

National University Corporation Kyushu University Ethics Rules

Kyushu University Employment Regulation No. 29 of 2004

Effective date: April 1, 2004

Last amended: March 30, 2023

(Kyushu University Employment Regulation No. 60 of 2022)

(Purpose)

Article 1 The purpose of these Rules is to prevent officers (excluding part-time officers) and employees (hereinafter referred to as “employees, etc.”) of National University Corporation Kyushu University (hereinafter referred to as “Kyushu University”) from conducting acts that may bring about suspicion or distrust from the citizens regarding the fairness of execution of duty to ensure public trust in Kyushu University by taking necessary measures that contribute to the maintenance of ethics pertaining to the duties of employees, etc.

(Definitions)

Article 2 (1) The term “business operator, etc.” as used in these Rules means a corporation (including an association or foundation which is not a corporation but for which a representative or administrator has been designated) or any other organization, and an individual who operates a business (limited to an individual who conducts acts for the benefit of the business).

(2) With regard to the application of these Rules, an officer, employee, agent, or any other person who conducts acts for the benefit of a business operator, etc. is deemed to be the business operator, etc. referred to in the preceding paragraph.

(3) The term “interested party” as used in these Rules means the person provided in the following items according to the categories of affairs set forth in these items which an employee, etc. engages in as their duties:

(i) affairs relevant to contracts for sale and purchase, lease or work or any other contracts provided in the Rules for Handling Contractual Affairs of Kyushu University (Kyushu University Accounting Regulation No. 4 of 2004): a business operator, etc. who has concluded these contracts, a business operator, etc. who has made an offer for these contracts, and a business operator, etc. who is clearly intending to make an offer for these contracts; and

(ii) affairs for making an adverse disposition: a business operator, etc. or specific individual who is to be subject to the adverse disposition if the adverse disposition is to be made.

(4) If an employee, etc. is assigned to another position, and the person who was an interested party of the transferred employee, etc. pertaining to the position before the transfer remains an interested party of another employee, etc. pertaining to that position after the transfer, the person

who was the interested party is deemed to be an interested party of the transferred employee, etc. for three years from the date of the transfer (or until the date within that period on which the person who was the interested party ceases to be an interested party of another employee, etc. pertaining to that position).

(5) If it is clear that an interested party of an employee, etc. contacts another employee, etc. in order to promote the interested party's own interest by having the other employee, etc. exercise influence derived from their position on the first-mentioned employee, etc. the interested party of the first-mentioned employees, etc. is deemed to be an interested party of the other employee, etc.

(Standards for Ethical Conduct)

Article 3 Standards for ethical conduct are provided in the attachment as standards that employees, etc. should comply with in order to maintain ethics pertaining to their duties.

(Prohibited Acts)

Article 4 (1) Employees, etc. must not conduct the acts set forth in the following:

- (i) receiving gifts of money, goods, or real properties (including farewell gifts, congratulatory gifts, condolence money, offering of flowers, and any other items similar thereto) from interested parties;
- (ii) receiving loans of money (in cases of loans of money provided in the course of trade, limited to those without interest or with significantly low interest) from interested parties;
- (iii) leasing goods or real properties from or at the expense of interested parties without providing compensation;
- (iv) receiving the provision of services from or at the expense of interested parties without providing compensation;
- (v) receiving unlisted shares (meaning shares not listed on the financial instruments exchange provided in Article 2, paragraph (16) of the Financial Instruments and Exchange Act (Act No.25 of 1948), and not registered in over-the-counter traded securities register provided in Article 67-11, paragraph (1) of the same Act) from interested parties;
- (vi) receiving entertainment or hospitality from interested parties;
- (vii) playing games or golf with interested parties; and
- (viii) taking a trip (excluding a trip for the purpose of duties) with interested parties.

