

○ **Hiroshima University Regulations for the Employee Code of Ethics**

Regulation No. 90 of April 1, 2004

Hiroshima University Regulations for the Employee Code of Ethics

(Purpose)

Article 1 These Regulations seek to contribute to the maintenance of ethics concerning the duties of employees of Hiroshima University (hereinafter referred to as the University ) and prescribe the matters necessary for preventing any conduct that may potentially cause the general public to be suspicious of and distrust the fairness of execution of duty by employees and for thereby ensuring the trust of the public in the University s operations, in accordance with the provisions of Article 34 of the Hiroshima University Work Regulations for Employees (Regulation No. 78 of April 1, 2004), Article 35 of the Hiroshima University Work Regulations for Mariners (Regulation No. 79 of April 1, 2004), and Article 24 of the Hiroshima University Work Regulations for Re-Employed Employees (Regulation No. 80 of April 1, 2004).

(Standards for Ethical Behavior)

Article 2 Employees shall take pride in being employees of the University, recognize their missions, and conduct themselves with the following matters as the standards to be complied with in maintaining ethics concerning their duties:

- (i) Employees shall not handle any information that they have obtained in the course of their duties in an unfair and discriminatory manner that, for example, is beneficial only for some parties, and shall engage in executing their duties in a fair manner at all times;
- (ii) Employees shall clearly distinguish their public lives and private lives at all times, and shall not take advantage of their duties or positions for their own private benefits or private benefits of their respective organs in any manner;
- (iii) When employees exercise the authority granted to them pursuant to the work regulations and other relevant regulations of the University applicable to them, they shall not receive any gift or other similar item from any party subject to such authority or engage in any other act similar to such

- (2) In the application of these Regulations, officers, employees, agents and other persons shall be deemed as a business operator, etc. as defined in the preceding paragraph, when they engage in activities for the profit of a business operator, etc.

(Stakeholder)

Article 4 (1) The term stakeholder as used in these Regulations shall mean one of the parties prescribed in the following items according to the following categories of administrative work in which employees engage as their duties:

- (i) Administrative work in connection with contracts for the purchase of goods, etc.: a business operator, etc. that has executed such a contract, a business operator, etc. that has made an offer to execute such a contract, or a business operator, etc. that is evidently going to make an offer to execute such a contract;
  - (ii) Administrative work in connection with contracts for collaborative research or contracted research: a business operator, etc. that has executed such a contract, a business operator, etc. that has made an offer to execute such a contract, or a business operator, etc. that is evidently going to make an offer to execute such a contract;
  - (iii) Administrative work in connection with decisions on successful entrance examination takers: a person applying for admission to the University, or other parties related to such person;
  - (iv) Administrative work in connection with decisions on disciplinary action imposed upon students, etc.: a student subject to such disciplinary action, or other parties related to such student;
  - (v) Administrative work in connection with decisions on graduation and course completion: a person scheduled to graduate from the University or complete its academic curriculum, or other parties related to such person;
  - (vi) Administrative work in connection with the examination of academic dissertations (except for theses for the completion of postgraduate courses): a person whose academic dissertation is subject to such examination, or other parties related to such person; or
  - (vii) Administrative work in connection with decisions on successful candidates in employee recruitment tests and on employee hiring: a person who wishes to be employed by the University as an employee, or other parties related to such person.
- (2) In the case of a transfer of an employee, if a party that was categorized as a stakeholder for such employee in relation to his/her pre-transfer position continues to be as such for another employee in relation to the same position after the transfer, this party shall be deemed to be a stakeholder for the transferred employee for three years starting from the day of the transfer (in the case where the party ceases to be a stakeholder for the other employee in relation to the position during the three-year period, up until the day of such cessation); provided, however, that with regard to the stakeholders prescribed in items (iii) to (vii) of the preceding paragraph, their stake shall cease to exist at the time that the subject matter of the relevant administrative work is

determined.

- (3) In cases where a stakeholder for an employee comes in contact with another employee clearly for the purpose of having the latter exercise his/her influence based on his/her position on the former for the interests of the stakeholder, the stakeholder for the former shall be deemed to be as such for the latter, as well.

(Closely Associated Corporation, etc.)

