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Chapter 1 General Provisions

(Purpose)

Article 1 The purpose of these regulations is to provide for matters concerning the concurrent employment of staff members working at National University Corporation Kobe University (hereinafter referred to as "University") pursuant to Article 19 of the National University Corporation Kobe University Rules on Conditions of Employment (hereinafter referred to as "Rules").

(Definitions)

Article 2 The term "Concurrent Employment as Executive Staff at For-Profit Enterprises" as used in these Regulations refers to positions held concurrently as executive staff, consultants, or trustees (hereinafter referred to as "Executive Staff") in companies and other organizations with the objective of running private commercial, industrial, financial, or other for-profit enterprises (hereinafter referred to as "For-Profit Enterprises").

2 The term "Self Employed Concurrent Employment" as used in these Regulations refer to staff members running their own For-Profit Enterprises.

3 The term "Concurrent Employment other than Concurrent Employment of Executive Staff at For-Profit Enterprises" as used in these Regulations refer to the following items.

- (1) Concurrent employment that are not directly involved in the businesses of For-Profit Enterprises;
- (2) Concurrent employment in companies other than For-Profit Enterprises (holding Executive Staff positions or other positions in medical corporations, social welfare corporations, and educational corporations, or Executive Staff positions or other positions in public interest corporations (referring to public interest corporations, general incorporated associations, general incorporated foundations, and corporations engaging in specified non-profit activities) and organizations without legal personality (hereinafter referred to as "Companies, etc."));
- (3) Concurrent employment pertaining to education (businesses pertaining to education in educational facilities of public and private schools, specialized training colleges, miscellaneous schools, or positions in such businesses);
- (4) Concurrent employment in administrative organs of the country (holding part-time positions in councils set up to investigate and deliberate on important matters at executive organs of the government or local governments (Hereinafter referred to as "National Government Administrative Organ, etc.") based on Act, Cabinet Order, Municipal Ordinance, etc.), holding equivalent part-time positions, or holding positions responding to needs at such organs;
- (5) Concurrent employment at an independent administrative institution (under the provisions of Article 2, paragraph 1 of the Act on General Rules for Incorporated Administrative Agencies (Act No. 103 of 1999) or the provisions of Article 2 of the Local Incorporated Administrative Agency Act (Act No. 118 of 2003), holding positions at corporations established pursuant to the provisions as provided for by the Acts Governing Individual Incorporated Administrative Agencies, or positions at National University Corporations or Inter-University Research Institute Corporations established pursuant to the National University Corporation Act

(including positions at National Universities or Inter-University Research Institutes set up by National University Corporations or Inter-University Research Institute Corporations)).

4 The term "Other Concurrent Employment" as used in these Regulations refers to concurrent employment that does not fall under the provisions of the preceding three paragraphs and in which staff members hold positions other than their positions as staff members or engaging in projects or duties other than their duties as staff members.

5 The presence (or absence) of compensation for concurrent employment in the preceding items shall not matter.

(Permission for Concurrent Employment)

Article 3 Permission for concurrent employment shall be provided by the President.

2 The President may delegate the authority to grant permission to the head of the department to which the relevant staff member is mainly assigned or belongs (hereinafter referred to as "Department Head") pursuant to the provisions set forth separately.

Chapter 2 Concurrent Employment as Executive Staff at For-Profit Enterprises

(Concurrent Employment as Executive Staff at For-Profit Enterprises)

Article 4 Concurrent Employment as Executive Staff at For-Profit Enterprises is, in principle, not permitted. However, for the following concurrent employment, if the criteria for permission as prescribed in Articles 5, 9, 14, and 17-2 are respectively met, permission may be granted.

