

Guideline for the Application and Implementation of Third-Party Funded Projects at TUD Dresden University of Technology (Third-Party Funding Guideline)

The legal basis for third-party funding at TU Dresden is § 25 and § 26 of the German Higher Education Framework Act (*Hochschulrahmengesetz* - HRG) in the version of January 19, 1999, last amended by Article 1 of the Act from November 15, 2019 (BGBl I p. 1622) and § 47 of the Saxon Higher Education Act (*Sächsisches Hochschulgesetz* - SächsHSG), last amended by Article 2 of the Act from January 31, 2024 (SächsGVBl. p. 83) as well as the Act on Third-Party Funding (*Drittmittelverordnung* - DrittMVO) of November 18, 2024 (SächsGVBl. 2023 p. 952).

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1. Definition of terms

These guideline define **third-party funding** as funds that are raised from public or private bodies in addition to the regular university budget (basic funding in accordance with § 12 para. 6 SächsHSG) in order to fulfill the university's tasks in accordance with § 5 of the Saxon Higher Education Act (SächsHSG) Third-party funding refers to monetary, material, or other services provided to universities for the fulfillment of their tasks in accordance with § 5 SächsHSG as public third-party funding or private third-party funding.

Third-party funded projects are carried out by members of the University as part of their official duties and are not, or are only partially, funded by the university's budget. Instead, they are funded by contributions from third parties. In agreed individual cases, associate members of the university may also carry out third-party funded projects in accordance with § 50 SächsHSG. According to the Saxon Ordinance on Secondary Activities (SächsNTVO), research projects financed by third-party funds do not include projects that are carried out as secondary employment activities.

Third-party funding bodies can be public or private institutions or persons, e.g. ministries, funding organizations, foundations or companies. Funding from the ministry responsible for the university and institutional funding from the state or federal government are not considered third-party funding within the meaning of these regulations.

The definition of third-party funding in the higher education finance statistics of the Federal Statistical Office, as amended, remains unaffected.

These guideline define the **project management or project manager** as the person(s) who are designated as such in the third-party funding announcement. Their role is also confirmed by the signatures of the Director of the Institute or the Head of the Organizational Unit and the Dean, or, if applicable, the Chairperson for the School or the Head of the Central Unit. Members of the university and, in individual cases, associate members of the university can be appointed as project managers.

2 Announcing and applying for third-party funded projects

In accordance with § 3 para. 1 and 2 DrittMVO, the project managers must notify the responsible Central University Administration organizational unit appointed by the University Executive Board of any applications and offers for the provision of third-party funding as well as their intention to accept such funding in good time. Applications or offers for the provision of funds must be submitted to the above responsible units (see also § 25 para. 3 German Higher Education

Framework Act [HRG], § 47 para. 2 SächsHSG).

All third-party funded projects to be carried out at TU Dresden must be reported by the project manager via the Head of the Organizational Unit and the Dean, or, if applicable, the Chairperson of the School or Director of the Central Unit to the responsible Directorate in Central University Administration by submission of an application, draft proposal or offer using the form [“Announcement of a third-party funded project.”](#)

With their signature on the third-party funding announcement, the Heads of Organizational Units as well as Deans and, if applicable, Chairpersons for the School or Directors of Central Units, verify and confirm that there are no concerns regarding the fulfillment of other duties, the rights and obligations of other persons, or the use of personnel and other resources, including follow-up costs of Chairs or Faculties/Central Unitsⁱ.

The use of additional TU Dresden rooms and facilities for third-party funded projects requires the approval of Directorate 4 Facility Management prior to submission of the announcement form (i.e. in the preliminary clarification stage). The project management must inform Directorate 4 Facility Management in good time to enable better planning. Directorate 4 Facility Management must also be contacted in advance if measures arise from third-party funded projects that must be registered with the *Sächsisches Immobilien- und Baumanagement (SIB)* or if there are requirements for structural changes and value retention measures.

According to § 47 SächsHSG, the University Executive Board may only prohibit or restrict the acceptance of funds from third parties and the use of personnel, material, equipment, rights and facilities of the university if the resulting consequential costs cannot be reasonably taken into account. This applies in particular if there is a risk of breaching legal provisions, if the fulfillment of other tasks of the university or the rights and obligations of third parties are affected, if there is a lack of financing or consideration of follow-up costs (see § 3 para. 4 DrittmVO) or if other reasons relating to budgetary law, public procurement law, subsidy law or compliance speak against it. The acceptance of third-party funding must be refused in accordance with § 3 para. 3 DrittmVO if acceptance is likely to undermine confidence in the appropriateness of official actions.

Special regulations for the Carl Gustav Carus Faculty of Medicine (MFD)

For third-party funded projects carried out at the MFD, the project managers submit the [Announcement of a research project](#) to the Department of External Funding Management using the electronic third-party funding announcement for further processing and to obtain the signature by the authorized persons. In addition, it is necessary to check whether the follow-up costs have been adequately taken into account. See [Procedural Guidelines for Third-Party Funding Announcements](#)

2.1 Duties and declarations of the project manager

By announcing their intention to accept third-party funds, the project manager personally undertakes to provide the services for which the funds were granted and to fulfill the associated obligations (see § 3 para. 2 DrittmVO). In the notification of third-party funding, the project manager makes a declaration that includes in particular information on the use of the third-party funding, the draft contract for the third-party funding assignment, the type and scope of involvement in recruitment and procurement processes, any relationships with the third-party funding body and an assurance that no other ancillary agreements have been made and that all agreed content is included in the documents submitted (see § 3 para. 2 DrittmVO).

The project manager is personally responsible for the contractual fulfillment of all services and reporting obligations arising from third-party funded projects. They are liable for damages caused by intentional malfeasance or gross negligence in the course of applying for, conducting, concluding and possibly transferring the results of a third-party funded project.

The project manager undertakes to observe the restrictions and licensing obligations in foreign trade and commerce ([RS 2/2024](#)).

The project manager agrees to use the funds for the purpose specified by the funding body and to enable the funds to be managed in accordance with the respective conditions of the funding body, provided that this does not conflict with legal provisions, while also complying with the internal regulations of TU Dresden.

For all projects in which working hours are billed to third parties, in particular as part of funding programs, complete, project-related, timely and verifiable time recording must be carried out in accordance with the relevant funding requirements and labor law provisions. The project management must ensure compliance with these requirements without delay and regularly review that they are properly implemented. False statements or manipulations in time recording may constitute subsidy fraud pursuant to § 264 of the German Criminal Code (StGB) and may result in criminal, civil and disciplinary consequences. Moreover, violations can lead to repayment claims by the funding bodies.

Use of existing research results

If existing research results from TU Dresden, in particular those relevant to copyright law (e.g. patents, software, animal models, materials) or results hitherto kept confidential, known as background IP, are required for the implementation of the project or if the subsequent use of the potential project results depends on these, the project manager is obliged to contact TUD|excite before announcing their intention to accept third-party funding. TUD|excite will check whether this background IP can be used without restriction for the project and whether agreements with potential project partners may need to be made. In addition, TUD|excite ensures that the background IP remains legally usable for the duration of the project.

