

MOH HEALTH SERVICES RESEARCH COMPETITIVE RESEARCH GRANT

POLICY DOCUMENT ON OWNERSHIP & USE OF ASSETS & MATERIALS

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1 General

- 1.1 This MOH Policy Document on Ownership & Use of Assets & Materials is issued under Clause 4 of the MOH Health Services Research Competitive Research Grant Terms and Conditions.
- 1.2 The Host Institution, Investigators and all Research Personnel that have entered into an Agreement with MOH shall be bound by and comply with this Policy Document as may be in force from time to time.
- 1.3 The terms of this Policy Document are subject to amendment, revision, variation or cancellation from time to time at the absolute discretion of MOH and it is the duty of each Institution and Investigator to be updated as to its latest terms.

2 Title & Ownership

(refer to Annex A for flow diagram)

- 2.1 Subject always to any restriction imposed by law or ethics, title and ownership of the Assets and Materials shall, unless the MOH expressly directs otherwise, vest at first instance in the Host Institution.
- 2.2 Save as provided in paragraph 3, the Assets and Materials shall be used only for the Research. All Assets and Materials shall be physically located in Singapore.
- 2.3 The MOH shall, within six (6) months of the Host Institution's submission of the Final Report on the Research, have the option to require the Host Institution to transfer title and ownership of the Assets and Materials to MOH or any other person or body at no cost.

3 Request for Access & Treatment of Revenue

(refer to Annex B for flow diagram)

- 3.1 Notwithstanding any other provision of this Paragraph, the Host Institution shall without fail make the Assets accessible to the MOH or to any Singapore Government Ministry, agency or public statutory authority endorsed by the MOH ("Endorsed Public Agencies"), if the MOH gives written notice to the Host Institution (whether during the Term of the Funding and after the Term has ended) that such Assets are required for:
 - (i) national public health purposes;
 - (ii) public non-commercial purposes; or
 - (iii) for or during a national emergency or other circumstances of extreme urgency.
- 3.2 Provided always that, at the time of the MOH's written notice, the title and ownership of the Assets are vested in, or the physical or constructive possession of the Assets is still with, the Host Institution.
- 3.3 For the purposes of subparagraph 3.1 [This rule applies at all times (whether during the Term of the Funding and after the Term has ended)]:
 - (i) The Host Institution shall not charge MOH or the Endorsed Public Agencies for use of the Assets, but it shall be entitled to impose reasonable charges for the supply of

- goods, other services and utility charges connected with the use of the Assets by the MOH or the Endorsed Public Agencies (which revenue the Host Institution shall be entitled to keep or use at its own discretion); and
- (ii) The Host Institution shall deliver the Assets, or make the Assets accessible, to the MOH or the Endorsed Public Agencies within such time as may be specified in MOH's written notice.
- 3.4 At the reasonable request of MOH or any other Singapore research institute, research centre or other specialty centre, university, polytechnic (other than an Endorsed Public Agency) that receives public funds ("Approved Third Parties"), the Host Institution shall, subject to availability of the Assets (and with the Research always having priority), make the Assets accessible to the Approved Third Parties, Provided always that, at the time of the request, the title and ownership of the Assets are vested in, or the physical or constructive possession of the Assets is still with, the Host Institution. [This applies at all times (whether during the Term of the Funding and after the Term has ended).]
- 3.5 For the purposes of paragraph 3.3:
- (i) The Host Institution shall not charge Approved Third Parties for use of the Assets if the Approved Third Parties intend to use the Assets *for research*, but it shall be entitled to impose reasonable charges for the supply of goods, other services and utility charges connected with the use of the Assets by the Approved Third Parties (which revenue the Host Institution shall be entitled to keep or use at its own discretion). [This rule applies at all times (whether during the Term of the Funding and after the Term has ended)];
- (ii) The Host Institution may, with the MOH's prior written approval, impose reasonable charges for the Approved Third Parties' use of the Assets if the Approved Third Parties intend to use the Assets *for purposes other than research*. Revenue from such charges shall, if the MOH expressly elects, be remitted to the MOH; otherwise the revenue shall as far as is reasonably practicable, be used to fund the Research or to promote, support or further other medical research undertaken at the Host Institution. The Host Institution shall be entitled to impose reasonable charges for the supply of goods, other services and utility charges connected with the use of the Assets by the Approved Third Parties (which revenue the Host Institution shall be entitled to keep or use at its own discretion). [This rule applies at all times (whether during the Term of the Funding and after the Term has ended).]
- 3.6 The Host Institution may, subject to availability of the Assets (and with the Research always having priority), allow parties (including its own staff or employees) other than the MOH, Endorsed Public Agencies or Approved Third Parties ("External Parties") to use the Assets, whether for research purposes or otherwise. [This applies at all times (whether during the Term of the Funding and after the Term has ended).]
- 3.7 For the purposes of paragraph 3.5:
- (i) The Host Institution shall impose charges on External Parties for use of the Assets (at least on a cost-recovery basis) and keep MOH informed of such arrangement, regardless of the nature of the intended usage, unless MOH's prior written approval is given for charges to be waived or for nominal charges to be levied. Revenue from such charges shall, if the MOH expressly elects, be remitted to the MOH; otherwise the revenue shall as far as is reasonably practicable, be used to fund the Research or to promote, support or further other medical research undertaken at the Host Institution. The Host Institution shall always be entitled to impose reasonable charges for the supply of goods, other services and utility charges

