

REGULATION OF BRIEF RESEARCH STAYS AT THE UNIVERSIDAD POLITÉCNICA DE CARTAGENA

The Governing Council, in its meeting of March 25th, 2015, pursuant to the provisions of article 34 of the Statutes, approved the present regulations (modified in session of May 6th, 2019).

FOREWORD

The Universidad Politécnica de Cartagena (UPCT), as set forth in its Statutes, must promote scientific research, technological development and innovation. In particular, it must promote collaboration/partnership with other private or public organizations, as well as the necessary coordination between the different research groups.

Thanks to different research programs and mobility programs, external research personnel from other organizations or research centers can now develop their activity at UPCT units or facilities.

In addition, the number of requests from individuals who have an interest in collaborating in the execution of R & D & I activities carried out at our University has increased in recent years.

The activities derived from the foreseen collaboration/partnership with other entities or individuals will be subject to UPCT control and will have a common regulated regime established by the Governing Council, regardless of the entity or person who performs them.

Considering this situation, it is advisable to establish a unique and specific legal regime, in order to provide legal security both to the University and to external researchers who develop a temporary activity at the UPCT without formalizing any contractual relationship. In short, there is a need to set the rules that standardize their research or support research within the university structure.

Thus, in this Regulation short research stays lasting more than two weeks are regulated.

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GENERAL DISPOSITION

Article 1. Concept.

1. According to this Regulation, Brief research stays at the Universidad Politécnica de Cartagena (UPCT) will be those carried out by people who are not civil servants, and who do not have a labor or statutory relationship with the UPCT. Also, these stay swill be aimed at carrying out research, development or transfer of technology within the UPCT premises or facilities, for a period not shorter than 2 weeks.
2. Visiting Researchers will be considered as such for the entire duration of their research stay within the host department, institute or research center.
3. In the case of researchers (both Spanish and foreign) coming from entities outside the UPCT (Universities, Institutions, Research Centers or companies), the temporary research stay at UPCT does not modify or alter their legal relationship with the entity of origin. That is, they will remain under its organization and direction, maintaining their direct dependence and being subject to its own legal regime. In these cases, the duration of the stay will be less than 12 months, and extensions may be allowed to a total of 24 months, including the initial stay.

Article 2. Prerequisites and application and authorization of temporary stays.

1. Any person wishing to develop a temporary research stay at the UPCT will need to obtain authorization from the host researcher with the approval of the Director of the unit (director of the department, institute or research center) to which that researcher is attached.
2. To obtain this authorization, the interested parties will present the request attached in Annex I in digital format, addressed to the Director of the Unit where they will be staying.
3. The future visiting researcher will be responsible for processing their visa, if necessary, and for having medical insurance and liability insurance, leaving the UPCT completely exempt from responsibilities during the research stay.
4. The Director of the Unit in which the research activity will be carried out will proceed, where appropriate, to authorize it following the form in Annex II, expressly indicating the spaces and means which, in the scope of their competence, they commit to allocate for the proper development of the research. In no case may a temporary research stay begin without such express authorization.
5. The Departments, Institutes or Research Centers will inform the Vice-Rector's Office with competence in research matters about the registration of the visiting researcher and about any modification of the stay in the shortest possible time, with the object of including them in the "Temporary Stays Registry". Such Registry will be created for this

purpose at the aforementioned Vice-Rector's Office, and it will be coordinated together with the Vice-Rector's Office with competence in Internationalization. Researchers from entities outside the UPCT will be registered as associated external researchers.

6. The request for an extension shall be sent to the Vice-Rector's Office with competence in research matters, following the form in Annex III, before the end of the previously authorized stay.

7. Breach of the UPCT operational rules by the visitor will entail revocation of the authorization of stay, and UPCT will reserve the right to cancel the issued authorization at any time.

Article 3. Obligations of Visiting Researchers.

The status of Visiting Researcher will not imply any employment relationship with the UPCT and will entail the following obligations:

- a) Know, comply with and enforce UPCT regulations and respect its facilities and heritage while developing their research.
- b) Comply with the operating standards of the Unit where they carry out their activity, adapting the organization of their work to the needs of the same.
- c) Carry out the research tasks to which they have committed in their request.
- d) Maintain the confidentiality of the information they may have received in the framework of their collaboration with UPCT researcher.
- e) In accordance with the UPCT existing regulations, in all dissemination events deriving from the associated external researcher's activity, whether articles, books, conferences or others, and dissemination of both the research activity and its results or of the products or applications derived from those results, the UPCT will be cited as the associated center of the researcher.
- f) Respect the ethical code of the UPCT: <https://transparencia.upct.es/wp-content/uploads/Folleto-Código-Ético-2014.pdf>

Article 4. Intellectual and industrial property rights.

1. The moral rights of authorship will correspond, in any case, to the authors of the works who have given rise to them, in accordance with the applicable legislation in that matter.

2. Any research result which derives from the activities carried out by the associated external researcher and which is susceptible of economic exploitation or may give rise to an application for ownership of industrial or intellectual property rights, shall be notified to the originating entity and to the UPCT.

2. The originating entity and the UPCT will agree on the most appropriate formula for the protection of the aforementioned research results, such as industrial property, industrial secret, intellectual property, etc.

