



(universitet, 2022)

Regulations for donations and sponsorships at Stockholm University

Type of document	Regulations
Adopted by	President
Date of approval	2022-06-02
Ref. no.	SU FV-0901-22
Period of validity	2022-06-02 – until further notice
Replaces document	Riktlinjer och rutiner för sponsring vid Stockholms universitet. Ref. no. SU 113-2710-09, 2009-11-26 (only in Swedish)
Responsible administrative unit	Office for Research, Engagement and Innovation Services
Responsible administrator	Stina Branting

Description:

These regulations apply to all matters related to donations and sponsorships throughout the whole organization. They contain, inter alia, a description of the conditions and forms necessary to enter an agreement of donation and sponsorship, as well as the procedure of handling to be followed.

This is a translation of a governing document. In case of a discrepancy between the Swedish and the English versions, the Swedish version will prevail.



Table of contents

<i>Regulations for donations and sponsorships at Stockholm University</i>	1
1 Introduction	2
2 Donations	3
2.1 Definition	3
2.2 What is a donation?	4
2.3 Who receives/owns the donation?	4
2.4 Conditions for receiving a donation.....	4
2.5 Administration	5
2.6 Documentation of the donation and the wish of the donor	6
2.7 Routines for the acceptance of a donation.....	6
2.8 Routines for the acceptance of donations of artworks and cultural objects	7
3 Sponsorship	7
3.1 Definition	7
3.2 What is sponsorship?.....	7
3.3 Goals and objectives of sponsorships	8
3.4 The sponsor collaboration	8
3.5 Calculations and expression of results	9
3.6 Sponsorship agreements are official documents.....	9
3.7 Routines for sponsorships.....	9
3.8 Written agreements	10
4. Related regulatory framework	11

1 Introduction

Stockholm University plays an important role as a creator, seeker and communicator of knowledge. The University upholds credibility, independence and integrity in science, as well as freedom and openness in research and good research practice. Donations and sponsor collaborations must be in accordance with the role of the University, its values and the goals as expressed in the document *Strategies for Stockholm University* (current version 2019-2022).



The purpose of this document is to clarify the division of responsibilities between concerned units within the University, and to provide researchers and responsible staff with guidelines regarding the handling of donations and sponsorships both within the administration and at departments/corresponding. The activities and ideology of the donor or sponsor must be taken into account, before Stockholm University accepts a donation or a sponsorship.

Stockholm University must only accept donations or enter into sponsorship collaborations with donors, organisations and companies that abide by the requirements of international conventions and by the guidelines concerning the environment, human rights and corruption. Examples of international norms to be followed are:

- The UN Universal Declaration of Human Rights.
- The OECD Guidelines for Multinational Enterprises.
- The ILO Core Declaration on Rights at Work.
- The Rio Declaration on Environment and Development.
- The UN Convention Against Corruption.

For donations of artworks and antiques, the following conventions must also be followed:

- The ICOM Code of Ethics for Museums.
- The UNESCO International Cultural Heritage Conventions.

Donors, organisations and companies must be rejected if they have production (including extraction) of fossil fuels, or in cases where more than five per cent of their total revenues derives from the production of arms, alcohol, tobacco, games or pornography.

2 Donations

2.1 Definition

Stockholm University adheres to the following definition of a donation in accordance with the Donations Ordinance (1998:140).

A donation denotes every type of property transfer to an authority through a gift or testamentary disposition that takes place without a requirement for any consideration in return or specific beneficiary position and where the property is not used to create a foundation.



2.2 What is a donation?

For a gift to be considered a donation, it is stipulated that:

- The donor does not require any kind of consideration in return, favours or preferential treatment. There may, however, be conditions set up that the donation is to benefit a particular purpose.

The property is not intended to create a foundation. A donation can consist of real property, cash, securities, movable property (instruments, artworks, antiques, furniture), etc. If the donation consists of cash which is to be placed in financial instruments, an investment policy must be established. The donation can be made through a gift or a testamentary disposition. The deed must be in writing and signed by the donor.

If a donor has stipulated that only the returns on the donated funds may be used for the purpose, Stockholm University can undertake the management of the property as a foundation. In such cases, the person responsible for foundations at the Finance Office is to be contacted.

At a national level, the acceptance and administration of donations are regulated in:

- The Donations Ordinance (1998:140).

