

\* The Japanese version is the authoritative version, and this English translation is intended for reference purposes only. Should any discrepancies or doubts arise between the two versions, the Japanese version will prevail.

## **The University of Tokyo Regulations on Ethics for Academic and Administrative Staff**

Established: The University of Tokyo Rules No. 27; April 1, 2004

Revised: The University of Tokyo Rules No. 360; March 28, 2005

Revised: The University of Tokyo Rules No. 120; March 30, 2006

Revised: The University of Tokyo Rules No. 75; March 22, 2017

### **Article 1 Purpose**

The purpose of these Regulations is to implement necessary measures that contribute to the maintenance of ethical conduct by the University of Tokyo academic and administrative staff (hereinafter collectively referred to as “employees”) in the performance of their work duties so as to prevent any conduct that would cause suspicion or mistrust towards the fairness in the performance of work duties, and thereby ensure the public’s trust regarding the operation of the University of Tokyo (hereinafter referred to as the “University”) pursuant to Article 34 of the University of Tokyo Rules on Conditions of Employment of Academic and Administrative Staff (Rules No. 11 of 2004; hereinafter referred to as the “Rules on Conditions of Employment”).

### **Article 2 Definitions**

1. The term “business operators” in these Regulations refers to juridical persons (including associations and foundations that are not juridical persons but have rules concerning representatives or administrators) and other organizations or individuals who operate a business (limited to individuals who engage in acts in the interest of the business).
2. In the application of these Regulations, executive officers, personnel, agents and other persons who engage in acts in the interest of a business operator shall be deemed business operators defined in the preceding paragraph.
3. The term “interested parties” in these Regulations refers to any of the parties listed in the items below.
  - (1) With respect to administrative services regarding sale and purchase, lease, contractor or other agreements that the employees engage in as part of their work duties, business operators who have executed such agreements; business operators who have applied to execute such agreements; and business operators who clearly intend to apply to execute such agreements.

- (2) With respect to the administrative services for adverse dispositions that the employees engage in as part of their work duties, business operators or individuals (excluding persons who are deemed to be business operators under the preceding paragraph; hereinafter referred to as “specified individuals”) who will be the parties subject to the adverse disposition if the adverse disposition is to be carried out.
  - (3) With respect to the administrative services for licensing or approval that the employees engage in as part of their work duties, business operators who engage in business under the licensing or approval; business operators or specified individuals who have applied for approval or licensing; and business operators or specified individuals who clearly intend to apply for approval or licensing.
4. If a person who was an interested party of a transferred employee in relation to the employee’s position before the transfer continues to be an interested party of another employee who is assigned to the transferred employee’s position, the person who was an interested party of the transferred employee shall be deemed to remain an interested party of the transferred employee for three years from the day of transfer (or until the day in that period on which the person who was an interested party ceases to be an interested party of the employee assigned to that position).
  5. If it is clear that an interested party of an employee is in contact with another employee in order to advance the interested party’s own interests by causing the other employee to exercise its position-based influence on the original employee, the interested party of the original employee shall be deemed an interested party of the other employee.

### **Article 3           Standards for Ethical Conduct**

Employees shall take pride as employees of the University, remain conscious of their mission and conduct themselves in accordance with the following standards to be complied with in order to maintain ethical performance of their work duties.

- (1) Employees shall refrain from using information learned in the course of their work duties to extend advantageous treatment to a limited range of beneficiaries or to practice other forms of unfair, discriminatory treatment, and shall constantly perform their work duties in a fair manner.
- (2) Employees shall constantly maintain a clear distinction between public and private affairs, and shall never use their work duties or position to advance private interests for their own benefit or for the benefit of organizations to which they belong.
- (3) Employees shall, in exercising the authority granted to them by laws, regulations or the University of Tokyo rules, refrain from engaging in behavior that would cause suspicion or mistrust, such as receiving gifts from parties under their authority.
- (4) Employees shall, in performing their work duties, seek to advance the public interest by committing their fullest efforts to this mission.
- (5) Employees shall, even outside their working hours, conduct themselves in a manner

whereby they are constantly conscious of the fact that their behavior influences public trust of the University.

