Content

| | |
|---|---|
| Title： | Guidelines for Handling and Investigating Research Misconduct Ministry of Science and Technology Ch |
| Date： | 2017.01.06 |
| 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 |

Content：

Article 1 (Objectives)
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.

Article 2 (Applicability)
The Guidelines are applicable to the researchers who apply to the Ministry for or obtain therefrom any academic rewards, research projects or other related subsidies.

Article 3 (Types of Research Misconduct of researchers)
Research Misconduct as defined in the Guidelines refer to any of the following behaviors of the researcher that seriously affect the Ministry’s fairness in the judgement of the scientific review or resources allocation.
(1) Fabrication: Making up application materials, study data or research results that do not exist;
(2) Falsification: Manipulating or changing application materials, study data or research results;
(3) Plagiarism: Appropriation of other person’s application materials, study data or research results without giving their sources; Citation with an indication of the source is deemed a plagiarism if it is indicated inappropriately to a great extent;
(4) The fact that the contents of the research that are the published results or works is hidden;
(5) The research result is taken into account repeatedly because it is published repeatedly without any note;
(6) The contents of the own works are substantially cited in a research project or paper without proper indication of the source;
(7) Illegal or inappropriate means is used to influence the scientific review of the paper;
(8) Other behaviors in violation of the academic ethics that have been confirmed at the meeting of the Academic Ethics Investigation Committee.

Article 4 (Establishment of the Academic Ethics Investigation Committee
The Ministry establishes an Academic Ethics Investigation Committee to review academic ethical matters.

Article 5 (Appointment of committee members)
The Academic Ethics Investigation Committee has a Convener whose functions are 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 the Academic Ethics Investigation Committee members is for two years and may be extended.
Where the position of any member is 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 members present at the meeting to give the approval. Where approval of the lifelong deprivation of the privilege referred to in Article 12, Section 2 is involved, at least three fourths of the members present at the meeting must give their approval.
The Academic Ethics Investigation Committee may invite reviewers, scholars or experts and 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 (Research misconduct identified ex officio or by reporting)
The Ministry shall handle research misconduct cases identified ex officio. All cases reported to the Ministry require the use of real names and addresses and provided with an attachment of documented evidence.
Any cases that are filed anonymously will not be handled unless there is concrete subject or adequate evidence indicated.
The reported case that is identified as irrelevant to the Ministry will be forwarded to related responsible agencies. Where the person concerned 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 matters pertaining to violation of the academic ethics are reviewed at two stages:
(1) Preliminary review:
1. The case is reviewed by the concerned academic research department. Scholars and experts may be invited to attend the review, if needed. Where the case might be deemed a violation of the academic ethics, the person concerned shall be notified to provide a written statement as explanation or defence to the charge within a specified timeframe.
2. Where the violation of academic ethics is confirmed as a result of the preliminary review and must be submitted to the Academic Ethics Investigation Committee, the writings of the preliminary review result must contain detailed evidence, investigation methods, the type of research misconducts and concrete suggestions for punishments 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 and shall be regarded as appropriately handled.
(2) Panel review: Where a violation of academic ethics is confirmed as a result of the preliminary review, it must be submitted to the Academic Ethics Investigation Committee for review.

Article 10 (Timeframe of the review)
Violation of academic ethics shall be investigated within the following timeframe:

(1) Preliminary review: The investigation shall be completed within 3 months after the date that of acceptance. Extension is allowed if necessary.
(2) Panel review: The panel review shall be completed within 2 months after completion of the preliminary review. Extension is allowed if necessary.

Article 11 (Failed reporting of violations)
Where no concrete evidence is available to prove a reported violation of academic ethics, the person reporting the violation shall be informed of the investigation results in writing. The person concerned and the school or organization/institution to which the person belongs may be appropriately informed when the condition required.

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, the following punishment may be imposed on the person concerned depending on the seriousness of the research misconduct:
(1) Written warning;
(2) Suspension of the qualification of application for and execution of subsidy projects, or application for and receiving of financial rewards for one to ten years, or lifelong deprivation of the privilege. And recovery of part or all of the subsidies or the financial rewards that have been granted; or
(3) Recovery of part or all of the subsidies or the financial rewards that have been granted.

Article 13 (Disclosure of information)
Where the violation of academic ethics case is punished by the suggestion of the Academic Ethics Investigation Committee, the related information may be available to the public depending on the seriousness of the case.

Article 14 (Notification of the punishment)
The person reporting the violation, the person being punished and the school or organization/institution to which he/she belongs shall be informed of the punishment in writing, and such school or organization/institution is requested to submit explanations, reviews and improvements. The Ministry shall also be informed by the school or organization/institution with a copy about the handling of research misconduct of the person concerned.

Article 15 (Nondisclosure responsibility)
The personnel who accept the reporting or participate in the investigation or review procedure shall keep all information that is open to them and is required as classified to be confidential.
The Ministry shall take required actions to ensure nondisclosure of the real name and address of the reporting person or other information that may disclose his/her identity during the investigation procedure.
Where a violation of academic ethics is related to public interests, the Ministry may, notwithstanding Section 1 of this Article 14, appropriately make statement to the public as explanation.

Article 16 (Recusal principle for the members and preliminary review personnel)
The Academic Ethics Investigation Committee member 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, or other units;

(3)There is a teacher-student relationship related to any dissertations or theses over the last three years;
(4)There is a co-author relationship related to any studies or research results in the recent two years; or
(5) There is a co-principal investigators (co-PIs) relationship related to an on-going research project at the time when the research misconduct is investigated.

Article 17 (Obligations and responsibilities of the subsidized school or organization/institution)
When handling the research misconduct cases, the Ministry may ask the school or organization/institution to which the person concerned belongs to provide assistance in conducting investigation, and the Ministry shall request the school or organization/institution to provide their investigation results.
Where the school or organization/institution to which the person concerned belongs does not cooperate in the investigation of the research misconduct cases, or has serious errors in management, or otherwise acts inappropriately, the Ministry may refer to the suggestion of the Academic Ethics Investigation Committee and recover or decrease the subsidies for part of the management costs of research projects granted to the school or organization/institution within a specified timeframe.

Data Source：NSTC Laws and Regulations Retrieving System