

# Regulations of the "Ethics Committee of the University of St.Gallen"<sup>1</sup>

dated 15/12/2014

On the basis of Art. 111 University Statutes<sup>2</sup>

the Senate of the University of St.Gallen establishes the following regulations:

## Section 1) Objective

<sup>1</sup> An Ethics Committee is established at the University of St.Gallen to assess ethical and legal aspects of research involving individuals or data relating to persons or organisations.

<sup>2</sup> The Ethics Committee of the University of St.Gallen is responsible for research which does not fall under the jurisdiction of the Federal Law on Human Research of 30 September 2011<sup>3</sup> or the Stem Cell Research Law of 19 December 2003<sup>4</sup>.

## Section 2) Responsibilities and bases of the Ethics Committee's activity

<sup>1</sup> The Ethics Committee advises scientists at the University of St.Gallen and decides within the scope of Section 5 para. 2 of these regulations regarding the permissibility of research involving individuals and research involving data relating to persons or organisations carried out by scientists at the University of St.Gallen.

<sup>2</sup> If the federal or cantonal governments impose obligations for university ethics committees, the Ethics Committee shall be responsible for this role at the University of St.Gallen.

<sup>3</sup> Regardless of the Ethics Committee's assessment, the scientists shall always remain responsible for their own actions. In addition to the regulations imposed by the federal and cantonal governments, the pertinent codes of conduct and scientific standards shall also apply. The Ethics Committee takes all pertinent national and international recommendations into consideration.

## Section 3) Composition and members

<sup>1</sup> The Ethics Committee consists of a minimum of five members selected from amongst the full professors as well as a representative from the mid-level faculty and a corresponding number of deputies. The Senate selects one professor from amongst the members to act as chair. The Ethics Committee is to include experts in jurisprudence and ethics.

<sup>2</sup> Any member may step down without stating reasons. The Senate will elect a replacement for the duration of the mandate. Any member, including the member acting as Chair of the Committee, may be dismissed by the Senate of the University of St.Gallen for cause.

## Section 4) Legal position of the Ethics Committee and its members

The Ethics Committee and its members are independent in the execution of their duties and not bound by any instructions; they are to act according to the best of their knowledge and according to their conscience.

## Section 5) Administration

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<sup>1</sup> The Statutes of the Ethics Committee of the University of Mannheim in particular served as the basis for the development of these regulations.

<sup>2</sup> sGS 217.15.

<sup>3</sup> SR 810.30.

<sup>4</sup> SR 810.31.

The ongoing business of the Ethics Committee is managed by the Chair of the Committee. The University will make the necessary staff and equipment available (office). The Ethics Commission may establish its own by-laws.

### **Section 6) Application**

<sup>1</sup> The Ethics Committee becomes active upon receipt of an application by a member of the faculty<sup>5</sup>.

<sup>2</sup> Before commencing any research project, we recommend that the Ethics Committee be consulted and, if necessary, that an assessment be obtained from the Committee in the following cases:

- a) Research involving the examination of individuals,
  - entailing risks to health or mental strain;
  - which may trigger strong negative emotions (e.g. disgust, anger, fear);
  - in which student participants are discriminated against on the basis of age, gender, ethnicity, religion, sexual orientation or political views;
  - in which test subjects are required to recount traumatic experiences;
  - in which student participants' self-perception is severely questioned through manipulation;
  - involving minors;
  - in which participants are knowingly misled;
  - which is ethically problematic for other reasons.
- b) Research involving data relating to individuals or organisations.
- c) Research which endangers animal welfare.

<sup>3</sup> The applicant may modify or withdraw the application during the assessment.

<sup>4</sup> The application must be accompanied by a statement of whether, and if applicable where and with what result, an application or applications with similar content were submitted in the past or are pending.

### **Section 7) Decisions by other ethics committees**

Decisions by other Swiss or foreign university ethics committees may be taken into consideration by the Ethics Committee.

### **Section 8) Decision**

<sup>1</sup> The Ethics Committee has a quorum when a majority of members is present.

<sup>2</sup> The applicant may request a hearing by the Ethics Committee before the latter announces its decision. The Ethics Committee may hear other participants in the research project.

<sup>3</sup> The Ethics Committee reaches its decisions by a majority of votes cast. In the event of equality of votes the Chair's vote shall be decisive.

<sup>4</sup> The Ethics Committee may decide as follows: Approval, Approval with conditions and recommendations, Rejection. The decision will be notified to the applicant by means of a contestable decree in writing within an appropriate period. Decisions to reject and decisions with conditions and recommendations for the modification of the research project must be founded in writing.

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<sup>5</sup> In the sense of Art. 38 University Statutes, sGS 217.15.

### **Section 9) Reporting of undesired events**

<sup>1</sup> All serious or undesired events which occur during the research project and which may negatively affect the safety of the student participants or the execution of the research project must be immediately notified to the Chair.

<sup>2</sup> The Chair will immediately decide whether the report makes a reassessment of the research project necessary. In such a case the Ethics Committee will make a decision at its next meeting.

<sup>3</sup> The Ethics Committee may in this case revoke its approval in part or in whole or establish further conditions. The applicant must be given an opportunity to speak.

### **Section 10) Fees/compensation and indemnities**

<sup>1</sup> The examination and assessment of research projects is free of charge.

<sup>2</sup> The participation in Ethics Committee<sup>6</sup> of members of the University of St.Gallen is without compensation within the context of self-administration obligations or official duties.

<sup>3</sup> External consultants will be compensated in accordance with the compensation guidelines of the University of St.Gallen<sup>7</sup>.

### **Section 11) Final provisions**

These regulations must be published throughout the University and shall enter into effect on 1 February 2015.

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<sup>6</sup> In the context of membership, as an expert and consultant and as an auxiliary person.

<sup>7</sup> See Bulletin of the Compensation Fee for the University of St.Gallen.