#### **Article 4 Prohibited Acts**

1. Employees shall not commit any of the following acts.
  - (1) Acceptance of gifts of money, goods or real estate from an interested party (including farewell gifts, congratulatory gifts, condolence gifts, floral offerings or other similar gifts).
  - (2) Acceptance of loans of money from an interested party (in the case of loans provided in the course of business, this prohibition shall apply only to interest-free loans and loans with significantly low interest rates).
  - (3) Acceptance, for no consideration, of loans of goods or real estate from, or at the expense of, an interested party.
  - (4) Acceptance, for no consideration, of services from, or at the expense of, an interested party.
  - (5) Acceptance of a transfer of unlisted stock (referring to stock that is not listed on a financial instruments exchange prescribed in Article 2, paragraph 16 of the Financial Instruments and Exchange Act (Act No. 25 of 1948), and is not listed in the register of over-the-counter traded securities prescribed in Article 65-11, paragraph 1 of the same Act) from an interested party.
  - (6) Acceptance of entertainment from an interested party.
  - (7) Engagement in recreational activities such as golf with an interested party.
  - (8) Travel with an interested party (excluding travel in the course of the employee's work duties).
  - (9) Causing an interested party to engage in any of the acts in the preceding items toward a third party.
2. Notwithstanding the provisions of the preceding paragraph, employees may engage in the following acts.
  - (1) Acceptance from an interested party of gifts of promotional or commemorative goods that are widely distributed to the general public.
  - (2) Acceptance from an interested party of gifts of commemorative goods at a buffet party (referring to a buffet-style meeting where food and drinks are served; the same shall apply hereinafter) attended by a large number of people.
  - (3) Use during a work-related visit to an interested party of goods provided by the interested party.
  - (4) Use during a work-related visit to an interested party of an automobile provided by the interested party (limited to cases where the automobile is regularly used by the interested party in its business etc., and where the use of automobile is deemed appropriate due to transportation conditions in the vicinity of the interested party's

office or other circumstances).

- (5) Acceptance of refreshments from an interested party while attending a work-related conference or other meeting.
  - (6) Acceptance of food and drinks from an interested party at a buffet party attended by a large number of people.
  - (7) Acceptance of simple food and drinks from an interested party while attending a work-related conference.
3. With regard to the application of the provision of paragraph 1, if an employee (or a third party in the case of paragraph 1, item (9); the same shall apply throughout this paragraph) purchases goods or real estate, accepts a loan of goods or real estate or accepts services from an interested party, and the amount paid by the employee is significantly less than the market price of such goods at the time of purchase or acceptance, the employee shall be deemed to have accepted from the interested party a gift of money to the amount equivalent to the difference between the amount paid and the market price.

#### **Article 5            Exceptions to Prohibited Acts**

1. Notwithstanding the provision of paragraph 1 in the preceding Article, employees may engage in the acts listed in the items of the same paragraph (excluding item (9)) with an interested party with whom the employee is in a private relationship (referring to a relationship unrelated to the status as an employee; the same shall apply hereinafter), provided that such acts are considered unlikely to cause suspicion or mistrust toward the fairness of the performance of their work duties taking into consideration the circumstances of work-related relationships of interest, the background and current circumstances of the private relationship, the nature of the acts being engaged in and other circumstances.
2. If employees are unable to judge whether an act in the preceding Article is likely to cause suspicion or mistrust toward the fairness of the performance of their work duties as stipulated in the preceding paragraph, the employees shall consult with the ethics supervisor (referring to the ethics supervisor prescribed in Article 15; the same shall apply hereinafter) and follow his or her instructions.

#### **Article 6            Prohibited Acts with Persons other than Interested Parties**

1. Employees shall not accept from any business operator, including business operators who are not interested parties, recurring offers of entertainment or other offers of entertainment or property benefits that exceed levels deemed appropriate under socially accepted conventions.
2. Employees shall not, with regard to their purchase or lease of goods or real estate or receipt of services (hereinafter collectively referred to as “transaction”), have a business operator who was not present at the place where the transaction took place bear the price under the transaction, regardless of whether the business operator is an interested party or not.

**Article 7            No Acceptance of Remuneration for Editorial Supervision of Specific Books**

Employees shall not accept remuneration for editorial supervision or editing of the following books (referring to books, magazines or other printed materials, or material on which text, graphics, sound, video, or electronic calculator programs are recorded in electronic form, magnetic form or other formats that cannot be perceived by human senses; the same shall apply hereinafter).

- (1) Books produced at the direct expense of the University.
- (2) Books of which the University purchases a majority of the copies produced.

**Article 8            Prohibition of Acts Impeding Maintenance of Ethical Performance of Employee Work Duties**

1. Employees shall not knowingly receive or enjoy all or part of a property benefits achieved by another employee (or a third party in the case of act in violation of the provision of Article 4, paragraph 1, item (9)) through an act in violation of the provisions of Article 4 or the preceding two Articles.
2. Employees shall not conceal from, or make false statements to, the ethics supervisor, other persons who are responsible for maintaining ethical performance of employee work duties or supervisors concerning facts that sufficiently support suspicion that the employees or other employees have committed an act in violation of these Regulations.
3. Employees in managerial or supervisory positions (referring to employees who are paid a managerial personnel allowance pursuant to Article 21 of the University of Tokyo Rules on Compensation for Academic and Administrative Staff (Rules No. 12 of 2004); the same shall apply hereinafter) and administrative staff who are deemed by the ethics supervisor to have equivalent work duties and responsibilities shall not tacitly approve facts that sufficiently support suspicion that employees under their management or supervision have committed an act in violation of these Regulations.

**Article 9            Notification Concerning Dining with Interested Parties**

Employees who intend to dine or drink with an interested party not at the expense of the interested party shall notify the ethics supervisor in advance of the matters prescribed by the ethics supervisor concerning the expenses required for the employee's food and drink if the expenses are expected to exceed JPY 10,000, except in the cases listed below. If any unavoidable circumstances prevent an employee from giving prior notice, he or she shall promptly give notice after the fact.

