



UNIVERSITI
PUTRA
MALAYSIA
(RESEARCH)
RULES

2012

Rules Arrangement

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IN exercise of the power conferred by section 37(1) of the Constitution of the Universiti Putra Malaysia, the Board of Universiti Putra Malaysia made the following Rules:

PART A - PRELIMINARY

Short Title, Application and Commencement Date

1. These Rules may be cited as the Universiti Putra Malaysia (Research) Rules 2012 and shall come into force on 9 July 2012.
2. These Rules contain the University statement on matters pertaining to research involving the teachers, student or staff conducted either within or outside the University, whether with or without funds or grants from the University, or funds or grants from the third party.
3. These Rules are made for the purposes of:
 - a. enabling the University to promote research scholarship culture;
 - b. providing a framework for the development of research and innovation;
 - c. enhancing the standard in research and innovation practices, and dissemination of research findings;
 - d. creating a healthy and conducive research environment;

- e. creating the required administrative and legislative methods to facilitate activities, monitoring and recognition of research work conducted by the teachers, students or staff ;
- f. ensuring equal and fair sharing and distribution of intellectual properties that are generated through research involving other related parties; and
- g. protecting the intellectual property rights of the University and any claim on such intellectual property derived from any research.

PART B- IMPLEMENTATION AND MANAGEMENT

4. (1) These Rules shall be administered by the Office of the Deputy Vice Chancellor which is charged with the responsibility pertaining to research in the University (hereinafter referred to as the Office of the DVC).

Roles and Function of the Office of the DVC

- (a) The Office of the DVC shall ensure that the University establishes the following committees:-
- (i) Jawatankuasa Penilaian which shall have the role of evaluating and giving approval on research proposals and research feasibility conducted by the teachers, students or staff;
 - (ii) Jawatankuasa Etika Penyelidikan Universiti which shall have the role of evaluating and ensuring that the research complies with the research ethics and disciplines pertaining to human, animal and genetically modified organisms;
 - (iii) Jawatankuasa Salahlaku Penyelidikan Universiti which shall have the role of evaluating and deciding on complaints related to research misconduct;
 - (iv) Jawatankuasa Penulisan Akademik dan Penerbitan Universiti which shall have the role of evaluating and ensuring compliance to the research Rules pertaining to dissemination of the findings of research and confidentiality;

- (v) Any other committees which are deemed necessary and appropriate;

(hereinafter referred to as "The Committees")

- (b) The Office of the DVC shall formulate, coordinate, monitor and make report on the research activities of the University;
- (c) The Office of the DVC shall identify opportunities in acquiring funds or grants for the research activities of the University;
- (d) The Office of the DVC shall manage funds or grants acquired for research activities in accordance with the financial and accounting regulations of the University which is in force from time to time;
- (e) The Office of the DVC shall ensure that the Committees carry out their roles and functions as prescribed in these Rules;
- (f) The Office of the DVC shall establish respective secretariat to enable the Committees to carry out their functions;
- (g) The Office of the DVC shall ensure that the University complies with any other legal requirements related to research which are in force from time to time; and
- (h) The Office of the DVC shall ensure there is a Succession Plan for the teachers, students or staff who are involved in research activities.

Roles and Functions of the Committees

- (2) The Committees shall have the following roles and functions:-
- (a) to be responsible to the Office of the DVC which is charged with the responsibility pertaining to research in the University;
 - (b) to ensure provisions of these Rules and any procedure made by the Committees are complied with;
 - (c) to formulate procedures relating to the implementation of the responsibilities and conduct of the Committees;
 - (d) to formulate procedures relating to the feasibility and implementation of research activities;
 - (e) to ensure that the teacher, student or staff comply with any other legal requirements relating to research which are in force from time to time;
 - (f) to consider and make decision pertaining to the applications of research which are to be conducted by the teacher, student or staff; and
 - (g) to carry out any other functions as instructed by the University from time to time.