- (1) Concurrent employment pertaining to technical transfer (university teachers (referring to professors, associate professors, full-time lecturer (associate professors), assistant professors, research associates, specially appointed professors, specially appointed associate professors, specially appointed lecturers (associate professors), and specially appointed assistant professors; the same applies hereinafter.) holding Executive Staff positions at companies or other organizations with the objective of running For-Profit Enterprises that carry out any of the following businesses (hereinafter individually referred to as "Technology Licensing Organization").)
 - (a) Special university technology licensing business as prescribed in Article 2, paragraph 1 of the Act on the Promotion of Technology Transfer from Universities to Private Business Operators (Act No. 52 of 1998. Hereinafter referred to as "Universities' Technical Transfer Promotion Act".) (limited to those pertaining to approved plans as prescribed in Article 5, paragraph 2 of the Universities' Technical Transfer Promotion Act. Hereinafter referred to as "Approved Business".)
 - (b) Business pertaining to the approval of Article 11, paragraph 1 Universities' Technical Transfer Promotion Act (hereinafter referred to as "University Approved Business").
- (2) Concurrent employment involving the active use of research results (University teachers holding positions as Executive Staff at companies or other organizations with the objective of running a For-Profit Enterprise (hereinafter referred to as "Companies that Actively Use Research Results") that implement business that use the university teachers' research (referred to as the "business that actively use research results" in Article 9, paragraph 1, items (2) and (5)).)
- (3) Concurrent Employment as Auditors (University teachers holding positions as auditors or external directors of stock companies or limited companies (hereinafter referred to as "Stock Companies, etc."))
- (4) Concurrent Employment as Executive Staff at For-Profit Enterprises specially recognized by the President as contributing to industry-academia collaboration

(Criteria for Permission for Concurrent Employment pertaining to Technical Transfer)

Article 5 If there is an application from a university teacher for permission for concurrent employment pertaining to technical transfer, the President shall permit it when the concurrent employment is deemed to meet any of the following criteria.

- (1) The university teacher intending to engage in concurrent employment pertaining to technical transfer shall have the knowledge of the legislative systems pertaining to patent rights, utility model rights, etc. of the research results relating to the necessary technology and its transfer in order to perform the work duties as an Executive Staff of the Technology Licensing Organization.
- (2) The job content of the Executive Staff role the university teacher is intending to assume shall be mainly related to the approved business and the University Approved Business.
- (3) There shall not be any contracts such as goods purchasing contracts or construction contracts, use of authority such as permissions or approvals, or other special interests, or the risk of such occurrences, between the university teacher and the Technology Licensing Organization that the application involves (including its parent company).
- (4) In the 2 years prior to the application of concurrent employment, there shall not be any time period involving positions where there are any contracts such as goods purchasing contracts, construction contracts, or use of authority such as permissions or approvals, and other special interests, between the university teacher and the Technology Licensing Organization that the application involves
- (5) There shall be no hindrance to the performance of duties as a university teacher
- (6) In addition, there shall be no hindrance to ensuring the impartiality and credibility of work duties

2 Permission in the preceding paragraph shall consider the term of office as an Executive Staff and have a stipulated term attached.

(Reporting of Concurrent Employment Pertaining to Technology Transfer)

Article 6 University teachers who received permission and are engaged in concurrent employment pertaining to technology transfer must report to the President every year the following items about the status of the concurrent employment.

- (1) Full name, main place of assignment, and position name
- (2) Name of the Technology Licensing Organization
- (3) Job content as an Executive Staff of the Technology Licensing Organization
- (4) Day and time engaged in duties as an Executive Staff of the Technology Licensing Organization
- (5) Compensation, money and goods received from the Technology Licensing Organization, and the type, amount and reasons for accepting other financial benefits (excluding the compensation of actual expenses)

(Revocation of the Permission for Concurrent Employment Pertaining to Technology Transfer)

Article 7 When the concurrent employment pertaining to technology transfer is deemed to no longer meet the criteria for permission in Article 5, paragraph 1, the President shall cancel that permission.

(Restriction on Work After Concurrent Employment Pertaining to Technology Transfer Ends)

Article 8 University teachers must not engage in duties that involve any contracts such as goods purchasing contracts or construction contracts, use of authority such as permissions or approvals, or other special interests with the Technology Licensing Organization relating to the concurrent employment pertaining to technology transfer for 2 years from the day the concurrent employment pertaining to technology transfer ends.

(Criteria for Permission for Concurrent Employment Involving the Active Use of Research Results)

Article 9 If there is an application for concurrent employment involving the active use of research results from a university teacher, the President may permit it when the said concurrent employment is deemed to meet any of the following criteria.

