REGULATIONS FOR PROCESSING DEVELOPMENT PROJECTS

Based on clause 15 (2) 16) and subsection 15 (3) of the Statutes of the University of Tartu, I approve the regulations for processing development projects at the University of Tartu (hereinafter the regulations).

I. General provisions

1. The regulations establish the principles and procedure of processing research and development projects and development projects in the field of studies as well as other development projects (hereinafter projects) at the University of Tartu (hereinafter the university), unless other bylaws stipulate otherwise. The rector may decide not to apply the provisions of these regulations when processing projects due to the specific character of the project if this is justified and necessary for implementing the project properly and in accordance with its purpose.

2. The rector, vice rector, area director or dean may decide to apply the regulations to a project which is funded completely from the university’s own resources (hereinafter university’s internal project).

3. The projects workflow Grandiveeb, which is the university’s central digital workflow for the purposes of the Documentary Procedure Rules, is used for project processing. The head of the structural unit which processes the project or, in case of projects processed by the Youth Academy, the director of Youth Academy can decide to process the project outside the digital workflow if it is justified and the processing complies with all requirements provided in the regulations. The appointment of the structural unit which processes the project proceeds from the tasks specified in the description of the support unit or, in the case of the Youth Academy, in the Statutes of the Youth Academy. [effective as of 17 October 2019]

4. The university initiates and executes only projects which are beneficial to the university and support the university’s core activities.

II. Definitions

5. In these regulations, terms are used as follows:

5.1. project—a set of development activities with a specified start and end date, a definable end result and budget, aimed to achieve a particular objective, involving resources outside the university. For the purposes of the regulations, a project is also a project aimed at modernising and using research equipment;
5.2. project with institutional scope—a project which receives funding in the framework of a contest and which is based on high-quality development activity and supports the achievement of the university’s long-term strategic goals;

5.3. project document—any document created in the course of a project that has specific legal consequences to the university (primarily the application, project agreement, report) and other informative documents (primarily correspondence with the funder or a project partner); [effective as of 17 October 2019]

5.4. principal investigator—an employee of the university who initiates and personally implements a project or organises its implementation at the university and is accountable to the university for duly implementing the project, reporting on the project and using project funds for their designated purpose;

5.5. coordinator—an employee of the support structure or Youth Academy who organises the processing of project documents at the university according to the requirements and tasks stipulated in these regulations;

5.6. signatory—an employee of the university who is authorised to sign a project document on behalf of the university within the limits of competence stipulated in the bylaws;

5.7. funder—a person or an institution outside the university that finances the implementation of the project. In case of a university's internal project, the stipulations regarding the funder are applied to the university's internal funder;

5.8. self-financing—monetary or monetarily measurable contribution of the university to the implementation of the project.

6. Any provisions of these regulations that concern the project agreement also apply to the confirmation letter of the financing of the project and the decision of the funder.

III. Initiating projects and processing of project documents

7. A project is initiated by its principal investigator who sends the data and confirmations specified in clauses 8 and 9 to the coordinator, unless otherwise stipulated in the regulations. [effective as of 17 October 2019]

8. At least the following information and confirmations are submitted in the application or project proposal stages:

8.1. title of the project in Estonian and in English, abstract and acronym (if available);

8.2. name and position of the principal investigator;

8.3. start and end date of the project;

8.4. name of the funder, country of operation or location, and contact information;

8.5. total amount of the project funding at the university, i.e. the amount to be received by the university;

8.6. overhead amount;
8.7. project budget in such detail as required in this stage by the funder or other bylaws of the university;
8.8. confirmation of the eligibility or ineligibility of VAT costs;
8.9. financial account holder’s confirmation of covering the self-financing, if self-financing is required for the implementation of the project;
8.10. financial account holder’s confirmation of covering costs that are ineligible pursuant to the funding conditions;
8.11. principal investigator’s confirmation of assuming responsibility for the quality of project activities, for meeting the deadlines and using the project funds for intended purposes, incl. for overheads;
8.12. confirmation given by head of the structural unit responsible for project implementation that the project application or proposal received by the head of unit for coordination may be submitted to the funder.

[effective as of 17 October 2019]

9. In addition to information provided in clause 8, the following information and confirmations regarding the project must be submitted no later than in the stage of concluding the project agreement:
9.1. detailed budget of the project;
9.2. names of project partners and their country of operation or location;
9.3. project reporting deadlines;
9.4. field, specialisation and type of activity of the project;
9.5. names and positions of project implementers;
9.6. confirmation by head of the structural unit responsible for implementing the project, ensuring the availability for use of the structural unit’s resources and infrastructure necessary for implementing the project, to the extent and amount specified in the project;
9.7. deed of assignment of intellectual property rights that are created in the course of the project to the university.

