

○ National University Corporation Kobe University Ethical Regulations for Staff Members

(Established on April 1, 2004)

Revised on: April 21, 2009 March 23, 2010

(Purpose)

Article 1 The purpose of these regulations is to implement necessary measures that contribute to the maintenance of ethical conduct by the National University Corporation Kobe University (hereinafter referred to as "University") academic and administrative staff in the performance of their work duties so as to prevent any conduct that would cause suspicion or mistrust by citizens towards fairness in the performance of work duties, and thereby ensure the public's trust regarding the operation of the University pursuant to Article 17 of the National University Corporation Kobe University Rules on Conditions of Employment for Staff Members.

(Standards for Ethical Conduct)

Article 2 Staff members shall take pride as employees of the University, remain conscious of their mission and conduct themselves in accordance with the following standards to be complied with in order to maintain ethical performance of their work duties.

- (1) Staff members shall refrain from using information learned in the course of their work duties to extend advantageous treatment to a limited range of beneficiaries or to practice other forms of unfair, discriminatory treatment, and shall constantly perform their work duties in a fair manner.
- (2) Staff members shall constantly maintain a clear distinction between public and private affairs, and shall never use their work duties or position to advance private interests for their own benefit or for the benefit of organizations to which they belong.
- (3) Staff members shall, in exercising the authority granted to them by laws, regulations and the rules of the University, refrain from engaging in behavior that would cause suspicion or mistrust, such as receiving gifts from parties under their authority.
- (4) Staff members shall, in performing their work duties, seek to advance the public interest by committing their fullest efforts to this mission.
- (5) Staff members shall, even outside their working hours, conduct themselves in a manner whereby they are constantly conscious of the fact that their behavior influences public trust of the University.

(Business Operators, etc.)

Article 3 The term "business operators, etc." in these regulations refers to juridical persons (including associations and foundations that are not juridical persons but have rules concerning representatives or administrators) and other organizations or individuals who operate a business (limited to individuals who engage in acts in the interest of the business).

2 In the application of these regulations, executive officers, personnel, agents and other persons who engage in acts in the interest of a business operator shall be deemed business operators defined in the preceding paragraph.

(Interested Parties)

Article 4 The term "interested parties" in these regulations refers to parties prescribed in the said items according to the following categories of duties that the staff member is involved in as part of his or her work duties.

- (1) Work pertaining to contracts such as goods purchase contracts: Business operators who have executed such agreements; business operators who have applied to execute such agreements; and business operators who clearly intend to apply to execute such agreements.

- (2) Work pertaining to joint research and contracted research contracts: Business operators who have executed such agreements; business operators who have applied to execute such agreements; and business operators who clearly intend to apply to execute such agreements.
 - (3) Work pertaining to the decision of successful candidates in the entrance examination: People applying for admission to the University and the relevant parties
 - (4) Work pertaining to the decision of students' graduation or completion: Students subject to such graduation decisions or completion decisions
 - (5) Work pertaining to the decision of disciplinary action of students: Students subject to such disciplinary action
 - (6) Work pertaining to the decision of people appointed as staff members: People seeking employment as staff members at the University and the relevant parties
- 2 If a person who was an interested party of a transferred staff member in relation to the staff member's position before the transfer continues to be an interested party of another staff member who is assigned to the transferred staff member's position, the person who was an interested party of the transferred staff member shall be deemed to remain an interested party of the transferred staff member for 3 years from the day of transfer (or until the day in that period on which the person who was an interested party ceases to be an interested party of the staff member assigned to that position).
- 3 If it is clear that an interested party of a staff member is in contact with another staff member in order to advance the interested party's own interests by causing the other staff member to exercise its position-based influence on the original staff member, the interested party of the original staff member shall be deemed an interested party of the other staff member.

(Prohibited Acts)

Article 5 Staff members shall not carry out any of the following acts.

- (1) Acceptance of gifts of money, goods or real estate from an interested party (including farewell gifts, congratulatory gifts, condolence gifts, floral offerings or other similar gifts).
 - (2) Acceptance of loans of money from an interested party (in the case of loans provided in the course of business, this prohibition shall apply only to interest-free loans or loans with significantly low interest rates).
 - (3) Acceptance, for no consideration, of loans of goods or real estate from, or at the expense of, an interested party.
 - (4) Acceptance, for no consideration, of services from, or at the expense of, an interested party.
 - (5) Acceptance of a transfer of unlisted stock (referring to stock that is not listed on a securities exchange prescribed in Article 2, paragraph 14 of the Securities and Exchange Act (Act No. 25 of 1948), and is not listed in the register of over-the-counter traded securities prescribed in Article 75, paragraph 1 of the same Act) from an interested party.
 - (6) Acceptance of entertainment from an interested party.
 - (7) Dining with Interested Parties
 - (8) Engagement in recreational activities such as golf with an interested party.
 - (9) Travel with an interested party (excluding travel in the course of the staff member's work duties).
- 2 Notwithstanding the provisions of the preceding paragraph, staff members may engage in the following acts.
- (1) Acceptance from an interested party of gifts of promotional or commemorative goods that are widely distributed to the general public.
 - (2) Acceptance from an interested party of gifts of commemorative goods at a buffet party (referring to a buffet-style meeting where food and drinks are served; the same shall apply hereinafter) attended by a large number of people.

