

Kyushu University Regulations for Sponsored Research

Kyushu University Regulation No. 95 of 2004
Effective date: April 1, 2004
Last amended: January 31, 2025
(Kyushu University Regulation No. 40 of 2024)

(Purpose)

Article 1 These Regulations shall provide for necessary matters relevant to the implementation of sponsored research at Kyushu University (hereinafter referred to as the "University").

(Definitions)

Article 2 In these Regulations, the meanings of the terms set forth in the following items are as provided respectively in those items:

- (i) sponsored research: research that an employee of the University who engages in academic research conducts in the course of their duties as entrusted by a party outside the University, for which expenses are borne by the entrusting party;
- (ii) researcher: an employee who implements sponsored research and a graduate school student who currently plays a central role as a principal researcher in research under an entrustment agreement with the national government or an incorporated administrative agency;
- (iii) research collaborator: a person within the University other than researchers who collaborates in the implementation of sponsored research or a person outside the University who participates an individual in the implementation of sponsored research, and who satisfies any of the following requirements:
 - (a) a person who is likely to create inventions, devices, new varieties of plants, designs or works among intellectual property provided in the Intellectual Property Basic Act (Act No. 122 of 2002) through sponsored research;
 - (b) a person who is likely to retain confidential information provided in a sponsored research agreement; or
 - (c) a person who is likely to publish the results of sponsored research;
- (iv) division: each undergraduate school, each graduate school, each graduate faculty, the Faculty of Arts and Science, the Institute for Advanced Study, each Attached Research Institute, the International Institute for Carbon-Neutral Energy Research, the Hospital, the University Library, the Information Infrastructure Initiative, the Research Institute for Information Technology, the Platform of Inter-/Transdisciplinary Energy Research, the Institute for Asian and Oceanian Studies, each Center for Common Education and Research, the Academic Research and Industrial Collaboration Management Office, the Integrated Initiative for Designing Future Society, the Data-Driven Innovation Initiative, the Promoting Organization for Future Creators and the offices, and each center provided in Article 2 of Kyushu University Rules on Centers for Specified LargeScale Education and Research Projects (Kyushu University Regulation No. 11 of 2007); and
- (v) division director: the head of each division provided in the preceding item.

(Application for Entrustment)

Article 3 (1) A person who intends to entrust sponsored research to the University (hereinafter referred to as the "sponsor") shall submit an application form to the division director by the day preceding the date of commencement of research in principle.

(2) In the cases set forth in the following items, an application form is deemed to have been submitted pursuant to the provisions of the preceding paragraph:

- (i) if the sponsor gives notice to a division of the University to the effect that the research project of an

employee of the University has been adopted through the sponsor's call for proposals or other methods;

- (ii) if the sponsor sends a written invitation on sponsored research to a division of the University; or
- (iii) if the President or the special officer in charge of agreements provided in Article 2, paragraph (1) of the National University Corporation Kyushu University Rules for Delegation of Official Authority on Finance and Accounting (Kyushu University Regulation No. 30 of 2011) (hereinafter referred to as the "President, etc.") specially deems that an application form has been submitted.

(Decision to Accept)

Article 4 (1) If an application referred to in the preceding Article is made, the division director shall make a decision to accept sponsored research only if the content of the sponsored research is meaningful for education and research at the University and it is found that the execution of the University's operations would not be impeded.

(2) If the division director has made a decision to accept, as referred to in the preceding paragraph, the division director shall notify the President, etc. and the head of a private organization, etc. of the decision.

(Conclusion of Agreement)

Article 5 (1) Based on the notice referred to in paragraph (2) of the preceding Article, the President, etc. shall conclude an agreement relevant to sponsored research (hereinafter referred to as a "sponsored research agreement") with the sponsor with regard to the following matters:

- (i) the purpose and description of sponsored research;
- (ii) research expenses and details;
- (iii) the implementation period of sponsored research;
- (iv) the matters provided in Article 8, Article 9, paragraphs (2) and (3), Article 10, Article 14, and Article 14; and
- (v) other necessary matters relevant to the implementation of sponsored research.

(2) The President, etc. may conclude a multiple-year agreement if the sponsor wishes.

