

PROCLAMATION NUMBER ----/2023

**PROCLAMATION ON HIGHER EDUCATION, TECHNICAL AND VOCATIONAL
TRAINING & RESEARCH INSTITUTIONS, AND INDUSTRY LINKAGE**

Whereas the role of linkage among higher education, technical and vocational training, research institutions and industry is crucial in ensuring the broad-spectrum development of the country, innovation and technology transfer and in the production of knowledgeable and skilled manpower and modern society;

Whereas to establish a clear legal framework for higher education, technical and vocational training and research institutions to work with industry, as well as to legalize the linkage key actors duties and responsibilities to establish a system that is effective, accountable, credible, and consistent coordination within each institutions nationally;

Whereas it is necessary to establish a system that enhances partnership, collaboration, devising higher educational programs and research agendas that build the capacity of the higher education, technical and vocational and research institutions that can solve the basic problems of the industry;

Whereas promoting the linkage issues indicated on the national science, technology and innovation policy to legislation shall enable the transfer of technology and innovation to the required level;

NOW, THEREFORE, the “Higher Education and Training, Research Institutions and Industry Linkage proclamation is issued based on Article 55(1) of Federal Democratic Republic of Ethiopia Constitution.

PART ONE

GENERAL PROVISIONS

1. Short Title

This proclamation may be cited as; “Higher Education, Technical and Vocational Training, Research Institutions and Industry Linkage proclamation Number ----/2023.”

2. Definition

In this regulation, unless the context requires otherwise:

- 1/ “Consultancy Service” means a service of an intellectual and advisory nature provided by Academic staffs of higher education, research and training institutions

using their professional skills to study, design and organize specific projects, advice clients, conduct training and transfer knowledge;

- 2/ “Practical training” means a training which includes internship, externship and collaborative training;
- 3/ “Externship” means a practical training that provide exposure for the real world of work in the industry for higher education teachers and technical and vocational training institute trainers whereas industry experts provide practical training, and get involved on training at higher education institutions;
- 4/ “Internship” means a practical training in the industry in which Higher Education and Technical and Vocational training institutions students & trainees get exposure for the real world of work ;
- 5/ “Joint Applied Research” means collaborative research, among higher education and training, research institutions, the industry or other government and non-government organizations undertaken to address national or environmental problems through linkages;
- 6/ “Industry” is any private, governmental or non-governmental manufacturing or service providing organization/ institution that has a potential for collaborative works such as Research, Technology transfer, Community service, Consultancy, Internship, Cooperative training and Externship;
- 7/ “Technology Transfer” means the process of sharing of skills, knowledge, technologies, methods of manufacturing samples and facilities among industries, higher education, technical and vocational training, research institutes, government and private institutions to ensure scientific and technological developments are accessible to a wider range of users who can then develop and exploit the technology into new products, processes, applications, materials or service;
- 8/ “Intellectual property” means a legal right over a creative work of the human intellect and includes patent, trademark, copyright, registration, and utility model certificates;
- 9/ "Research Grant" means a financial support by an industry, funding institutions, governmental or non-governmental organization to a research project conducted by a higher education & training and research institution;
- 10/ “Research and Development /R&D/” means all activities and processes that starts from innovation till commercialization of new products and services in higher education and training, research institutions and industries;
- 11/ "Linkage" means a collaborative and mutual-benefit-based platform to be formally established among higher education, technical and vocational training and research institutions, and industries based on the directions and principles of this proclamation;

- 12/ “Linkage stakeholders” means the main actors of the linkage which includes Higher Education, Technical and Vocational Training Institutions, Research Institutions and Industries;
- 13/ “Net Revenues” means the revenue retained from expenditure in the production process of an intellectual property;
- 14/ "Research institutes" are institutions that are organized on special missions to conduct research;
- 15/ "Technical and Vocational Training Institutions" means institutions that provide any technical and vocational training at lower level of higher education in accordance with the country's education and training policy;
- 16/ “Priority need” means a national key agendas based on prioritized sectors set by the government;
- 17/ “The linkage council” means Higher Education, Technical and Vocational Training, Research Institutions and Industry Linkage council established pursuant to sub Article (1) of Article 19.
- 18/ “Ministry or Minister “means the Ministry or Minister of Education respectively.
- 19/ “Person” means a natural or juridical person;
- 20/ Any expression in the masculine gender includes the feminine gender.

3. Scope of Application

This proclamation shall be applied to all Public and Private Higher Education, technical and vocational training institutes, research institutions, development enterprises, industries and government and private organization,

PART TWO

POWER AND DUTY

4. Shared Power and Duty of Linkage Stakeholders

- 1/ Create strong organizational structure, system and conducive environment for the effectiveness of the linkage;
- 2/ Coordinate, guide, monitor and assure their respective sectors for effective execution of the linkage;
- 3/ Develop internal relevant directives, improve sectorial laws for the effectiveness of the linkage, continuous follow-up and confirm their implementation and provide feed backs;
- 4/ Establish a system for exchanging information with stakeholders in the linkage;
- 5/ Providing institutional linkage plans, continuous follow-up, evaluation and creating working procedure for the linkages and report to the respective body;
- 6/ Providing the necessary follow-up and support for the created linkages;

- 7/ The linkage shall have done any other roles and responsibilities in which to achieve the proclamation.