4. Its protection, ownership, management and exploitation will be articulated in accordance with what is established in the agreement, which will take into account the participation in obtaining the results of both the external researcher and the UPCT's own staff, as well as the use of its facilities, as established in the current legislation.

5. The UPCT will adjust, in terms of ownership, notification, participation of benefits or management of the rights susceptible of economic exploitation, to what is provided by the internal regulations that may be applicable to them.

Article 5. Disciplinary Responsibility.

Any behavior of the associated external researcher which may mean a breach of their obligations will be reported to the originating organization so that, in their condition of employer, they make the legally correspond decisions. This behavior may also lead to the termination of the relationship with the UPCT.

Article 6. Completion of the partnership.

The following will be causes of termination of the partnership, among others:

- a) Ending of the period established in the authorization.
- b) Termination or early termination of the agreement signed between the originating entity and the UPCT.
- c) Mutual agreement between the originating entity and the UPCT.
- d) Extinction of the legal relationship of the researcher with the entity of origin.
- e) Failure by the associated external researcher to comply with what is established in the binding agreement or the obligations set forth in these Regulations.

ADDITIONAL PROVISION

Researchers from Institutes or Mixed Centers, as well as from units associated with centers belonging to CSIC, in which the UPCT may participate, will be governed by the provisions of the creation or participation agreement. For this reason, they will not be applied the prerequisites and procedures established in this Regulation, except for the aspects not regulated in the creation or participation agreement.

FINAL DISPOSITION

The present regulation will come into force the day after its publication in the Official Electronic Bulletin Board of the UPCT.

ANNEX I.

Visiting Researchers Application Form

Nombre/Name:

Dirección en país de origen/ Address (Home Country):

Teléfono (en país de origen) / Phone No. (Home Country):

Institución de origen /University of origin (Home Country):

Área de estudio/ Field of study:

E-mail:

Puesto actual / Current job position:

Titulación académica/ Higher academic degree:



5 principales aportaciones académicas y/o científicas en los últimos años/ 5 main academic and/or scientific contributions in recent years:

Tema de Investigación en la Universidad Politécnica de Cartagena/ Proposed theme(s) of research at the Universidad Politécnica de Cartagena:

Afiliación solicitada en la Universidad Politécnica de Cartagena (Nombre de Profesor/a y Departamento o Instituto)/ Affiliation to Universidad Politécnica de Cartagena (name of Professor and Dept./Institute):



Fecha de llegada / *Date of arrival (Approx.):*

Fecha de salida / *Date of departure (Approx.):*

Financiación / *Funding:*

- Estancia autofinanciada / *Self-funded*
- Ayuda concedida / *Grant or scholarship*
- Ayuda solicitada / *Pending Grant or scholarship*

Nombre de la Institución que concede la beca / *Name of the granting institution:*

¿Qué laboratorios necesita utilizar durante su estancia? / *Which UPCT labs would you need to have access to?:*

¿Cuáles serán los resultados de su investigación (publicación, libro, capítulo, etc.)? / *What will be the results (paper, book, chapter, etc.) of your visiting research?*

Fecha y firma / *Date and Signature:* _____

**ANNEX II. AUTHORIZATION OF SHORT RESEARCH STAY
AT UNIVERSIDAD POLITÉCNICA DE CARTAGENA**

| VISITOR'S DATA | |
|------------------|--|
| NAME AND SURNAME | |
| ID or PASSAPORT | |
| MOBILE PHONE | |
| EMAIL | |

| RESEARCH STAY DATA | |
|--|--|
| RESEARCHER/HOST | |
| DEPARTAMENT (DESTINATION) | |
| LABORATORIES, SPACES AND MEANS WHICH WILL BE ALLOCATED | |
| RESEARCH START DATE | |
| RESEARCH END DATE | |

LIST OF DOCUMENTS ACCOMPANYING THIS AUTHORIZATION :

- CV of the visiting researcher.
- Copy of ID/Passport.
 - Copy of proof of contracted a medical insurance or, where appropriate, European health card.
 - Copy of proof of contracted accident and civil liability insurance.

The visiting researcher accepts that their stay does not imply, in any way, employment relationship of any kind with the Universidad Politécnica de Cartagena, nor does it involve any retribution.

The visiting researcher and the host researcher declare that they know and accept the obligations set forth in the Regulations for Short Research Stays at the Universidad Politécnica de Cartagena.

| | | |
|-------------------------|---------------------|---|
| The visiting researcher | The host researcher | Approval of Director/a of Department/Institution/Center |
| Signed.:..... | Signed.:..... | Signed.: |

**ANNEX III. APPLICATION FOR EXTENSION OF SHORT RESEARCH STAY AT
 UNIVERSIDAD POLITÉCNICA DE CARTAGENA**

| VISITOR'S DATA | |
|-------------------------|--|
| NAME AND SURNAME | |
| ID or PASSAPORT | |
| MOBILE PHONE | |
| EMAIL | |

| RESEARCH STAY DATA | |
|--|--|
| RESEARCHER/HOST | |
| DEPARTAMENT (DESTINATION) | |
| NEW RESEARCH END DATE | |
| INDICATE IF THERE WILL BE ANY CHANGES REGARDING THE PREVIOUSLY GRANTED STAY AUTHORIZATION | |

| | | |
|---|---|--|
| The visiting researcher Signed.: | The host researcher Signed.: | Approval of Director/a of Department/Institution/Center Signed.: |
|---|---|--|