Safeguarding and verifying rights to results

If the funding body requests

- intellectual property protection of copyrightable results (e.g. by means of patent applications),
- the provision or transfer of copyrightable results or the granting or provision of an exclusive or non-exclusive right to use the results and/or
- compliance with confidentiality regulations,

the project manager agrees to take appropriate measures to ensure that these obligations are met and to inform all persons involved in the project accordingly and, if necessary, to make a written declaration confirming their compliance with these measures – including the project manager.

A separate obligation for individuals is particularly necessary if the respective contributor

- is not an employee of TU Dresden and the contracts concluded with them (for example, scholarship contract, remuneration agreement or work contract) do not contain any or do not contain sufficient provisions on confidentiality and the transfer of rights to results to TU Dresden or such contracts do not exist (for example, for students in the context of internships or theses),

- is an employee and unable to identify the information as confidential (due to a lack of labeling or because the group of persons having this knowledge is strictly limited)
- is an employee and involved in the project as part of their own independent scientific work (e.g. doctoral project).

University employees involved in the project must also be obliged in writing by the project manager to waive their rights to not publish in accordance with § 42 no. 2 of the German Employee Inventions Act (ArbNErfG). The same applies to the project management.

If the funding is approved under public law, the aforementioned obligations are generally imposed through ancillary provisions to the approval notice (e.g. NABF of BMBF). The project managers must adhere to these.

Irrespective of the requirements of the funding body, the project manager should check whether the persons involved in the project should make a corresponding commitment so that the project results can be used comprehensively and as effectively as possible in the interests of TU Dresden.

For the subsequent use of the results in the interests of TU Dresden, suitable regulations may also have to be made with project partners that deviate from the standard cooperation agreements, e.g. if a spin-off should be made possible. TUD|excite advises on the drafting of these regulations.

TUD|excite provides templates for the drafting of any necessary declarations of commitment by those working on the project and advises on their implementation. Together with those individuals working on the project, TUD|excite is responsible for fulfilling the requirements for securing and transferring patentable results.

In the case of publicly funded research projects, especially in the field of science and technology, the project manager is also obliged to include in the project calculation an appropriate amount of funds for securing the results under copyright law (e.g. patent application), if the funding conditions allow this. This is especially true if the terms of the funding require such copyright protection, or if existing copyrights or copyrights in the process of being filed are the basis for the project and are therefore included in the project as background IP. TUD|excite advises on the appropriate amount of such expenses in the individual case.

By announcing their intention to accept third-party funds, the project manager also confirms that they have checked whether any existing third-party intellectual property rights (e.g. patents, copyrights) prevent the implementation of the project applied for or the use of expected results. If this is the case, the project manager must take appropriate measures – either by adapting the project content so that it no longer infringes the rights of others, or by entering into agreements with the rights holders regarding the use of these rights. TUD|excite advises project managers on these measures.

In addition, it is recommended to establish monitoring of any new copyright laws that may conflict with the later use of the results during the project and to include corresponding funds for this in the project calculation. The TUD|excite [Patent Information Center](#) of TU Dresden can be used for initial and supplementary research. TU Dresden provides financial support with a central fund for intellectual property rights research especially for initial research (see [Circular Letter D 5/4/2003](#)).

2.2 Announcing and applying for third-party funded projects with public funding bodies and foundations (outside the EU)

The [Announcement of a third-party funded project](#) form must be submitted to Directorate 5 Research, Unit 5.1 Research Promotion, for applications for third-party funded projects with public funding bodies and foundations (outside the EU). The third-party funding announcement must be submitted at the time of application or draft proposal together with the funding application signed

by the project manager to Unit 5.1 Research Promotion for further processing and, if necessary, to obtain a legally binding signature for TU Dresden.

It is advisable to contact the responsible employees at Unit 5.1 Research Promotion at the beginning of the planning process and you are obliged to always contact them before submitting an application. They provide researchers with advice and information on funding opportunities as well as comprehensive support in planning and preparing project applications. Unit 5.1 Research Promotion is also responsible for reviewing and negotiating contracts for research projects.

In addition, scientists can apply for financial support from the [research pool](#) via Unit 5.1 Research Promotion. In order to provide monetary support for the preparation of proposals and the initiation of projects, funds from the centralized shares of program lump sums from DFG-funded and BMBF-funded projects are made available in the research pool. For more on the regulations and application opportunities in the research pool, see [Notice from the Vice-Rector Research 1/2020](#).

Legally binding signatures on applications and contracts are made exclusively by the Chancellor or by persons authorized accordingly in Directorate 5 Research. For public funding bodies outside the EU, the Head of Directorate 5 Research and the Head of Unit 5.1 Research Promotion are authorized signatories.

Please allow four working days for the formal review of the application documents and obtaining the signatures. Significantly more time may be required for the timely review or preparation of contracts (such as cooperation agreements, non-disclosure agreements, etc.), so it is essential to contact Unit 5.1 – Research Promotion at least two weeks before the deadline.

For large collaborative projects, such as structured DFG programs, TU Dresden has established coordinated and reliable procedural rules ([Notice from the Vice-Rector Research 1/2011](#)) that guarantee smooth workflows and early arrangements within the university for all parties. Unit 5.1 – Research Promotion also provides competent information and support in this area.

When applying for third-party funding from the US Public Health Service Agencies (such as the National Institutes of Health [NIH] and the US National Science Foundation [NSF]), applicants must also take into account the [NIH/FCOI Policy of TU Dresden](#) ([Notice from the Vice-Rector Research 3/2023](#)) and contact Unit 5.1 – Research Promotion in good time before submitting their application.

Special regulations for the Carl Gustav Carus Faculty of Medicine (MFD)

The project managers submit the [Announcement of a research project](#) to the Department of External Funding Management using the electronic third-party funding announcement for further processing and to obtain the signature by the authorized persons.

For large collaborative projects, such as DFG structured programs, project proposals are announced to the MFD's Research and International Affairs department and follow established [procedural rules](#). The Research and International Affairs department provides support in the search for appropriate funding programs, the application process, and the successful completion of the project.

In addition, the organizational unit must check and confirm that follow-up costs have been adequately taken into account. If this is a publicly funded large-scale research project, a project application must be submitted to the Research and International Affairs department. See [Procedural Guidelines for Third-Party Funding Announcements](#) The MFD does not participate in TU Dresden's internal research pool.

When applying for third-party funding from the US Public Health Service Agencies (such as the National Institutes of Health [NIH] and the US National Science Foundation [NSF]), applicants must also take into account the NIH/FCOI Policy of TU Dresden (Notice from the Vice-Rector Research 3/2023) and contact the Research and International Affairs department in good time before submitting their application.

2.3 Applying for EU-funded projects

At TU Dresden, you need to apply for EU-funded projects in close coordination with Directorate 5 Research, Unit 5.2 European Project Center (EPC). So, please contact them as early as possibleⁱⁱ. Applicants work with a responsible contact person in the EPC. Please use the [“Announcement of a third-party funded project”](#) form to notify Unit 5.2 European Project Center.

