after review and approval of the application.

Point 10	<ol style="list-style-type: none"> <li>1. A party shall ensure the completeness and accuracy of the information it discloses. In the event of any misrepresentation or non-disclosure in an information disclosure, the party shall solely bear all related administrative liability.</li> <li>2. If any new conflict of interest event occurs, the party shall immediately make a new disclosure.</li> </ol>
Point 11	NTUST shall design appropriate training courses to strengthen NTUST personnel's knowledge and understanding regarding conflict-of-interest recusal and information disclosure.
Point 12	These Directions will be implemented following passage by the Administrative Board Meeting.