Further rules on the handling of donations can be found in:

- The Swedish National Financial Management Authority's administrative provisions and general guidance on the Donations Ordinance.
- The Association of Swedish Higher Education Institutions SUHF SP 2009:1: Ethics guidelines for the acceptance of donations to Swedish Universities and higher education institutions. Annex 2 may serve as guidance in ethical considerations.

2.3 Who receives/owns the donation?

The donation is given to the state, thereby becoming the property of the state, via the authority which receives the donation. This means that it is not given to individual staff, groups of researchers or units/departments, even if the donor has specified a particular purpose, a particular researcher or group of researchers.

2.4 Conditions for receiving a donation

Stockholm University can only accept a donation, if the following conditions are met:

- The purpose of the donation must be related to the activity of the University.
- The donation can only be used in accordance with the purpose.

- The donation must not be conditional or be subject to limitations. The donor must not make demands for considerations in return, such as exclusive access to research results, not even for a (short) period of time. It is not considered a consideration in return that Stockholm University reports on how use has been made of the donation in accordance with its purpose.
- The donor, or any organisation or person related to the donor, must not influence the orientation of the research.
- The donor, or any organisation or person related to the donor, should not have a decisionmaking position regarding the research, nor have an operative role in the management of the activities supported by the donation.
- There must not be agreements or arrangements between Stockholm University and the donor, or any organisation or person related to the donor, with direct or indirect bearing on the donation.
- The donation must not involve an increased need for grants/funding. The costs for handling the accepting of the donation must also not exceed the value of the donation. Future conservation costs shall be taken into account when decisions are made concerning the acceptance of artworks and works of culture.
- A risk assessment shall be carried out related to art donations.
- Only in exceptional cases will donations be accepted from living artists who wish to donate art which they themselves have produced.
- Only in exceptional cases will art donations be accepted if there are conditions which stipulate e.g. how the object is to be presented in the premises of the University. If specific conditions have been stipulated for the management or location of the property, they shall be applied.
- If the property consists of a cultural object, or an object which will be included in the collections of the University, the University may accept the property even if it must not be disposed of.
- Property that Stockholm University has received as a donation constitutes state property (state owned art), and can be handed over to the Public Art Agency Sweden, unless it is contrary to any conditions laid down in the deeds of acquisition or donation.
- If Stockholm University deems that the circumstances regarding a donation have changed in such a way that the conditions for permutation exist, the University, in its role as the authority administering the donation, must apply for this.

2.5 Administration

If the donation is of a kind that must be administered, this must be done in accordance with the rules in the Donations Ordinance. After the government has given its consent, an authority may invest donated funds that will not be used within the next two years in accordance with investment rules set out in the Donations Ordinance, section 12.



2.6 Documentation of the donation and the wish of the donor

For donations in excess of 3 000 SEK, the wish of the donor shall be documented in a so-called donation disposition. However, all art donations are administered in writing through signed deeds of donation. Stockholm University uses deeds of gift or deeds of donation. The Office for Research, Engagement and Innovation Services provides a template for deeds of gift. All art donations are handled by the curator, who provides a template for deeds of donation, and who presents matters of art donations to the President.

It is important to avoid a too narrow definition of the purpose, particularly if it is a large donation or one that will generate revenue for several years. Conditions may change, e.g. staff may leave, departments may cease to exist or be merged.

For donations of up to 3 000 SEK, or donations which are received via direct deposits, the handling can be simplified and partially automated.

2.7 Routines for the acceptance of a donation

Decisions regarding the acceptance and use of donations are made by the President upon recommendation of the relevant dean. The Office for Research, Engagement and Innovation Services administers the decision.

- Contact the Office for Research, Engagement and Innovation Services when a donation is being initiated.
- The department makes a risk assessment of the intended donation. In case of doubt relative to the goal and strategy of the donation, the relevant dean shall be consulted. The Office for Research, Engagement and Innovation Services assists with the assessment.
- The head of department, director directly subordinated to the dean and/or head of an administrative unit finalises the discussions with the donor and draws up a deed of gift.
- The Legal Secretariat is contacted if there are legal questions.
- The Communications Office shall always be contacted when donations will entail the use of the name and logo of Stockholm University.
- The Communications Office shall be informed of all donations.



Donations shall be monitored by the head of department/corresponding on the basis of the goals of the collaboration. The result of the monitoring shall then be assessed against the desired effects. More information about advice and support for the acceptance of a donation can be found on the staff website.