In addition to consulting and application support, the EPC's range of services also includes contract negotiation and conclusion, compliance with and monitoring of applicable rules and regulations, ongoing project schedule and budget monitoring, financial reporting, project completion, and ongoing communication with third-party funding bodies and project partners.

TU Dresden has binding procedural rules for the various EU funding programs ([Notice from the Vice-Rector Research 2/2023](#)). As part of [TU Dresden's internal incentive system](#) for EU funding, portions of the centralized share of overheads and overhead lump sums from EU-funded projects are used to prepare new applications for EU funding and to provide targeted support for projects in special programs without overheads, even during the project period. [Notice from the Vice-Rector Research 1/2020](#) provides detailed information on the conditions, regulations and application options.

Authorization of EU project applications or funding applications is only possible with the legally binding signature of the Chancellor of TU Dresden or by authorized persons in Directorate 5 Research. The Head of Directorate 5 Research as well as the Head of Unit and Group Leaders of Unit 5.2 European Project Center are authorized signatories.

When scheduling, please note that a processing time of four working days is to be expected for each application before it will be authorized (usually via Letter of Intent/Interest [LoI], Letter of Endorsement/Engagement [LoE], Partnership Statement, Applicant Declaration, Mandate, Legal Entity Sheet, Financial Identification Sheet, etc.) in order to review the application, especially with regard to the budget and own contributions. Early involvement of the EPC in the preparation of the application usually leads to a reduction in the processing time required for authorization.

As the Central Unit for all universities in Saxony, ZEUSS – EU Service Saxony has its own Participant Identification Code with the European Commission. ZEUSS operates independently of TUD Dresden University of Technology with regard to the acquisition of (EU) projects and is therefore exempt from the regulations under 2.3.

Special regulations for the Carl Gustav Carus Faculty of Medicine (MFD):

At the MFD, the [Announcement of a research project](#) is submitted in the Department of External Funding Management using the electronic third-party funding announcement. The specifications for the announcement are identical to those for all other projects (see 2 and 2.2). Department of External Funding Management confirms that a third-party funding announcement has been submitted to Directorate 5 Research, Unit 5.2 European Project Center. The MFD does not participate in TU Dresden's internal research Incentive System.

2.4 Announcing and applying for third-party funded projects from the German Academic Exchange Service (DAAD)

At TU Dresden, you need to apply for DAAD-funded projects in coordination with the Directorate 8 Student Affairs and Continuing Education, Unit 8.3 International Office, so please contact them as early as possible. Please use the [Announcement of a third-party funded project](#) form to notify Unit 8.3 International Office.

Unit 8.3 International Office will advise you on suitable programs and support you in preparing the application, in particular by checking the formal requirements and the financial planning.

For more in-depth advice on the individual DAAD programs, we recommend contacting the DAAD program managers. Unit 8.3 International Office can provide the relevant contacts.

Letters of recommendation (where required), grant agreements and expenditure statements are authorized exclusively by the legally binding signature of the Chancellor or persons authorized accordingly.

When scheduling, please note that a processing time of four working days is to be expected for each application before it will be authorized (usually when submitting letters of recommendation from the university) in order to review the application, especially with regard to the budget and own contributions. Early involvement of Unit 8.3 International Office in the preparation of the application usually leads to a reduction in the processing time required for authorization. If own contributions must be made, you need to obtain the approval of the faculty or, if applicable, the School or the Central Unit by having the Dean or, if applicable, the Chairperson for the School or the Director of the Central Academic Unit co-sign the letter of recommendation or the project application before submitting the application.

Special regulations for the Carl Gustav Carus Faculty of Medicine (MFD):

For third-party funded projects carried out at the MFD, the project managers submit the [Announcement of a research project](#) to the Department of External Funding Management using the electronic third-party funding announcement. The Research and International Affairs department will advise you on suitable programs and support you in preparing the application, in particular by checking the formal requirements and the financial planning. For more in-depth advice on the individual DAAD programs, we recommend contacting the DAAD program managers.

Letters of recommendation (where required) are authorized (legally binding signature) exclusively by the Chancellor or persons authorized accordingly.

2.5 Announcing and initiating commercial projects (contract research, research services and other economic activities)

At TU Dresden, contracts for economic projects are initiated in coordination with Directorate 1 Budget and Purchases, Unit 1.3 Administration of External Funding, Contract Research/Research Services Group.

The clients of economic projects may include companies, but also persons under public law (e.g. ministries and their subordinate authorities). Economic projects are characterized by the conclusion of a contract with an exchange of services (i.e. receipt of services by the client) or the acceptance of an offer from TU Dresden by the client.

As early as the beginning of negotiations or the preparation of an offer with the client or prior to participating in tenders, but in any case before concluding a contract, you must contact the

responsible staff members in Unit 1.3 Administration of External Funding, Contract Research/Research Services Group. They will provide researchers with advice and information on tender design, contract design, support in contract negotiations and with the calculation of economic projects.

For processing, please submit the [Announcement of a third-party funded project](#) form, the contract documents and the [Calculation of externally funded projects and activities](#) to Unit 1.3 Administration of External Funding, Contract Research/Research Services Group. Unit 1.3 Administration of External Funding provides [offer and contract templates](#).

The price to be agreed with the client for the commissioned services of TU Dresden must always be calculated to cover the costs. This requires a separate calculation on the [Calculation of externally funded projects and activities](#) form provided by Unit 1.3 Unit Administration of External Funding. It is essential that you correctly include all resources used to fulfill the respective contract; for example, you always have to take budget-financed personnel into account for contract research projects. You will find more detailed explanations on the calculation and accounting of costs in the Circular Letters [D1/4/2024 "Separate Costing"](#) and [D1/2/19 "Research projects of contract research and research services."](#)

If existing research results of TU Dresden are required in order to implement the contract, in particular results that are subject to copyright law (e.g. patents, software, materials) or results hitherto kept secret (background IP), you need to contact TUD | excite before preparing your offer in order to clarify how the client can get access to these rights and to include appropriate costs for IP use in the offer. The same applies if the subsequent use of the expected results by the client may depend on background IP.

More detailed information on general procedures and legal provisions for economic projects is provided in Circular Letter [D1/2/19](#).

Please allow about one week for the formal review of the documents and obtaining the necessary signatures. We recommend that you use the TUD templates ([offer and contract templates](#)) to speed up processing. More time may be required for checking, drawing up contracts or for necessary contract negotiations. For this reason, please contact Unit 1.3 Administration of External Funding, Contract Research/Research Services Group, at least two weeks before the planned submission of the draft contract to the client.

Special regulations for the Carl Gustav Carus Faculty of Medicine (MFD):

The project managers submit the [Announcement of a research project](#) to the Department of External Funding Management using the third-party funding announcement for further processing and to obtain the signature by the authorized persons. At the same time, you must submit a draft contract as a .docx Word file. The calculation for economic projects (e.g. clinical trials) is carried out in accordance with the [Procedural instruction VA_MFD_Ref.DMM_2019_2 Process calculation and accounting principles for contract research](#)ⁱⁱⁱ.