Article 4-2 The term closely associated corporation, etc. as used in these Regulations shall mean, among profit-making companies, etc. (private profit-oriented companies in commercial industries, manufacturing industries, financial industries or other industries (hereinafter referred to as a profit-making company in this Article) and corporations other than profit-making companies (excluding the national government, international organizations, local public entities, agencies engaged in administrative execution, and the specified regional incorporated administrative agencies prescribed in Article 2 (2) of the Act on Regional Incorporated Administrative Agencies (Act No. 118 of 2003)); the same applies in the following Article, and Article 18 to Article 21), a profit-making company, etc. that has a close relationship with the University in such forms as a capital tie or trade relationship.

(Aggregate Retirement Allowance Corporation, etc.)

Article 4-3 The term aggregate retirement allowance corporation, etc. as used in these Regulations shall mean, among profit-making companies, etc. whose operations are closely associated with the administrative work or business of the University, a profit-making company, etc. at which, according to regulations, etc. concerning retirement allowances (including benefits equivalent thereto) and when an officer or employee (limited to such a person required to work on a full-time basis; hereinafter referred to as a full-time officer/employee in this Article, the following Article, Article 18 and Article 20) successively serves as an officer or employee of such profit-making company, etc. upon the request of the President, his/her length of service as a full-time officer/employee at the University is to be aggregated with his/her length of service at such profit-making company, etc. as its officer or employee.

(Officer/Employee Scheduled to Receive an Aggregate Retirement Allowance)

Article 4-4 The term officer/employee scheduled to receive an aggregate retirement allowance as used in these Regulations shall mean a full-time officer/employee who is scheduled to retire from the University to successively serve as an officer or employee of a retirement allowance aggregation corporation, etc. upon the request of the President, and is scheduled to be employed continuously by such aggregate retirement allowance corporation, etc. after taking office thereat, unless there are special circumstances to the contrary.

(Prohibited Acts)

Article 5 (1) Employees shall not conduct any of the acts listed below:

- (i) Receive any gift of money, goods or real property (including farewell gifts, congratulatory gifts, condolence payments, floral tributes or other things similar thereto)

- from any stakeholder;
- (ii) Receive any loan of money (in the case of money loans provided as a business, limited to those without any interest or with a considerably low interest rate) from any stakeholder;
  - (iii) Lease goods or real property from any stakeholder gratuitously or at the expense of any stakeholder;
  - (iv) Receive any service from any stakeholder gratuitously or at the expense of any stakeholder;
  - (v) Receive unlisted shares (meaning shares not listed on the financial instruments exchanges provided for in the Financial Instruments and Exchange Act (Act No.25 of 1948), and not registered in over-the-counter traded securities registers provided for in the same Act) from any stakeholder;
  - (vi) Receive entertainment or a treat from any stakeholder;
  - (vii) Play games or golf with any stakeholder;
  - (viii) Take a trip (excluding trips for the purpose of duties) with any stakeholder; or
  - (ix) Have any stakeholder conduct any of the acts listed in the preceding items with any third party.
- (2) Notwithstanding the provisions of the preceding paragraph, employees may conduct the acts listed below:
- (i) Receive gifts of advertising materials or souvenirs to be widely and generally distributed from stakeholders;
  - (ii) Receive gifts of souvenirs from stakeholders at a buffet-style party that many persons attend (meaning a gathering serving food and drink in a stand-up style; hereinafter the same applies);
  - (iii) When visiting a stakeholder in the course of duties, use goods provided by the stakeholder;
  - (iv) When visiting a stakeholder in the course of duties, use a car (limited to that the stakeholder uses daily in his/her business, etc.) provided by the stakeholder (limited to those cases where the use of the car is considered appropriate in light of the circumstances of transportation around the office, etc. of the stakeholder and other circumstances);
  - (v) Receive refreshments from a stakeholder at a meeting or at any other gathering that the employee attends in the course of his/her duties;
  - (vi) Receive food and drink served by a stakeholder at a buffet-style party that many persons attend; and
  - (vii) Receive simple food and drink served by a stakeholder at a meeting that the employee attends in the course of his/her duties.
- (3) With regard to the application of the provisions of paragraph (1), if an employee (in the case of the act listed in item (ix) of the same paragraph, the third party provided for in the same item;

hereinafter the same applies in this paragraph), from a stakeholder, purchased or leased any goods or real property, or received any services, and if the consideration for the goods, etc. was extremely lower than the market price of the goods, etc. as of the time when the act concerned was performed, the employee is deemed to have received, from the stakeholder, a gift of money equivalent to the difference in the amount between the consideration and the market price.

