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## **FAU general regulations on the awarding of scholarships (FAU-StipR)**

### **Section 1 Application and scope; Scholarship funding**

(1) <sup>1</sup>These regulations apply for the awarding of funding that is granted for maintaining and developing the sciences and the arts through research, teaching, study and further education or for other purposes listed in Section 2 BayHSchG. (scholarships).<sup>2</sup>These general regulations only apply for scholarships awarded directly by FAU or on behalf of a third party.

(2) <sup>1</sup>FAU mainly awards scholarships from corporate funds, donations or third-party funding.<sup>2</sup>The awarding of scholarships from budget funds is only permissible if funds are expressly intended for this purpose.

### **Section 2 Responsibility; Procedure**

(1) Responsibility for the administrative processing of the scholarship decision and the awarding of the scholarship is based on the schedule of responsibilities.

(2) <sup>1</sup>Scholarships are only awarded upon application in accordance with the advertised scholarship description, call for applications, scholarship conditions or other provisions defining the scholarship in detail and the relevant legal requirements (hereinafter: Scholarship Regulations). <sup>2</sup>Scholarships will be awarded on the basis of due judgement subject to the availability of funds, observing the principles of economy and efficiency. <sup>3</sup>To promote the purpose of the scholarship, appropriate conditions may be set at any time during the procedure. <sup>4</sup>An entitlement to receive a scholarship is excluded.

(3) Subject to any other applicable provisions, decisions regarding the awarding of the scholarship are incontestable.

(4) In the case of a positive funding decision (hereinafter: Authorisation) a scholarship agreement is to be concluded by the Scholarship Holder with FAU; otherwise the Authorisation shall be rendered null and void without substitution.

### **Section 3 Entitled Persons; Taxation; Insurance**

(1) The awarding of the scholarship is generally excluded for applicants who

- a) receive another scholarship for the same purpose (prohibition of double funding)
- b) are engaged on a self-employed or employed basis with a weekly workload of more than eight hours
- c) do not offer any guarantee that they will fully dedicate themselves to the purpose of the scholarship
- d) have shown themselves to be undeserving of the scholarship through their behaviour

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(2) <sup>1</sup>The Scholarship Holder is obliged in particular to provide information regarding the conditions stipulated above in Section 3 (1a) and (1b) in their application. <sup>2</sup>If other conditions and forms of proof are required for the awarding of the scholarship due to stipulations in the Scholarship Regulations or relevant legal requirements, this information must be duly presented by the scholarship applicant.

(3) <sup>1</sup>Pursuant to the applicable laws, scholarships are exempt from income tax if they

- a) do not exceed the amount necessary for fulfilling the research task or for covering the cost of living and education needs and if they are awarded in accordance with the Scholarship Regulations as defined in Section 2 (2) and
- b) the recipient is not obliged in exchange to provide a set scientific or artistic contribution or to perform a specific employee activity in connection with the scholarship.

<sup>2</sup>When awarding scholarships the aforementioned requirements must be observed. <sup>3</sup>The granting of a scholarship does not constitute a public service or employment contract.

(4) <sup>1</sup>Issues concerning the treatment of the scholarship with regard to taxation and social security are solely the responsibility of the Scholarship Holder. <sup>2</sup>Payments resulting from the granting of a scholarship must be reported by FAU to the responsible tax office in accordance with the transaction reporting obligations for public authorities and institutions (MV).

(5) <sup>1</sup>Scholarship holders are obliged to ensure appropriate health, accident and liability insurance coverage. <sup>2</sup>In special cases additional grants and other expense allowances may be awarded.

#### **Section 4 Funding amount and duration; Interruption; Extension**

(1) The funding amount and duration is specified in the Scholarship Regulations.

(2) <sup>1</sup>The funded project may be interrupted in accordance with the Scholarship Regulations. <sup>2</sup>Unless otherwise stipulated in the Scholarship Regulations, the scholarship may be interrupted for good cause, in particular due to maternity leave, parental leave and other obligations. <sup>3</sup>An application to interrupt the scholarship must be immediately submitted to the responsible office as defined in Section 2 (1).

(3) <sup>1</sup>The funding duration may be extended in accordance with the Scholarship Regulations. <sup>2</sup>An application for extension must be immediately submitted to the responsible office as defined in Section 2 (1).

#### **Section 5 Obligations to report; Obligations to inform**

(1) <sup>1</sup>The Scholarship Holder will report to the office specified in the Scholarship Regulations in accordance with the requirements stipulated therein regarding the status and progress of the funded project. <sup>2</sup>If no requirements are specified there, the scholarship must periodically report to the responsible office as defined in Section 2 (1) or an FAU institution appointed by the latter at the defined intervals.

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(2) Any changes to the details provided in the application and to the fulfilment of the requirements relevant for the awarding of the scholarship as defined in Section 3 (1) are to be immediately communicated by the Scholarship Holder to the responsible office without request.

## **Section 6 Publications; Rights of use to Results**

(1) The results obtained from a funded project are to be promptly made available to the scientific community.

(2) At an appropriate opportunity, for example in a subsequent publication, the Scholarship Holder is obliged to state that the results obtained in the project were funded by a scholarship.

(3) <sup>1</sup>With regard to the results obtained in the funded project, the Scholarship Holder grants FAU a simple, free of charge, non-exclusive right of use that is unlimited with regard to time and place for the purposes of research and teaching. <sup>2</sup>If inventions are created within the scope of the funded project, these should be immediately reported by the Scholarship Holder to FAU without request prior to publication. <sup>3</sup>FAU will consequently advise the Scholarship Holder regarding the relevant legal regulations and the possibilities for commercial exploitation.

(4) <sup>1</sup>In the context of promoting the scholarship programme, the Scholarship Holder grants consent for FAU to disclose the name of the Scholarship Holder, the subject of the funded project, the results and the funding amount and duration in its publications for marketing or public information purposes. <sup>2</sup>Upon request by FAU and within a period of two years after the end of the funding, the Scholarship Holder furthermore agrees to present the results of the funded project to the public once and without remuneration at an FAU event, for example the anniversary of the founding of the university (dies academicus).

## **Section 7 Revocation and repayment**

FAU reserves the right to fully or partially revoke the Authorisation of the scholarship and to assert a claim for reimbursement if

- a) the conditions for the awarding of the scholarship stipulated in Section 3 (1) are subsequently no longer fulfilled, in particular if there is a lack of available funds,
- b) conditions stipulated in Section 2 (2, sentence 3) have not been fulfilled or are not fulfilled in time,
- c) the scholarship was granted on the basis of false or incomplete information or deception,
- d) obligations to report or inform as defined in Section 5 have not been fulfilled or are not fulfilled in time or
- e) other substantial grounds give cause, in particular if it is clear that the purpose of the scholarship cannot be fulfilled.

## **Section 8 Conflict**

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In the event of conflict, the provisions contained in the following documents shall apply in descending order of priority: Scholarship Regulations, FAU-StipR, Scholarship Agreement.

### **Section 9 Legal validity**

These General Regulations enter into force on 1 September 2017.

Erlangen,  
**The Chancellor (Budget Officer)**

Christian Zens