2.6 Initiating donations, sponsoring and other services

Before initiating donations and sponsoring agreements, please contact Directorate 1 Budget and Purchases, Unit 1.3 Administration of External Funding. Due to the special legal provisions, specific regulations must be observed.

More detailed information on the procedure for donations and sponsoring is provided in Circular Letter [D1/2/18 "Donations and Sponsoring."](#)

In the case of active sponsoring and other economic benefits, the regulations for economic projects under 2.5 apply.

Special regulations for the Carl Gustav Carus Faculty of Medicine (MFD):

Before initiating sponsoring contracts, please contact the Department of External Funding Management. The above-mentioned Circular Letter [D1/2/18](#) applies in conjunction with the guidelines, circular letters and instructions of the Legal, Compliance and Insurance Unit of the Carl Gustav Carus University Hospital Dresden (UKD).

§ 11 of the [Anti-Corruption Directive](#)² applies to the sponsoring of training events.

The *Stiftung Hochschulmedizin Dresden* foundation manages any donations.

3 Accepting third-party funds

3.1 Accepting third-party funding for approved projects with public funding bodies (including the EU)

Third-party funded projects are approved by a written grant notice from the respective funding body. The grant notice includes the specific terms of use stipulated by the respective third-party funding body, the information on legal remedies, the binding funding plan, forms for requesting funds and any requirements. The project managers must review the grant notice within one month of notification (date of receipt [stamped arrival date] of the grant notice) in order to be able to make use of the possibility of lodging an appeal within the deadline if necessary.

Prior to requesting or paying out grant funds to conduct research projects, the grant notice must be acknowledged in writing for which the legally binding signature of the Chancellor or authorized representatives must be obtained.

Grant or approval notices received by the university must be sent to Directorate 5 Research, Unit 5.1 Research Promotion or, in the case of EU-funded projects, to Unit 5.2 European Project Center^{iv}. They will then immediately send a copy to the responsible project manager. If the grant notices are received directly by the organizational units or researchers (e.g. from the DFG), the project management must promptly send a copy including the funding plan to Unit 5.1 Research Promotion.

Prior to the legally binding acceptance of third-party funds, the project managers must co-sign the grant notice and all associated declarations to confirm that all funding conditions have been accepted and understood and that nothing impedes their implementation in accordance with the grant.

Unit 5.1 Research Promotion or Unit 5.2 European Project Center will create the projects in the university's SAP ERP system, assign WBS elements (internal project numbers, German: *PSP-Element*) and inform the project management and Directorate 1 Budget and Purchases, Unit 1.3 Administration of External Funding or Unit 1.1 Budget^v, about the administration and management of the third-party funds. Unit 5.1 Research Promotion and Unit 5.2 European Project Center are also responsible for drawing up, reviewing and negotiating cooperation and forwarding agreements for the respective research projects.

Special regulations for the Carl Gustav Carus Faculty of Medicine (MFD):

Signatures are obtained by the Department of External Funding Management. The incoming grant or approval notices for the Faculty of Medicine must be sent to the Department of External Funding Management, which immediately hands over a copy to the responsible project management. If grant notices are directly received by the scientific institutions or scientists of the Faculty of Medicine, a copy including the funding plan must be sent to the Department of External Funding Management. The Department of External Funding Management assigns a fund number in the SAP ERP system to each project.

3.2 Accepting third-party funding for approved projects of the DAAD

Grant agreements and expenditure statements are authorized exclusively by the legally binding signature of the Chancellor or authorized persons.

DAAD grant or approval notices received by the university that are still to be signed must be sent to Directorate 8 Student Affairs and Continuing Education, Unit 8.3 International Office. They will take care of the final check, legally binding signature and forwarding to the DAAD. Once the grant or approval notice has been received, signed in full and thus acknowledged in writing, Unit 8.3 International Office will hand over the original intended for TU Dresden to the Directorate 1 Budget and Purchases, Unit 1.3 Administration of External Funding for further processing and archiving. The responsible project management receives a copy of the fully signed grant or approval notice. If the grant notices are directly received by the organizational units or researchers, the project management must immediately send the original including the funding plan to Unit 1.3 Administration of External Funding. Unit 8.3 International Office receives a digital copy.

The project managers must review the grant notice within one month of notification (date of receipt [stamped arrival date] of the grant notice) in order to be able to make use of the possibility of lodging an appeal within the deadline if necessary.

Prior to requesting or paying out grant funds to conduct research projects, the grant notice must be acknowledged in writing for which the legally binding signature of the Chancellor or authorized representatives must be obtained.

Prior to the legally binding acceptance of third-party funds, the project managers must co-sign the grant notice and all associated declarations to confirm that all funding conditions have been accepted and understood and that nothing impedes their implementation in accordance with the grant.

Unit 1.3 Administration of External Funding creates the projects in the university's SAP ERP system, assigns the WBS element (in German *PSP-Element*) and informs the project management.

Special regulations for the Carl Gustav Carus Faculty of Medicine (MFD):

The Department of External Funding Management receives the grant notice along with the third-party funding announcement and the calculation from the project managers. The process is recorded in the SAP ERP system and a fund number is assigned.

3.3 Accepting third-party funds for economic projects, sponsoring and other services

Economic projects, which also include sponsoring and other services, are accepted by concluding a contract. For TU Dresden, the legally binding signature must be obtained from the Chancellor or

authorized representatives. The prerequisite is that the project manager confirms by co-signing the contract, the order, the calculation and all related documents that all contractual conditions have been accepted and understood and that the separate accounting requirements will be met.

Directorate 1 Budget and Purchases, Unit 1.3 Administration of External Funding, Contract Research/Research Services Group creates the projects in the university's SAP ERP system, assigns the WBS element (in German *PSP-Element*) and informs the project management. The third-party funded projects are managed in Unit 1.3 Administration of External Funding until the project is settled. In case of sponsoring and other services that are not part of contract research or research services, Unit 1.3 Administration of External Funding, Contract Research/Research Services Group, informs Unit 1.1 Budget about the assignment of the WBS element and the third-party funds will subsequently be managed and processed there.

Special regulations for the Carl Gustav Carus Faculty of Medicine (MFD):

For third-party funded projects carried out at the MFD, the project managers submit the [Announcement of a research project](#) to the Department of External Funding Management using the electronic third-party funding announcement. Economic projects are accepted when the contract is concluded. At the MFD, it is necessary to obtain the legally binding signature of the Dean on behalf of the Chancellor or the authorized representatives; the Department of External Funding Management is responsible for this.

The Department of External Funding Management creates the projects in the SAP ERP system, assigns the fund number and informs the respective project management. The third-party funding projects are managed by the Department of External Funding Management from application to project completion.

3.4 Accepting donations

Donations are accepted after the receiving organizational unit has forwarded a donation notice to Directorate 1 Budget and Purchases, Unit 1.3 Administration of External Funding, Grants/Donations Group. They create the project in the university's SAP ERP system and inform the project management about the WBS element. If a donation receipt is required, this must be noted on the donation notice. Information on the general procedure is provided in Circular Letter [D1/2/18](#).