5. Power and Duty of Government Higher Education Institution

Higher Education Institution will have the following power and duty to:-

- 1/ Incorporate linkage activities in their strategic planning documents;
- 2/ Establish the manpower, budget and internal system that enables to perform the linkage activities
- 3/ Establish a transparent and effective revenue administration system of the linkage;
- 4/ Ensuring the benefit of the community by focusing on community problems through the linkage process, and creating opportunities for new industries and jobs;
- 5/ Identify the core linkage issues on the basis of priority need, considering the effectiveness of the institute and through consulting the community;
- 6/ Ensure that research works shall consider identified areas of linkage and facilitate funding for research;
- 7/ Utilize the knowledge, experience and skills gained through the linkage for educational services in a way that does not infringe the intellectual property rights and to the benefit of the community;
- 8/ Develop internal guideline that deals about the professional ethics, rights and obligations of the linkage participants.

6. Power and Duty of Private Higher Education Institute

The Private Higher Education Institute shall have the following power and duty:-

- 1/ Realize its mission and fulfill the fundamental needs of the community, it shall work in integration with other private and public institutions and industry;
- 2/ Shall include a linkage plan in its institutional strategic plan;
- 3/ Shall identify the core linkage issues based on priority need, considering the effectiveness of the institute and through consulting the community;
- 4/ Shall organize, assign adequate manpower, and resources to achieve effective linkage;
- 5/ Work in collaboration and coordination with other institutions to implement practical training and joint applied research to help students to become proficient in knowledge and skills;

- 6/ Utilize knowledge, experience and skills gained in the linkage for educational purposes only in such a way that does not infringe intellectual property rights and to the benefit of the community;
- 7/ Make its infrastructure accessible for the agreed parties by signing the agreement ; and
- 8/ Create national and international cooperative relationship to successfully implement linkage.

7. Power and Duty of Research Institution

Research institution shall have the power and duty to:-

- 1/ Identify priority research agenda with linkage stakeholder,
- 2/ Make an agreement for joint research;
- 3/ Put in place resource sharing and fund raising schemes for joint applied research;
- 4/ Assign professionals who shall work with higher education, technical and vocational training institutions and industry to conduct joint research; and
- 5/ Develop a structure and establish a system for research resource administration, linkage performance follow up, evaluation and support.

8. Power and Duty of Technical and Vocational Training Institution

Technical and Vocational Training Institution shall have the following power and duty to:-

- 1/ Allow the linkage stakeholders to use their infrastructure for joint work based on mutual agreement;
- 2/ Creating a conducive institutional environment for effective industrial extension, practical training, consulting and cooperative training;
- 3/ Creating incubation center for its research partnership for industry, higher education and research institutions;
- 4/ Facilitate identification, selection, prototyping, testing ,marketing and transferring of appropriate technologies to achieve industrial extension, practical training, consulting and cooperative work; and
- 5/ Ensure equitable participation and support for needy people in the community.

9. Power and Duty of Industry

For success of the linkage, industry shall have the following power and duty to :-

- 1/ Make all necessary arrangement and conducive environment for the effective stay of the students, trainee, teachers and trainers who participate in practical trainings;
- 2/ Make its infrastructure available for industrial extension, practical training, consulting and practice-oriented activities;

- 3/ Establish linkage system for industrial extension, practical training, innovation and technology transfer works with higher education, technical and vocational training, and research institutions;
- 4/ Identify priority agendas on joint research, innovation and technology transfer and inform to stakeholders; and
- 5/ Establish structure; assign adequate manpower, and resources to achieve effective linkage activity.

10. Power and Duty of Public Enterprise

Public enterprise shall have the following power and duties:-

- 1/ Establish a strong linkage and work jointly with higher education, technical and vocational training institute, research institution, and industry;
- 2/ Allocate their annual recurrent budget to joint research with higher education and research institutions; the detail will be prescribed by a directive to be issued by the Ministry in consultation with the Ministry of Finance.
- 3/ Participate and support national and local priority activities of the linkage;
- 4/ Work to improve the relevance and quality of higher education and training programs in the country by focusing on technology transfer, the country's development agendas and collaborating with other stakeholders; and
- 5/ Plan, allocate budget and establish institutional system for research activities through linkage to improve product and services.