(2) Notwithstanding the provisions of the preceding paragraph, employees, etc. may conduct the acts set forth in the following:

- (i) receiving from interested parties gifts of advertising materials or souvenirs to be widely and generally distributed;
- (ii) receiving gifts of souvenirs from interested parties at a buffet-style party (meaning a

gathering serving food and drink in a stand-up style; the same applies hereinafter) that many persons attend;

(iii) when visiting an interested party as their duties, using goods provided by the interested party;

(iv) when visiting an interested party as their duties, using a car provided by the interested party (limited to a car that the interested party uses on a daily basis in its business, etc.) (limited to cases where using the car is considered appropriate in light of circumstances of transportation around the office, etc. of the interested party and other reasons);

(v) receiving refreshments from an interested party at a meeting or at any other gathering that an employee, etc. attends as their duties;

(vi) receiving food and drink served from an interested party at a buffet-style party that many persons attend; and

(vii) receiving simple food and drink served from an interested party at a meeting that they attend as their duties.

(3) With regard to the application of the provisions of paragraph (1), if an employee, etc., from an interested party, has purchased goods or real properties, leased goods or real properties, or received the provision of services, and the price paid for those goods, real properties or services is extremely lower than the market price as of the time when those acts were done, the employee, etc. is deemed to have received a gift of money equivalent to the difference between the price paid and the market price.

(Exceptions to Prohibited Acts)

Article 5 (1) Notwithstanding the provisions of paragraph (1) of the preceding Article, employees, etc. may conduct the acts set forth in the items of the same paragraph, with a person with whom the employees, etc. have a private relationship (meaning a relationship that is irrelevant to their status as employees, etc.; the same applies hereinafter) and who falls within the scope of interested parties, only if these acts are found to be unlikely to bring about suspicion or distrust from the citizens regarding the fair execution of duties in light of the situation of interests in the course of their duties, the circumstances and the current situation of the private relationship and the manner of acts that the employees, etc. intends to conduct.

(2) If employees, etc. are unable to judge whether their acts are likely to bring about suspicion or distrust from the citizens regarding the fair execution of duties referred to in the preceding paragraph, the employees, etc. shall consult with the ethics supervisor and follow the instructions thereof.

(Prohibited Acts with Persons Who Are Other Than Interested Parties)

Article 6 (1) Employees, etc. must not receive entertainment or hospitality, or an offer of property benefits exceeding the limit of socially accepted conventions, such as receiving entertainment or hospitality repeatedly, from a business operator, etc., even if the business operator, etc. does not fall within the scope of interested parties.

(2) Employees, etc. must not have the value of goods or real properties that the employees, etc. purchased or leased, or of services that the employees, etc. received paid by a business operator, etc. who was not present at the time of those actions at the expense of the business operator, etc., regardless of whether or not the business operator, etc. is an interested party.

(Prohibition of Acts Obstructing Maintenance of Ethics Pertaining to the Duties of Employees)

Article 6-2 (1) An employee must not receive or enjoy all or part of the interest, knowing that the interest is the property benefits that another employee has obtained through an act of the other employee that violates the provisions of Article 4 or the preceding Article.

(2) An employee must not make a false statement to or conceal from the ethics supervisor or any other person who is responsible for the maintenance of ethics pertaining to the duties of employees, or the superior of the employee, regarding facts that are sufficient to suspect that the employee or another employee has committed an act that violates laws and regulations or the University's employment regulations.

(3) An officer and a person who is in the managerial or supervisory position must not disregard facts that are sufficient to suspect that an employee who is under their management or supervision has committed an act that violates laws and regulations or the University's employment regulation if there are any such facts.

(Notification in Case of Eating and Drinking with Interested Parties)

Article 6-3 If an employee eats and drinks with an interested party without having the interested party pay the expenses required for the employee's own eating and drinking, and the expenses required for the employee's own eating and drinking exceed 10,000 yen, the employee must notify the ethics supervisor of this in advance, except for the following cases; provided, however, that if the employee was unable to notify in advance due to unavoidable reasons, the employee must notify subsequently and promptly:

- (i) if the employee eats and drinks with the interested party at a buffet-style party that many persons attend; or
- (ii) if the employee eats and drinks with the interested party with whom the employee has a private relationship, and the expenses required for the employee's own eating and drinking are paid by the employee or by a person with whom the employee has a private relationship and who is not an interested party.