Special regulations for the Carl Gustav Carus Faculty of Medicine (MFD):

In accordance with § 15 of the [Anti-Corruption Directive](#)², donations are accepted exclusively via the *Stiftung Hochschulmedizin Dresden* foundation. In accordance with § 15 para. 2 of the Anti-Corruption Directive, exceptions depend on the individual case.

4 Administering and managing third-party funds by the university

4.1 General

The administration and management of third-party funds is carried out by the university in accordance with state legislation.

Scientific or artistic activity can only be assigned and carried out uniformly either as an official task or as a secondary employment (splitting is not allowed). If it has been decided that the project is to be carried out at the university, it will be implemented on a full-time basis and not on a part-time

basis. For this reason, no remuneration shall be paid to the employees/person raising the funds as part of their secondary employment.

Third-party funds are to be taken into account in the financial planning of the university pursuant to § 4 DrittMVO and managed in accordance with the provisions applicable to the university. This also applies if the funds are made available for these purposes to a member of the university with the authority to determine their use. The income and expenditure must be documented in the annual financial statements of TU Dresden or at the Faculty of Medicine.

The purpose of the third-party funding as stipulated by the funding body must be observed, insofar as this does not conflict with statutory provisions. The applicable regulations and Circular Letters of the university must be observed.

The project manager is responsible for using the third-party funds for the stipulated purpose.

The management of all project documents is based on the principles of file regularity, including their binding nature and availability. All steps involved in the processing of a project must be documented and traceable for third parties. The current work status must be identifiable from the documents at all times. The project documents must be readily available to all parties involved.

4.2 Collecting revenue and providing proof of expenditure

Third-party funds are allocated to the university's budget on the basis of confirmed grant notices, approvals or contracts.

The WBS element (in German *PSP-Element*) assigned in the SAP ERP system is used for all orders, payment transactions, accounting and the necessary personnel arrangements from the time the project is approved and initiated. The project manager and authorized persons can obtain information on the status of income and expenditure at any time in the SAP ERP system. Corresponding access to the SAP ERP system can be requested via the Support Center Digitalization (SCD) of the Center for Interdisciplinary Digital Sciences (CIDS) after appropriate training([training information](#))([authorization requests](#)). Income from third-party funds must be collected in full and in good time. The project management must ensure that the funds required for the planned expenditure are available. Requests for funds in accordance with the funding regulations or invoices in accordance with the contracts (see [Circular Letter D1/2/13](#)) must be initiated by the project management in coordination with Directorate 1 Budget and Purchases, Unit 1.3 Administration of External Funding or Unit 1.1 Budget and Financial Accounting⁴.

When managing third-party funds, they may only be earmarked within the scope of the approved amount and for the stipulated purpose, or for carrying out the contractually agreed service. The guidelines of TU Dresden (e.g. procurement guidelines, travel expenses regulations, representation and hospitality guidelines) must be observed. The project managers, or the employees authorized by them, confirm the factual and mathematical accuracy of the expenditure and acceptance documents as a prerequisite for the invoicing by Unit 1.1 Budget and Financial Accounting or Unit 1.3 Administration of External Funding. Signature cards must be submitted at the start of the project by those wishing to have their signature authorized or approved ([digital signature card](#)).

The project managers are responsible for the project accounting, which is carried out in accordance with the respective provisions of the funding bodies via annual, interim and concluding reports. Depending on the funding body, specific forms or online systems may need to be used. Support is provided by the responsible parties in Unit 1.3 Administration of External Funding, Unit 1.1 Budget and Financial Accounting for SAB projects, sponsoring and other services, as well as Directorate 5 Research, Unit 5.2 European Project Center for EU projects. When the project managers prepare the expenditure statements and statements of account, these must first be forwarded in draft form

to Unit 1.3 Administration of External Funding or Unit 1.1 Budget and Financial Accounting for review. After the project manager has signed the document, the Chancellor or authorized persons in Directorate 1 Budget and Purchases, or in Directorate 5 Research in the case of EU projects, also provides their legally binding signature.

Special regulations for the Carl Gustav Carus Faculty of Medicine (MFD):

Payment requests and invoices for third-party funding are generally prepared by Department of External Funding Management and the corresponding signatures are obtained.

All orders and payments directly related to the project are made via the funds in SAP. The requirements of the MFD and the University Hospital Dresden (e.g. procurement regulations, hospitality guidelines) must be observed. Once the fund has been set up, the project manager is authorized to sign. Here, samples of signatures of employees who are authorized to carry out orders via the project and sign invoices must be collected.

The Department of External Funding Management prepare the project accounts and send them to the project manager for review and signature. For EU projects, the regulations of Directorate 5 Research, Unit 5.2 European Project Center apply.

4.3 Employing third-party funded staff

Directorate 2 Personnel is responsible for drawing up work or employment contracts linked to third-party funds as well as the final review of the documents and allocation of personnel costs to projects and persons. The application is submitted by the project management via Directorate 2 Personnel including the necessary recruitment documents. After reviewing the documents submitted, including the grant agreement, the applicant is hired if all requirements (including personal, legal and financial) are met. The corresponding employment contracts for academic and non-academic staff as well as for student or research assistants are drawn up in Directorate 2 Personnel.

The member of the university carrying out the research project has the right to nominate staff to be remunerated from third-party funds, taking into account the applicable recruitment requirements. Staff with permanent contracts can also enter into such a contractual relationship.

University staff may not be promised or granted any remuneration, compensation or other benefits or advantages, including from third-party funds, which exceed those regulated by law or collective agreements or those otherwise permissible for employees of the Free State of Saxony or the university. Directorate 2 Personnel is responsible for examining individual cases.

Full-time and part-time contracts within the framework of third-party funded projects such as remuneration and work contracts, guest lectures, guest stays and teaching assignments are applied for using the forms provided for this purpose by Directorate 2 Personnel. The contracts are issued after the corresponding checks have been completed.

The personnel costs incurred are invoiced to the respective third-party funding account by Directorate 2 Personnel as part of the personnel cost invoicing process.

Special regulations for the Carl Gustav Carus Faculty of Medicine (MFD):

The Human Resources Department of the University Hospital Dresden is responsible for drawing up employment contracts that are financed by third-party funds. Personnel costs are managed by the Department of External Funding Management. The same applies to remuneration contracts, work contracts and scholarships.

Applications are submitted electronically by the project managers via the head of the organizational unit of the Human Resources Department and the Department of External Funding Management. The Department of External Funding Management also issues the corresponding confirmation of financial resources electronically. The required recruitment documents can be found on the intranet of the University Hospital Dresden (Human Resources Department). The corresponding employment contracts are drawn up by the Human Resources Department. The gross personnel costs are automatically invoiced to the corresponding funds in the SAP ERP system.

