

NSI Triage factors to consider – Transaction Risk matrix

The table below provides points to consider when your institution is undertaking risk assessment of a formal collaboration to decide whether or not to submit a voluntary notification under the NSI Act. A University's policies and processes will determine at what point, and/or when the nature and extent of the control acquired over research outputs, may be considered as potentially warranting a voluntary notification.

Scenario	Asset Risk Factor (ARF)	Control (or right to use) acquired / No control (or right to use) acquired	Acquiring Entity Risk Factor (ERF)	Potential Voluntary notification Trigger?
Informal high-level discussions on project for future collaboration	Consult HEECA/University NSI risk assessment framework.	No	Consult HEECA/ University NSI proportionate risk assessment framework.	<p>Yes, if control or right to use acquired:</p> <p>Consult entity and asset risk factors.</p> <p>No, No further action- RCAT or ISU may still be prepared to discuss if there are serious concerns.</p>
Signed MoU for future collaboration	<p>For example: High risk if within one of the 17 areas especially if on Consolidated lists ('coded' i.e. dual use or military).</p> <p>Lower risk if not within but close to one of the 17 areas.</p>	No	<p><u>For example:</u> is from a state subject to an arms embargo.</p> <p>is part of the state military (not embargoed).</p> <p>is on the US Consolidated Screening List. entails other NS issues.</p>	
Negotiating research contracts		No		
Signed NDA		No		
Signed research contract and associated agreements (CDA, MTA etc)				

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<p>Research contract and associated agreements (CDA, MTA etc) at the time of signing</p>		<p>No</p>	<p><u>If yes to any of these:</u> Consult the Notifiable Acquisition Regulations and guidance.</p> <p>Does the qualifying asset fall within (or close to) one of the 17 sensitive areas of the economy?</p> <p>Consult the University's NSI team: Due diligence process may identify other risk factors.</p>	
<p>Research contract and associated agreements (CDA, MTA etc) in place and work has commenced</p>	<p>High – when the research project is within (or close to) one of the 17 areas</p>	<p>If University research outputs are shared, a licence (right to use) to University results is implied. *</p>	<p>Low – if entity is not assessed as higher risk</p>	<p>If a trigger event occurs but the entity is not assessed as high risk, making a voluntary notification in unlikely to be appropriate.</p>
<p>Research contract and associated agreements (CDA, MTA etc) in place and work has commenced</p>	<p>High – when the research project is within (or close to) one of the 17 areas</p>	<p>Control is acquired as research outputs are shared and are (or will be) licensed to the acquirer or its nominee. *</p>	<p>Low – if entity is not assessed as higher risk</p>	<p>If a trigger event occurs but the entity is not assessed as high risk, making a voluntary notification in unlikely to be appropriate.</p>

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Research contract and associated agreements (CDA, MTA etc) in place and work has commenced	High – when the research project is within or close to one of the 17 areas	A right to use is acquired as research outputs are shared and are or will be licensed to the acquirer or its nominee. *	High – if entity is assessed as higher risk	Likely A trigger event occurs, a university's policy and process will need to determine at what point and/or the nature and extent of additional control acquired over research outputs, may be considered as potentially warranting a voluntary notification.
Research contract and associated agreements on military or defence projects	High – the research project is within one of the 17 areas	A right to use is acquired as research outputs are shared and are (or will be) licenced to the acquirer or its nominee. *	Low – if entity is not assessed as higher risk	Unlikely
Research contract and associated agreements on military or defence projects	High – the research project is within one of the 17 areas	A right to use is acquired as research outputs are shared. *	High – if entity is assessed as higher risk	Likely
For collaborations with acquiring entities within the UK borders but parent companies are abroad:				
Research contract and associated agreements on coded projects where acquiring entity has a low-risk <u>parent company</u>	High – the research project is within (or close to) one of the 17 areas and one or more control ratings apply	A right to use is acquired as research outputs are shared. *	Low – parent company is assessed as low risk	Unlikely

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Research contract and associated agreements on projects that fall under the strategic export control lists where acquiring entity has a high-risk <u>parent</u> company	High – the research project is within the 17 areas and one or more export control ratings apply	Control is acquired as research outputs are shared. *	High – Parent company is assessed as high risk	Likely
Research contract and associated agreements on projects that fall under the strategic export control lists where acquiring entity has a high-risk <u>subsidiary</u> company	High – the research project is within the 17 areas (dual use is one of the areas) and one or more export control ratings apply	No acquisition of control – research outputs would not normally be shared with subsidiaries	High – Subsidiary company is assessed as high risk	Unlikely

*Specific to circumstance where no additional licence agreement is in place - solely the standard IP clauses within a research agreement.

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