connected with the use of the Assets by the External Parties (which revenue the Host Institution shall be entitled to keep or use at its own discretion). [This rule applies during the Term of the Funding only.];

- (ii) After the Term of Funding has ended, the Host Institution has the discretion whether to impose any charges, and if so, what charges to impose, on External Parties for use of the Assets, unless the MOH expressly directs otherwise. This is without prejudice to the Host Institution's entitlement to impose reasonable charges for the supply of goods, other services and utility charges connected with the use of the Assets by the External Parties. The Host Institution is entitled to keep or use, in its own discretion, any revenue received under this rule (which applies only after the Term of the Funding has ended).

4 Records of Revenue Generated from Assets

- 4.1 The Host Institution must keep and maintain a full, comprehensive and updated set of statements, accounts and records documenting the gross revenue, received by the Host Institution, whether directly or indirectly, as a result of any use to which the Assets are put (other than in respect of the Research). MOH may at anytime request for reports on such revenue and appoint Auditors to perform an audit to ensure its accuracy.

5 Transfer and / or Sale of Assets

(refer to Annex C for flow diagram)

- 5.1 MOH's written approval must be sought one (1) month before any transfer or sale of Assets can be effected, if
 - (i) The Research is still on-going; or
 - (ii) The Asset's purchase price is more than \$100,000 and the age of the Asset (in terms of the number of years that the Host Institution has owned the Asset) is no more than 5 years of age.
- 5.2 In seeking MOH's approval under subparagraph 5.1, the Host Institution's Research Director's written endorsement must be attached.
- 5.3 The Host Institution must keep proper records pertaining to any sale proceeds derived from the sale of Assets. MOH may at anytime request for reports on such revenue and appoint Auditors to perform an audit to ensure its accuracy. In addition, the transfer or sale of Assets should adhere to the Host Institution's Assets policies.
- 5.4 MOH reserves the right to determine on how the revenue referred to in paragraph 5.3 shall be utilized; it may, for instance, elect that the revenue be remitted to MOH; otherwise the revenue shall, as far as is reasonably possible, be used by the Host Institution to fund the Research or to promote, support or further medical research conducted by it.

6 Record Keeping of Assets and Materials

- 6.1 The Host Institution is required to keep proper and updated records of the Assets and Materials purchased using MOH Funds, in its accounts and at the physical location. The Assets and Materials must be properly tagged in accordance with the Assets &

Materials policy of the Host Institution.