4.4 Own contributions and own funds to be contributed - notification and invoicing

Depending on the funding body and the specific funding lines, a contribution or own funds from the project's basic funding or suitable residual funds of the Chair may have to be provided for the project. This contribution is usually made through the proportional use of budget-financed permanent staff from the organizational units of the project managers. In some cases, evidence of additional expenses incurred must be provided. Own contributions always refer to additional budgetary or residual funds and cover the non-funded portion of the total expenses applied for and to be settled (e.g. 90% funding from third-party funds, 10% own contribution). It is essential to clarify how an own contribution or own funds can be provided before submitting an application. To do this, contact the responsible staff members from Directorate 5 Research or Directorate 8 Student Affairs and Continuing Education^{vi} at an early stage. The result of this must already be noted in the [Announcement of a third-party funded project](#) form. For management, please contact Directorate 1 Budget and Purchases, Unit 1.1 Budget or Unit 1.3 Administration of External Funding.

Special regulations for the Carl Gustav Carus Faculty of Medicine (MFD):

Depending on the funding body and the specific funding guidelines, a contribution may have to be made from the basic funding of the project. This contribution is usually made through the proportional use of staff with a permanent contract from the project managers' organizational units. In some cases, evidence of additional expenses must be provided. It is essential to clarify how an own contribution can be made before submitting an application. To this end, the responsible staff members of the Department of External Funding Management and Directorate Research and International Affairs who are responsible for supporting the application must be contacted at an early stage. The result of this must be recorded in writing by the person responsible for the budget of the organizational unit and will be attached to the third-party funding announcement. Please contact the Department of External Funding Management for this purpose.

4.5 Regulations on lump sums from third-party funding bodies (lump sums for programs and projects, overheads)

If indirect costs (overheads/overhead allowance) can be invoiced to third-party funded projects, the project managers must always apply for the maximum amount of funding. Exceptions to this are only permitted with the approval of the Chancellor.

Many externally funded projects that are financed by the DFG, the BMBF or the BMFT, or by some European programs, have fixed rates for overhead costs. With the program/project lump sum or the overheads/overhead lump sum, the universities receive a lump sum compensation for the indirect project expenses resulting from the project in question. Each university makes its own decision on the internal distribution of the lump sums/overheads. TU Dresden regulates the

distribution of lump sums with the following Circular Letters [D1/3/2024](#); BMBF: [D1/2/2024](#); DFG: [D1/2/2023](#); EU: [MPrinF 2/2023](#)). The recognition of indirect costs (overheads) for commercial projects is described in the [Circular Letter D1/4/24](#) on separate accounting.

Special regulations for the Carl Gustav Carus Faculty of Medicine (MFD):

Many publicly funded third-party projects have fixed rates for overheads. With the program/project lump sum or the overheads/overhead lump sum, the universities receive a lump sum compensation for the indirect project expenses resulting from the project in question. Each university makes its own decision on the internal distribution of the lump sums/overheads. The Faculty of Medicine regulates the distribution of the lump sums via the following Circular Letters ([Compensation for the DFG program allowance](#), [Limitation of availability of decentralized overheads in the public sector](#), [Regulations on the distribution of project and program lump sums for third-party funded projects](#)²). The invoicing of indirect costs (overheads) for commercial projects is described in the [Procedural instruction for the calculation process and invoicing principles for contract research](#) [VA_MFD_Ref.DMM_2019_2](#)².
Procedural instruction for calculation and posting principles for contract research [VA_MFD_Ref.DMM_2019_2](#)

If indirect costs (overheads/overhead allowance) can be invoiced to third-party funded projects, the project managers must always apply for the maximum amount of funding. Exceptions to this are only permitted with the approval of the Dean's Office.

4.6 Ownership regulations

Unless otherwise stipulated by the funding body or contractually agreed, items procured from third-party funds shall become part of the university's assets. They must be recorded in Directorate 1 Budget and Purchases, Unit 1.2 Central Purchases and Asset Accounting, and marked as part of the inventory of the user (organizational unit, Chair). This also applies to benefits in kind (gifts).

The [Procurement Guidelines](#) and the [Inventory Regulations of TU Dresden](#) must be applied.

In addition to the legal requirements, the handling of work results from a third-party funded project is determined in particular by the funding regulations and the signed contracts. If existing patents or other protected work results are to be incorporated into the project (background IP) or if results eligible for protection are likely to arise from the third-party funded project, TUD|excite must be informed at the initiation of the project and the case-related procedure must be coordinated with them.

Special regulations for the Carl Gustav Carus Faculty of Medicine (MFD):

Compliance with the UKD's [Procurement Regulations](#)² is mandatory. The administration of the University Hospital Dresden is responsible for managing the inventory as part of the management contract.

4.7 Insurance

In accordance with § 5 para. 5 of the Saxon University Finance Ordinance (SächsHSFinVO), the university is subject to the state principle of self-insurance. The corresponding Circular Letter ([D3/1/16](#)) applies. In particular, it should be noted that purchases financed using third-party funds can be insured independently of this if the third-party funding provider prescribes insurance and reimburses the insurance premiums.

Special regulations for the Carl Gustav Carus Faculty of Medicine (MFD):

Staff of the Faculty of Medicine are also covered by the University Hospital Dresden's professional liability insurance for clinical trials. The aforementioned Circular Letter [D3/1/16](#) and the regulations of the Legal, Compliance and Insurance Department([insurance cover for clinical trials](#)²) apply.

4.8 Changes over the course of the project

Reallocations, shifting of funds and changes to the term

Over the course of the project, it may be the case that higher expenditure is incurred in individual expenditure categories than was originally considered in the financing plan. In such cases, a reallocation of funds, i.e. a shift of funds between the expenditure categories, can be applied for via the funding body. This assumes, in turn, that expenditure in other expenditure categories is lower than originally planned and that the total amount approved is not exceeded. In addition, a justification of the necessity for the reallocation of funds is required. In individual funding programs, such a reallocation of funds is also possible within certain limits without a separate application to the funding body. Information to this end can be found in the relevant funding decision or the ancillary provisions.

For multi-year projects, the total expenses may amount to less than originally planned and approved for the respective year (annual tranche). In this case, a (pro rata) deferral of unused funds to the next annual tranche may be possible upon application to the funding body. It may also be necessary to apply for an extension (e.g. in the case of maternity/parental leave) in order to achieve the project objectives.

Reallocations of confirmed funding plans, shifting of funds and extensions of funding periods must be applied for by the project management in accordance with the funding regulations via the funding body and authorized by the signature of the Chancellor of TU Dresden or authorized representatives in Directorate 5 Research or Directorate 8 Student Affairs and Continuing Education. The confirmation by the funding body must be forwarded to Directorate 5 Research or, if applicable, Directorate 8 Student Affairs and Continuing Education.

For commercial projects, any necessary changes to calculations and contracts (such as changes in duration, reductions, increases, terminations) must be agreed in advance by the project management with Unit 1.3 Administration of External Funding, Contract Research/Research Services Group.

