

UNIVERSITY OF KWAZULU- NATAL



**PROCESSING AND REQUIREMENTS FOR
RESEARCH RELATED CONTRACTS**

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PURPOSE



- Have a working understanding of the process involved in dealing with research related contracts
- What are the requirements for the processing of research related contracts

OVERVIEW



- Legal personality -UKZN- juristic person established in terms of the Higher Education Act
- In terms of the Act- establish its own statute
- University Council
- Citation of the University: *'University of KwaZulu-Natal, a public higher education institution established in terms of the Higher Education Act 101 of 1997, as amended'*
- No eg UKZN-CHEMISTRY CENTRE

OVERVIEW



- Research Institutes, Research Centres, or Research Units established in terms of Research Policy IV: Institutes, Centres and Units
- Research Institutes: separate legal entity – association with the University-formal agreement
- Research Centre- within the University, responsible for raising its own funds
- Research Unit-a formal grouping

PRE CONTRACT STAGE



- Application: Research Office- IRMANET and Legal Services Manual Index
- Instruction to Legal Services must be clear
- Research focus areas- can be accessed from the research office website
- Online submission of funding application
- Funders requirements

PRE CONTRACT STAGE



- Letters of support
- Tender documents
- Requirements for registration eg: National Institutes of Health-Central Contractor Registration
- Local databases for accreditation as a service provider in the field

AWARD STAGE



- Notification that your application has been successful-award letter
- Amend proposals etc e.g, notification came in late, adjust your deliverable dates, start dates etc
- Any issues from reviewers that they require to be amended or addressed before a contract is issued
- Request a draft contract-preferably in word format

CONTRACT STAGE



- Submission done online-contracts management system
- Upload documents
- Documents required: draft contract or request to draft, proposal, scope of work etc
- Other party company documentation:-
 - ◇ certificate of Incorporation;
 - ◇ current BBEE certificate;
 - ◇ current & valid Tax clearance certificate and VAT certificate;
 - ◇ proof of banking account;

CONTRACT STAGE



- Different types of contracts-you need to know when to use the other. E.g:
- Memorandum of agreement
- Memorandum of understanding
- Project agreement
- Confidentiality agreement

REVIEW PROCESS



- Three way process involving three UKZN offices/sections



SIGNATURE STAGE



- Council authorised officials
- For research monetary limitations apply: less than R1million: University Dean of Research, currently post vacant
- Over R1million the Deputy Vice-Chancellor: Research, including intellectual property related agreements
- In their absence, the Registrar or other authorised official

POST SIGNATURE STAGE



- Original archive
- Copies to the Principal Investigator etc
- Original to the funder

POST CONTRACT STAGE



- Undertake the work in terms of the agreed scope of work and terms and conditions of the signed agreement
- Deliverables- ensure timely submission
- Changes should be discussed before hand
- Permission required from the funder
- Record keeping of minutes/workshops
- Record retention of data/materials etc

CONCLUSION



- Closure and discussion of issues of concern, clarity etc

THE END