Roles and Functions of the Secretariat

- (3) The Secretariat shall have the following roles and functions:-
- (a) to be responsible to the Committees;
 - (b) to ensure the record of researches and the record of the conduct of the Committees are maintained; and
 - (c) to be the liaison between the teacher, student or staff and the Committees.

Roles of Teacher, Student and Staff

- (4) (a) Any teacher, student or staff who intend to conduct a research shall:-
- (i) obtain the approval of the Committee to conduct the respective research;
 - (ii) secure funds or research grants from the University or any other third party if financial assistance is required;
 - (iii) comply with the requirements and regulations of the University and any other third party sponsoring the funds or research grants;
 - (iv) make report relating to the progress and outcomes of research activities to the University and the sponsors of research fund or grant;

- (v) ensure that laboratory books, documents, data, samples and/or specimens are recorded and kept at a place easily accessible. Original documents, data, samples and/or specimens shall be stored and preserved in accordance with procedures determined by the Committee; and
 - (vi) enter into a contract of research with the sponsor of research fund or grant and comply with the terms and obligations contained in the said contract.
- (b) Any breach of provisions pertaining to the roles of the teacher, student or staff as mentioned in Paragraph 4.(4)(a) of these Rules may amount to research misconduct which shall be dealt with under Paragraph 9 of these Rules.

PART C - ETHICS AND DISCIPLINES IN RESEARCH

5. (1) This Part describes on how research involving human, animals, plants, environment, politics, social and other living forms may be conducted. In general, any research conducted by the teacher, student or staff shall adhere to research ethics and disciplines as determined by the University, any government within or outside the country and any third parties giving sponsorship to the respective research.
- (2) While conducting research, the teacher, student or staff shall comply with other ethics related to research including ethics and disciplines as follows:
- (a) Every research relating to human shall adhere to the following research ethics and disciplines, including:
- (i) acceding to standard ethics and procedures for research pertaining to human as prescribed by the World Health Organisation (WHO) or other bodies recognised by the University;
 - (ii) respect for human dignity;
 - (iii) obtaining written permission or consent from the research subjects;
 - (iv) minimising harm and maximising benefit to mankind; and

- (v) obtaining approval from Jawatankuasa Etika Penyelidikan Universiti or any other Committees established by the University.
- (b) Every research involving animals shall adhere to the following research ethics and disciplines, including:-
 - (i) acceding to ethical standards stipulated by the World Organisation for Animal Health (Office International des Epizooties) or any other bodies recognised by the University;
 - (ii) run or supervised by the teacher, student or competent and trained staff;
 - (iii) caring for animal welfare, which include:-
 1. minimising extreme hunger and thirst;
 2. minimising pain and injury;
 3. minimising fear and distress;
 4. allowing animals to show their natural behaviour
 - (iv) obtaining written permission for animals which are protected by law from relevant agencies;
 - (v) minimising the number of animals used for research and substituting the use of animals, if possible, with other alternatives;

- (vi) using appropriate research methods to the animals used in the research;
 - (vii) obtaining permission of Jawatankuasa Etika Penyelidikan Universiti or any other bodies recognised by the University.
- (c) Every research involving genetically modified organisms shall adhere to the following research ethics and disciplines, including:
 - (i) compliance with the Bio Safety Act 2007 or any other acts related to genetically modified organisms in force; and
 - (ii) obtaining permission of Jawatankuasa Etika Penyelidikan Universiti or any other bodies recognised by the University.
- (d) The teacher, student or staff who conduct research on politics, social and environment shall be aware and pay attention to the political, social and environmental issues that can tarnish or smear the name of the University;
- (e) The teacher, student or staff who conduct any research shall provide attention towards safety aspects which include human, animal, genetically modified organism, politics, social and the environment.

- (3) Any violation of the provisions relating to research ethics and disciplines provided in Paragraph 5 of these Rules by the teacher, student or staff may amount to misconduct in research which shall be dealt under paragraph 9 of these Rules.

