

○ Kobe University Conflict of Interests Management Rules

(Established on November 22, 2005)

Revised on:	February 16, 2007	March 29, 2007
	May 31, 2007	March 28, 2008
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	March 27, 2013	June 25, 2013
	September 27, 2013	March 27, 2014
	March 31, 2015	September 30, 2015

(Purpose)

- Article 1 The purpose of these rules is to provide for necessary matters concerning the appropriate management of conflict of interests (hereinafter referred to as "Conflict of Interests Management") for the university and staff members and thereby properly and efficiently promoting Collaborative Activities among Government, Industry, Academia and Citizens so as to prevent behavior leading to Conflict of Interests at Kobe university (hereinafter referred to as "University") and its university officers and staff members (including part-time staff members. Hereinafter referred to as "Staff Members".) in accordance with the Kobe University conflict of interests policy.
- 2 Necessary matters concerning Conflict of Interests Management in fields where the characteristics of clinical research and other research have to be considered will be provided separately.

(Definition of Terms)

- Article 2 In these rules, the definition of the following terms shall be provided by the said items.
- (1) Collaborative Activities among Government, Industry, Academia and Citizens: Refers to the cooperative research (collaborative research and contracted research) conducted between the University and Companies, etc., technology transfers (licensing, transfer of rights, technical guidance), concurrent employment of Staff Members, acceptance of research grants and contributions, provision of use of facilities and equipment, purchase of goods, etc.
 - (2) Conflict of Interests: This refers to situations where the social confidence of the University is damaged due to any of the following situations occurring as a result of Collaborative Activities among Government, Industry, Academia and Citizens.
 - (a) Situations where the benefits Staff Members receive (concurrent employment compensation, income pertaining to patents, holding of private equity, etc.) conflict with their responsibilities at the University;
 - (b) Situations where the benefits received by the university conflict with the social responsibilities of the University;
 - (c) Situations where the responsibilities of Staff Members to perform work duties at the Companies, etc. are not compatible with responsibilities to perform work duties at the university.
 - (3) Companies, etc.: Refer to companies, administrative organizations of the country or local authorities, or other organizations.
 - (4) Department: Departments refer to the University's institutes, School of Medicine, Graduate School of Humanities, Graduate School of Intercultural Studies, Graduate School of Human Development and Environment, Graduate School of Law, Graduate School of Economics, Graduate School of Business Administration, Graduate School of Science, Graduate School of Medicine, Graduate School of Health

Sciences, Graduate School of Engineering, Graduate School of System Informatics, Graduate School of Agricultural Science, Graduate School of Maritime Sciences, Graduate School of International Cooperation Studies, Organization of Advanced Science and Technology, Research Institute for Economics and Business Administration, university library system, University Hospital attached to the School of Medicine, Attached Schools' Department, Interfaculty Initiative in the Social Sciences, Integrated Research Center of Kobe University, Center for EU-Japan Collaborative Education, Food Resources Education and Research Center attached to the Graduate School of Agricultural Science, Information Science and Technology Center, Center for Collaborative Research and Technology Development, International Student Center, Center for Supports to Research and Education Activities, Center for Environmental Management, Education Center on Computational Science and Engineering, Kobe Ocean-Bottom Exploration Center, Medical Center for Student Health, Career Center, and other offices and secretariats (including the Auditing Office, and Internal Control Office) established under the provisions of paragraph 1 of Article 18 of the Rules of the National University Corporation Kobe University (established on April 1, 2004)

(Matters Subject to Conflict of Interests Management)

Article 3 Conflict of Interests Management will be undertaken by Staff Members in the following cases.

- (1) When engaging in concurrent employment activities (including technical guidance);
 - (2) When there are economic benefits such as remuneration and shareholding pertaining to duties at university-launched venture companies;
 - (3) When engaging in technical transfer of their own invention to Companies, etc.;
 - (4) When participating in collaborative research with Companies, etc.;
 - (5) When accepting contributions, facilities or goods, etc. from Companies, etc.;
 - (6) When providing the use of facilities and equipment of the University, or purchasing products from a benefit provider, to Companies, etc. providing benefits to Staff Members (hereinafter referred to as "Benefit Providers"), in addition to the cases listed in the preceding items.
- 2 In addition to the items prescribed in the preceding paragraph, in relation to cases listed in each item of the preceding paragraph, if this university receives benefit as an organization, Conflict of Interests Management shall be carried out.

(Responsibilities of Staff Members)

Article 4 Staff Members shall, in the case where a Conflict of Interests is a concern, make a personal effort to avoid a Conflict of Interests by consulting with the conflict of interests advisory center, etc. as prescribed in Article 16.

- 2 Staff Members shall do a self assessment once a year pertaining to Conflict of Interests as set forth by the Committee as prescribed in Article 6.
- 3 In addition to the provisions in the preceding paragraphs, when the Committee prescribed in Article 6 considers it to be particularly necessary, the Staff Members may be made to do a declaration pertaining to the Conflict of Interests.
- 4 Staff Members shall cooperate with the investigations carried out by the Committee as prescribed in Article 6.

(Countermeasures at Each Department)

Article 5 The head of Departments shall guide Staff Members of the said Department so as to prevent the occurrence of Conflicts of Interests.

(Conflict of Interests Management Committee)

Article 6 In order to deliberate and examine important matters pertaining to Conflict of Interests, there will be a Kobe University Conflict of Interests Management Committee (hereinafter referred to as "Committee".) at the university.