Applying for additional project funds

If additional funding is needed to achieve the project's goals, the project management must first contact the funding body to determine if the necessary funding can be obtained. The project management must then submit an application for additional project funds directly to the funding body. A co-signature from the Chancellor or authorized representatives in Directorate 5 Research or Directorate 8 Student Affairs and Continuing Education may be required. The project management must inform the units responsible for the project in Directorate 5 Research and Directorate 1 Budget and Purchases immediately in order to ensure the smooth implementation of the project.

Requests for additional DFG funding due to collective agreements must be reviewed and co-signed by the Grants/Donations Group of Unit 1.3 Administration of External Funding.

The confirmation from the funding body must be forwarded by the project management to the units responsible for the project in Directorate 5 Research and Directorate 1 Budget and Purchases for additional release of funds.

Special regulations for the Carl Gustav Carus Faculty of Medicine (MFD):

Reallocation of confirmed funding plans, shifting of funds and extension of deadlines must be requested by the project management from the funding body in accordance with the funding regulations and, if necessary, approved by the Dean on behalf of the Chancellor of the TU Dresden or authorized representatives. Confirmation from the funding body must be forwarded to the Department of External Funding Management.

For commercial projects, any necessary changes to calculations and contracts (such as changes in duration, reductions, increases, terminations) must be agreed in advance by the project management with the Department of External Funding Management and, if necessary, University Hospital Dresden's Controlling Department.

If additional funding is needed to achieve the project's goals, the project management must first contact the funding body to determine if the additional funding can be obtained. The project management must then submit an application for additional project funds directly to the funding body. A co-signature from the Dean or authorized representatives on behalf of the Chancellor of TUD may be required. The Department of External Funding Management must be informed in advance by the project management about an application.

For commercial projects, renegotiation is mandatory in the case of underfunding.

The confirmation of an application by the funding body must be forwarded to the Department of External Funding Management.

4.9 Changing institution / transferal of the project manager

In the event of a planned transfer of the project manager to another institution and the desired transfer of an ongoing project to the new institution, Directorate 5 Research, Unit 5.1 Research Promotion or Unit 5.2 European Project Center must first be informed and it must be clarified with the funding body or on the basis of the funding regulations whether a transfer is possible. In the event of a possible transfer, the relevant funding decision will be modified by the funding body. Directorate 1 Budget and Purchases, Unit 1.3 Administration of External Funding or Unit 1.1 Budget shall also be informed in a timely manner in order to prepare and send an interim statement to the funding body so that the updated grant notice can be sent to the new institution, as well as Directorate 2 Personnel to clarify personnel issues. Alternatively, it may be necessary to forward third-party funds to the new institution, for which an agreement must be concluded with the new institution. Unit 5.1 Research Promotion or Unit 5.2 European Project Center shall be contacted for this purpose.

If a project manager is transferred to TU Dresden from another institution and would like to transfer their projects as well, it will be necessary to coordinate this with the funding body and the office managing the funds at the previous institution. An interim settlement shall also be carried out before an amended funding decision will be issued for TU Dresden. Funds can only be released for further expenditure and applications for hiring once the notification has been issued and the settlement has been confirmed.

If the project manager leaves TU Dresden, Unit 5.1 Research Promotion or Unit 5.2 European Project Center and the funding body shall be informed and clarification on the continuation of the project shall be sought within the faculty, department or Central Unit. In the event of resignation,

the signature regulations are no longer effective and have to be updated so that the continuation of the project can be guaranteed. If the transfer of a senior professorship is planned, the instructions in Circular Letter [Notice from the Rector 2/2019](#) shall be observed. The responsible units in Directorate 1 Budget and Purchases and Directorate 2 Personnel shall be informed so that the project can be implemented seamlessly.

Special regulations for the Carl Gustav Carus Faculty of Medicine (MFD):

In the event of a planned transfer of the project manager to another institution and the desired transfer of an ongoing project, the Department of External Funding Management shall be informed and it shall be clarified with the funding body or on the basis of the funding regulations whether a transfer is possible. In the event of a possible transfer, the relevant funding decision will be modified by the funding body. The continued funding of project staff needs to be clarified in advance in consultation with the head of the organizational unit or the faculty management. The interim statement will be prepared by the Department of External Funding Management and sent to the funding body so that they can send the updated funding notification to the new institution. Alternatively, it may be necessary to forward third-party funds to the new institution, for which an agreement must be concluded with the new institution. The responsible members of staff in the Department of External Funding Management shall be contacted accordingly.

If the project manager leaves, the Department of External Funding Management and the funding body shall be informed and clarification on the continuation of the project shall be sought within the department or faculty. In the event of resignation, the signature regulations are no longer effective and have to be updated so that the continuation of the project can be guaranteed. If the transfer of a senior professorship is planned, the instructions in Circular Letter [Notice from the Rector 2/2019](#) shall be observed. Continuation of the project after the project manager has left requires another member to have a valid affiliation status.

4.10 Special account procedure

In accordance with § 47 para. 3 SächsHSG and § 5 DrittMVO, a project manager may, upon request, be permitted to manage the funds themselves or have them managed by a funding association, provided that this is compatible with the provisions of the funding bodies. The project manager shall explain the reasons for a change from the principles of administration by the university with the application for the intended acceptance of third-party funds. The management of third-party funds in the special account procedure requires the approval of the third-party funding body and the Chancellor. Directorate 5 Research and Directorate 1 Budget and Purchases shall be informed accordingly.

If project managers handle third-party funds themselves, they are solely responsible for this and do so at their own expense outside the university administration. Payment transactions via the university's accounts are excluded. The regulations on the exercise of secondary employment remain unaffected. The rights and obligations shall be recorded in writing. Property and rights acquired with third-party funds shall be transferred to the Free State of Saxony upon completion of the project, unless there is a contractual obligation to transfer them to the third-party funding body. When employing staff, the project manager shall fulfill all functions of an employer. The project manager shall provide the university with information and accounts upon request and is obliged to agree a contractual right of audit with the Court of Auditors. The university may provide advisory administrative assistance upon request. The exclusive responsibility of the university member shall remain unaffected in this respect.

If an association acting on behalf of the university (funding association) manages the third-party funds, conflicts of interest between the project manager as a member of the association and as a member of the university shall be avoided. If the funding association provides third-party funding itself, the project manager shall ensure that a clear distinction is made between the activities of the funding association as third-party funding body and the administration of third-party funds by the funding association.

Special regulations for the Carl Gustav Carus Faculty of Medicine (MFD):

Personal identity of MFD employees and affiliation to or membership of a funding association shall be avoided. In particular, § 16 of the [Code of conduct for legally impeccable behavior of employees of the UKD and the MFD](#) applies².

4.11 Conducting research as a secondary employment

Research projects can be carried out either as an official task or as a secondary employment. A hybrid form is not possible under budgetary law.

Remuneration received for research in secondary employment cannot be taken into account as third-party funding income for TU Dresden. Contract design, project processing and billing will be carried out on the researchers' own responsibility and liability.

With regard to the use of the university's infrastructure in the context of secondary employment, Circular Letter [D2/1/16](#) shall be observed.