2.8 Routines for the acceptance of donations of artworks and cultural objects

Decisions to accept and use donations of artworks or cultural objects are made by the President upon recommendation of the curator who administers decisions in matters concerning art and cultural objects,

- Contact the curator when a donation is being initiated.
- The curator makes a risk assessment of the intended donation. In case of doubt relative to the goal and strategy of the donation, the curator shall be consulted. The curator assists with the assessment.
- The curator finalises the discussions with the donor and draws up a deed of gift.
- The Legal Secretariat is contacted if there are legal questions. The President signs thank-you letters to donors.

More information about advice and support for the handling of art can be found on the staff website and in the Governing Documents – Rules & Regulations: Regler för Stockholms universitets innehav av konst (dnr SU-3541-21) (only in Swedish).

3 Sponsorship

3.1 Definition

Stockholm University applies the following definition of sponsorship:

Sponsorship is seen as an agreement whereby a sponsor provides the sponsored party with cash, goods or services in exchange for the exposure of a company name or trademark and possibly other benefits. Sponsorship is a commercial cooperation to the mutual advantage of the parties.

3.2 What is sponsorship?

Sponsorship is neither defined nor regulated in laws or regulations. A typical feature of sponsorship is that the sponsor pays to create a positive attitude to themselves or their products/services. This is done by exposing the sponsor's company name, brand name or similar in a particular context. It could be said that the sponsor buys an exposure of their own name or a right to use the name of the sponsored party to increase their goodwill. If there is no agreement that requires any consideration in return, it is not a question of sponsorship but of a gift or a donation.



The right of Stockholm University to accept a sponsorship is regulated in:

- Kapitalförsörjningsförordningen (SFS 2011:210) chapter 6, section 1. (Only in Swedish)

Further regulations for the handling of sponsorships at Stockholm University can be found in:

- The Swedish National Financial Management Authority's guidelines for public authorities on sponsorship "Sponsring som finansieringskälla?" (ESV 2002:15). (Only in Swedish.)

3.3 Goals and objectives of sponsorships

The purpose of sponsor collaborations is to enable activities which would otherwise not have been carried out in view of the existing budget of the University, alternatively to strengthen the objectives of projects which have already been decided. Such activities can, for example, take the form of conferences.

For supplementary projects and activities which are consistent with the task of the department, sponsorships can in some cases be a suitable additional source of income.

3.4 The sponsor collaboration

The sponsor collaboration must benefit both parties and be transparent and correct.

Sponsorships must not negatively influence the credibility and reputation of the University, since research and education at the University must be characterised by independence and impartiality. The sponsor must not influence or direct the activities of the University. Sponsors and external partners must not have influence on the decision processes of the University.

Sponsorship revenue must not be used to fund the long-term public commitments of the University. If the University recruits staff for these sponsorship activities, such employments must be of limited duration. Also see the report from the Swedish Agency for Public Management "Klara villkor för sponsring av statlig verksamhet" (2003:22). (Only in Swedish.)

The public confidence in the activities of Stockholm University must not be jeopardised because of the sponsorship collaboration. Therefore, the sponsorship collaboration must not cause a risk of suspicions of:

- Conflicts of interest
- Relationships of dependency
- Undue influence
- Activities not being carried out independently and appropriately



Funding through sponsorship presents a higher risk than traditional funding or grants. There is a risk that the sponsor terminates the agreement prematurely, or that they do not accept a prolongation or renewal of the agreement.

3.5 Calculations and expression of results

Sponsorships are not primarily intended to cover the costs incurred by the authority for what the sponsor receives in return. The sponsor pays to create a positive attitude vis-à-vis themselves, usually by the exposure of the company name or trademark. Such considerations in return must be reasonably proportionate to the sponsor's contribution.

Before entering a sponsorship collaboration, calculations must be made to avoid the risk of the sponsorship becoming a deficit, i.e. that the value of the sponsorship is lower than the University's cost for providing considerations in return. In the Swedish National Financial Management Authority's "Sponsring som finansieringskälla?" (ESV 2002:15; only in Swedish) is a guideline for setting up such a calculation.

Revenue from sponsorship, acceptance of cash, goods or services, must be accounted for in accordance with relevant routines in "Ekonomihandboken", section on sponsorship (only in Swedish). Sponsorship in the form of goods and services must be in accordance with the regulations for procurement in force at Stockholm University (the policy along with the associated regulations can be found in the University's "Upphandlingshandbok" – only in Swedish).