PART D - DISSEMINATION OF RESEARCH OUTPUT AND CONFIDENTIALITY

6. (1) Research output of the teacher, student or staff may be disseminated for the purpose of elevating the name of the University and UPM profession apart from bringing in benefits for the community and nation through the published literature (in the form of written, printed or in electronic form) including books, journals, modules, proceedings, popular writings, seminar papers, manuscripts, posters, reports, lecture notes, learning modules or any other materials.
- (2) Although research output may be disseminated, the University shall have the right to hold dissemination of such research findings if the detention is necessary to protect the intellectual property rights of the University or to protect the national security interest.
- (3) Without prejudice to subparagraph 2 above, dissemination of research output made by the teacher, student or staff shall comply with the following terms:-

Consent on Dissemination

- (a) Research output of the teacher, student or staff may only be disseminated if it is agreed in writing by all researchers involved in the said research;

- (b) If the dissemination involves the intellectual property right of the University, the teacher, student or staff must have obtained a written consent from the University before the dissemination is made.

Authorship

- (c) Only the teacher, student or staff who writes shall be entitled to be accredited as the author and shall be fully responsible for the content of his work. To be recognised as an author, the teacher, student, and staff must have involved in at least two (2) combination of the following situations:
 - (i) becomes the contributor to the concept and framework of the research;
 - (ii) becomes the analyst and interpreter of the related research data or information; and/or
 - (iii) becomes a significant contributor to the writing or makes intellectual revision to the content of the writing.

Editor is not an Author

- (d) A teacher, student or staff who undertakes editing work of other author's manuscript shall not be recognized as an author as an editor is not responsible for the edited content of the writing.

Corresponding Author

- (e) For research output made by joint authors, all joint authors shall give consent in writing that only one author amongst themselves shall become a corresponding author that is responsible to coordinate the overall submission and revision of the manuscript.
- (f) Students shall not become a corresponding author except otherwise allowed by all joint authors. Joint authors and corresponding author shall be responsible for the content of the manuscript and any failure of the corresponding author in the coordination and revision of to co-ordinate and revise the manuscript.

University Affiliation

- (g) Any discovery or output of research to be disseminated through publication or otherwise, the teacher, student or staff shall grant affiliation to the University.
- (h) Affiliation shall be stated in all publications or otherwise by the teacher, student or staff, regardless of:-
 - (i) whether teacher, student or staff is on leave, including sabbatical leave, study leave, research leave, leave without pay, or other leave; or

- (ii) whether the teacher, student or staff is seconded, attached or exchanged in any mobility programmes to any other institutions or agencies.

Acknowledgement of Sponsors

- (i) In any discovery or output of research to be disseminated through publication or otherwise, due acknowledgment shall be given to the sponsors of the research funds or grants.

Representation to Publisher

- (j) Author who intends to publish his manuscript in any publication shall not make false or misleading representation to the publisher, including:
 - (i) listing other person as author without approval of that person;
 - (ii) listing a person who has not contributed to the research or listing a person who has not written the research manuscript as author of the manuscript;
 - (iii) not giving due acknowledgment to any person involved and given contribution to the research; and
 - (iv) submitting manuscript which contained the same content to more than one publisher without disclosing the information of the submission.

Plagiarism

- (4) (a) Teacher, student or staff shall not plagiarise any idea, writing or data belonging to another person in their writing.
- (b) Plagiarism includes the following conduct:
- (i) taking an idea, writing or data of another person and claiming that the idea, writing or data is the result of one's own finding;
 - (ii) portraying or attempt to portray that the teacher, student or staff is the original source of an idea, writing or data which has actually been taken from other source;
 - (iii) publishing, with himself as the author of a work which is wholly or partly written from the source of another person;
 - (iv) stating himself or allowing himself to be stated as the joint author of a work which he has not at all made any intellectual contribution to the work;
 - (v) quoting or copying idea, writing or data taken from other sources without citing the original source in his writing or claiming directly or indirectly that he is the founder of the idea;

- (vi) translating the writing of another person from one language to another language whether wholly or partly and subsequently representing the translation in whatever form or manner as his own original writing;
- (vii) quoting or copying ideas from the writing of another person by making certain modifications without proper citation to the original source and rearranging them in whatever way that makes him appear to be the founder of the idea.

