

**Management of Track Records of Applicants**  
**(Effective from 1 November 2024)**

**(A) Level of Penalty for Scientific Misconduct**

*Scientific misconduct means practices that seriously deviate from those that are commonly accepted within the scientific community for proposing, conducting, or reporting research. It does not include honest error or honest differences in interpretations or judgements of data.*

<b>Gravity</b>	<b>Level of Penalty</b>	<b>Penalty Actions</b>
Light	1	Warning letter
Medium	2	(a) Warning letter; and (b) Disqualification of the related funding application in the concerned funding exercise
Heavy	3	(a) Debarment from 1 to 2 year(s) in all capacities in all funding schemes; and (b) Disqualification of all submitted applications in all capacities to all funding schemes
Serious	4	(a) Debarment from 2 to 5 years in all capacities in all funding schemes; and (b) Disqualification of all submitted applications in all capacities to all funding schemes
Critical	5	(a) Debarment for 5 years in all capacities in all funding schemes; and (b) Disqualification of all submitted applications in all capacities to all funding schemes

## Penalty Actions for Scientific Misconduct

A range of penalty for some common types of scientific misconduct is listed below but they are not exhaustive.

Improprieties	Description	Gravity	Penalty Actions
Plagiarism	Plagiarism is the appropriation or use of the work of others for example, copying sentences, paragraphs, sections or whole articles from other publications without acknowledgement or credit. Apart from words, figures, tables, images and software, etc., can also be considered plagiarism if the source is not acknowledged.	Serious	<u>Level 4</u> <ol style="list-style-type: none"> <li>1. Debarment from 2 to 5 years in all capacities in all funding scheme; and</li> <li>2. Disqualification of all submitted applications in all capacities to all funding schemes</li> </ol>
Self-plagiarism	Self-plagiarism occurs when researchers reuse their own data or previously published work without appropriate acknowledgement that the material had previously been published.	Medium to Heavy	<u>Level 2</u> <ol style="list-style-type: none"> <li>1. Warning letter; and</li> <li>2. Disqualification of the related funding application in the concerned funding exercise</li> </ol> <u>Level 3</u> <ol style="list-style-type: none"> <li>1. Debarment from 1 to 2 year(s) in all capacities in all funding schemes; and</li> <li>2. Disqualification of all submitted applications in all capacities to all funding schemes</li> </ol>

Improprieties	Description	Gravity	Penalty Actions
Falsification	Manipulation of <b>Materials</b> <sup>1</sup> , equipment or processes, or changing or omitting data or results such that the research is not accurately represented.	Heavy to Serious	<u>Level 3</u> 1. Debarment from 1 to 2 year(s) in all capacities in all funding schemes; and 2. Disqualification of all submitted applications in all capacities to all funding schemes  <u>Level 4</u> 1. Debarment from 2 to 5 years in all capacities in all funding schemes; and 2. Disqualification of all submitted applications in all capacities to all funding schemes
Fabrication	Making up <b>Materials</b> <sup>1</sup> and recording or reporting them.	Critical	<u>Level 5</u> 1. Debarment for 5 years in all capacities in all funding schemes; and 2. Disqualification of all submitted applications in all capacities to all funding schemes
Double dipping not declared	Applying/receiving grant from HMRF or any of its preceding funding schemes, or other funding agencies (local or overseas) for an already funded project.	Critical	<u>Level 5</u> 1. Debarment for 5 years in all capacities in all funding schemes; and 2. Disqualification of all submitted applications in all capacities to all funding schemes

Improprieties	Description	Gravity	Penalty Actions
Conflict of Interest not declared	The nominated reviewer(s) as a direct relative or a close personal contact with Principal Applicant (PA) or Co-applicant (Co-A)	Medium to Heavy	<u>Level 2</u> 1. Warning letter; and 2. Disqualification of the related funding application in the concerned funding exercise
	The PA has the following relationship(s) with the nominated reviewer in the past 3 years at the time of grant application – <ul style="list-style-type: none"> <li>- research collaborator</li> <li>- mentor/student</li> <li>- work colleagues in the same department</li> <li>- employer/ employee/ business partner</li> </ul>		<u>Level 3</u> 1. Debarment from 1 to 2 year(s) in all capacities in all funding schemes; and 2. Disqualification of all submitted applications in all capacities to all funding schemes
	The Co-A has the following relationship(s) with the nominated reviewer in the past 3 years at the time of grant application – <ul style="list-style-type: none"> <li>- research collaborator</li> <li>- mentor/student</li> <li>- work colleagues in the same department</li> <li>- employer/ employee/ business partner</li> </ul>	Light	<u>Level 1</u> Warning letter