- 6.2 The Host Institution is required to provide MOH a listing of Assets and Materials purchased during the year, costing more than \$100,000, at the end of each Financial Year.
- 6.3 MOH may from time to time appoint Auditors or an independent Third Party to inspect and verify the existence of the Assets and Materials.

7 Write-off of Assets and Materials

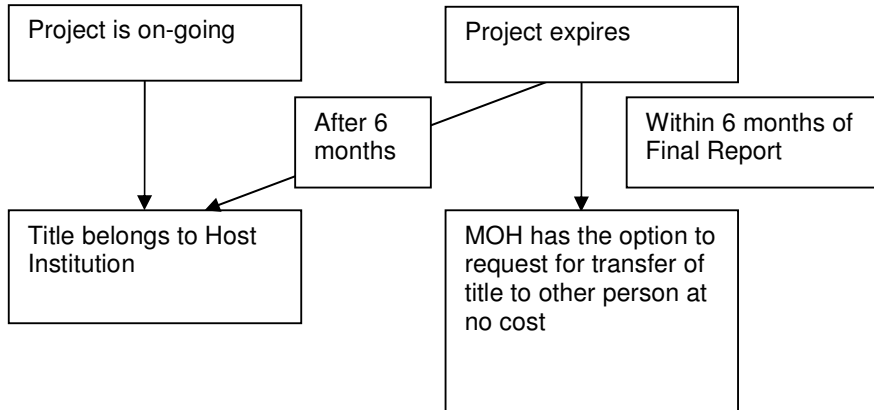
(refer to Annex D for flow diagram)

- 7.1 The Host Institution shall follow its own policy or regulations for the write-off of Assets and Materials purchased using the Funds.
- 7.2 The Host Institution is required to inform MOH of any impending write-off of Assets and Materials no later than two (2) months before the date of the write-off, if
 - (i) The Research is still on-going; or
 - (ii) The Asset's purchase price is more than \$100,000 and no more than 5 years of age.
- 7.3 The MOH may, within one (1) month of being notified under subparagraph 7.2, prohibit the write-off or direct the transfer of the Assets or Materials to another person or body.
- 7.4 The written approval of the Research Director of the Host Institution must accompany any information submitted to the MOH under subparagraph 7.2.