- (1) The university teacher intending to engage in concurrent employment involving the active use of research results shall have personally invented or devised (its ownership does not matter) the research results (including things published in the form of theses, conference presentations, etc. in addition to the acquisition of rights such as patent rights, utility model rights) to be used in projects at Companies that Actively Use Research Results relating to the said application.
- (2) The job content of the Executive Staff role the university teacher is intending to assume shall mainly relate to projects that actively use research results.
- (3) There shall not be any contracts such as goods purchasing contracts, construction contracts, etc. or use of authority such as permissions or approvals, and other special interests, or the risk of such occurrences, between the university teacher and the Companies that Actively Use Research Results in the said application (including its parent company).
- (4) In the 2 years prior to the application of concurrent employment, there shall not be any time period involving positions involving any contracts such as goods purchasing contracts, construction contracts, or use of authority such as permissions or approvals etc., and other special interests between the university teacher and the Companies that Actively Use Research Results in the said application
- (5) The job content of the Executive Staff role the university teacher is intending to assume shall not include any negotiating duties that relate to the awarding of contracts concerning the university (excluding duties pertaining to the business that actively use research results).
- (6) There shall be no hindrance to the performance of duties as a university teacher
- (7) In addition, there shall be no hindrance to ensuring the impartiality and credibility of work duties

2 Permission in the preceding paragraph shall consider the term of office as an Executive Staff and have a stipulated term attached.

(Administrative Leave)

Article 10 When there is a need for a university teacher who received permission and is working at a Companies that Actively Use Research Results to work to engage primarily in the duties as an Executive Staff and is deemed unable to perform his or her duties as a university teacher, he or she may take administrative leave pursuant to Article 2, item (3) of the National University Corporation Kobe University Regulations for Administrative Leave for Academic and Administrative Staff Members.

(Reporting of concurrent employment involving the active use of research results)

Article 11 University teachers who received permission and are engaged in concurrent employment involving the active use of research results must report to the President every year the following items about the status of the concurrent employment.

- (1) Full name, main place of assignment, and position name;
- (2) Name of the Companies that Actively Use Research Results;
- (3) Job content as an Executive Staff of an Companies that Actively Use Research Results;
- (4) Day and time engaged in duties as an Executive Staff of a Companies that Actively Use Research Results;

- (5) Compensation, money and goods received from the Companies that Actively Use Research Results, and the type, amount and reasons for accepting other financial benefits (excluding the compensation of actual expenses).

(Revocation of Permission for Concurrent Employment Involving the Active Use of Research Results)

Article 12 The President shall revoke the permission for concurrent employment involving the active use of research results when it is deemed to no longer meet the criteria for permission as prescribed in Article 10, paragraph 1.

(Restriction to Businesses After the End of Concurrent Employment Involving the Active Use of Research Results)

Article 13 University teachers must not engage in duties that involve any contracts such as goods purchasing contracts or construction contracts, use of authority such as permissions or approvals, or other special interests with the Companies that Actively Use Research Results relating to the concurrent employment involving the active use of research results for 2 years from the day the concurrent employment involving the active use of research results ends.

(Criteria for Permission for Concurrent Employment as an Auditor)

Article 14 If there is an application from a university teacher for permission for concurrent employment as an Auditor, the President shall permit it when the concurrent employment as an Auditor is deemed to meet any of the following criteria.

- (1) The university teacher intending to engage in concurrent employment as an auditor shall have the necessary knowledge relating to the university teacher's role in order to engage in the duties as an auditor at the Stock Companies, etc. in the said application.
- (2) There shall not be any contracts such as goods purchasing contracts, construction contracts, or use of authority such as permissions or approvals, and other special interests, or the risk of such occurrences, between the university teacher and the Stock Companies, etc. the application involves (including its parent company).
- (3) In the 2 years prior to the application of concurrent employment, there shall not be any time period involving positions where there are any contracts such as goods purchasing contracts, construction contracts, or use of authority such as permissions or approvals, and other special interests between the university teacher and the Stock Companies, etc. in the said application.
- (4) The relatives of the university teacher shall not have the following strong influences on the management of the Stock Companies, etc. relating to the request for application.
 - (a) When the total number of stocks of the said Stock Companies, etc. owned by the university teacher's relatives (limited to the spouse, and blood relatives within the third degree of kinship and relatives by marriage. The same applies hereinafter.) or the total amount of money invested exceeds a quarter of the said Stock Companies, etc.'s total issued stocks or total amount invested;
 - (b) When the relatives of the university teacher exceed half of the total number of directors at the said Stock Companies, etc. and are working as such directors;
 - (c) When the university teachers' relatives are working as the chairperson and executive director, or as the president and chief executive director of the said Stock Companies, etc..
- (5) There shall be no hindrance to the performance of duties as a university teacher.
- (6) In addition, there shall be no hindrance to ensuring the impartiality and credibility of work duties

