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**Rectoral Decree n 145/2025 7/02/2025**

**UNIVERSITY REGULATIONS FOR THE AUTHORISATION OF NON-INSTITUTIONAL ASSIGNMENTS PERFORMED BY ACADEMIC STAFF**

**Art. 1**

**OBJECTIVES**

1. These Regulations have been issued in accordance with art. 53 of Legislative Decree 165/2001 and subsequent amendments and Law 240/2010.

Their purpose is to identify the types of assignments compatible with the role of professor and researcher at the University of Cagliari and to define the criteria and procedures to be followed for the issuing of authorisations to carry out assignments not included among institutional duties.

For the purposes of these regulations, the term 'researcher' refers to both tenured and fixed-term researchers.

**Art. 2**

**INCOMPATIBILITY AND PROHIBITED ASSIGNMENTS**

1. Pursuant to Article 53 of Legislative Decree 165/2001, Article 11 of Presidential Decree 382/1980 and Article 6 of Law 240/2010, full-time and part-time professors and researchers are prohibited from:

- a) entering into other employment contracts with public administrations or private entities;
- b) engaging in any form of trade, industry or business activity, including professional farming and direct cultivation;
- c) participating in partnerships, except in cases where the liability of the participating partner is limited by law or by the articles of association, as in the case of a limited partner in a limited partnership;
- d) holding the position of Chairman of the Board of Directors, Sole Director, General Manager and Managing Director of a limited company or similar positions in companies or entities with profit-making aims, except as provided for in Articles 13, 14 and 15 of Presidential Decree 382/1980;
- e) holding any position that is not compatible with the dignity and decorum of the teaching staff and any position that may damage the prestige and image of the University of Cagliari.

2. Holding the position of Director or President of non-profit foundations, associations or entities does not constitute the exercise of entrepreneurial activity, provided that the conditions set out in paragraph 1 of this article or in Article 3 do not apply.

3. The incompatibility provided for in point e) of this article shall also apply in the event of the employee being placed on leave, without prejudice to any exceptions provided for by the provisions of the law in force.

**Art. 3**

**CONFLICT OF INTEREST AND PROHIBITION OF COMPETITION**

1. Professors and researchers, regardless of their chosen employment status, may not undertake assignments that could give rise to a situation of competition or conflict of interest with the University of Cagliari, nor may they carry out extra-institutional activities that could be detrimental to the teaching, scientific and operational activities falling within their official duties.

2. Any situations of conflict of interest or possible competition with the University, whether actual or



potential, must be promptly reported by the person concerned to the Rector, who will assess the situation in concrete terms, also in relation to the functions performed by the professor or researcher, for the purpose of granting authorisation to carry out the assignment.

Professors and researchers, regardless of their chosen employment regime, are prohibited from carrying out collaboration, consultancy, training, teaching or teaching assistance and tutoring activities for companies, entities or organisations that provide paid services to students for the preparation of university exams, assistance in the drafting of theses and/or activities aimed at completing university study curricula.

#### **Art. 4**

##### **FREELANCE WORK AND PAID ASSIGNMENTS**

1. Freelance activities are those performed for third parties on an individual basis or through participation in professional associations or companies that do not fall within the scope of institutional duties and responsibilities, require registration in professional registers or qualifying registers, and are of a continuous and/or habitual nature.
2. All activities and assignments, even of an occasional nature, which are not included in the duties and responsibilities of the office and for which remuneration is received, even in the form of attendance fees, shall be considered as paid assignments.

#### **TITLE I**

##### **FULL TIME PROFESSORS AND RESEARCHERS**

#### **Art. 5**

##### **ELIGIBLE ACTIVITIES AND ASSIGNMENTS**

1. Pursuant to current legislation, and without prejudice to the provisions of Articles 11, 13, 14 and 15 of Presidential Decree 382/1980, the full-time employment regime of professors and researchers is compatible with the activities listed in Articles 6, 7 and 8 below and in accordance with the procedures set out therein.