(Restriction on Lectures, etc.)

Article 7 (1) When an employee, etc. intend, in response to a request from an interested party with remuneration, to give lectures, make discussions, give guidance or pass on knowledge at classes or training, write, supervise or compile books, or appear in broadcast programs of radio broadcasting or television broadcasting (excluding these acts conducted with the permission for a side job; hereinafter referred to as "lectures, etc."), the employee, etc. must obtain approval of the ethics supervisor in advance.

(2) With regard to the remuneration from an interested party set forth in the preceding paragraph and depending on the type or content of the duties of the employee, etc., if the ethics supervisor judges that the amount of the remuneration is likely to bring about suspicion or distrust from the citizens regarding the fair execution of duties, the ethics supervisor shall not give approval for lectures, etc.

(Notification from Employee, etc. and Approval in response to Application from Employee, etc.)

Article 8 If an employee, etc. intends to make a notification under the provisions of Article 6-3 or file an application for approval under the provisions of the preceding paragraph, the employee, etc. shall submit the notification or application using the respective prescribed forms to the ethics supervisor.

(Consultation with Ethics Supervisor)

Article 9 If an employee, etc. is unable to judge whether the counterparty to an act that the employee, etc. is to conduct falls within the scope of interested parties, or is unable to judge whether an act that the employee, etc. conducts with an interested party falls within the scope of acts set forth in the items of Article 4, paragraph (1), the employee, etc. shall consult with the ethics supervisor.

(Reports of Gifts, etc.)

Article 10 (1) If an officer and an employee in a managerial position (meaning an employee who receives payment of managerial service allowance under the National University Corporation Kyushu University Rules for Compensation of Employees (Kyushu University Employment Regulation No. 14 of 2004); the same applies hereinafter), from a business operator, etc., receives an offer of money, goods or any other property benefits or entertainment or hospitality (hereinafter referred to as "gifts, etc.") or receives payment of the remuneration specified in the following paragraph as remuneration for personal services provided based on the relationship between the business operator, etc. and the duties of an employees, etc. (limited to cases where they were an

officer or an employee in a managerial position at the time when receiving the gifts, etc. or receiving payment of the remuneration, and limited to cases where the value of the benefits received from gifts or of the remuneration received exceeds 5,000 yen per case), the officer and the employee in a managerial position must submit a report on gifts, etc. to the President, using a prescribed form, for each period from January to March, from April to June, from July to September, and from October to December (hereinafter referred to as a “quarter”), within 14 days from the first day of the quarter following the quarter relevant to the report on gifts, etc.

(2) The remuneration referred to in the preceding paragraph is remuneration that falls under any of the following items:

- (i) remuneration for lectures, etc. received from a business operator, etc. who is an interested party; or
- (ii) remuneration for lectures, etc. received from a business operator, etc. who is not an interested party that is remuneration for lectures, etc. on matters related to the present or past duties of the officer or the employee in a managerial position.

Article 11 Deleted

Article 12 Deleted

(Preservation and Inspection of Reports)

Article 13 (1) Reports on gifts, etc. submitted pursuant to the provisions of Article 10 must be preserved until the date on which five years have passed since the date following the last day of the period during which the report should be submitted.

(2) Any person may request the President to allow the inspection of reports on gifts, etc. preserved pursuant to the provisions of the preceding paragraph (limited to parts of the reports in which the value of the benefits received from gifts, etc. or of the remuneration received exceeds 20,000 yen per case).