(Exceptions to Prohibited Acts)

Article 6 (1) Notwithstanding the provisions of paragraph (1) of the preceding Article, an employee may conduct the acts listed in the items of the same paragraph (excluding item (ix)), with a party whom the employee has a private relationship with (meaning a relation that is irrelevant to his/her status as an employee; the same applies hereinafter) and who is categorized as a stakeholder, only when these acts are considered not to bring about any suspicion or distrust from the citizens with regard to the fairness of execution of duty in light of the situation of interests in connection with his/her duties, the circumstances and current situation of the private relationship, the manner of the act that the employee intends to conduct, and other relevant circumstances.

(2) If an employee is unable to judge whether his/her act may bring about any suspicion or distrust from the citizens with regard to the fairness of execution of duty as set forth in the preceding paragraph, such employee shall consult with the ethics administrator (meaning the ethics administrator prescribed in Article 14; the same applies in Article 9 (2), Article 10 and Article 11) and follow the instructions of that administrator.

(Prohibited Acts between Employees and Those Other than Stakeholders)

Article 7 (1) Employees shall not receive entertainment or a treat, or property benefits in excess of the limit of socially accepted conventions, such as receiving entertainment or a treat repeatedly from a business operator, etc. even if the business operator, etc. does not fall under the category of stakeholder.

(2) Employees shall not have the consideration for goods or real property they purchased or leased, or for services they received, paid and borne by any business operator, etc. that was not present at the place of those transactions, regardless of whether or not such business operator, etc. is a stakeholder.

(Mutatis Mutandis Application Concerning Contact with Administrative Organs, etc.)

Article 8 The provisions of Article 5 to the preceding Article shall apply mutatis mutandis to cases where employees of the University come in contact with officials of national administrative organs, local public entities or other similar organizations, basically for the purpose of preventing acts that may bring about any suspicion or distrust from the citizens and in light of the need for such contact in the course of duties.

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

Article 9 (1) If another employee (in the case of an act in violation of the provisions of Article 5

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- (1) (ix), the third party provided for in the same item) has obtained property benefits by conducting an act in violation of the provisions of Article 5 or Article 7, any other employee shall not receive or enjoy all or part of such benefits, knowing that such benefits were obtained in such manner.
- (2) Any employee shall not, to the ethics supervisory officer (meaning the ethics supervisory officer provided for

relevant employee.

(Reporting on Gifts, etc.)

Article 12 Managerial employees shall report to the University, when they receive money, goods, other property benefits, entertainment or treats from a business operator, etc. (hereinafter referred to as a gift, etc. ), or when they receive the remuneration prescribed in the following Article as remuneration for personal services provided on the basis of the relationship between the business operator, etc. and the duties of employees (limited to cases where the employee concerned was a managerial employee when he/she received such gift, etc. or remuneration, and also limited to cases where the gain obtained from the gift, etc., or the amount of the remuneration, exceeds 5,000 yen per case).

(Remuneration)

Article 13

(1) The remuneration under the preceding Article shall be that which falls under one of the following items:

- (i) Remuneration for a lecture, etc. paid by a business operator, etc. that falls under the category of stakeholder; or
- (ii) Remuneration for a lecture, etc. concerning matters related to the present or past duties of the employee concerned, among those remuneration payments for lectures, etc. from a business operator, etc. that do not fall under the category of stakeholder.

(2) The remuneration in the items of the preceding paragraph excludes remuneration for lectures, etc. that teachers deliver on the basis of their own education and research outcomes.

(Ethics Supervisory Officer and Ethics Administrator)

Article 14

(1) An ethics supervisory officer and an ethics administrator shall be appointed at the University in order to promote the maintenance of ethics concerning the duties of employees.

(2) The President shall act as the ethics supervisory officer and appoint the ethics administrator from among the Executives.