[effective as of 17 October 2019]

10. By virtue of the deed of assignment, referred to in clause 9.7, the principal investigator and other implementers of the project assign to the university the economic rights to the intellectual property they develop as a result of the project, including the right to apply for a patent or to register a utility model and to become the owner of the patent or utility model. The requirement to sign the deed of assignment does not apply to employees of the university whose employment contract includes an agreement about the assignment of economic rights. The principal investigator and other project implementers give the university the permission to exercise the intellectual property rights that cannot be assigned by law, e.g. the author’s
personal rights, at least in the scope and volume required to properly meet the requirements of the funder. [effective as of 17 October 2019]

11. The form and content of project documents shall meet the requirements established by the funder, taking into account the university’s regulations. If the funder or project partner has not established a specific format that project documents must conform to, the format should be determined in negotiations between the university and the funder and/or the university’s partner.

12. Before the university signs any project document which is legally binding to the university or is otherwise important to the university in the implementation of the project, the principal investigator must submit the document to the coordinator for approval.

13. Each project document referred to in clause 12 must be submitted electronically to the coordinator for approval with reasonable notice, but at least seven working days before the date on which the university is required to submit the document.

14. If a project document referred to in clause 12 has not been approved by the coordinator or fails to meet the requirements established in these regulations, or is submitted to the coordinator later than specified in clause 13, the signatory may refuse to sign the document.

15. Within three working days from receiving the project document, the coordinator checks whether the document conforms to these regulations and other bylaws. If the coordinator finds that the project document fails to meet the requirements established in the bylaws, including these regulations, the coordinator makes a reasoned proposal to the principal investigator to amend and/or revise the document.

16. The principal investigator must bring the project document into conformity with the proposal(s) within reasonable time, but not later than one working day before the date on which the university is required to submit the document. If the principal investigator disagrees with the proposal, they must state the reasons for disagreement in writing.

17. Negotiations with the funder or a project partner over the terms and conditions of the project are organised by the head of the structural unit in charge of the implementation of the project, or a person appointed by the head of the unit together with the principal investigator, unless the rector or vice rector of the respective field determines otherwise.

IV. Signing of project documents and the signatory

18. The rector has the right to sign project documents on behalf of the university and the vice rectors, area directors, deans and heads of structural units and other persons authorised by the rector have the right to sign within the limits of competence. A vice rector and area director may authorise another university employee to sign a project document provided the project document to be signed does not create any further obligations to the university.

19. The signatory evaluates the expediency of signing the project document which concerns the university’s joining a project or changing the terms and conditions of the university’s participation in a project, and is entitled to refuse to sign the document on the following grounds:
19.1. the reliability and reputation of a project partner or funder may damage the university’s reputation;
19.2. the project does not support the university’s principal activities or contribute to achieving the objectives set out in the university’s strategic plan;
19.3. the obligations which the university is to assume on the basis of the project document are economically harmful for the university;
19.4. the project budget does not have an allocation established by the rector to cover central indirect expenditure;
19.5. on the grounds specified in clause 13 of these regulations;
19.6. the project document counters these regulations or another bylaw;
19.7. in other cases provided in these regulations.

V. Project implementation arrangements

20. After the coordinator has assigned a code to the project’s financial account, the Finance Office opens the financial account and commences accounting for the project pursuant to the procedure established at the university.

21. The principal investigator may use the funds received for implementing the project pursuant to the procedure established at the university and in order to achieve the project’s objectives.

22. The principal investigator must prepare reports on the progress of the project by the dates and under the terms and conditions established in the project and obtain the coordinator’s approval for the reports pursuant to the procedure specified in clause 12.

23. The principal investigator prepares the project’s financial report regarding the use of the funds in the project’s financial account on the basis of data provided by the Finance Office and has the report approved by the accountant appointed by the head of finance. The Finance Office may prepare the financial report on agreement with the head of finance.

24. If the funder or the project partner does not require the submission of a final report or an instrument of delivery and receipt of the work specified in the project agreement, the principal implementer informs the coordinator electronically of the completion of the project and of the fulfilment of the obligations assumed as part of the project.

25. If the university has failed to fulfil the obligations it assumed by joining the project (the work results do not meet the conditions of the agreement, the deadlines were not met, etc.) and, as a consequence, the university receives insufficient funds, causing a cost overrun within the university, and if a need arises to resolve unexpected problems related to the funder or project partner, the head of the structural unit in charge of the implementation of the project may convene a committee, involving the principal investigator and, if necessary, the dean and the head of finance. Any proposals on how to proceed with the project are submitted in writing by the head of structural unit to the signatory.
26. Any expenses made in excess of the funds received for the project are covered from the budget of the structural unit in charge of the implementation of the project pursuant to the procedure established at the university.