2 Permission in the preceding paragraph shall consider term of office as an auditor and have a stipulated term attached.

(Reporting of Concurrent Employment as an Auditor)

Article 15 University teachers who received permission and are engaged in concurrent employment as an auditor must report to the President every year the following items about the status of the concurrent employment.

- (1) Full name, main place of assignment, and position name;
- (2) Name of the Stock Companies, etc.;
- (3) Day and time engaged in duties as an auditor of the Stock Companies, etc.;
- (4) Compensation, money and goods received from the Stock Companies, etc. and the type, amount and reasons for accepting other financial benefits (excluding the compensation of actual expenses).

(Revocation of Permission for Concurrent Employment as an Auditor)

Article 16 When the concurrent employment as an auditor is deemed to no longer meet the criteria for permission in Article 14, paragraph 1, the President shall cancel that permission.

(Restriction on Businesses After Concurrent Employment as an Auditor)

Article 17 University teachers must not engage in duties that involve any contracts such as goods purchasing contracts or construction contracts, use of authority such as permissions or approvals, or other special interests with the Stock Companies, etc. relating to the concurrent employment as an auditor for 2 years from the day the concurrent employment as an auditor ends.

(Criteria for Permission for Concurrent Employment as Executive Staff at For-Profit Enterprises Specially Recognized by the President as Contributing to Industry-Academia Collaboration)

Article 17-2 The criteria for permission for Concurrent Employment as Executive Staff at For-Profit Enterprises specially recognized by the President as contributing to industry-academia collaboration shall be provided separately.

Chapter 3 Self Employed Concurrent Employment

(Self Employed Concurrent Employment)

Article 18 Self Employed Concurrent Employment is in principle not permitted. However, if the standards as set forth separately are considered to be met, the President may permit it.

Chapter 4 Concurrent Employment other than Concurrent Employment of Executive Staff at For-Profit Enterprises

(Concurrent Employment Not Directly Involved in the Business of For-Profit Enterprises)

Article 19 Concurrent employment not directly involved in the business of For-Profit Enterprises (excluding that without compensation) may be permitted in the following situations.

- (1) When there is no direct involvement in the management of the for-profit enterprise, such as working as a part-time doctor at clinics attached to the For-Profit Enterprise;
- (2) When providing technical guidance to implementation companies based on contracts for the implementation of the patents (including patent pending) managed by the University;

- (3) When the part-time lecturer at the education facilities, research centers and workshops or culture courses affiliated to the For-Profit Enterprise is considered to be a part of employee education or social education;
- (4) When engaging in research and development (referring to basic research, applied research and development research, including the development of techniques. The same shall apply hereinafter.) at the For-Profit Enterprise or when engaging in technical guidance relating to research and development;
- (5) When there is obligation to hear the opinions of persons with relevant knowledge and experience under the laws and regulations or municipal ordinances;
- (6) When engaging in technical guidance undertaken by the Technology Licensing Organization that is carrying out the approved business and University Approved Business to other company;
- (7) When engaging in subsidiary work related to the discovery, evaluation and screening of research results pertaining to technology undertaken by a Technology Licensing Organization;
- (8) When engaging in subsidiary work providing advice pertaining to the management and legal matters of a For-Profit Enterprise.

2 Notwithstanding the provisions of the preceding paragraph, taking up full-time positions will in principle not be permitted.

(Concurrent Employment at Companies, etc. other than For-Profit Enterprises)

Article 20 Concurrent employment at Companies, etc. other than For-Profit Enterprises (excluding that without compensation) may be permitted in the following situations.

