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| Title： | Guidelines for Handling and Investigating Research Misconduct Ministry of Science and Technology Ch |
| Date： | 2019.01.19 |
| Legislative： | 1.Promulagted on November 25, 1999<br>2.Amended on April 20, 200<br>3.Amended on February 25, 2013<br>4.Amended on April 8, 2014<br>5.Amended on October 20, 2014<br>6.Amended on January 6, 2017<br>7.Amended on April 10, 2017<br>8.Amended on January 19, 2019 |
| Content： | Article 1 (Objectives)<br>The Guidelines are established by the Ministry of Science and Technology (hereinafter referred to as the "Ministry") to provide an objective and fair procedure for handling the matters pertaining to research misconduct.<br><br>Article 2 (Applicability)<br>The Guidelines are applicable to researchers who apply to the Ministry for, or obtain therefrom, any academic rewards, research projects, or other related subsidies.<br><br>Article 3 (Types of Research Misconduct of researchers)<br>Research Misconduct as defined in the Guidelines refers to any of the following behaviors of the researcher that seriously affect the Ministry’s fairness in the judgement of scientific review or resources allocation.<br>(1) Fabrication: Making up application materials, study data, or research results that do not exist;<br>(2) Falsification: Inappropriate alteration of application materials, study data, or research results;<br>(3) Plagiarism: Appropriation of other person’s application materials, study data, or research results without attributing to the source; Extensively citing the source improperly is considered plagiarism;<br>(4) Concealing the fact that parts of the contents of research are previously published results or works;<br>(5) The research result is taken into account repeatedly because it is published repeatedly without any note;<br>(6) The contents of the own works are substantially cited in a research project or paper without proper indication of the source;<br>(7) Illegal or inappropriate means is used to influence the scientific review of the paper;<br>(8) Other behaviors in violation of academic ethics that have been confirmed at the meeting of the Academic Ethics Investigation Committee of the Ministry.<br><br>Article 4 (Establishment of the Academic Ethics Investigation Committee<br>The Ministry establishes an Academic Ethics Investigation Committee to review and investigate academic ethics cases.<br><br>Article 5 (Appointment of committee members)<br>The Academic Ethics Investigation Committee has a Convener, whose role is assumed by a Deputy Minister as designated by the Minister. The Committee |

comprises 9 to 15 members. The Convener is an ex officio member, and the rest members are appointed by the Minister from among the department heads of the Ministry, representatives of the Ministry of Education, scholars or experts, and lawyers.
The Academic Ethics Investigation Committee members are not salaried positions.

Article 6 (Term Appointment)
The term appointment of Academic Ethics Investigation Committee members is for two years and may be extended.
Where the position of any member becomes vacant during the period of his/her term, a new member shall be appointed according to the previous article and resume the position of the original member to the end of his/her appointed term.

Article 7 (Convention of the meeting and resolution)
Any resolution at the Academic Ethics Investigation Committee meeting requires at least two thirds of the members present at the meeting and at least two thirds of the present members to give their approval. Where the motion of lifelong deprivation of the privilege referred to in Article 12, Section 2 is proposed, at least three fourths of the members present at the meeting must give their approval.
The Academic Ethics Investigation Committee may invite the preliminary reviewers, scholars or experts, and other relevant personnel referred to in Article 9, Section 1, to attend the Academic Ethics Investigation Committee meeting to give their comments as explanations.

Article 8 (Handling of research misconduct identified ex officio or by reporting)
The Ministry shall take the initiative to handle research misconduct cases identified ex officio. All cases reported to the Ministry require the use of real names and addresses and statements with documented evidence attached.
Cases that are filed anonymously will not be handled unless there is concrete subject and adequate evidence indicated.
The reported cases that are identified as irrelevant to the Ministry's competence shall be forwarded to related responsible agencies. Where the respondent has an application being reviewed by the Ministry, it may be handled appropriately by the Ministry together with the reported case.

Article 9 (Review methods)
All cases pertaining to the violation of academic ethics are reviewed at two stages:
(1)Preliminary review:

1.A case is first reviewed by the related academic Departments of the Ministry. Scholars and experts may be invited to attend the review when necessary. Where there is confirmed suspicion of violation of academic ethics, the respondent shall be notified and required to provide a written statement as explanation or defense to the charge within a specified timeframe.
2.A case of confirmed suspicion of violating academic ethics as a result of the preliminary review shall be submitted to the Academic Ethics Investigation Committee. The report of the preliminary review shall specify detailed evidence, investigation methods, type or types of research misconduct, and concrete suggestions for punishment or penalties.
3.Where no violation of academic ethics is identified during the preliminary review, the case is not required to be submitted to the Academic Ethics Investigation Committee, but shall be appropriately handled according to the circumstances.

