

Document of Shenzhen Institute of Advanced Technology, Chinese Academy of Sciences

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Notice on Printing and Issuing the *Regulations of Shenzhen Institute Of Advanced Technology, Chinese Academy of Sciences on the Management of Enterprise Joint Laboratory*

All units (department) of the SIAT:

In order to strengthen the combination of production, teaching and research, promote the scientific and technological cooperation with enterprises and the transformation of achievements, and standardize the management of joint laboratories established with enterprises, the *Regulations of Shenzhen Institute of Advanced Technology, Chinese Academy of Sciences on the Management of Enterprise Joint Laboratory* are hereby formulated, which were deliberated and approved at the first Institute Administrative Affairs Meeting in 2012, and are now printed and distributed for implementation.

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Regulations of Shenzhen Institute of Advanced Technology, Chinese

Academy of Sciences on the Management of Enterprise Joint

Laboratory

Chapter 1 General

Article 1 In order to strengthen the integration of industry, academia, and research, promote scientific and technological cooperation and achievement transformation with enterprises, and further coordinate and plan the cooperation between the institute and enterprises, to strengthen the standardized management of joint laboratories established with enterprises, these Regulations are hereby formulated.

Article 2 The joint laboratory of enterprises mentioned in these Regulations refer to the joint research institutions established for the continuous development of cooperative R & D projects, which require long-term development goals and fixed investment, and individual cooperative projects are not managed as joint laboratories.

Article 3 The approval and operation management of laboratory agreements jointly established by the institute and domestic enterprises are under the unified management of the Technology Development Department.

Chapter 2 Place of Naming and Establishment of Laboratory

Article 4 Name rules of joint laboratory:

Shenzhen Institute of Advanced Technology, Chinese Academy of Sciences

×××× joint laboratory

×××××××××× company

Article 5 In principle, the joint laboratory is located in SIAT, which is a non-independent legal entity, and the sign of the joint laboratory should generally be hung at the entrance of the joint laboratory.

Where the joint laboratory needs to be established by the partner, it shall be specified in the cooperation agreement or approved by the SIAT.

Chapter III Establishment of Joint Laboratory

Article 6 According to the principles of friendly cooperation, complementary advantages and mutual benefit, the partners of the joint laboratory should be enterprises with strong R & D or production and sales strength on the basis of substantive cooperation with the institute in principle. The establishment of the joint laboratory is conducive to the construction of the institute's scientific research disciplines and the further development of the industrialization of achievements.

Article 7 Before the establishment of the joint laboratory, both parties shall sign a cooperation agreement for the establishment of the joint laboratory, which shall include: the address, name, cooperation period, input of both parties, management organization, team building and personnel training of joint laboratory and laboratory development plan, field and direction of joint research and development, nature of joint organization, personnel composition, responsibilities, rights and interests of both parties, and provisions such as attribution of results, breach of contract and arbitration.

Article 8 The term of validity of the cooperation agreement for the establishment of a joint laboratory shall not be less than three years, and the partners shall have fixed input. The investment of the partners (start-up fee, operation fee and scientific research fund) is not less than RMB 1 million per year, and the investment of the partners who have equity relationship with the institute is not less than RMB 500,000 per year.

For specific cooperation projects, a separate project cooperation agreement may be signed.

Article 9 The enterprise joint laboratory cooperation agreement shall be submitted to the deputy director in charge for review and approval after being reviewed by the institute (center), the Intellectual Property Office of the Department of Science & Technology Development and the Development Department.

All institutes (centers) in the institute have no right to sign contracts with enterprises to establish joint laboratories without the review and approval of the institute.

Article 10 Both parties are obliged to respect and maintain the reputation and rights and interests of both parties. Without the consent of both parties, neither party shall conduct any commercial activities in the name of the joint organization without authorization.

Chapter 4 Management Organization

Article 11 The highest management organization of the joint laboratory is the council, and the composition of the council and directors shall be clearly stipulated in the agreement on the establishment of the joint laboratory or in the joint laboratory management system agreed by both parties.

Article 12 The functions of the council of the joint laboratory mainly include electing the members of the council and appointing the laboratory head, reviewing the management system and annual work plan and report of the joint laboratory, guiding and supervising the operation of the joint laboratory, and making decisions on major issues arising in the operation process.

Article 13 The joint laboratory shall convene the council at least once a year to review the annual work summary and plan and other important matters. Under special circumstances, the council members may propose to convene an interim council meeting. The council chairman shall be responsible for convening the meeting and determining the agenda of the meeting.

Article 14 The enterprise joint laboratory shall implement the responsibility system of the laboratory head under the leadership of the council, and the council shall appoint the laboratory head to be responsible for the overall work of the joint laboratory.

Article 15 Important matters such as the resolution of the council of the enterprise joint laboratory, the annual work plan of the laboratory, the annual summary and the appointment of personnel shall be submitted to the competent departments of both parties for the record.

Chapter 5 Finance Management

Article 16 The funds for the joint laboratory shall be kept in separate accounts, managed centrally and earmarked for special purposes.

Article 17 The joint laboratory shall prepare a comprehensive budget for the laboratory according to the operation of the previous year and the new annual plan, which shall be implemented after unanimous approval by the council of the joint laboratory.

Article 18 After the establishment of the joint laboratory, the corresponding financial system may be formulated and submitted to the council for review and approval for implementation. Where the financial system has not been formulated before, the operation of the laboratory shall be carried out in accordance with the relevant financial management system of the SIAT.

Article 19 The financial system formulated by the laboratory can stipulate the cost, expense accounting, approval procedures and approval authority, and should follow the financial system and standards currently implemented by the SIAT, and the laboratory should strictly abide by them in the course of operation.

Article 20 The financial system of the laboratory should also clearly stipulate the definition, management and disposal of fixed assets, and the management and disposal of fixed assets and scientific research equipment invested or donated by both parties.

Chapter 6 Operation Management

Article 21 The joint laboratory, as an internal institution affiliated to the institute, does not engrave official seals.

Article 22 During the daily operation of the joint laboratory, the existing internal management system shall be implemented in accordance with the internal management system; while where there is no internal management system, it shall be implemented with reference to the relevant system of the SIAT.

When formulating the internal management system, the joint laboratory shall follow the relevant provisions of the state, provinces and municipalities and the SIAT, and shall be approved by the council of the joint laboratory before implementation.

Article 23 The process and conclusion management of scientific research projects undertaken by the joint laboratory shall be carried out in accordance with the relevant scientific research project management regulations of the SIAT.

Article 24 At the end of each year, according to the performance objectives approved by the council, the joint laboratory regularly evaluates the research level and contribution, team building and personnel training, open communication and operation management of the laboratory; the evaluation shall be carried out in accordance with the principle of "openness, fairness and impartiality".

Article 25 The Technology Development Department and the research institute where the joint laboratory is located are responsible for the annual assessment of the joint institutions established, and the unqualified ones shall be rectified or cancelled.

Article 26 After the expiration of the cooperation period of the joint laboratory, where there is still substantive cooperation, the joint laboratory cooperation agreement can be renewed after approval, and where there is no substantive cooperation, the laboratory will be cancelled.

Chapter 7 Miscellaneous

Article 27 To establish laboratories with foreign enterprises, separate management regulations shall be formulated.

Article 28 These Regulations shall be implemented on a trial basis as of the date of promulgation after being adopted by the Institute Administrative Affairs Meeting. The Technology Development Department shall be responsible for the interpretation of these Regulations.