

○ Rules on the Protection of Whistleblowers at National University Corporation Kobe University
(Established on October 23, 2007)

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(Purpose)

Article 1 The purpose of these Rules is to provide for the necessary matters concerning the protection of whistleblowers and the treatment of whistleblowing, etc. at the National University Corporation Kobe University (hereinafter referred to as "University") pursuant to the provisions of the Whistleblower Protection Act (Act No. 122 of 2004; hereinafter referred to as "Act").

(Definitions)

Article 2 The term "Whistleblowing" as used in these Rules means reporting to any of the following items by an officer and employee, etc. not for the purpose of obtaining a wrongful gain or inflicting damage on others and not for any other wrongful purpose, to the effect that a reportable fact has occurred or is about to occur against an officer, staff member etc., student (including research students and the like; the same applies hereinafter) and other person when he/she is involved with the University or its business.

(1) Whistleblowing desk prescribed by Article 4;

(2) Administrative organs (means the Administrative Organs prescribed in Article 2, paragraph 4 of the Act) that have the authority to take measures (this means actions taken through orders, cancellation and other exercise of public authority. The same applies hereinafter.) or to make a recommendation, etc. (this means actions not taken through recommendation and other disposition. The same applies hereinafter.) regarding the said reportable facts;

(3) Any person to whom such Whistleblowing is considered necessary to prevent the occurrence of the Reportable Fact or the spread of damage caused by the said Reportable Fact (including persons who suffer or are likely to suffer damage due to the said Reportable Fact; excluding persons whose competitive standing at the University and other legitimate interests are likely to be suffer.).

2 The term "Reportable Fact" as used in these Rules shall mean any of the following facts:

(1) Fact of a criminal act of an offense prescribed in the Act and the Acts listed in the appended table (including any orders under these Acts; the same applies for the next item) or fact which is deemed to be a reason for a civil file as prescribed in the Act and the Acts listed in the said table;

(2) Fact, in the case where a violation of a disposition pursuant to the Act listed in the appended table to the Act constitutes the fact provided for in the preceding item, which is the ground of the said disposition (including the fact, in the case where the said ground is the fact which is the violation of other disposition or not

complying with recommendation, etc. pursuant to the Act listed in the same table which is the ground of the said other disposition or recommendation, etc.).

(3) (Deleted)

- 3 The term "Staff Members" as used in these Rules means staff members (including those who have retired within one year before the report date) subject to the National University Corporation Kobe University Work Regulations for Staff Members (established on April 1, 2004), National University Corporation Kobe University Work Regulations for Mariners (established on April 1, 2004), National University Corporation Kobe University Rules on Conditions of Employment for Project Staff Members (established on March 28, 2006), National University Corporation Kobe University Work Regulations on Employment for Specified Fixed-Term Medical Staff Members (established on March 28, 2006), National University Corporation Kobe University Rules on Conditions of Employment for Rehiring of Staff Members (established on April 1, 2004), National University Corporation Kobe University Work Regulations for Staff Members Rehired Prior to Mandatory Retirement Age (established on March 25, 2024), National University Corporation Kobe University Rules on Conditions of Employment for Associate Staff Members (established on March 23, 2015), National University Corporation Kobe University Rules on Conditions of Employment for Non-Regular Staff Members (established on April 1, 2004), or National University Corporation Kobe University Rules for Handling Visiting Researchers (established on April 1, 2004) (hereinafter referred to as "Work Regulations, etc.").
- 4 The term "Staff Members, etc." as used in these Rules means dispatched staff members (dispatched workers prescribed under Article 2, item (2) of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (Act No. 88 of 1985)) engaged in the duties at the University or persons engaged in duties at the University under contract agreements and other contracts (including persons who have finished the business under a dispatch contract, contract for work or other contract within one year before the report date).
- 5 The term "Officers and Employees, etc." as used in these Rules means officers and Staff Members, etc.
- 6 The term "Whistleblower" as used in these Rules means Officers and Employees, etc. who have undertaken Whistleblowing.
- 7 The term "Departments, etc." as used in these Rules means institutes, faculties and graduate schools, the Institute for Advanced Research, Research Institute for Economics and Business Administration, the library, University Hospital of the School of Medicine, Attached Schools' Department, Secondary School attached to Kobe University, Akashi District Attached School, School for Special Needs Education attached to Kobe University, Core Organizations for Multidisciplinary Promotion of Research and Education and Core Organizations for Cross-Campus Management and Support, the Administrative Office (including the Auditing Office and the Internal Control Office), the Strategic Planning Office, Enterprise Partnerships Division, Office for Promoting Regional Partnership, Information Infrastructure and Digital Transformation Initiatives Headquarters, Carbon Neutral Promotion Headquarters, Office for Promoting Well-Being, and other offices established pursuant to the provisions of Article 18, paragraph 1 of the Rules of the National University Corporation Kobe University (established on April 1, 2004).

(Person Responsible for Dealing with Whistleblowing)

- Article 3 The University shall have a person responsible for dealing with Whistleblowing (hereinafter referred to as "Person Responsible") who shall be designated by the President.
- 2 The Person Responsible shall summarize the investigations pertaining to Whistleblowing and the processing of other Whistleblowing deemed necessary.

(Whistleblowing Desk)

Article 4 The University shall set up a whistleblowing desk in the Internal Control Office and a law firm outside the University as separately specified to deal with Whistleblowing and consultations pertaining to Whistleblowing (hereinafter referred to as "Whistleblowing, etc.") at the University.