(3) The inspection of reports on gifts, etc. provided in the preceding paragraph (hereinafter referred to as “inspection of reports on gifts, etc.”) may be conducted on or after the date following the date on which 60 days have passed since the date following the time limit for submission of the reports on gifts, etc.

(4) The inspection of reports on gifts, etc. must be conducted at a place designated by the President.

(Responsibilities of the President)

Article 14 The President has the following responsibilities with regard to the implementation of the matters provided in these Rules:

- (i) developing systems for the receipt, examination, preservation, and inspection of reports on gifts, etc. and developing other systems for the maintenance of ethics pertaining to the duties of employees, etc.;
- (ii) responding strictly if an employee, etc. has committed an act that violates these Rules;
- (iii) giving due consideration so that an employee, etc. will not be treated disadvantageously on the ground that the employee, etc. has notified the ethics supervisor or any other appropriate organ of an act that violates these Rules; and
- (iv) endeavoring to cultivate and maintain a sense of ethics among employees, etc. through training or other measures.

(Ethics Supervisor)

Article 15 (1) In order to maintain ethics pertaining to the duties of employees, etc., Kyushu University has in place an ethics supervisor.

(2) The President serves as the ethics supervisor.

(Responsibilities, etc. of Ethics Supervisor)

Article 16 (1) The ethics supervisor has the following responsibilities with regard to the implementation of the matters provided in these Rules:

- (i) providing consultation referred to in Article 5, paragraph (2) or Article 9 in response to requests from employees, etc., and providing necessary guidance and advice; and
- (ii) endeavoring to ascertain whether employees, etc. have any relationship with a specific person which may bring about suspicion or distrust from the citizens, and providing necessary guidance and advice regarding the maintenance of ethics pertaining to the duties of employees, etc. based on the results of ascertaining.

(2) The ethics supervisor may have employees, etc. conduct some of the ethics supervisor's duties provided in these Rules.

(Ethics Managers)

Article 17 (1) Each division, etc. has in place an ethics manager as a person to whom the duties of the ethics supervisor are entrusted.

(2) The ethics managers are the Dean of each undergraduate school, the Dean of each graduate school, the Dean of each faculty, the Dean of the Faculty of Arts and Science, the Dean of the Institute for Advanced Study, the Director of each Attached Research Institute, the Director of the International Institute for Carbon-Neutral Energy Research (I2CNER), the Director of Kyushu University Hospital, the Director of each University Library, the Director of the Research Institute for Information Technology, the Director of the Platform of Inter-/Transdisciplinary Energy

Research (Q-PIT), the Director of the Institute for Asian and Oceanian Studies, the Director of each Center for Common Education and Research, the Director of the Academic Research and Industrial Collaboration Management Office, the Director of the Promoting Organization for Future Creators, the Director of the Ito Clinic, and the Secretary-General, as well as the Director of each Office provided in Article 16 of the Regulations of Kyushu University (Kyushu University Regulation No. 1 of 2004).

(Responsibilities, etc. of Ethics Managers)

Article 18 Ethics managers provide consultation referred to in Article 5, paragraph (2) or Article 9 in response to requests from employees, etc. and provide necessary guidance and advice, as entrusted by the ethics supervisor.

(Assistant Ethics Managers)

Article 19 (1) Each division, etc. has in place an assistant ethics manager as a person who assists with the duties of the ethics manager.

(2) Assistant ethics managers are the Director of Administration of each division, each department director of the Administration Bureau, and the Director of the I2CNER • Q-PIT Office of Research Support Services (IQ-ORSS).

(Action to Be Taken in Case of Violation of These Rules by Employees, etc.)

Article 20 If it is suspected that an employees, etc. has committed an act that violates these Rules, the President shall immediately commence an investigation, and if it is found as a result of the investigation that the employee, etc. has committed an act that violates these Rules, the President shall take necessary measures strictly.

(Other)

Article 21 The President may separately specify necessary matters concerning the implementation of these Rules.

Supplementary Provisions

These Rules come into effect as of April 1, 2004.