- (1) When holding positions at Companies, etc. with the aim of promoting international exchanges;
- (2) When holding positions at Companies, etc. with close links to the field of research of the said staff member and is considered to be beneficial to the academic research of the academic conferences, etc.;
- (3) When holding positions at companies with limited spheres of activity within the university and at Companies, etc. that are similar;
- (4) When holding positions at Companies, etc. pertaining to educational scholarships;
- (5) When holding positions at Companies, etc. with the aim of promoting industry collaboration and cooperation;
- (6) In addition, when holding positions deemed to be of significant public good at Companies, etc. with the aim of promoting education, learning, culture and sports.

2 Notwithstanding the provisions of the preceding paragraph, the following items will in principle not be permitted.

- (1) When serving as the President, executive vice president, auditor, consultant and trustee, and head of a hospital (including head of medical treatment and recuperation organizations) at medical corporations or social welfare corporations;
- (2) When serving as executive staff (President, executive vice president, auditor) at educational corporations, as school principal and as executive staff at the establisher of specialized training colleges, miscellaneous schools or kindergartens, or at an organization that establishes these;
- (3) When it does not fall under the positions prescribed in the preceding paragraphs, even when serving as Executive Staff (chairperson, President, director, auditor, consultant, councilor, etc.) at Companies, etc.;
- (4) When serving as a lecturer at preparatory schools established or running classes with the aim of preparing students for entrance examinations at universities, etc. or at similar classrooms, cram schools, courses, etc.;
- (5) When taking up full-time employment.

(Concurrent Employment Pertaining to Education)

Article 21 Concurrent employment pertaining to education (excluding that without compensation) may be permitted in the following situations.

- (1) When holding positions taking charge of education or engaging in educational duties (excluding positions relating to general affairs or accounting work. The same applies hereinafter.) as employees of educational facilities of public or private schools, specialized training colleges, miscellaneous schools, etc.;
- (2) When serving in positions taking charge of education or engaged in educational work, as part of the facility staff of public and private libraries, museums, community centers, training and accommodation institution for young men and other social educational facilities;
- (3) When serving in positions as members of groups that exclusively engage in educational duties and groups controlling matters concerning education in councils at local governments, as board members of boards of education, supervisor of school education, social education supervisors and other staff members of boards of education;
- (4) When serving in positions taking charge of education exclusively, or engaging in educational duties, as staff members in positions as committee members, consultants, councilor or trustees with the objective being primarily education projects and such corporations or organizations, at educational corporations, social educational organizations (including organizations with the main objective as the protection of cultural properties or UNESCO activities);
- (5) When serving in positions taking charge of education exclusively, or engaging in educational duties as staff members of facilities or organizations attached to the National Diet, courts, Ministry of Defense, public corporations or local governments.

2 Notwithstanding the provisions of the preceding paragraph, the following items will in principle not be permitted.

- (1) When serving as the head of public or private schools, specialized training colleges, miscellaneous schools, etc.;
- (2) When serving as the head of social educational facilities such as public or private libraries;
- (3) When a Department Head serves as a board member in aboard of education;
- (4) When serving as the President or holding other executive staff positions at educational corporations and social educational organizations;
- (5) When serving as the head of education-related organizations or facilities established by the National Diet, the court, Ministry of Defense, public corporations or local governments;
- (6) When serving as a lecturer at preparatory schools established or running classes with the aim of preparing students for entrance examinations at universities, etc. or at similar classrooms, cram schools, courses, etc.;
- (7) When taking up full-time employment.

(Concurrent Employment at National Government Administrative Organ, etc.)

Article 22 Concurrent employment at a National Government Administrative Organ, etc. (excluding that without compensation) may be permitted in the following situations.

- (1) When it is allowed for a person with a position at the National University Corporation to hold a position at the National Government Administrative Organ, etc. under the provisions of laws, regulations and municipal ordinances;
- (2) When holding a part-time position at councils as prescribed in Article 8, etc. of the National Government Organization Act or a part-time advisory or investigative position with similar character, job content, working condition as the part-time position at such councils;

- (3) When holding a position set up by the National Government Administrative Organ, etc. in response to its needs or a position at any of the Companies, etc. that the National Government Administrative Organ, etc. has entrusted with business in response to its needs, in addition to the preceding 2 items.