(Persons Engaged in Activity of Dealing with Whistleblowing Disclosures)

Article 5 The University shall have persons engaged in the activity of dealing with whistleblowing disclosures as specified in Article 11, paragraph 1 of the Act (hereinafter referred to as "Persons Engaged").

2 Of the persons listed in the following items, Persons Engaged shall be persons who are engaged in all or any of the activities of dealing with whistleblowing disclosures (the activity of receiving whistleblowing as well as investigating the Reportable Fact pertaining to the whistleblowing and taking necessary measures to rectify the Fact) and to whom matters to specify a Whistleblower in connection with the activity are conveyed:

- (1) the Person Responsible for dealing with Whistleblowing;
- (2) Members of the Internal Control Office;
- (3) A person in charge of the law firm outside the University as specified in the preceding Article;
- (4) Other persons designated by the Person Responsible for dealing with Whistleblowing.

(Reception of Whistleblowing, etc.)

Article 6 When Whistleblowing is received at the whistleblowing desk, the Whistleblower shall be notified of it promptly and it shall be reported to the Person Responsible.

2 When an officer or Staff Member other than a Staff Member at the whistleblowing desk receives the Whistleblowing report, he or she shall contact the whistleblowing desk promptly.

3 If an anonymous report is made, the report may be accepted only when there are adequate grounds, evidence or the like sufficient to believe the report.

(Investigation, etc.)

Article 7 When the Person Responsible received a report pertaining to Whistleblowing, he or she shall report it to the President, as well as carry out the necessary measures such as investigations related to the facts concerning the said Whistleblowing.

2 The Person Responsible may ask Staff Members from the Internal Control Office or the relevant Departments, etc. other than the Internal Control Office to carry out the investigations prescribed in the preceding paragraph.

3 The Person Responsible may request from the Department, etc. under investigation for the submission of relevant documents, evidence for facts, reports and other actions necessary for the conducting investigations.

4 Notwithstanding the provisions of the preceding 2 paragraphs, when the Person Responsible deems it to be reasonable for the said investigations to be carried out by the existing committee at the University, he or she may propose it to the President.

(Duty to Cooperate)

Article 8 Each Department, etc. shall actively cooperate with the said investigation if cooperation is requested by the Person Responsible for an investigation relating to the facts concerning the Whistleblowing, and may not reject it without legitimate reasons.

(Investigation Results and Remedial Measures, etc.)

Article 9 The Person Responsible must report the investigation results to the President, as well as offer opinions to the President when the wrongdoing corresponding to the Reportable Fact has become clear to take remedial measures for the said wrongdoing and necessary measures for the prevention of recurrence (hereinafter referred to as "Remedial Measures, etc.")

2 When the President deems it necessary based on the opinions provided in the preceding paragraph, he or she shall promptly take Remedial Measures, etc., or order the head of Department, etc., to take Remedial Measures, etc., as well as notify the Person Responsible of the details.

3 When the head of Department, etc. took Remedial Measures, etc. pursuant to the provisions of the preceding paragraph, he or she shall report the details of the said Remedial Measures, etc. and that results, etc. to the Person Responsible.

4 When the report prescribed in the preceding paragraph is received, the Person Responsible shall report this result to the President.

(Notice to Whistleblowers)

Article 10 The Person Responsible shall notify the Whistleblower as to whether an investigation is to be conducted pertaining to the Reportable Fact or not.

2 When the Person Responsible has finished an investigation, the Person Responsible shall notify the Whistleblower of the results thereof.

(Protection of Whistleblowers)

Article 11 The University shall not discharge or dismiss an Officer or Employee, etc. (or cancel the contract for dispatched workers or persons engaged in the University's business pursuant to contract for work or other contract) or otherwise treat him/her in a disadvantageous manner for the reason that the Officer or Employee, etc. has undertaken Whistleblowing, etc.

2 The University must take appropriate measures to ensure that there is no deterioration of the work or school environment for an Officer or Employee, etc. who has undertaken Whistleblowing, etc.

(Restriction of Compensation for Loss)

Article 11-2 The University may not claim compensation against a Whistleblower who has undertaken Whistleblowing for the reason that it has suffered a loss because of receiving the Whistleblowing.

(Confidentiality)

Article 12 A person engaged in or having been engaged in the activity of dealing with whistleblowing disclosures as specified in Article 5, paragraph 1 shall not divulge to others the personal information of the person who has undertaken Whistleblowing, etc., the details of the Whistleblowing, etc. and secrets known to him/her through the investigation.

(Disciplinary Actions, etc.)

Article 13 Where actions that violate laws and regulations become clear in the investigation results, the University may take disciplinary action pursuant to the Work Regulations, etc. against an officer or employee who has been involved in such actions.

(Prohibition of Reporting for Purpose of Wrongdoing)

Article 14 Whistleblowers must not make false reports, blow the whistle to defame or slander others, or blow the whistle with other wrongful purposes.

2 When an officer or employee has undertaken whistleblowing as prescribed in the preceding paragraph, disciplinary action may be taken pursuant to the Work Regulations, etc.

(Application to Notifications by Students)

Article 15 Notifications by students of the University shall be treated in line with the examples of Whistleblowing.

(Administrative Procedures)

Article 16 Administrative duties relating to Whistleblowing shall be carried out in the Internal Control Office with the cooperation of relevant Departments, etc.

(Miscellaneous Provisions)

Article 17 In addition to the provisions of these Rules, necessary matters concerning the implementation of these Rules shall be prescribed by the President.

Supplementary Provisions

These Rules come into effect on October 23, 2007.

Supplementary Provisions between the original and the latest are omitted.

Supplementary Provisions (March 27, 2024)

These Rules come into force as of April 1, 2024.