

# Ritsumeikan Asia Pacific University Regulations for Conflict of Interest

## Chapter One: General Rules

### (Purpose)

Article 1 These regulations stipulate the policy and procedures for appropriate management of conflict of interest and help faculty and staff members to promote sound education and research at Ritsumeikan Asia Pacific University (“University”), and social contribution activities.

### (Definitions)

Article 2 The term, “Conflict of Interest,” consists of both “Conflict of Duties” and “Conflict of Interest as Individual as defined under the Section 2 and Section 3.

2 “Conflict of Duties:” a situation in which commitment of external activities interferes with fulfilling the duties at the University.

3 “Conflict of Interest as Individual:” a situation in which financial or other types of gains from external activities are not consistent with or are detrimental to the responsibilities for education and research at the University.

### (Scope of Application)

Article 3 These regulations apply to Professors, Associate Professors, Tenured Senior Lecturers (*tokunin koshi*), Fixed-term Professors, Fixed-term Associate Professors, Specially-Commissioned Professors, Specially-Appointed Professors, Specially-Appointed Associate Professors, Specially-Employed Professors, Continuously-Employed Associate Professors, Continuously-Employed Lecturers, Assistant Professors (*jokyo*), Lecturers, Permanent Staff, Contract Staff members (*tokutei shokuin*), and Contract Staff members (hereinafter referred as “faculty and staff members”).

### (Applicability of Conflict of Interest Management Policy)

Article 4 This policy applies to either of the following situations.

- (1) Faculty and staff members engage in social contribution activities such as external activities at private companies or other types of organizations.
- (2) Faculty and staff members receive personal benefit from companies or other external organizations. Such benefit includes monetary benefit such as salary, remuneration, or manuscript fee; goods, equipment, or personnel; or financial benefit such as equities.
- (3) Faculty and staff members procure goods and services of certain sum or higher from the organizations as stipulated in the first item under this Article.
- (4) Faculty and staff members engage undergraduate or graduate students in social contribution activities.
- (5) Other situations stipulated by the Committee as provided in Article 6.

### (Policy for Conflict of Interest)

Article 5 The President must establish the policy for conflict of interest based on deliberation by the Conflict of Interest Committee and inform all faculty and staff members of the policy to set up an

environment where social contribution activities can be promoted fairly.

## **Chapter Two: Management Policy and Procedures for Conflict of Duties**

### **(Committee Establishment)**

Article 6 Conflict of Interest Committee (“the Committee”) will be established under supervision by the President to appropriately manage conflicts of interest.

### **(Committee Members)**

Article 7 The Committee consists of the following members:

- (1) Executive Trustee (responsible for Ritsumeikan Asia Pacific University);
  - (2) Vice President (Research);
  - (3) Vice President (Academic Affairs);
  - (4) College Deans;
  - (5) Dean, International Cooperation and Research Division;
  - (6) Dean, Academic Affairs;
  - (7) UASS Director; and
  - (8) Others appointed by the President.
- 2 The executive trustee responsible for Ritsumeikan Asia Pacific University serves as the Chairperson; the Vice Chairperson will be appointed by the Chairperson.
  - 3 When the Committee deems necessary, non-Committee members may be asked to attend a Committee meeting to offer opinions.
  - 4 Committee members and individuals asked for attendance at a Committee meeting and those people who engage in clerical work of the Committee must not divulge confidential information learned during the course of their duties and/or service.

### **(Discussion Items by the Committee)**

Article 8 The Committee deliberates and examines the following items:

- (1) Policy for conflicts of interest;
- (2) Procedure for disclosing information of external activities and giving permission;
- (3) Disclosing information on monetary benefits;
- (4) Publicity and education on conflicts of interest; and
- (5) Investigation of conflict of interest cases, guidance for improvement and an advice or order for corrective actions.

### **(Deliberation Procedure of the Committee)**

Article 9 Upon request from the President the Committee investigates a potential or real conflict of interest involving a faculty or staff member and deliberates whether his/her engagement in external activities can be allowed.

- 2 The Committee promptly notifies the concerned member of the deliberation result.
- 3 After the deliberation is made as provided under the preceding section, when the Committee deems

necessary, it provides advice to the concerned member for resolving the conflict of interest.

- 4 If the concerned member disagrees with either the deliberation result or advice, he/she may file an appeal to ask for reconsideration. The Committee will convene a meeting for deliberation again and propose recommendations to the President for a final decision.

#### **(Contact for Consultation Service)**

Article 10 Administration Office will serve as the first contact for faculty or staff members who seek advice for a potential or real conflict of interest and/or wish to take a procedure for resolving a conflict of interest.