Improprieties	Description	Gravity	Penalty Actions
Non-disclosure of submission of similar/related proposals in the application	The PA has failed to declare submission of similar/related proposals to HMRF or any of its preceding funding schemes, or other funding agencies (local or overseas) in the application.	Light to Medium	<u>Level 1</u> Warning letter  <u>Level 2</u> 1. Warning letter; and 2. Disqualification of the related funding application in the concerned funding exercise
Non-disclosure of similar/related research work in the application	The PA has failed to declare there is similar/related research work already done before proposed commencement date stated in the application* (2024 open calls and afterwards).	Medium to Heavy	<u>Level 2</u> 1. Warning letter; and 2. Disqualification of the related funding application in the concerned funding exercise  <u>Level 3</u> 1. Debarment from 1 to 2 year(s) in all capacities in all funding schemes; and 2. Disqualification of all submitted applications in all capacities to all funding schemes

\* For the 2023 open calls or before, the commencement date stated in the Agreement signed between the Administering Institution, Principal Applicant and the Government will be used.

## Penalty Actions for Non-Compliance with HMRF's Requirements

Improprieties	Description	Gravity	Penalty Actions
Non-compliance	No submission of final report by deadline without valid justification	Heavy	1. Debarment for 2 years in all capacities in all funding schemes and until the final report is submitted, whichever is later; and 2. Partial payment or recovery of the grant
	Early termination without valid justification	Heavy	1. Debarment for 2 years in all capacities in all funding schemes; and 2. Partial payment or recovery of grant
	Incomplete project without valid justification	Heavy	1. Debarment for 2 years in all capacities in all funding schemes; and 2. Partial payment or recovery of grant
	Final report graded "Unredeemable" or "Unacceptable" or "Not accepted"	Medium	1. Withhold 10% or 20% of the expenditure or the grant; and 2. Downgrade the rating of new funding application(s) being reviewed in PA capacity for 2 years

Notes:

1. **“Materials”** means all Deliverables, works and materials of whatever media (including those in electronic format) developed, written, prepared, produced or created by the Principal Applicant, the Institution, the Project Team, the Principal Applicant’s or the Institution’s directors, employees, agents, contractors, consultants and other personnel solely and exclusively in relation to the Project (whether individually or jointly with the Government) including without limitation all reports, studies, data, diagrams, charts, photographs, drawings, specifications, contractual documents and all drafts and working papers thereof. **“Deliverable”** or **“Deliverables”** means all reports, plans, documents, summaries, protocols, procedures, guidelines, menus, models, analyses, data, software, charts, diagrams and papers, however stored, processed or retrieved, which the Principal Applicant and the Institution are required to produce hereunder (including the Audited Account).
2. Debarment covers applying and receiving grants from all funding schemes being administered by the Research Fund Secretariat of the Health Bureau including the Health and Medical Research Fund in all capacities including but not limited to principal applicant and co-applicant. Principal Applicant’s on-going project(s) in all capacities may be adversely affected if he/she has committed improprieties in other application(s) / funded project(s).
3. If the misconduct is reported after commencement of the study, assessment will be made to determine whether any of the approved amount should be returned to the Government. The principal applicant may be required to suspend the research of the on-going project until further notice. Prior to the conclusion of the alleged research misconduct case, the Secretariat will withhold the agreement(s) of all new grant(s) of the principal applicant concerned.
4. If the alleged research misconduct case is considered to involve any breach of the law (e.g. deception), the Secretariat will refer the case to the relevant law enforcement agency for action and inform the Chairperson of Research Council. The Secretariat may seek legal advice if necessary. In the event that the case is under criminal investigation by a law enforcement agency, or is subject to criminal or civil proceedings in court, the Secretariat will suspend the processing of the alleged research misconduct / review until the completion of the criminal investigation or the criminal / civil proceedings. The process will only be resumed if it is confirmed that all criminal investigation or criminal / civil proceedings are completed.

5. If the principal applicant withdraws the application, declines the offer of the funding approval or terminates the funded project on his/her own accord during the course of investigation or review, relevant investigation or review may still continue until all procedures are concluded. Relevant penalty(ies) shall apply if necessary.