(Matters under the Jurisdiction)

Article 7 The Committee shall deal with the following matters.

- (1) Matters concerning the prevention of Conflict of Interests;
- (2) Matters concerning investigation and evaluation pertaining to Conflict of Interests;
- (3) Matters concerning the conflict of interests policy;
- (4) Matters concerning other Conflict of Interests Management.

(Measures Based on Inspection Results)

Article 8 The Committee shall, if the investigations in item (2) of the preceding Article resulted in concern that a Conflict of Interests may arise, conduct interviews with the said Staff Member where necessary and report to the President when improvements are deemed necessary.

2 The Committee shall, if the result of the investigations in item (2) of the preceding Article shows that a Conflict of Interests may have occurred, conduct further investigations and report to the President whether there is an issue and the necessary measures to take.

3 The President shall decide the necessary measures and inform the said Staff Member and his or her Department head, pursuant to paragraph 1 and the report in the preceding paragraph.

(Filing of an Objection)

Article 9 Staff Members may file an objection in writing to the President if they are dissatisfied with the measures taken in paragraph 3 of the preceding Article. However, the objection can only be filed once.

2 The President shall instruct the Committee to deliberate again when he or she receives the written document pertaining to the objection.

3 The Committee that received the instructions from the President shall deliberate again and promptly report the investigation results to the President.

4 The President shall decide the measures to the objection based on the report in the preceding paragraph and report them to the said Staff Member and his or her head of Department.

(Organization)

Article 10 The Committee shall be composed of the following members.

- (1) Three executive vice presidents specified by the President;
- (2) One deputy general manager at the Center for Collaborative Research and Technology Development specified by the President;
- (3) One teacher selected from each of the following: the Graduate School of Humanities, Graduate School of Intercultural Studies, Graduate School of Human Development and Environment, Graduate School of Law, Graduate School of Economics, Graduate School of Business Administration, Graduate School of Science, Graduate School of Medicine, Graduate School of Health Sciences, Graduate School of Engineering, Graduate School of System Informatics, Graduate School of Agricultural Science, Graduate School of Maritime Sciences,

Graduate School of International Cooperation Studies, Organization of Advanced Science and Technology, and Research Institute for Economics and Business Administration.

(4) Director-General;

(5) Head of the General Affairs Department Personnel and Labor Division and Head of the Department for Research Management and External Cooperation's Division for the Promotion of Industry-University Cooperation;

(6) A number of external experts;

(7) Other persons regarded as necessary by the Committee.

(Term of Office)

Article 11 The term of office for the executives in items (3) and (7) of the preceding Article will be for two years and the committee member may be reappointed.

2 The term of office of a member who is appointed to succeed a Committee member in the case where a vacancy has occurred in the Committee in the preceding paragraph shall be the remaining term of his or her predecessor.

(Committee Chair)

Article 12 The Committee shall have a committee chair, and the executive vice president designated by the president shall fill the committee chair's post.

2 The committee chair shall convene Committee and preside over the proceedings.

3 When the committee chair is unable to carry out his/her duties, a committee member designated by the committee chair in advance shall perform the duties of the chairperson on his/her behalf.

(Decisions)

Article 13 The Committee shall not convene a meeting or make any resolution without the presence of more than half of all Committee members.

2 The decisions of the Committee shall be made with the approval of more than two-thirds of the attending committee members.

(Necessary Matters Concerning the Decisions and Operation of the Committee)

Article 14 In addition to the provisions from Article 7 to the preceding Article, necessary matters concerning the decisions and operation of the Committee shall be determined separately by the Committee.

(Establishment of a Conflict of Interests Advisory Board)

Article 15 The University shall have a conflict of interests advisory board.

2 The conflict of interests advisory board will respond to the President's and Committee's consultation regarding specialist matters concerning Conflict of Interests.

3 The conflict of interest advisory board will comprise of Conflict of Interests advisers delegated by the President from a group of experts within and outside of the university.

(Establishment of a Conflict of Interests Advisory Center)

Article 16 There will be a Conflict of Interests advisory center at the Committee and consultants will be assigned there.

2 Consultants shall respond to consultations pertaining to Conflicts of Interests from Staff Members.

3 Consultants shall be appointed by the president.

4 In addition to matters provided for in the preceding 3 paragraphs, necessary matters concerning the conflict of interests advisory center shall be prescribed separately by the Committee.

(Publicity Within and Outside of the University)

Article 17 The Committee shall carry out suitable awareness-raising activities while informing all Staff Members of the Conflict of Interests Management's principles and methods in order to raise the awareness pertaining to conflict of interests.

2 The Committee shall regularly publicize the current status of the Conflict of Interests at the University (excluding the parts pertaining to individual privacy).

(Expert Committee)

Article 18 The Committee may request an Expert Committee Member to examine or deliberate on specialized matters.

2 Necessary matters concerning the Expert Committee are prescribed separately by the Committee.

(Administrative Procedures)

Article 19 The Committee's will cooperate with relevant Departments to carry out their work duties at the General Affairs Department Personnel and Labor Division.

2 The duties of the conflict of interest advisory center will be carried out at the Department for Research Management and External Cooperation's Division for the Promotion of Industry-University Cooperation.

(Other Provisions)

Article 20 In addition to the rules prescribed here, matters necessary to the implementation of these rules shall be separately prescribed.

Supplementary Provisions

These rules come into effect on November 22, 2005.

Supplementary Provisions between the original and the latest are omitted.

Supplementary Provisions (September 30, 2015)

These rules come into effect on October 1, 2015.