

Announcement of the Vice Rector for Research & Innovation concerning the performance of measurements and assessments according to § 27 para. 1 subpara. 3 Universities Act (UG), Ministerial Gazette MBl. 82-2006

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With regard to a written contract concerning the performance of measurements and assessments, only the sample contract available at <https://www.tuwien.at/en/tu-wien/organisation/central-divisions/rti-support/research-and-transfer-support/downloads> shall be used. The sample must not be used for other business processes such as for the performance of scientific work as part of commissioned research which is also referred to in § 27 para. 1 subpara. 3 UG.

The sample is made up of two parts, each of which is a page long.

Part 1 constitutes the individual part of the contract which must be completed for the respective individual order and must be signed by both TU Wien and the principal. The individual part of the contract provides for the service specification, the service period, the remuneration and, where appropriate, further details. The heads of the organisational units and the holder of § 28 powers of attorney shall be entitled to sign as part of these powers of attorney; in this respect, reference is made to the “Guideline by the Rectorate on §§ 26, 27 and 28 Universities Act 2002 (UG)” available at the Homepage of the University Office, concerning the powers of attorney according to §§ 27 and 28 UG and in particular to the restrictions regarding the contract term and the amount contained therein.

Part 2 encompasses the general contract terms for measurements and assessments which must not be amended. These general contract terms do not need to be signed either by TU Wien or the principal as it is stated in part 1 that the general contract terms apply to measurements and assessments of TU Wien. However, the principal must at least have the opportunity to take note of the content of the general contract terms. For this reason, part 1 of the sample contains the note that the general contract terms are available on the website <https://www.tuwien.at/en/tu-wien/organisation/central-divisions/rti-support/research-and-transfer-support/downloads>. It is absolutely necessary that this note is contained in part 1 and it must not be deleted. In addition, it is recommended that the general contract terms be transmitted to the principal as a hard copy.

It should be noted that measurements and assessments carried out on behalf of third parties may also only be performed to the extent that they serve the purpose of scientific research (§ 27 para. 1 subpara. 3 UG).

Should you have any questions concerning the contract sample, please contact Mag.iur. Peter Karg (peter.karg@tuwien.ac.at) or Dr. Eva Bartlmä (eva.bartlmae@tuwien.ac.at).