#### **Art. 6**

##### **ELIGIBLE ASSIGNMENTS NOT REQUIRING AUTHORISATION**

1. Full-time professors and researchers may carry out the following tasks, either for remuneration or free of charge, without requiring authorisation from the Rector:
  - a) Publishing and editorial activities, contributions to newspapers, magazines, encyclopedias and similar publications;
  - b) Scientific and academic collaborations, scientific and cultural communication and dissemination activities;
  - c) Participation as a speaker at conferences, seminars and lectures;
  - d) Evaluation activities (such as participation in job position competition committees, comparative evaluations, tenders) and refereeing;
  - e) Scientific /academic collaborations as an expert on scientific/academic councils of research institutions or on advisory boards;
  - f) Consultancy activities pursuant to Article 6 para. (10) of Law 240/2010, as interpreted by Article 9, para. (2-ter) of Decree Law 22 April 2023, No. 44, converted into Law on 21 June 2023, No. 74/2023;
  - g) Occasional assignments for which only documented expenses are reimbursed;
  - h) Assignments for which the employee is placed on leave, secondment or temporary transfer;
  - i) Assignments conferred by trade unions to employees seconded to them or on unpaid leave;
  - j) Assignments and/or activities involving remuneration deriving from the commercial use by the author or inventor of intellectual property or industrial inventions;
  - k) Teaching activities for public administration employees pursuant to Article 53, paragraph 6, letter (f), of Legislative Decree 165/2001 and subsequent amendments and additions;



- l) Artistic and sporting activities, provided they are not carried out on a professional basis;
- m) Unpaid assignments, provided they do not damage the image of the university or give rise to a conflict of interest;
- n) Assignments conferred and regulated within the framework of agreements entered into between the university and/or departmental structures and centres with different administrations;
- o) Intramural professional activities carried out by staff providing healthcare within the University Hospital or affiliated facilities.

**Art. 7**

**ELIGIBLE POSITIONS REQUIRING SIMPLE NOTIFICATION**

- 1. The following are eligible and subject only to notification to the Rector:
  - a) The acceptance of unpaid institutional and managerial positions in governing and supervisory bodies of Spin Offs at the University of Cagliari;
  - b) The acceptance of unpaid or paid institutional and managerial positions in the centres of expertise at the University of Cagliari.

**Art. 8**

**ELIGIBLE POSITIONS REQUIRING AUTHORISATION**

- 1. Full-time professors and researchers may carry out the following paid or unpaid assignments, subject to authorisation by the Rector, who shall assess the relevance of the assignment to the academic qualification held and the compatibility of the commitment required for the assignment with the performance of official institutional duties:
  - a) Assignments without subordination to public or private entities, including for profit, not provided for in Articles 6 and 7 above, provided that they are carried out independently, do not involve the assumption of individual executive powers, do not give rise to conflicts of interest with the University and do not in any way prejudice institutional activities;
  - b) Teaching and research roles, other than those provided for in Article 6 of these regulations, at public and private bodies.
  - c) Institutional and management duties at public or private entities, whether for profit or not, provided that such tasks are carried out independently, do not involve assuming individual executive powers, do not give rise to conflicts of interest with the University and do not in any way prejudice institutional activities;
  - d) Participation in technical and scientific/academic advisory bodies of the State, public bodies and local authorities;
  - e) Carrying out scientific and academic activities, other than those provided for in Article 6, performed outside institutional duties;
  - f) Teaching activities carried out in collaboration with public bodies, provided that they do not constitute professional practice;
  - g) Teaching and/or training activities outside institutional duties, including the design, organisation and implementation of courses, seminars, series of lectures and the preparation of teaching materials;
  - h) Teaching duties in professional refresher courses and continuing and recurrent education, provided that they do not constitute professional practice;
  - i) Appointments as arbitrators or members of arbitration panels;
  - j) Acceptance of paid institutional and management positions in the governing and supervisory bodies of spin-offs of the University of Cagliari until the end of the fifth year from their establishment;
  - k) Assumption of paid institutional and management positions in the Centres of expertise of the University of Cagliari.
- 2. Authorisation to carry out teaching assignments at other Italian universities is subject to the current University Regulations for the granting of authorisation to teach outside the university.



The procedures for authorisation to carry out the assignments referred to in this article are set out in Article 16.