2 Notwithstanding the provisions of the preceding paragraph, the following items will in principle not be permitted.

- (1) When a Department Head takes up a position as a committee member at an executive organization of a local government;
- (2) When taking up full-time employment.

(Concurrent Employment at Independent Administrative Institution, etc.)

Article 23 Concurrent employment at an independent administrative institution (excluding that without compensation) may be permitted in the following situations.

- (1) When working as a committee member in the committee prescribed to hear opinions from experts or persons with relevant knowledge and experience based on the internal regulations of the independent administrative institution;
- (2) When holding a position at the said independent administrative institution in order to conduct joint research, etc. (excluding the awarding of collaborative contracts) at the incorporated administrative agency;
- (3) When holding a position as a part-time lecturer at the independent administrative institution;
- (4) When holding a position set up by the independent administrative institution in response to its needs or a position at any of the Companies, etc. that the independent administrative institution has entrusted with business in response to its needs, in addition to the preceding 3 items.

2 Notwithstanding the provisions of the preceding paragraph, taking up full-time positions will in principle not be permitted.

(Criteria for Permission for Concurrent Employment other than Concurrent Employment of Executive Staff at For-Profit Enterprises)

Article 24 If there is an application for concurrent employment listed from Articles 19 to 23, the President shall permit it when the said concurrent employment meets any of the following criteria.

- (1) There shall be no hindrance to the performance of duties as a result of concurrent employment;
- (2) No negative effects shall on the efficiency of performing his or her duties arise due to significant mental and physical fatigue as a result of concurrent employment;
- (3) There shall be no special interests or the risk of such occurrences between the staff member and the place of employment;
- (4) There shall be no risk of damage to the university's credibility or shame to the University as a result of concurrent employment;
- (5) In addition, there shall be no hindrance to ensuring the impartiality and credibility of work duties.

(Revocation of Permissions for Concurrent Employment other than Concurrent Employment of Executive Staff at For-Profit Enterprises)

Article 25 The President shall revoke the permission for Concurrent Employment other than Concurrent Employment of Executive Staff at For-Profit Enterprises when it is deemed to no longer meet the criteria for permission as prescribed in Article 24.

(Other Concurrent Employment)

Article 26 For Other Concurrent Employment (excluding that without compensation), the President shall permit it when all of the criteria as prescribed in Article 24 are deemed to have been met.

2 The President shall revoke the permission for concurrent employment referred to in the preceding paragraph when it is deemed to no longer meet the criteria for permission prescribed in Article 24.

(Concurrent Employment without Compensation)

Article 27 When there is an application for engagement in a concurrent employment without compensation as provided for in Articles 19 to 23 and the preceding article, the President may permit it in accordance with the permission standards in Article 24.

2 The President shall revoke the permission for concurrent employment referred to in the preceding paragraph when it is deemed to no longer meet the criteria for permission prescribed in Article 24.

Chapter 6 Period of Concurrent Employment

(Permitted Period)

Article 28 The period permitted for concurrent employment, excluding concurrent employment pertaining to technological transfer, concurrent employment involving the active use of research results, concurrent employment as an auditor, Concurrent Employment as Executive Staff at For-Profit Enterprises specially recognized by the President as contributing to industry-academia collaboration, and Self-Employed Concurrent Employment, shall, in principle, be no more than 2 years. However, for positions whose terms are stipulated in laws and regulations, the permission may be limited to 5 years.

2 The provisions of the preceding paragraphs shall not prevent the renewal of permission.

(Treatment of Time Engaged in Concurrent Employment)

Article 29 The time engaged in concurrent employment shall in principle not be part of normal working hours.

(Restriction on Concurrent Employment)

Article 30 The total weekly work hours for concurrent employment permitted pursuant to these regulations may be restricted by the President if it exceeds the standards as provided separately.

(Other Provisions)

Article 31 In addition to matters provided for in these regulations, other necessary matters shall be prescribed in detailed regulations.

Supplementary Provisions

1 These regulations come into force on April 1, 2004.

2 Concurrent employment that have been permitted or approved on the effective date of these regulations will be considered to have obtained permission pursuant to these regulations.

Supplementary Provisions between the original and the latest are omitted.

Supplementary Provisions (March 29, 2022)

These regulations come into force on April 1, 2022.