

Establishing and Operational Guidelines for the Ethics Committee of Academia Sinica

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Article 1 The Academia Sinica, (hereafter referred to as AS), has established the Ethics Committee, (hereafter referred to as EC), in order to address matters pertaining to ethics and conflicts of interest in order to protect the reputation of AS and to ensure the academic freedom and research fairness of the employees of AS.

Article 2 AS will handle all cases pertaining to a violation of ethics and/or conflicts of interest in accordance with the stipulations stated within these guidelines. However, if a case is governed by other specific regulations, then those regulations would supersede the guidelines stated here.

Article 3 These guidelines apply to all certified AS employees, contract-based employees, contract-based temporary assistants, and other personnel who receive wages from AS. (All of the above will hereafter be referred to as AS employees)

Article 4 “Unethical behavior,” as defined by these guidelines, includes: the falsification of research data, plagiarism in an academic paper, and other conduct that violates academic ethics.

Article 5 A “Conflict of interest,” as defined by these guidelines, complies with Article 5 of “The Regulations for Governmental Employees for Avoiding Conflicts of Interest.” It states that [a conflict of interest occurs] when a government employee receives personal benefits and/or benefits for his/her friends and/or family, whether directly or indirectly through the normal course of his/her employment.

Article 6 The EC has a total of 11 to 13 committee members. The President of AS, after consultation with AS employees, appoints 9 to 11 researchers either staff or non-staff members, as well as two legal specialists to form this committee.

The term of office for EC members is two years, with an option to extend for additional terms. When a post becomes vacant before the end of a term, a candidate will succeed the previous member in the post until the term of office expires, according to the above term stipulation. EC members are not paid salaries; however, they can be paid a reviewing fee.

Article 7 The EC members will designate a convener to organize a meeting when it is deemed to be necessary. A quorum of three fifths or

above is required for the meeting to take place. Any resolutions for a motion need to be approved by at least two thirds of the members.

When the EC is in session, persons pertaining to the issues discussed may be invited to the meeting.

Article 8 All cases reported to AS require the use of real names and need to include documented evidence. Cases that lack concrete evidence, are anonymously filed, and/or use pseudonyms, will not be accepted by AS.

All cases reported to AS will be submitted immediately to the President of AS for ratification. After being ratified by the President, written documentation describing the case, including the reported cause(s) and evidence for the incident(s), will be sent to the defendant so that he/she can present his/her plea in writing within a pre-determined time.

Cases transferred by any AS unit will be ratified by the undertaking unit (Academic Affairs Office) and directly sent to the EC for review.

Article 9 The EC will proceed to investigate the ratified case. If necessary, the case will be referred to at least two impartial, expert scholars in the relevant research fields for investigation. The EC will notify the defendant to present a verbal response to the accusations when necessary.

While the EC is investigating or reviewing a case, essential measures need to be taken to ensure the confidentiality of name, address and other personal details from which the identities of the reporting parties and the defendant could be recognized.

Article 10 When the EC reviews a case that is suspected to involve conflicts of interest, the case will be dealt in accordance with the regulations for avoiding conflicts of interest. The implementation of this regulation and procedure will be established separately.

Article 11 For all cases that are suspected to violate ethics and/or contain conflicts of interest, the EC needs to ensure the confidentiality of all documentation and of the whole reviewing process. The reviewing process needs to be completed within three months after the case is registered. If necessary, the reviewing process can be extended by three additional months.

The EC conducts investigations of part-time based joint employment cases in accordance with "The operational guidelines for AS employees for undertaking part-time based joint employment in response to technology transfers." The reviewing process needs to be completed within one month. If necessary, the reviewing process can be extended to an additional month.

Article 12 After reviewing a case that is suspected to violate ethics, the EC should reach one of the following resolutions:

(1) If the EC confirms that the defendant's behavior does violate ethical guidelines, the EC needs to clearly demonstrate the reason for its decision and give a concrete suggestion for penalizing the defendant or recommend other punishment based on the seriousness of the situation in accordance with the relevant regulations. After submitting the suggestion to the President of AS for final decision, the case will then be given to the Personnel Office for follow up. Written notification will also be sent to the reporting party, the defendant and other relevant units.

(2) If the EC confirms that the defendant's behavior does not violate ethical guidelines, the EC needs to clearly demonstrate and report its decision to the President. A written documentation of the result will be sent to the reporting party, the defendant, and other relevant units.

(3) If, as a result of the investigation, the reported case is proved to be a false charge, the EC shall propose imposing appropriate penalization or other punishment on the reporting party.

Article 13 After reviewing a case that is suspected to involve conflicts of interest, the EC should reach one of the following resolutions:

(1) If the EC confirms that the case does not involve conflicts of interest, the EC should report its decision to the President and notify the relevant parties and the unit that transferred the case.

(2) If the EC confirms that the case does violate the regulations for avoiding conflicts of interest, the EC should report its decision to the President and send documentation of the resolution to the relevant parties and the unit that transferred the case for further follow up.

Article 14 These operational guidelines and amendments are approved by the General Assembly of AS and should be enforced as of the date of their official release, after being approved by the President of AS.

(These Guidelines are drafted in both Chinese and English. If there is any inconsistency between the two, the Chinese version shall prevail.)