(2)Panel review: Where a violation of academic ethics is confirmed as a result of the preliminary review, it should be submitted to the Academic Ethics Investigation Committee for deliberation and review.

Article 10 (Timeframe of the review)

Academic ethics cases shall be investigated within the following timeframe:
(1) Preliminary review: The investigation shall be completed within 3 months after the case is accepted. Extension is allowed if necessary.
(2) Panel review: The panel review shall be completed within 2 months after the completion of preliminary review. Extension is allowed if necessary.

Article 11 (Disposal of reporting cases not established)
Where no concrete evidence is sufficient to prove a reported violation of academic ethics, the complainant shall be informed of the investigation results in written documents. The respondent and the school or organization/institution with which the respondent is affiliated may be appropriately informed when the condition requires such action.

Article 12 (Disciplinary actions)
The Academic Ethics Investigation Committee shall review the case based on the result of the preliminary review. Where concrete evidence proves the violation of academic ethics, one or more of the following punishments may be imposed on the respondent depending on the seriousness of the research misconduct:
(1) Written warning;
(2) Suspension of the qualification of application for and execution of subsidized projects, or of application for and acceptance of awards/financial rewards for one to ten years, or lifelong deprivation of the privilege.
(3) Recovery of part or all of the subsidies, the financial rewards, scholarships, or grants.
(4) Withdrawal of all the related awards that have been granted.

Article 13 (Disclosure of information)
Where an academic ethics case is punished by the suggestion of the Academic Ethics Investigation Committee, the related information should be available to the public depending on the seriousness of the case; except for minor circumstances, publicity is the rule.
Minor circumstances mentioned above refer to the discipline to suspend the application for and the execution of a subsidized project; to apply for, and to receive an award/financial rewards within no more than two years, in accordance with disciplinary actions described in the Section (2) of Article 12.

Article 14 (Notification of the punishment)
The complainant, the respondent being punished, and the school or organization/institution with which the respondent is affiliated shall be informed of the punishment in written documents, and such school or organization/institution is required to submit explanations, reviews and improvements, and report to the Ministry with a copy pertaining to the handling of the research misconduct of the respondent being punished.

Article 15 (Nondisclosure responsibility)
The personnel who are involved in the acceptance of the complainant's reporting and participation in the investigation or review procedure shall maintain confidentiality to information that is required to be classified as confidential.
The Ministry shall take required actions to ensure nondisclosure of the real name, address, and other information that may disclose the identity of the complainant during the investigation procedure.
Where a violation of academic ethics involves public interests, the Ministry may, notwithstanding Section 1 of this Article, appropriately makes statements to the public as explanation.

Article 16 (Recusal principle for the members and preliminary review personnel)
The Academic Ethics Investigation Committee members and the preliminary review

personnel shall recuse themselves when one of the following occurs. Sections 2 to 5 do not apply to special circumstances.
(1) Any one of the circumstances referred to in Article 32 of the Administrative Procedure Act occurs;
(2) There is a co-worker relationship in the same college department, institute, division or other units;
(3) There is a teacher-student relationship pertaining to doctoral dissertations or master theses within the last three years;
(4) There is a co-author relationship pertaining to publications or research results within the last two years; or
(5) There is a co-principal investigators (co-PIs) relationship pertaining to an on-going research project at the time when the research misconduct is investigated.

Article 17 (Obligation and responsibility of the subsidized school or organization/institution)
When handling research misconduct cases, the Ministry, in addition to making a unilateral investigation or disposition, may request the school or organization/institution with which the respondent is affiliated to provide assistance in the investigation and submit the investigation results to the Ministry.
Where the school or organization/institution with which the respondent is affiliated does not cooperate in the investigation of research misconduct cases, has serious errors in management, or otherwise acts inappropriately, the Ministry may, considering the suggestion of the Academic Ethics Investigation Committee, recover or decrease part or all of the subsidies of research projects granted to the school or organization/institution within a specified timeframe.

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