- (1) Dining or drinking with an interested party at a buffet party attended by a large number of people
- (2) Dining or drinking with an interested party with whom the employee has a private

relationship, where the employee's expenses are borne by the employee or a person who has a private relationship with the employee and is not an interested party

#### **Article 10            Controls Concerning Special Services**

1. Employees shall obtain approval in advance from the ethics supervisor if the employees intend to fulfill an interested party's request to render a remunerated service in the form of providing guidance or knowledge in lectures, discussions, courses or training; writing; editorial supervision; or editing or appearing on a radio or television program (excluding cases where the employee has received permission for concurrent employment under Article 33 of the Rules on Conditions of Employment) (the service is hereinafter referred to as "special service").
2. The ethics supervisor shall not grant approval for employees to engage in a special service if the ethics supervisor judges that the amount of remuneration paid by the interested party as detailed in the preceding paragraph is, in light of the type and content of the work duties performed by the employee, likely to cause public suspicion or mistrust towards the fairness in the employee's performance of work duties.

#### **Article 11            Approval of Applications from Employees**

Employees who intend to apply for approval under the provision of the preceding Article shall prepare the prescribed application form required and submit it to the ethics supervisor.

#### **Article 12            Gift Reports**

Employees in managerial or supervisory positions shall submit the prescribed reports to the ethics supervisor concerning money, goods or other property benefits or entertainment (hereinafter collectively referred to as "gifts") that the employees receive from business operators or concerning remuneration prescribed in the following Article that the employees receive as remuneration for a personal service provided in connection with a work-based relationship between the employee and a business operator (limited to cases where the employee was an executive officer or in a managerial or supervisory position at the time that the gifts or remuneration were received and where the monetary value of the benefit received from each gift or each remuneration payment was JPY 5,000 or more). The reports on gifts and remuneration (hereinafter referred to as "gift reports") shall be prepared for each period of January through March, April through June, July through September and October through December (hereinafter referred to as "quarter") and submitted to the ethics supervisor within 14 days after the first day of the quarter immediately after the relevant quarter for the gift report.

#### **Article 13            Remuneration**

Remuneration as detailed in the preceding Article shall refer to remuneration that falls under either of the following items.

- (1) Special service remuneration received from a business operator who is an interested party.
- (2) Special service remuneration received from a business operator who is not an interested party for a special service associated with matters pertaining to the employee's present or past work duties.

#### **Article 14        Preservation and Inspection of Reports**

1. The ethics supervisor shall preserve the gift reports submitted as prescribed in Article 12 for a period of five years from the day immediately after the last day of the period during which the report must be submitted.
2. The gift reports preserved as prescribed in the preceding paragraph shall, in principle, be available for inspection by any person (limited to sections of reports where the monetary value of benefits received from each gift or each remuneration payment is JPY 20,000 or more).
3. Gift reports shall be made available for inspection as prescribed in the preceding paragraph (hereinafter referred to as "gift report inspection") from the day immediately after the day that falls 60 days after the day immediately after the submission date of the gift report.
4. Gift report inspections shall be made at the place designated by the ethics supervisor.

#### **Article 15        Ethics Supervisor**

1. The University shall have an ethics supervisor in order to promote the maintenance of ethical performance of employee work duties.
2. The ethics supervisor shall be appointed by the President.

#### **Article 16        Consultation with Ethics Supervisor**

Employees shall consult with the ethics supervisor when the employees are unable to judge whether the counterparty to an act they are engaged in is an interested party or whether an act carried out with an interested party falls under any of the acts listed in the items under Article 4, paragraph 1.

#### **Article 17        Responsibilities of Ethics Supervisor**

1. The ethics supervisor shall have the following responsibilities with regard to the implementation of the matters prescribed in these Regulations.
  - (1) Receipt and preservation of gift reports, maintenance of a system for gift report inspection and maintenance of other systems aimed at the maintenance of the ethical performance of employee work duties.
  - (2) Strict handling of any act in violation of these Regulations conducted by employees.
  - (3) Consideration of employees who notify the ethics supervisor or other appropriate organization of any act in violation of these Regulations conducted by other employees

so that the notifying employees do not receive disadvantageous treatment as a result of the notification.

- (4) Seeking of fostering and maintenance of a sense of ethics in employees through training and other measures.
  - (5) Consultation with employees as prescribed in Article 5, paragraph 2 or Article 16 and provision of necessary guidance and advice.
  - (6) Confirmation of whether employees have a relationship with a specific person that would cause suspicion or mistrust and provision of necessary guidance and advice to maintain the ethical performance of employee work duties based on the result of the confirmation.
2. The ethics supervisor may delegate to employees a portion of his or her work duties prescribed in these Regulations.

**Supplementary Provisions**

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

**Supplementary Provisions**

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

**Supplementary Provisions**

These Rules shall come into force on April 1, 2006.

**Supplementary Provisions**

These Rules shall come into force on April 1, 2017.