Research Data Integrity

- (5) (a) Teacher, student or staff shall always uphold the integrity and validity of data or information of research conducted, including not:
 - (i) manipulate or alter any research data and change or fabricate any data on the research conducted; and
 - (ii) disseminate any data or information that is not generated from the research, including to create or falsify the data or information obtained.

- (b) Teacher, student or staff shall declare the overall real impact of the discovery or research output including the side effect, no matter how minimal is the impact, and shall not attempt to hide any side effect of the discovery or output of the research conducted.

Confidentiality of Research Outputs

- (6) Teacher, student or staff shall not disseminate the discovery or the research output carried out either through publication or otherwise, if:
 - (a) there is any intellectual property right which is generated or produced through the said research which is intended to be legally protected including by way of patent, trademark registration, industrial design registration, protection of trade secret until such protective steps have been duly taken by the University;
 - (b) there is any restriction on confidentiality of information related to the said research in any agreement entered into between the University and other third party or agreement between the teachers, student or staff with other third party; and

- (c) the dissemination of the discovery or the research output is not consented by all the researchers involved in the research.

Misconduct

- (7) Any violation of the provisions relating to the dissemination of research output and confidentiality provided in paragraph 6 of these Rules by the teacher, student or staff shall amount to an act of misconduct in research which shall be dealt under paragraph 9 of these Rules.

PART E - INTELLECTUAL PROPERTY RIGHT

7. (1) The right to the intellectual property generated through institutionalized research shall belong to the University. The right to the intellectual property produced or generated by the teacher, student or staff, or any other person including visitors involved in the programme of the University shall also belong to the University unless provided otherwise by these Rules or any other Rules of the University which is in force from time to time.
- (2) (a) Institutionalised research are:
- (i) research that involves the University as the main party to a research agreement;
 - (ii) research that utilizes the resources and expertise of the University in discharging the contractual obligations of the University with the other third party;
 - (iii) research that specifically utilizes fund or grant of the University;
 - (iv) research that utilizes facilities of the University and administered by the University;
 - (v) research that involves a group of teachers, students or staff for a long period of research.

- (b) A teacher, student or staff who has been charged with the responsibility or instructed or employed to undertake the contractual obligation of the University shall be deemed to have undertaken such obligation on behalf of the University.
- (c) For the avoidance of doubt, a teacher, student or staff who has obtained the permission of the University to carry out research with other third party, in which the research is not an institutionalized research, the said teacher, student or staff shall bear any liability thereof personally without involving the University.
- (d) Any intellectual property right produced or generated from the activities of institutionalized research shall belong to the University.
- (e) A teacher, student or staff who has obtained permission of the University to carry out research with other third parties, and the said teacher, student or staff utilizes resources and infrastructure facilities of the University, then any intellectual property produced or generated from the research of the said teacher, student or staff thereof shall belong to the University.

- (f) Whether the rights to the intellectual property is claimed or owned or entitled to be owned by the University for the institutionalized research or uninstitutionalized research, the University has the right to have access to and may use the information resulting from the said research for academic purposes.

Protection of the Intellectual Property Right of the University

- (3) The right to the intellectual property produced or generated from the research owned by the University shall be protected in accordance with the law related to intellectual property, which is in force from time to time, by the University, including:-
 - (a) taking appropriate measures to protect the said intellectual property by way of patent, registration of trademark, registration of industrial design, protection of trade secret or by entering into any necessary agreement for the purpose of protection of such intellectual property right.
 - (b) not disclosing any information, data and discovery related to the research owned by the University to other third parties which may be prejudicial to the measures taken to protect the intellectual property right.

- (c) claiming and/or defending through litigation any infringement of intellectual property right belonging to the University.