Supplementary Provisions (Kyushu University Employment Regulation No. 25 of 2005)

(1) These Rules come into effect as of April 1, 2006.

(2) The provisions of Article 10, paragraph (2) of the National University Corporation Kyushu University Ethics Rules as amended apply to remuneration received on or after the date on which

these Rules come into effect (hereinafter referred to as the “effective date”), and prior rules continue to apply to remuneration received before the effective date.

(3) Beyond what is provided in the preceding paragraph, the National University Corporation Kyushu University Ethics Rules as amended apply to an act conducted on or after the effective date, and prior rules continue to apply to an act conducted before the effective date.

Supplementary Provisions (Kyushu University Employment Regulation No. 35 of 2006)

These Rules come into effect as of April 1, 2007.

Supplementary Provisions (Kyushu University Employment Regulation No. 13 of 2010)

These Rules come into effect as of December 1, 2010.

Supplementary Provisions (Kyushu University Employment Regulation No. 4 of 2011)

These Rules come into effect as of October 1, 2011.

Supplementary Provisions (Kyushu University Employment Regulation No. 33 of 2012)

These Rules come into effect as of April 1, 2013.

Supplementary Provisions (Kyushu University Employment Regulation No. 22 of 2014)

These Rules come into effect as of April 1, 2015.

Supplementary Provisions (Kyushu University Employment Regulation No. 11 of 2016)

These Rules come into effect as of October 1, 2016.

Supplementary Provisions (Kyushu University Employment Regulation No. 11 of 2017)

These Rules come into effect as of November 1, 2017.

Supplementary Provisions (Kyushu University Employment Regulation No. 16 of 2017)

These Rules come into effect as of February 1, 2018.

Supplementary Provisions (Kyushu University Employment Regulation No. 36 of 2017)

These Rules come into effect as of April 1, 2018.

Supplementary Provisions (Kyushu University Employment Regulation No. 15 of 2018)

These Rules come into effect as of February 1, 2019.

Supplementary Provisions (Kyushu University Employment Regulation No. 36 of 2018)

These Rules come into effect as of April 1, 2019.

Supplementary Provisions (Kyushu University Employment Regulation No. 2 of 2019)

These Rules come into effect as of August 1, 2019.

Supplementary Provisions (Kyushu University Employment Regulation No. 10 of 2020)

These Rules come into effect as of July 1, 2020.

Supplementary Provisions (Kyushu University Employment Regulation No. 51 of 2020)

These Rules come into effect as of April 1, 2021.

Supplementary Provisions (Kyushu University Employment Regulation No. 60 of 2022)

These Rules come into effect as of April 1, 2023.

National University Corporation Kyushu University Standards for Ethical Conduct

Officers (excluding part-time officers) and employees (hereinafter referred to as “employees, etc.”) of National University Corporation Kyushu University (hereinafter referred to as “Kyushu University”) must have pride as employees, etc. of Kyushu University, be conscious of their missions, and conduct themselves in accordance with the matters set forth in the following items as standards that they should comply with in order to maintain ethics pertaining to their duties:

- (i) employees, etc. must not give unjust and discriminatory treatment, such as giving advantageous treatment to only a limited range of persons with regard to information that they have learned in the course of their duties, and must always execute their duties fairly;
- (ii) employees, etc. must always make a proper distinction between the public and private, and must not utilize their duties or positions for private interests of their own or of an organization to which they belong;
- (iii) in exercising the authority granted by laws and regulations, and rules of Kyushu University, employees, etc. must not conduct any acts that may bring about suspicion or distrust from the citizens, such as receiving any gifts, etc. from any person upon whom the employees, etc. exercise their authority;
- (iv) employees, etc. must devote their utmost effort in the performance of their duties with the aim of promoting public interest; and
- (v) employees, etc. must conduct themselves while always being aware that their acts may have an influence on the trust in Kyushu University even while off-duty.