- (3) Use during a work-related visit to an interested party of goods provided by the interested party.
 - (4) Use during a work-related visit to an interested party of an automobile provided by the interested party (limited to cases where the automobile is regularly used by the interested party in its business etc., and where the use of automobile is deemed appropriate due to transportation conditions in the vicinity of the interested party's office or other circumstances).
 - (5) Acceptance of refreshments from an interested party while attending a work-related conference or other meeting.
 - (6) Acceptance of food and drinks from an interested party at a buffet party attended by a large number of people, or dining with an interested party.
 - (7) Acceptance of simple food and drinks from an interested party while attending a work-related conference, or having a simple meal and drinks with an interested party.
 - (8) Dining with an interested party while bearing his or her own costs. However, food and drinks other than simple food and drinks while participating in conferences or other meetings (limited to meetings held at night) as part of the job, are limited to those considered by the ethics manager (referring to the ethics manager pursuant to Article 13. The same applies hereinafter.) to be unlikely to cause national citizens' suspicion and mistrust towards the fairness of the performance of their work duties.
- 3 With regard to the application of the provision of paragraph 1, if an staff member purchases goods or real estate, accepts a loan of goods or real estate or accepts services from an interested party, and the amount paid by the staff member is significantly less than the market price of such goods at the time of purchase or acceptance, the staff member shall be deemed to have accepted from the interested party a gift of money to the amount equivalent to the difference between the amount paid and the market price.

(Exceptions to Prohibited Acts)

Article 6 Notwithstanding the provision of paragraph 1 in the preceding Article, staff members may engage in the acts listed in the items of the same paragraph with an interested party with whom the staff member is in a private relationship (referring to a relationship unrelated to the status as an staff member; the same shall apply hereinafter), provided that such acts are considered unlikely to cause national citizens' suspicion or mistrust toward the fairness of the performance of their work duties taking into consideration the circumstances of work-related relationships of interest, the background and current circumstances of the private relationship, the nature of the acts being engaged in and other circumstances.

- 2 If staff members are unable to judge whether an act of their work duties in the preceding paragraph is likely to cause suspicion or mistrust by national citizens toward the fairness, the employees shall consult with the ethics manager and follow his or her instructions.
- 3 Notwithstanding the provision of paragraph 1, item (7) of the preceding Article, staff members may dine with persons who fall under the category of interested parties related through working in the same department or related through receiving job training held by the University or through the job training where they were sent by the university to attend at the same time, limited to the times when staff members have to bear their own cost of dining events attended by many people including people other than interested parties.

(Prohibited Acts with Persons other than Interested Parties)

Article 7 Staff members shall not accept from any business operator, including business operators who are not interested parties, recurring offers of entertainment or other offers of entertainment or economic benefits that exceed levels deemed appropriate under socially accepted conventions.

2 Staff members shall not, with regard to their purchase or lease of goods or real estate or receipt of services, have a business operator who was not present at the place where the transaction took place bear the price under the transaction, regardless of whether the business operator is an interested party or not.

(Contact with National Government Officials)

Article 8 If a staff member comes into contact with a national government official or local government official, to prevent behavior that causes national citizens' suspicion and mistrust on a fundamental basis, provisions from Article 5 to the preceding Article shall apply mutatis mutandis while considering the demands of work duties.

(Controls Concerning Lectures)

Article 9 Staff members shall obtain approval in advance from the ethics manager if the staff members intend to fulfill an interested party's request to render a remunerated service in the form of providing guidance or knowledge in lectures, discussions, courses or training; writing; editorial supervision; or editing or appearing on a radio or television program (excluding cases where the staff member has received permission for concurrent employment. Hereinafter referred to as "Lectures, etc.").

2 The ethics manager shall not grant approval for staff members to engage in Lectures, etc. if the ethics manager judges that the amount of remuneration paid by the interested party as detailed in the preceding paragraph is, in light of the type and content of the work duties performed by the staff member, likely to cause public suspicion or mistrust towards the fairness in the staff member's performance of work duties.

(Reporting of Gifts, etc.)