(Consultation with the Ethics Administrator)

Article 15 If an employee is unable to judge whether the counterparty of his/her act falls under the category of stakeholder, or whether an act that such employee conducts between him/her and a stakeholder falls under any of the acts listed in the items of Article 5 (1), such employee shall consult with the ethics administrator.

(Responsibilities of the Ethics Supervisory Officer)

Article 16 Concerning the execution of the matters specified in these Regulations, the ethics supervisory officer has the responsibilities listed below:

- (i) Arrange a system for the maintenance of ethics pertaining to the duties of employees;
- (ii) Rigidly handle cases in which employees have conducted acts violating these Regulations;
- (iii) Exercise care to ensure that employees who have reported acts violating these Regulations

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to the ethics administrator or other appropriate organizations will not be treated in a disadvantageous manner for the reason of their reporting; and

- (iv) Strive to cultivate and maintain employees sense of ethics with training and other measures.

(Responsibilities of the Ethics Administrator)

Article 17 Concerning the execution of the matters specified in these Regulations, the ethics administrator has the responsibilities listed below:

- (i) Provide consultation to employees as set forth in Article 6 (2) and Article 15, and provide necessary guidance and advice to them;
- (ii)



employee to solely engage in research or education for a fixed term (limited to a term within ten years), assume a position at a closely associated corporation, etc.;

- (iv) Where another full-time officer/employee who has never assumed a position of a managerial employee is expected to have no choice but to leave his/her employment since the business of the University is to be downsized or its internal structure is to be streamlined on the basis of the results of the assessment prescribed in Article 31-2 (1) of the National University Corporation Act (Act No. 112 of 2003; hereinafter referred to as the Corporation Act ) (excluding the assessment of performance results for the period for the mid-term objectives, which are expected to be obtained at the end of said period as provided for in item (ii) of the same paragraph), and the act concerned is performed for the purpose of having such full-time officer/employee assume a position at a closely associated corporation, etc.; or
  - (v) Where in order to implement measures pursuant to the provisions of Article 31-4 (1) of the Corporation Act, which are expected to force at least 30 full-time officers/employees to leave their employment, a plan for measures to assist such full-time officers/employees in finding employment after their separation from service has been prepared and approved by the Minister of Education, Culture, Sports, Science and Technology, and the act concerned is performed for the purpose of having such other full-time officers/employees, who are assisted under the plan in finding employment after separation from service at the University, assume positions at closely associated corporations, etc.
- (3) Any employee shall not make a demand or request to any profit-making company, etc. for appointment of, to its position, another officer or employee after separation from service at the University or a former officer or employee, in relation to engaging in or having engaged in any act, in the course of duties, that violates any of the Corporation Act, the Act on General Rules for Incorporated Administrative Agency (Act No. 103 of 1999), which applies mutatis mutandis to Article 35 of the Corporation Act, other laws or ordinances, written operational procedures established by the University, the Hiroshima University Accounting Regulations (Regulation No. 124 of April 1, 2004), or any other regulations of the University (hereinafter referred to as an act that violates laws, ordinances, etc. ), or in relation to causing or having caused another officer or employee to commit any act that violates laws, ordinances, etc.
- (Restriction on Job-Seeking Involving Act that Violates Laws, Ordinances, etc. While in Service)
- Article 19 Any employee shall not make a demand to any profit-making company, etc. for his/her appointment to its position, or promise any profit-making company, etc. to assume its position, after separation from service at the University, in relation to engaging or having engaged in any act that violates laws, ordinances, etc. or in relation to causing or having caused another officer or employee to commit any act that violates laws, ordinances, etc.
- (Reporting of Requests, etc. for any Act that Violates Laws, Ordinances, etc. from Re-employed Persons)

Article 20 (1) If an employee receives a demand or request as set forth in the following items, such employee shall report to that effect to the ethics supervisory officer:

- (i) Demand or request for an act that violates laws, ordinances, etc. made by a person who formerly served as a full-time officer/employee and has assumed a position at a profit-making company, etc. after separation from service at the University (hereinafter referred to as a re-employed person in this Article), within the period of two years after such separation from service, to an employee who belongs to the organ to which the re-employed person had belonged within five years prior to his/her separation from service at the University, where such demand or request relates to a sale and purchase contract, a lease contract, a contract for work, or any other contract concluded between the University and the profit-making company, etc., or relates to work concerning a disposition provided for in Article 2 (ii) of the Administrative Procedure Act (Act No. 88 of 1993) and rendered to the profit-making company, etc. (limited to work pertaining to the operations of the University; referred to as administrative work for contracts, etc. in the following item), which falls within the scope of duty of the re-employed person during the five year period before his/her separation from service at the University;
- (ii) Beyond what is set forth in the preceding item, a demand or request for any act that violates laws, ordinances, etc. made by a re-employed person who assumed a position of an officer or managerial employee at the University within the period of two years after his/her separation from service at the University, to an employee in relation to administrative work for contracts, etc.; or
- (iii) Beyond what is set forth in the preceding two items, a demand or request for any act that violates laws, ordinances, etc. made by a re-employed person, in relation to a contract between the University and a profit-making company, etc. (limited to a profit-making company, etc. at which the re-employed person presently holds a position) where the re-employed person himself/herself made the decision as to the conclusion of such contract while in service at the University, or in relation to a disposition that is provided for in Article 2 (ii) of the Administrative Procedure Act and that was rendered by the University to the profit-making company, etc. as so decided by the re-employed person himself/herself while in service at the University.

(2) If, upon receipt of a report pursuant to the provisions of the preceding paragraph, the ethics supervisory officer finds that facts surrounding the demand or request associated with the report are true, he/she shall take measures necessary to ensure thorough prevention of the occurrence of the relevant act that violates laws, ordinances, etc. pertaining to the demand or request.

(Notification of Re-Employment to the Ethics Supervisory Officer)

Article 21 (1) In cases where an employee (excluding an officer/employee scheduled to receive an aggregate retirement allowance; hereinafter the same applies in this Article) has made a promise to assume a position at a profit-making company, etc. after separation from service at

the University, such employee shall promptly notify the ethics supervisory officer to that effect.

- (2) An employee who has provided notification as set forth in the preceding paragraph shall, without delay, notify the ethics supervisory officer of any change in the matters related to the notification, if such change arises.
- (3) An employee who has provided notification as set forth in the preceding two paragraphs shall, without delay, notify the ethics supervisory officer if the promise related to the notification has become invalid.
- (4) Upon receipt of notification pursuant to the provisions of any of the preceding three paragraphs, the ethics supervisory officer shall implement measures in terms of personnel management to ensure that the duties of the employee who has made the relevant notification are appropriately performed, from the aspect of securing fairness in the University's operations.

(Actions, etc. in the Case Where Employees Violate These Regulations)

Article 22 In the case where an employee is considered to have conducted an act violating these Regulations, the ethics supervisory officer shall immediately start an investigation and, if the results of the investigation find that the employee conducted any act violating these Regulations, rigidly implement necessary measures.

(Miscellaneous Provisions)

Article 23 When reference to these Regulations is difficult due to special circumstances, or when the President deems it significantly inappropriate to refer to these Regulations, exceptional handling may be accepted.

Supplementary Provisions

These Regulations shall come into force on April 1, 2004.

Supplementary Provisions (Regulation No. 61 of March 31, 2005)

These Regulations shall come into force on April 1, 2005.

Supplementary Provisions (Regulation No. 122 of September 27, 2005)

These Regulations shall come into force on October 1, 2005.

Supplementary Provisions (Regulation No. 60 of March 22, 2007)

These Regulations shall come into force on April 1, 2007.

Supplementary Provisions (Regulation No. 151 of June 29, 2007)

These Regulations shall come into force on June 29, 2007, and the provisions of the Hiroshima University Regulations for the Employee Code of Ethics after revision by these Regulations shall apply from May 21, 2007.

Supplementary Provisions (Regulation No. 78 of March 31, 2010)

These Regulations shall come into force on April 1, 2010.

Supplementary Provisions (Regulation No. 11 of March 1, 2016)

These Regulations shall come into force on March 1, 2016, and the provisions of the Hiroshima University Regulations for the Employee Code of Ethics after revision by these Regulations shall apply from April 1, 2015.