3.6 Sponsorship agreements are official documents

The sponsorship agreement is an official document, which means that the public normally has access to it. An official document shall be registered with the authority as soon as it has been received or drawn up. If someone requests access to the agreement, a secrecy examination shall be made. Consideration is to be given if the person who has entered into a business agreement with an authority can suffer loss if the agreement is disclosed.

3.7 Routines for sponsorships

Decisions on sponsorships are made by the President upon recommendation of the relevant dean. The Office for Research, Engagement and Innovation Services administers the decision.

- Contact the Office for Research, Engagement and Innovation Services when the sponsorship collaboration is being initiated.
- The department makes an assessment of the intended sponsorship. In case of doubt relative to the goal and strategy of the sponsorship, the relevant dean shall be consulted. The Office for Research, Engagement and Innovation Services assists with the assessment.
- A sponsorship budget shall be set up as a basis for the decision.



- For matters concerning agreements and law, contact the Legal Secretariat.
- The head of department, director directly subordinated to the dean and/or head of an administrative unit finalises the discussions with the sponsor and a written agreement is drawn up.
- The Communications Office shall always be contacted when sponsorships will entail the use of the name and logo of Stockholm University.
- The Communications Office shall be informed of all sponsorship agreements which have been concluded.
- Sponsorships shall be monitored by the head of department, director directly subordinated to the dean and/or head of an administrative unit on the basis of the goals of the collaboration. The result of the monitoring shall then be assessed against the desired effects.

3.8 Written agreements

Sponsorship agreements must always be drawn up in writing. This is true irrespective of the volume of funds involved or the form in which the contribution is made (i.e. as goods, services or cash). A template agreement is available from the Legal Secretariat which also assists with examination of the sponsorship agreement.

If the template is not used, the agreement must contain the following:

- Purpose and goal of the sponsorship collaboration.
- Sponsorship funds and considerations in return.
- Information concerning responsibility.
- Details on who will be responsible for insurance of the objects/premises.
- Provisions if a sponsored project or event does not take place, or if the circumstances for the sponsorship change.
- Provisions concerning possible repayment of sponsorship funds.
- A reservation stipulating that the authority will not be liable for damages as a result of political decisions with direct bearing on the possibilities of the authority to carry out its part of the agreement.
- The date when the agreement will end, and when it can be terminated by either party.
- Remedies for non-performance and any dispute.
- Guidelines for using the University's name, logo or both.

A sponsorship agreement between a company and an authority must not include a clause whereby the authority offers exclusivity to the company, i.e. a commitment from the authority to not enter into sponsorship agreements with competitors of the company or equivalent. Any confidentiality clause must contain exceptions for the Public Access to Information and Secrecy Act/the Freedom of the Press Act.

4. Related regulatory framework

- The Donations Ordinance (1998:140)
- Ekonomihandboken, Stockholm University *)
- The Swedish National Financial Management Authority's administrative provisions and general guidance on the Donations Ordinance (1998:140)
- The Swedish National Financial Management Authority's guidelines for public authorities on sponsorship "Sponsring som finansieringskälla?" (ESV 2002:15) *)
- Förvaltning av donationer och stiftelser vid Stockholms universitet *)
- Kapitalförsörjningsförordningen (2011:210) chapter 6, section 1 *)
- The Public Access to Information and Secrecy Act (2009:400)
- The Freedom of the Press Act (1949:105)
- Placeringspolicy för gåvo- och donationsmedel (Ref. no. SU FV-4048-21) *)
- Statskontorets rapport "Klara villkor för sponsring av statlig verksamhet" (2003:22) *)
- Strategies for Stockholm University (current version 2019-2022)
- Environmental Policy for Stockholm University (Ref. no. SU FV 2.10.1-1184-21)
- The Association of Swedish Higher Education Institutions SUHF SP 2009:1: Ethics guidelines for the acceptance of donations to Swedish Universities and higher education institutions. Annex 2 may serve as guidance in ethical considerations.
- Upphandlingshandboken, Stockholm University *)
- The ICOM Code of Ethics
- The UNESCO International Cultural Heritage Conventions
- Regler för Stockholms universitets innehav av konst (Ref. no. SU-3541-21) *)
- The Historic Environment Act (1988:950)

*) Only available in Swedish