27. Project documents are registered and preserved pursuant to the procedure specified in the Documentary Procedure Rules.

VI. Liability in and supervision of project implementation

28. The principal investigator assumes responsibility for the quality of project activities, for meeting the deadlines of the project and for using project funds for their designated purpose (incl. any cost overruns). The principal investigator also makes the arrangements for keeping any confidential information related to the intellectual property created in the course of the project, participates in processes associated with project auditing and in giving necessary explanations, and ensures the correctness of any documents drawn up on the basis of the project. [effective as of 17 October 2019]

29. If any difficulties occur in implementing the project, the principal investigator shall immediately inform the head of the structural unit in charge of the implementation of the project, the signatory and coordinator and, if necessary, the head of finance.

30. The head of the structural unit in charge of implementing the project is responsible for the commitments made in the confirmation referred to in clause 9.6. [effective as of 17 October 2019]

31. The coordinator is entitled to check whether the principal investigator fulfils all the obligations related to the implementation of the project and submits reports on time. The head of the structural unit in charge of the implementation of the project and the dean, as well as the vice rector of the respective field and area director, are entitled to issue mandatory instructions to the principal investigator to enforce obligations related to the implementation of the project. If the principal investigator fails to comply with the instructions on time, the head of the structural unit appoints a new principal investigator or initiates the premature termination of the project and makes any arrangements needed for fulfilling the university's obligations resulting from the termination of the project, or makes the corresponding proposals to the dean, the vice rector in charge of the relevant sphere of responsibility or area director.

VII. Specifications of processing projects with an institutional scope

32. The initiation of a project with an institutional scope in a faculty, non-faculty institution or a university consortium is decided by the council of the respective faculty, non-faculty institution or university consortium.

33. Before submitting the application of a project with an institutional scope to the funder, the rector has the right to submit it to the senate to form an opinion.

34. The university's signatory submits the project application specified in clause 33 of this chapter to the funder, considering the opinion stated in clause 33.
35. The rector may establish a more detailed regulation for processing projects with an institutional scope.

36. The head of the structural unit in charge of processing the project or, in case of projects processed by the Youth Academy, the director of the Youth Academy have the right to appoint a shorter or longer term than provided in clause 13 to submit and approve project documents if it is necessary to comply properly with the requirements provided in this chapter and the requirements of the specific application round and provided that the respective decision is immediately published on the university intranet.

VII. Projects processed in a simplified procedure [effective as of 17 October 2019]

361. Projects supporting the university’s main activities, which are not research and development or teaching development projects, and under which the grant amount receivable by the university is less than 5,000 euros (‘projects processed in a simplified procedure’) are processed pursuant to the procedure provided in this chapter. [effective as of 17 October 2019]

362. Clauses 9.2, 9.4, 9.5, 12, 13, 14, 15, 20, 22 and 24, and the first sentence of clause 31 are not applied to projects processed in a simplified procedure. [effective as of 17 October 2019]

363. For a project processed in a simplified procedure no coordinators are not assigned, and the project data and confirmations are sent to the head of structural unit responsible for implementing the project. [effective as of 17 October 2019]

364. The code of the financial account is assigned to the project by a Finance Office employee who is appointed by the head of finance. The employee has a right to refuse to assign a code of the financial account to the project if the project does not comply with the characteristics provided in clause 361 of the regulations. [effective as of 17 October 2019]

365. The principal investigator must prepare project implementation reports pursuant to the provisions on dates specified in the project processed in a simplified procedure. [effective as of 17 October 2019]

VIII. Implementing provisions

37. Documents of research and development projects initiated before 1 January 2016 which do not create additional obligations to the university are processed outside the digital workflow.

38. In case of research topics which have been assigned a targeted financing grant before these regulations come into effect, the rules and regulations in effect before the implementation of these regulations are applied until the end of the targeted financing period specified in the funding decision. The implementation reports of the research topic are approved by the council of the respective structural unit.

39. In case of projects with a research grant assigned by the Estonian Research Fund, the rules and regulations in effect before the implementation of these regulations are applied, until the end of the funding period stated in the funding decision. The implementation reports of the research topic are approved by the head of the respective structural unit.
39. Clauses 36¹–36⁵ of the regulations apply to projects initiated after 1 January 2020. [effective as of 17 October 2019]

40. I hereby repeal the Regulations for Processing Research and Development Projects approved by the Rector’s Decree of 22 December 2015.