**Art. 9**

**PROHIBITED ACTIVITIES AND ASSIGNMENTS FOR FULL-TIME PROFESSORS AND RESEARCHERS**

1. Pursuant to the regulations in force, it is forbidden for full-time professors and researchers to engage in freelance activities, to hold paid institutional and management positions in the governing and controlling bodies of spin-offs of the University of Cagliari after the 5th year from their establishment and to participate in management bodies and/or in paid management activities of the Centres of expertise of the University of Cagliari after the 5th year from their establishment.

**Art.10**

**CUMULATION OF WORK ASSIGNMENTS AND REMUNERATION**

1. Full-time professors and researchers may be authorised to perform a number of non-institutional assignments, provided that the performance of the assignment does not prejudice their institutional activity.
2. If during the performance of the assignment it is found to be detrimental to their teaching and research activities, the authorisation may be revoked by Rector's order.
3. The authorisation to carry out paid assignments is granted for the duration of the assignment and may last for several years. The professor undertakes to report any increases in his or her teaching and institutional workload within the university and/or variations in the intensity of the extra-institutional assignments already authorised and, if these are significant, the Rector may revoke the authorisation.
4. The assignment must be carried out outside university premises and must not involve the use of university equipment and instruments, nor the contribution of other personnel in service at the University of Cagliari.

**Art. 11**

**PRECONDITIONS FOR AUTHORISATION**

1. In granting authorisations, the Rector shall adjust his/her assessment to the criteria of compatibility:
  - a) professional, in the sense that the request must concern appointments entrusted to professors and researchers in consideration of their particular qualifications;
  - b) institutional, in the sense that the appointment must be compatible with the performance of the relevant institutional duties, without prejudice to the functional order of the latter.

For the purpose of granting the authorisation, the Rector shall take into account the active research role, the non-institutional appointments already authorised in the year of reference, those in progress, as well as the possible simultaneous performance of other appointments with the one for which the authorisation is requested and the amount of remuneration received in the calendar year preceding that for which the request has been submitted.

**Art. 12**

**APPOINTMENTS SUBJECT TO THE 'UNIVERSITY REGULATIONS GOVERNING EXTERNALLY FUNDED ACTIVITIES'.**

1. All the appointments listed in Article 8, which, pursuant to these rules, are subject to the Rector's authorisation, are subject to the "University regulations governing activities carried out by teaching staff with external funding".
2. In the case of multi-annual appointments, the fulfilment of the requirements for exemption from payment provided for in the "University regulations governing the activities of externally funded teaching staff", shall be verified annually.

**TITLE II**



**FIXED TERM PROFESSORS AND RESEARCHERS**

**ART. 13**

**ELIGIBLE ASSIGNMENTS NOT SUBJECT TO AUTHORISATION**

1. Pursuant to the regulations in force, the part-time employment regime of professors and researchers shall be compatible with:
  - a) the performance of freelance activities, self-employment and consultancy activities, including continuous external consultancy;
  - b) the performance of paid and unpaid assignments.
2. These activities are not subject to the authorisation of the Rector, nor to the "University Regulations governing externally funded activities of teaching staff".

**Art. 14**

**ELIGIBLE ASSIGNMENTS SUBJECT TO AUTHORISATION**

1. Professors and researchers on part-time contracts may carry out teaching and research activities at foreign universities, subject to authorisation by the Rector.

**ART. 15**

**PROHIBITED ACTIVITIES AND ASSIGNMENTS**

1. In accordance with current legislation, professors and researchers on part-time contracts are specifically prohibited from:
  - a) engaging in commercial or industrial activities;
  - b) any activity that may give rise to a conflict of interest with their university or damage the image of their university, as well as the activities indicated in Articles 2 and 3 of these Regulations.
2. Professors and researchers on part-time contracts may not take on roles representing or defending the University in disputes against the University, nor may they act as technical consultants for opposing parties in disputes in which the University is a party.

**Title III**

**AUTHORISATION PROCEDURE**

**Art. 16**

**PRESENTING AN APPLICATION**

1. The authorisation procedure is initiated by the professor or researcher concerned, submitting an application to the Rector using the form provided by the university and available on the university website, to be submitted via electronic mail.