11. Power and Duty of Ministry of Education

The Ministry shall have the following power and duties:-

- 1/ Coordinate, support and follow up the common activities of higher education, technical and vocational training, research institution and industry linkage and chair the linkage council.;
- 2/ Identify the linkage priority program, need and implementation strategies in order to apply and monitor performance, compile reports, and organizes data;
- 3/ Establish and implement award and incentive systems for the effectiveness of the linkage plan performance ;
- 4/ Establish implementation guideline of the linkage and monitor its performance;
- 5/ Establish legal linkage fund for strengthen the linkage activities;
- 6/ Ensure the availability of collaborative work system between the linkages under the council,
- 7/ Publicize performance, result and benefit of the linkage as well as related activities;
- 8/ Provide financial grant for linkage based problem-solving research proposals and monitor its implementation.

PART THREE

ABOUT INTELLECTUAL PROPERTY AND TECHNOLOGY TRANSFER

12. INTELLECTUAL PROPERTY

In compliance with the existing laws governing intellectual property administration, Higher Education, Technical and Vocational training, Research institutions and Industries shall adapt their own Intellectual Property guideline for inventions created through linkage.

13. Establishment of Intellectual Property and Technology Transfer Support Center

- 1/ Higher Education, Technical and Vocational training, research institutions and industries shall establish Intellectual Property and Technology Transfer Support Center.
- 2/ The power and duty of Intellectual Property and Technology Transfer Support Center shall be decided by the directive to be issued following this proclamation.

14. Royalty Distribution

- 1/ Revenues received as a result of licensing agreements in the form of royalty and/or equity holdings shall be distributed in such a manner as to encourage the development of intellectual property, technology development and technology transfer.
- 2/ Regarding the distribution of the intellectual property net revenue, the share of the institution and the share of intellectual property owner and breeder shall be decided by directive to be issued by the Ministry.
- 3/ In the event of multiple innovators, inventors, creators, or breeders, they will agree among themselves and execute an appropriate agreement thereon as per sub-Article 2 of this Article;
- 4/ The linkage stakeholders shall prepare a directive to formulate procedures and mechanisms for access to genetic resources, use of indigenous knowledge and the sharing of benefits; based on active relevant Laws, especially Genetic Resources and indigenous Knowledge & Community Rights Proclamation.

PART FOUR

RECOGNITION AND INCENTIVE

15. Incentives and recognition for Private Industry

Private industries that collaborate in linkage shall have the following incentives and recognition:

- 1/ Without prejudice to the benefits that private industry accrue from the linkage, may be awarded with recognition and other appropriate incentives.
- 2/ Notwithstanding the provisions of sub-article (1) of this provision, incentive may be provided to private industry that contributes for the success of the linkage, whether or not they participate in the joint research work and covers fully or partial expense, when the Ministry of Finance decides to that effect.

16. Incentive and recognition for Private Higher Education Institution

- 1/ The incentives for private industry shall apply for private higher education institution involved in the linkage accordingly.
- 2/ Notwithstanding the provisions of sub-article (1), the private higher education institution may be provided the necessary support to conduct joint research on selected research areas of the government and shall be provided the capacity building on teachers and their management.

17. Incentives and recognition for Researcher or Inventor/Innovator

Researcher or inventor/innovator that contributes for the linkage shall have the following incentives:

- 1/ Researcher who provide local and international funding out of institutional budget for higher education, technical and vocation training and research institution in the network will benefit from the funding; the detail shall be prescribed by the directive.
- 2/ The amount mentioned in sub-article 1 of this provision shall be clearly stated in the project agreement;

PART FIVE

Establishment of Linkage Council

18. Establishing Linkage Council

- 1/ The linkage council herein after called “the council” is hereby established from higher education, technical and vocational training, research institutions, industry and other relevant government executives that oversee the linkage.
- 2/ The organization and working procedure of the council shall be prescribed by a directive to be issued by the Ministry.

19. Powers and duties of the council

The council shall have the following powers and duties

- 1/ Prescribes linkage strategic directions based on the fields of focus set by the government. Supervise and evaluate the process and performance of the linkage;
- 2/ Causes and Coordinates Exchange of experience on the best practice organization,
- 3/ Works in coordination with different organizations set by the Ministry
- 4/ Identifies strategic focus areas to be implemented by each organization; It also ensures that they are included in the plan.
- 5/ Gives direction to organize a think tank team to help and advice on the effectiveness of the linkage; monitors its implementation
- 6/ Performs other activities that help to achieve the purpose of the linkage.

PART SIX

MISCELLANEOUS PROVISIONS

20. Duty to Cooperate

Every person has a duty to cooperate in achieving the purpose of the linkage and for the enforcement of the proclamation.

21. Power to Issue regulation and directive

- 1/ The Council of Ministers may issue regulations to enforce the proclamation.
- 2/ The Minister may issue directives for the implementation of this Proclamation and regulations issued pursuant to this Proclamation.

22. Repealed law

Any proclamation, regulation, directive or customary practice that is inconsistent with this proclamation shall not apply to matters covered by this proclamation.

23. Effective Date

This proclamation shall come in to force on the date of publication on the Federal Negarit Gazette

Addis Ababa done on this day/2023

SAHLEWORK ZEWADE

PRESIDENT OF THE FEDERAL

DEMOCRATIC REPUBLIC OF ETHIOPIA