(3) If the President, etc. has concluded a sponsored research agreement, the President, etc. shall report this to the division director.

(Compliance with Agreement)

Article 6 (1) Researchers, research collaborators and other persons involved in the implementation of sponsored research must comply with the sponsored research agreement concerning the sponsored research and other related regulations of the University (hereinafter referred to as the "agreement and related regulations, etc.").

(2) The division director of the division to which researchers belong must supervise the researchers so that they implement sponsored research properly under the agreement and related regulations, etc.

(Maintenance of Confidentiality)

Article 7 (1) When accepting sponsored research, the division director of the division to which researchers belong may, through negotiation with the sponsor in advance, determine how to ensure the maintenance of confidentiality of confidential information that the University and the sponsor provide or disclose to each other unilaterally or mutually, or that is accessible to either or both of them (hereinafter referred to as "maintenance of confidentiality of confidential information").

(2) Researchers, etc. of the University shall assume the obligation to maintain the confidentiality of confidential information for as long as necessary, including a period after they leave their division.

(Research Expenses)

In case of conflict between the rules translated into English and the Japanese original, the latter shall prevail.
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Article 8 (1) As expenses required for the implementation of sponsored research (hereinafter referred to as "research expenses, etc."), a sponsor shall bear expenses necessary for the execution of the research (hereinafter referred to as "direct expenses"), and the consideration for the high level of expertise or the value of technology of the researcher and research collaborator (provided, however, excluding students and a person outside the University) (hereinafter referred to as "Academic Facilitate Fee"), and an amount equivalent to expenses necessary for various procedures along with the implementation of the research (meaning expenses that fall within the category of indirect expenses relating to various types of competitive funds or administrative expenses in corporate accounting; hereinafter referred to as "indirect expenses").

(2) With regard to the handling of the Academic Facilitate Fee is provided separately.

(3) A sponsor must pay research expenses, etc. specified in a sponsored research agreement prior to the commencement of the relevant sponsored research in principle. In this case, the sponsor may divide the research period into multiple subperiods and make an installment payment of research expenses, etc. required for each subperiod prior to the commencement of the relevant subperiod.

(4) Notwithstanding the provisions of the preceding paragraph, in cases separately provided, a sponsor may pay research expenses, etc. on or after the date of commencement of the relevant sponsored research.

(5) If sponsored research is completed or discontinued or the period of the research is changed, and there is any amount in the research expenses, etc. that has become unnecessary and the sponsor claims, all or part of the unnecessary amount shall be returned through negotiation with the sponsor; provided, however, that research expenses, etc. shall not be returned in principle if the sponsored research is discontinued at the request of the sponsor.

(Discontinuance of Sponsored Research)

Article 9 (1) If it becomes necessary to discontinue the relevant sponsored research or extend the period of sponsored research, a researcher must report this to the division director immediately.

(2) If the division director has received the report referred to in the preceding paragraph and finds it to be unavoidable, the division director may, through negotiation with the sponsor, discontinue the relevant sponsored research or extend the period of sponsored research. In this case, the division director notifies the President, etc. and the sponsor of this.

(3) The University shall not be liable to compensate the sponsor for any damage that may arise from the discontinuance of the research or extension of the period referred to in paragraph (2).

(Ownership of Equipment)

Article 10 Equipment, etc. acquired using direct expenses shall belong to the University; provided, however, that if the sponsor is a national government organ, government-affiliated organization, or a local government agency, the University may return all or part of the equipment, etc. to the sponsor.

(Report of Status of Progress)

Article 11 A researcher shall report the status of progress to the sponsor as necessary during the research period and negotiate with the sponsor about a progress plan and other matters.

(Completion of Sponsored Research)

Article 12 (1) If the relevant sponsored research is completed, a researcher shall report this to the division director, and shall notify the sponsor of the research results obtained during the implementation of the sponsored research by compiling a report of these results.

(2) If the division director has received the report referred to in the preceding paragraph, the division director shall notify the President, etc. of this.

(Publication of Research Results)

Article 13 A researcher shall publish research results obtained in sponsored research in principle;

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provided, however, that the time and method of publication shall be determined through negotiation between the University and the sponsor, while ensuring compliance with the obligation to maintain confidentiality of confidential information provided in Article 7, and to the extent that the management and use of intellectual property would not be impeded.