The application must be accompanied by the opinion of the Head of Department, who is responsible for assessing the compatibility of the assignment with the institutional activities of the lecturer and the absence of any conflicts of interest.

Authorisation, or a reasoned refusal, shall be issued by Rectoral Decree within 30 days of the submission of the application, which may be extended for a further 30 days for investigative purposes. The activity may not commence without the prior authorisation of the Rector. Applications received after the start of the assignment will be declared inadmissible and returned to the Head of Department.
2. If the request comes from the body/company proposing the assignment, the teacher will be invited by the Personnel, Organisation, Performance Directorate to submit the application and documentation referred to in point 1.
3. In the application, the teacher must expressly indicate, under their own responsibility:
  - a) personal details, Department, Academic Discipline, subject taught or field of expertise, nature of the assignment and estimated amount of remuneration;
  - b) organisation/company/client, contact details and contact person, VAT number or tax code of the



- organisation/company, whether or not it is a profit-making organisation;
- c) indication of the period in which the assignment is to be carried out;
  - d) number of assignments already completed or in progress during the academic year;
  - e) the amount of remuneration received for carrying out extra-institutional assignments in the calendar year preceding the year in which the application is submitted;
  - f) a statement regarding the functions performed as coordinator of PRIN projects, national and international projects eligible for co-funding in the current or previous academic year;
  - g) compatibility with teaching activities, study programmes and the department to which the applicant belongs in terms of the commitment required and its expected duration;
  - h) a declaration that the performance of the assignment does not give rise to any conflict of interest with the University of Cagliari;
  - i) whether or not the applicant is active in research.

4. Authorisation to perform the assignment will be recorded by the Personnel, Organisation, Performance Directorate on the Public Administration website - Perla.PA Register of Services. The public or private entity awarding the assignment subject to authorisation must notify the Personnel, Organisation, Performance Directorate within 15 days of payment of the remuneration - or part thereof - of the actual amount of remuneration paid in accordance with Article 53, paragraph 11, of Legislative Decree 165/2001.

5. Authorisation by the University of Cagliari concerns exclusively the legitimacy of the University regulations. The classification of the relationship arising from any assignments from a tax or social security point of view or in relation to compliance with mandatory regulations is the sole responsibility of the professor or researcher and is of no relevance to the University.

#### **Art. 17**

#### **RESPONSIBILITY FOR THE PROCEDURE**

The person responsible for the procedure is the Manager of the Personnel, Organisation and Performance Directorate.

#### **Art. 18**

#### **SANCTIONS/PENALTIES**

1. If the professor or researcher carries out paid assignments that have not been conferred or previously authorised by the University, they shall be subject to disciplinary action, without prejudice to more serious sanctions.
2. If the Rector finds that an incompatible or unauthorised assignment is being carried out, he shall formally warn the professor or researcher in advance to put an end to the situation of incompatibility or irregularity within a strict deadline of 15 days, without prejudice to disciplinary action.
3. If the remuneration has not yet been paid by the paying entity, it must be paid into the University's budget revenue account to be allocated to the productivity fund or equivalent funds pertaining to professors and researchers. If, on the other hand, payment has already been made, the professor or researcher must pay the remuneration received into the aforementioned fund of the University of Cagliari.
4. Assignments may not be authorised for professors and researchers who have failed to pay the 9% due to the University of Cagliari in accordance with the "University regulations governing activities carried out by teaching staff with external funding" (referred to in Article 12). The prohibition shall apply for the three years following the omission.
5. Assignments may not be authorised for professors and researchers who, for previous assignments, have failed to provide the information referred to in Article 7 of these Regulations. The prohibition shall apply for the two years following the omission.



**ART. 19**

**TEMPORARY MEASURES**

1. These regulations, issued by Rector's Decree, shall enter into force on the day following their publication on the University website [www.unica.it](http://www.unica.it).

Authorisations already granted on the date of entry into force of these regulations shall be deemed to remain valid until the expiry of the terms of office.

For matters not covered by these regulations, the provisions of Article 53 of Legislative Decree 165/2001, as amended, and the provisions of Article 6 of Law 240/2010, the University Statute, the Code of Ethics and any other provision of law on incompatibility, accumulation of paid positions and assignments shall apply.