Ownership of Intellectual Property Right of the University

- (4) (a) All intellectual property rights in research carried out by the teacher, student or staff including patentable rights, know-how, domain name or trade secret shall belong to the University.
- (b) The intellectual property right of the University may be shared with other third party with the permission of the University and an agreement containing terms relating to the sharing of such intellectual property right shall be entered into with the third party in accordance with the Rules relating to the intellectual property right of the University.
- (c) The intellectual property right relating to copyright produced by the teacher, student or staff for a work other than journal articles and books shall belong to the University and may be assigned to the said teacher, student or staff in accordance with the Rules relating to intellectual property right of the University.

Commercialisation of Intellectual Property Right of the University

- (5) (a) Only the University may commercialize the intellectual property rights of the University.
- (b) If the intellectual property right of the University is commercialized by the University, the University may consider the distribution of the profit of such commercialization with the teachers, student or staff who are the inventor of the intellectual property according to the rates prescribed by the University from time to time.
- (c) Teacher, student or staff shall give cooperation to enable University to commercialize the intellectual property right of the University and shall enter into any instrument relating to the obligation of the teachers, student or staff for purpose of such commercialization.

Misconduct

- (6) Any violation of the provisions relating to intellectual property right provided in paragraph 7 of these Rules by any teacher, student or staff shall amount to an act of misconduct in research which shall be dealt under paragraph 9 of these Rules.

PART F - CONFLICT OF INTEREST AND ITS DISCLOSURE

8. (1) Any situation of conflict of interest which may be encountered by a teacher, student or staff while carrying out research shall be avoided to preserve the integrity and honesty in the relationship among researchers and with the University.
- (2) conflict of interest is a situation in which the teacher, student or staff gains profit or personal interest either in real or by presumption, in research activities, in which such profit or interest, influences the conduct of his official duties.
- (3) In a situation where the teacher, student or staff:-
 - (a) has any conflict of interest; or
 - (b) unsure or doubtful whether there is a conflict of interest in the activity carried out;

teacher, student or staff shall disclose the research activity together with the interest in the said research activity and refrain himself from further involvement in the research activity before the University permits it in writing.
- (4) Any conflict of interest and its disclosure shall be dealt in accordance with the Rules relating to the University's conflict of interest and disclosure.

PART G - MISCONDUCT

9. (1) An act amounting to misconduct in research under paragraph 4(4)(b), 5(3), 6(7), 7(6) and 8(5) may be taken administrative action by the University through Jawatankuasa Salahlaku Penyelidikan Universiti or may be taken disciplinary action by Jawatankuasa Tatatertib Universiti.
- (2) Any act held as misconduct under these Rules shall be the basis for denial to any claim of privilege or benefit awarded by the University on the achievement of the teacher, student or staff in research.

PART H - MISCELLANEOUS

Acceptance of Rules

10. These Rules shall be brought to the attention of every teacher, student or staff of the University. Acceptance of an offer for employment or offer for study at the University is deemed to be acceptance of these Rules by the said teacher, student or staff.

Exemption

11. The Vice Chancellor may grant exemption to the teacher, student or staff from complying with any provision of these Rules or procedures prescribed by the Committee for the interest of national security.

Provided that such exemption shall not affect any other laws in force from time to time and/or any obligation and term contained in the contract between the University and other third parties.

Indemnifying the University

12. Any teacher, student or staff who fails to comply with the provisions of these Rules and cause losses to the University, shall indemnify, reimburse and release the University from all claims, actions, losses, expenses, legal costs, damages and liabilities which are taken or claimed against or incurred by the University in relation or due to negligence, omission neglect or action of the teachers, student or staff in the research which fails to comply with these Rules.

General Advise and Assistance

13. The Office of the DVC and the centres charged with the responsibility of research may be contacted for advise and assistance on matters arising pursuant or related to these Rules.

Interpretation

14. These Rules shall be read and interpreted together with other Rules of the University which is in force from time to time.

Made 5 July 2012
[Minute of BOD Meeting 91/30]
[UPM/PPUU/100/1/1/3]

**PROF. EMERITUS TAN SRI DATO' DR. SYED
JALALUDDIN SYED SALIM**

**Chairman, Board of Directors
Universiti Putra Malaysia**