(Handling of Intellectual Property)

Article 14 The handling of intellectual property created along with the implementation of sponsored research is governed by separate provisions based on negotiation between the University and the sponsor, beyond what is provided in the Kyushu University Regulations for Handling Intellectual Property (Kyushu University Regulation No.93 of 2004).

(Comprehensive Collaborative Research)

Article 15 Comprehensive collaborative research shall be implemented pursuant to a handling policy provided separately, beyond what is provided in these Regulations.

(Support for Employees Engaging in Sponsored Research)

Article 15-2 In order to promote sponsored research, the University may pay financial incentives and provide other support to employees of the University who engage in implementing sponsored research.
(2) The content of the support referred to in the preceding paragraph, the method of providing such support, and other matters shall be provided separately.

(Detailed Regulations)

Article 16 Beyond what is provided in these Regulations, necessary matters concerning the implementation of sponsored research shall be provided by detailed regulations.

Supplementary Provisions

These Regulations come into effect as of April 1, 2004.

Supplementary Provisions (Kyushu University Regulation No. 94 of 2005)

These Regulations come into effect as of April 1, 2006.

Supplementary Provisions (Kyushu University Regulation No. 35 of 2006)

These Regulations come into effect as of February 1, 2007.

Supplementary Provisions (Kyushu University Regulation No. 117 of 2006)

These Regulations come into effect as of April 1, 2007.

Supplementary Provisions (Kyushu University Regulation No. 69 of 2009)

These Regulations come into effect as of April 1, 2010.

Supplementary Provisions (Kyushu University Regulation No. 71 of 2010)

These Regulations come into effect as of December 1, 2010.

Supplementary Provisions (Kyushu University Regulation No. 49 of 2011)

These Regulations come into effect as of October 1, 2011.

Supplementary Provisions (Kyushu University Regulation No. 143 of 2011)

These Regulations come into effect as of April 1, 2012.

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Supplementary Provisions (Kyushu University Regulation No. 90 of 2012)
These Regulations come into effect as of April 1, 2013.

Supplementary Provisions (Kyushu University Regulation No. 135 of 2014)
These Regulations come into effect as of April 1, 2015.

Supplementary Provisions (Kyushu University Regulation No. 61 of 2016)
These Regulations come into effect as of October 1, 2016.

Supplementary Provisions (Kyushu University Regulation No. 33 of 2017)
These Regulations come into effect as of November 1, 2017.

Supplementary Provisions (Kyushu University Regulation No. 63 of 2017)
These Regulations come into effect as of February 1, 2018; provided, however, that with notwithstanding the provisions of Article 5, paragraph (1), item (ii), Article 6, paragraph (2), the paragraphs of Article 8, and Article 10 of the Kyushu University Regulations for Sponsored Research as amended by these Regulations (hereinafter referred to as the "New Regulations"), prior regulations continue to govern sponsored research that falls under either of the following:

- (i) sponsored research to be commenced by March 31, 2018; or
- (ii) sponsored research that is not subject to management, coordination, etc. by the Academic Research and Industrial Collaboration Management Office and that is commenced by March 31, 2018 (excluding the case where the principal researcher notifies the University of the intention to implement sponsored research pursuant to the New Regulations).

Supplementary Provisions (Kyushu University Regulation No. 78 of 2018)
These Regulations come into effect as of April 1, 2019.

Supplementary Provisions (Kyushu University Regulation No. 70 of 2020)
These Regulations come into effect as of April 1, 2021.

Supplementary Provisions (Kyushu University Regulation No. 129 of 2021)
These Regulations come into effect as of April 1, 2022.

Supplementary Provisions (Kyushu University Regulation No. 7 of 2022)
These Regulations come into effect as of July 1, 2022.

Supplementary Provisions (Kyushu University Regulation No. 80 of 2022)
These Regulations come into effect as of April 1, 2023.

Supplementary Provisions (Kyushu University Regulation No. 44 of 2023)
These Regulations come into effect as of April 1, 2024.

Supplementary Provisions (Kyushu University Regulation No. 40 of 2024)
These Regulations come into effect as of April 1, 2025.

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