If previous work results whose rights of use lie with TU Dresden (e.g. copyrighted results such as software, patents, materials databases) are used in the secondary employment, coordination with TUD|excite shall take place before taking up the secondary employment in order to conclude any necessary usage agreements.

Special regulations for the Carl Gustav Carus Faculty of Medicine (MFD):

The MFD is subject to the [Directive on performing secondary employment](#)². Clinical trials are not permitted to be carried out as a secondary employment.

5 Completing the project

5.1 End of project

The funding decision or the contract on which the project is based contains stipulations regarding the end of the project. The necessary reporting obligations to the funding bodies (e.g. the preparation of a final expenditure statement and the technical project report) and the transfer back of any unused funds shall be observed. Directorate 1 Budget and Purchases, Unit 1.3 Administration of External Funding and Unit 1.1 Budget⁴, as well as the Directorate 5 Research, Unit 5.2 European Project Center, will provide support in the preparation of the final expenditure statements and statements of account^{vii}. Once the project managers have prepared the expenditure statements, these shall first be forwarded in draft form to Unit 1.3 Administration of External Funding or Unit 1.1 Budget for review and, after finalization with the signature of the project management, once again to obtain the legally binding signature. In the case of federal and EU projects, Internal Audit shall always be involved in the review. Technical reports (including interim reports) are written and signed by the project management and, if they require a signature by the university, are forwarded to Unit 5.1 Research Promotion or Unit 5.2 European Project Center for review and obtaining a legally binding signature.

Unspent project funds shall be returned to the funding bodies or may be transferred to a follow-up project after consultation with the funding body. If the third-party funding body demonstrably does not require the return of residual funds, these funds must be used expeditiously in accordance with budgetary regulations.

Unused residual funds ("profit") from commercial projects are generally available to the cost center owners. The procedure for concluding commercial projects can be found in [Circular Letter D1/2/19](#). The regulations on profit taxation must be observed for research services projects (cf. [Circular Letter D1/2/19](#), item 2).

Project end ahead of schedule

If a project is likely to end ahead of schedule, e.g. in the event of unilateral termination or bankruptcy of a project partner, the project manager must inform Directorate 5 Research, Unit 5.1 Research Promotion or Unit 5.2 European Project Center and Directorate 1 Budget and Purchases, Unit 1.3 Administration of External Funding or Unit 1.1 Budget, and Directorate 2 Personnel to clarify personnel issues, of the impending premature end of the project, so that it can be clarified in a timely manner with the funding body or on the basis of the funding regulations how to proceed.

Special regulations for the Carl Gustav Carus Faculty of Medicine (MFD):

The funding decision or the contract on which the project is based contains stipulations regarding the end of the project. The necessary reporting obligations to the funding bodies (e.g. the preparation of a final expenditure statement and the technical project report) and the transfer back of any unused funds shall be observed. Draft reports on the expenditure reports are prepared by the Department of External Funding Management and sent to the project management for review and, after finalization, for signature. Technical reports (including so-called interim reports) are written and signed by the project manager and, if they require a signature by the university, are forwarded to the Department of External Funding Management for review and obtaining a legally binding signature.

Unspent project funds shall be returned to the funding bodies or may be transferred to a follow-up project after consultation with the funding body. If a return of residual funds is not required by the third-party funding body, these funds shall be used expeditiously in accordance with budgetary regulations.

Profits from commercial projects are recognized in accordance with the rules set out in the [Procedural instruction for the calculation process and invoicing principles for contract research VA_MFD_Ref.DMM_2019_2²](#).

Project end ahead of schedule

If the project is likely to end prematurely, e.g. in the event of unilateral termination or bankruptcy of a project partner, the project manager must inform the Department of External Funding Management of the impending premature end of the project immediately after becoming aware of the facts in order to clarify personnel issues, so that it can be clarified promptly with the funding body or on the basis of the funding regulations how to proceed.

5.2 Retention periods and clearing out of documents

The retention periods specified by the funding bodies for all project-relevant documents (e.g. award documents for decentralized procurements, project-specific correspondence, files, contact details of those working on the project) shall be ensured by the project managers regardless of the

form in which they are stored. This applies equally to both analog and electronic documents. Files and processes shall be stored for ten years, unless otherwise stipulated by law. The retention periods begin at the end of the calendar year in which the files or processes were closed. Project-related accounting documents and other relevant documents in accordance with the German Commercial Code are stored in Directorate 1 Budget and Purchases, Unit 1.1 Budget for a period of 10 years. Different retention periods apply in the EU area.

After the retention periods have expired, all documents must be offered to the University Archives of TU Dresden. The University Archives decides on the archival value of the documents on the basis of the [Archive Act of the Free State of Saxony](#).

Special regulations for the Carl Gustav Carus Faculty of Medicine (MFD):

Project documents from clinical trials are stored centrally in TU Dresden's University Archives, Faculty of Medicine branch office. The corresponding [procedure description](#) and all necessary documents can be found on the archive's [website](#).

Project documents for all other project types are stored in the Department of External Funding Management.

5.3 Audits

In principle, audits of externally funded projects by the various auditing authorities are possible during the application stage, during implementation and after completion of the projects. Third-party funded projects are also subject to anti-corruption regulations. The funding bodies reserve the right to audit the proper use of funds within a certain period of time after the end of the project (e.g. five years). This right is often enshrined in the contract or approval provisions. In order to ensure that project-related questions and follow-up requests can be adequately answered by the university administration, the audit authorities or the funding bodies, the regulated documentation, storage and transfer of the project documents must be ensured by the responsible project management within the organizational unit and, if necessary, to the responsible administrative unit in the Central University Administration, the MFD or the University Archives of TU Dresden, Faculty of Medicine branch office.

The guideline **for the application and implementation of third-party funded projects at TUD Dresden University of Technology** shall enter into force on the day after its publication; the guideline **for the application and implementation of third-party funded projects at TUD Dresden University of Technology** dated June 27, 2024 shall expire on this date.

Dresden, June 24, 2025

signed Dipl.-Ök. Jan Gerken
Chancellor

ⁱ In this context, it should be noted that even if funds are requested or approved for a substitute professor, any planned leave of absence for research purposes must be applied for separately via the Faculty/Central Unit and decided on by the University Executive Board. The same applies for the employment of a substitute professor.

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- ii The measures of Erasmus + Key Action 1 (individual mobility) are applied for, notified and implemented centrally by Directorate 8 Student Affairs and Continuing Education, Unit 8.3 International Office or by the Leonardo Office Saxony. The responsibilities fall within their realm, see also chapter 3.1.
 - iii The document can only be opened from the Dresden University Medicine intranet.
 - iv If submitted by ZEUSS, the notices will be sent to ZEUSS accordingly.
 - v For projects of the Sächsische Aufbaubank (SAB) as part of funding by the SMWK, other services and sponsoring.
 - vi For DAAD projects.
 - vii For EU projects and projects of the Sächsische Aufbaubank as part of funding by the SMWK (Saxon State Ministry for Science, Culture and Tourism) (SAB-ESF funding).

unofficial translation