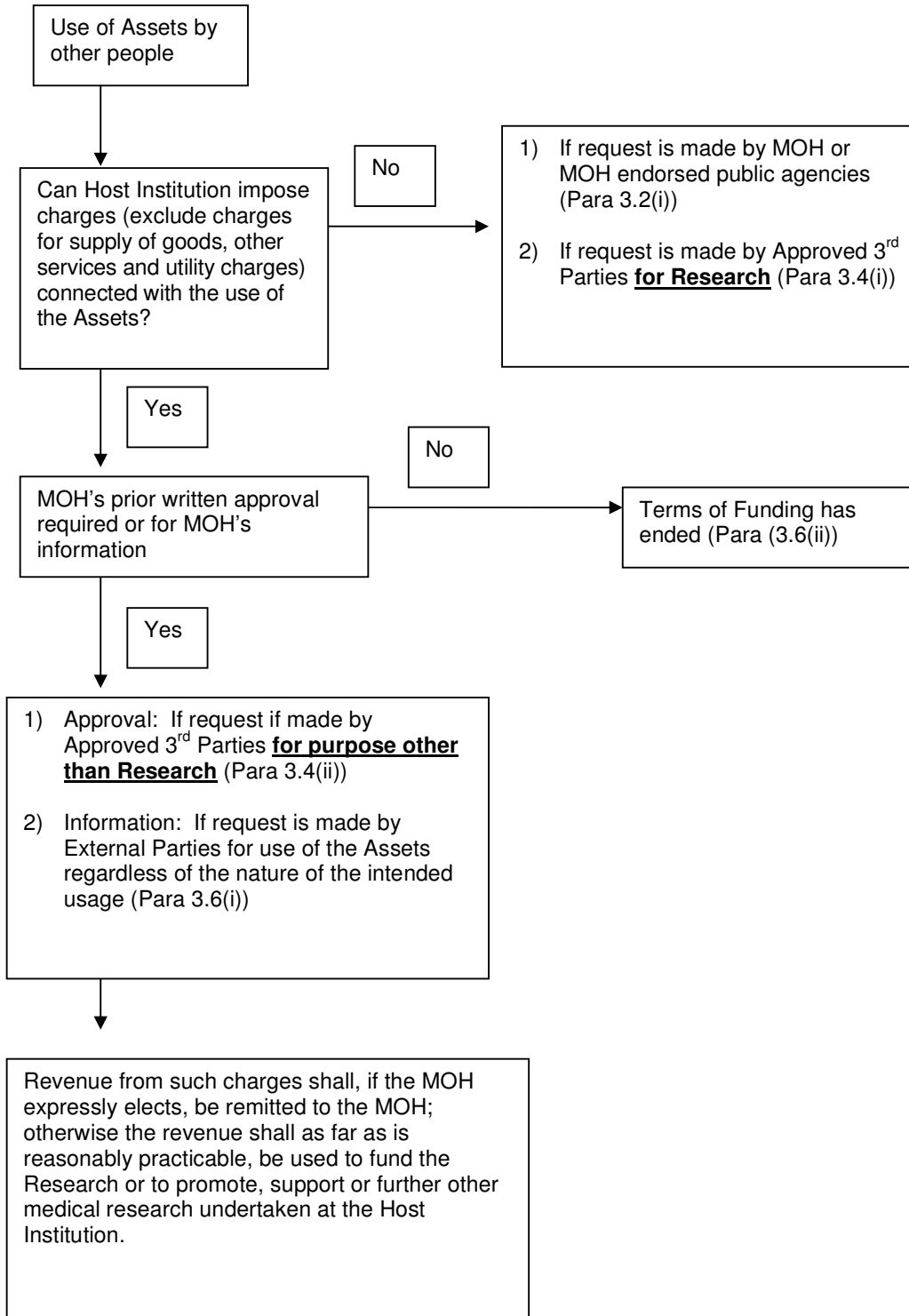
8 Survival

- 8.1 This Policy Document shall survive the expiry or termination of the Agreement.

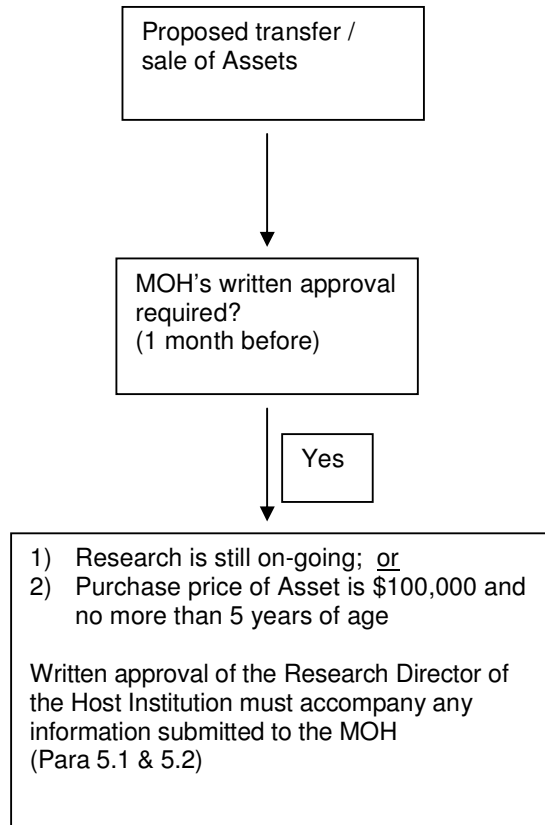
Annex A: Title & Ownership (Para 2.3)



Annex B: Request for Access & Treatment of Revenue



Annex C: Transfer and / or Sale of Assets



Annex D: Write-off of Assets and Materials