#### **(Conflict of Interest Advisers)**

Article 11 With a purpose to consult with faculty and staff members concerning a potential or real conflict of interest and permeate knowledge about conflicts of interest, Dean of International Cooperation and Research Division, Dean of Academic Affairs and UASS Director shall be appointed as Conflict of Interest Advisers.

- 2 These advisers will fulfill the following duties:
  - (1) Consult with faculty or staff members about a conflict of interest or provide advice;
  - (2) Publicize information about conflicts of interest and enhance faculty and staff members' knowledge of these issues;
  - (3) Conduct an investigation of general conflicts of interest and a specific case of conflict of interest;
  - (4) Decide whether it is necessary for the Committee to deliberate a conflict of interest case;
  - (5) Address other matters relative to conflicts of interest.

### **Chapter Three: Management of Conflict of Duties**

#### **(Procedure for Approving External Activities)**

Article 12 As rule, if faculty or staff members wish to engage in external activities, they must receive permission from the Director of the Organization with which they are affiliated.

- 2 However, among the foresaid activities, a part-time lecturer position at another university will be permitted by the President upon deliberation by the Academic Affairs Committee; and the activities, such as running a for-profit-organization, serving as a director, auditor, or adviser of such an organization, or registering as a lawyer, attorney, certified accountant, or physician and establishing a private business, will be discussed and determined by the Committee meeting.
- 3 If specially-appointed professors or specially-appointed associate professors who will be employed by the University under Ritsumeikan Asia Pacific University Regulations for Specially-Appointed Faculty Members are currently being employed and continue to be employed by an organization, such as a university, a research institution, governmental organization, international institution, private company, located either inside or outside of Japan, the University will give those professors either permission for the external activities, or advice for resolving a conflict of interest at the time of appointment. However, if they enter into new external activities or if there is a change in the permitted external activities, they must apply for new permission.

### **(General Standards for Approving External Activities)**

Article 13 External activities of a faculty or staff member must meet all of the following standards to receive permission of the University.

- (1) External activities must not interfere with fulfillment of the duties at the University.
- (2) Efficiency in performing the duties at the University must not be adversely influenced because of occupational fatigue originated from external activities.
- (3) Executing duties of external activities must not conflict, or give appearance of conflicting with, fulfillment of the duties at the University.
- (4) Duties of external activities must not appear to erode trust in the University or damage its reputation.
- (5) Duties of external activities must not interfere with preserving fairness and securing trust in other duties.

### **(Maximum Time Spent for External Activities)**

Article 14 When faculty or staff members engage in external activities, average time spent for the activities shall not exceed 8 (eight) hours per week.

- 2 However, if deemed necessary during the permission procedure, the period of time may exceed the maximum.

### **(Permitted Time for External Activities)**

Article 15 In principle the time faculty and staff members may use for external activities is off-hours.

- 2 However, if deemed necessary during the permission procedure, part of the working hours may be used for external activities.

## **Chapter Four: Management of Conflict of Interest as Individual**

### **(General Responsibility)**

Article 16 Faculty and staff members shall not put their financial profit or other personal benefit before their responsibilities for education and research at the University.

### **(Responsibility for Disclosing Information of Financial Profit)**

Article 17 Faculty and staff members must report to the President once a year through taking the information disclosure procedure as stipulated by the Committee, if they receive annual financial profit of one million Yen or more from one corporation in any form described below, if they own unquoted securities, or if they receive stock option:

- (1) Remuneration (as a board member, or service fee as an adviser);
  - (2) Salary;
  - (3) Financial gain relative to an intellectual property right, such as income from patent rights;
  - (4) Gift or donation.
- 2 In regard to faculty members under Section 3, Article 12, they are not subject to the item (1) through item (3) of the preceding section of Article 17. However, if they enter into new external activities after

appointment at APU and gain financial benefit, they must take the procedure for information disclosure as provided under the Section 1, Article 17.

## **Chapter Five: Others**

### **(Training)**

Article 18 The President must hold a regular training for faculty and staff members.

### **(Revision and Abolition)**

Article 19 Revision and abolition of these regulations will be deliberated at a University Senate meeting before the President makes a final decision.

These regulations shall go into effect on July 29, 2009.

Supplementary Provision (March 17, 2015 Partial revisions in line with changes to scope of application.)

These regulations shall go into effect on April 1, 2015.

Supplementary Provision (December 7, 2016 Partial revisions in line with changes to the scope of eligibility and changes to the procedures for the approval of part-time lecturing at other institutions.)

These regulations shall go into effect on April 1, 2017.

*This English document is a translation of the original Japanese document and is for reference only. If any differences between the Japanese text and the English translation may appear, the Japanese text shall prevail in all aspects.*