



Regulations on Financial Conflict of Interest in Projects Receiving Research Funds from the American National Institute of Health at the University of Zurich (Regulations NIH)

(Dated 8 May 2014, revised 9 July 2019)

The Executive Board of the University has resolved:

1. General Provisions

§ 1 Basic Principle

¹ Staff at the University of Zurich (UZH) and the University's hospitals working on projects funded by the US National Institutes of Health (NIH projects) are required to comply with the terms of these regulations. In the following, staff involved in NIH projects are called Investigators.

² Investigators may be in charge of an NIH project (UZH as main awardee), or they may be in charge of an NIH sub-project (UZH as subawardee).

§ 2 Prevailing Legal Provisions

¹ In addition to complying with UZH, cantonal, and national regulations, Investigators must observe the terms of the NIH, which are primarily set out in the NIH Grants Policy Statement.

² When conducting NIH projects, Investigators must comply with the terms of the US federal regulations on financial conflict of interest, 42 Code of Federal Regulations Part 50 Subpart F.

§ 3 Obligation to Report

When planning to apply for research funding from the NIH, Investigators at UZH and the University's hospitals must inform EU GrantsAccess in advance.

§ 3a Signatory Powers

The Vice President Research and his or her deputy are authorized to sign individually for all legal matters concerning the NIH.

2. Financial Interests

§ 4 Basic Principle

Investigators are required to disclose to the UZH all financial interests that could be termed a financial conflict of interest as defined in § 5 of these regulations. Financial interests include monetary assets and income.



§ 5 Financial Conflict of Interest

¹ A financial conflict of interest is defined as the presence of monetary assets, income, or sponsored travel expenses which are allocated to Investigators, their spouses, and their dependent children, and which are related to an NIH project's content or may affect its design, execution, and the publication of results.

² Financial interests that are created through a contractual relationship with UZH are excluded from these terms. Compensation for teaching duties and consulting services for public or non-profit organizations are also excluded from these terms.

§ 6 Tutorial on Financial Conflict of Interest

Prior to beginning a project, Investigators are required to take the web-based NIH tutorial on financial conflict of interest. Investigators are required to re-take the tutorial if they do not comply with the terms in accordance with §§ 6-7, and at least every four years. Written confirmation of participation in the tutorial must be sent to EU GrantsAccess.

§ 7 Reporting Financial Interests

¹ When concluding or renewing a contract, Investigators must use the disclosure of financial interests form (Disclosure Form) to report to EU GrantsAccess if, and which, financial interests as defined in §§ 4 and 5 apply. If financial interests arise during the course of a project, Investigators must update the Disclosure Form and send it to EU GrantsAccess within 30 days.

² The Disclosure Form is a confidential document. In the case that financial interests are reported, EU GrantsAccess may, however, present the Form to members of the Executive Board of the University and the Board of the University of Zurich as well as to staff at UZH that has been designated by the aforementioned bodies. In the case of an actual conflict of interest, the Disclosure Form may be presented to the Chief Grants Management Officer at NIH (if UZH is the main awardee) or to the university that is in charge of the project (if UZH is the subawardee).

³ The UZH office EU GrantsAccess retains the reports on financial interests (Disclosure Form) for at least three years after an NIH project has ended.

§ 8 Procedure when Reporting Financial Interests

¹ If financial interests are reported, EU GrantsAccess is required to inform the Vice President Research immediately. The Vice President then informs the Executive Board of the University. A financial conflict of interest is deemed present if the Executive Board of the University decides the objectivity of the NIH project is impaired. Within 60 days, the Vice President Research must report the financial conflict of interest to the Chief Grants Management Officer at NIH (if UZH is the main awardee) or to the university in charge of the project (if UZH is a subawardee).

² The Vice President Research instructs the Investigator concerned to settle, reduce, or remove the financial conflict of interest. Within 60 days, the Investigator must send a report on changes to the Vice President for the attention of the Executive Board of the University.



³ If the Executive Board comes to the conclusion that the financial conflict of interest has been sufficiently settled, reduced, or removed, the Vice President for Research informs the responsible offices, as described in § 8 para 1.

⁴ If the Executive Board of the University comes to the conclusion that the objectivity of the NIH projects continues to be impaired, or if the Investigator fails to submit a report, the Vice President for Research informs the responsible offices, as described in § 8 para 1. The Executive Board of the UZH will then take the necessary measures. Such measures include removing individual Investigators from a project or terminating a project.

§ 9 UZH as Main Awardee

¹ If UZH is the main awardee in an NIH project, it is responsible for ensuring that all participating universities (subawardees) comply with the terms of the US federal regulations *42 Code of Federal Regulations Part 50 Subpart F*.

² Furthermore, all participating universities are required to set out their own terms concerning financial conflict of interest, which comply with *42 Code of Federal Regulations Part 50 Subpart F*. Participating universities have the obligation to report to the UZH office EU GrantsAccess any existing financial conflict of interest in connection with an NIH project. The report must be submitted within 30 days of receiving notice of the conflict. EU GrantsAccess must then inform the Vice President Research or the Chief Grants Management Officer at NIH.

³ If a participating university has no adequate terms for NIH projects, it may adopt the UZH's terms as presented in these regulations. Participating universities have the obligation to report to EU GrantsAccess any existing financial interests in connection with an NIH project. The report must be submitted within 30 days of receiving notice of the conflict. Subsequent steps are taken in accordance with these regulations.

⁴ The participating universities use the *Subrecipient Financial Conflicts of Interest Certification Form* to confirm in writing which of the options described in § 9 para 2 and 3 apply. This form is sent to the UZH office EU GrantsAccess.

3. Entry into Force

§ 10 Entry into Force

These regulations enter into force retroactively as of 1 May 2014.

This is a translation of the original regulations in German. The translation is provided for information purposes only and has no legal bearing. Only the German document is legally binding.