Article 10 Staff members in managerial positions (refers to staff members receiving payments of managerial position allowance pursuant to Article 27 of the National University Corporation Kobe University Regulations on Salary for Staff Members. The same shall apply hereinafter.) shall submit the prescribed reports to the President concerning money, goods or other property benefits or entertainment (hereinafter collectively referred to as "Gifts") that the staff members receive from business operators or concerning remuneration prescribed in the following Article that the staff members receive as remuneration for a personal service provided in connection with a work-based relationship between the staff member and a business operator (limited to cases where the staff member was an executive officer or in a managerial position at the time that the gifts or remuneration were received and where the monetary value of the benefit received from each gift or each remuneration payment was 5,000 Yen or more). The reports on gifts and remuneration shall be prepared for each period of January through March, April through June, July through September and October through December (hereinafter referred to as "Quarter") and submitted to the President within 14 days after the first day of the quarter immediately after the relevant quarter for the gift report.

(Remuneration)

Article 11 Remuneration provided in the preceding Article shall refer to remuneration that falls under any of the following items.

- (1) Remuneration of Lectures, etc. received from a business operator who is an interested party.
- (2) Remuneration of Lectures, etc. received from a business operator who is not an interested party for a special service associated with matters pertaining to the staff member's present or past work duties that clearly is to be carried out by the staff member

2 The remuneration in each item of the preceding paragraphs excludes the remuneration pertaining to Lectures, etc. held based on the university teacher's and attached schools' teacher's own academic research results.

(Preservation and Inspection of Donations Reports)

Article 12 The preservation period for donation reports submitted in accordance with the provisions in Article 10 shall be provided in the Kobe University Rules for the Management of Corporate Documents.

2 Any person may request the President to allow inspection of reports of gifts, etc. preserved pursuant to the provision of the preceding paragraph (limited to portions where the profit received as Gifts or the amount of a remuneration paid exceeds 20,000 yen per case);

3 Gift reports shall be made available for inspection as prescribed in the preceding paragraph (hereinafter referred to as "Gift Report Inspection") from the day immediately after the day that falls 60 days after the day immediately after the submission date of the gift report.

4 Gift Report Inspection must be done in the locations set by the President.

(Ethics Supervisor and Ethics Manager)

Article 13 The University shall have an ethics supervisor and an ethics manager in order to promote the maintenance of ethical performance of employee work duties.

2 The ethics supervisor shall be the President and the ethics manager shall be the head of the administrative office.

(Consultations with the Ethics Manager)

Article 14 Staff members shall consult with the ethics manager when the staff members are unable to judge whether the counterparty to an act they are engaged in is an interested party or whether an act carried out with an interested party falls under any of the acts listed in the items under Article 5, paragraph 1.

(Responsibilities of the Ethics Supervisor)

Article 15 The ethics supervisor shall have the following responsibilities with regard to the implementation of the matters prescribed in these regulations.

(1) Receipt and preservation of gift reports, maintenance of a system for Gift Report Inspection and maintenance of other systems aimed at the maintenance of the ethical performance of staff members' work duties.

(2) Strict handling of any act in violation of these regulations conducted by employees.

(3) Consideration of staff members who notify the ethics manager or other appropriate organizations of any act in violation of these regulations conducted by other staff members so that the notifying staff members do not receive disadvantageous treatment as a result of the notification.

(4) Seeking of fostering and maintenance of a sense of ethics in staff members through training and other measures.

(Responsibilities of the Ethics Manager)

Article 16 The ethics manager shall have the following responsibilities with regard to the implementation of the matters prescribed in these regulations.

(1) Consultation with staff members as prescribed in Article 6, paragraph 2 or Article 14 and provision of necessary guidance and advice.

(2) Grant permission or approval if the application of Article 5, paragraph 2, item (8) and Article 9, paragraph 1 by a staff member is deemed appropriate.

(3) Confirmation of whether staff members have a relationship with a specific person that would cause suspicion or mistrust by national citizens and provision of necessary guidance and advice to maintain the ethical performance of staff member work duties based on the result of the confirmation.

(Delegation to the Ethics Management Assistants)

Article 17 The ethics manager may delegate to ethics management assistants a portion of his or her work duties prescribed in these regulations.

2 Ethics management assistants shall be the heads of departments.

(Dealing with Cases where the Regulations were Violated)

Article 18 When a staff member is deemed likely to behave in a way that violates these regulations, the ethics supervisor shall immediately start an investigation, and as a result of the investigation; if the staff member is deemed to have behaved in a way that violated these regulations, the ethics supervisor shall strictly carry out the necessary measures.

(Other Provisions)

Article 19 In addition to matters provided for in these regulations, other necessary matters shall be prescribed in detailed regulations.

Supplementary Provisions

These regulations come into force on April 1, 2004.

Supplementary Provisions between the original and the latest are omitted.

Supplementary Provisions (March 23, 2010)

These regulations come into force on April 1, 2010.