

**Radiation Effects Research Foundation
Regulations Concerning Prevention of and Response
to Misuse of Research Funds**

Chapter 1 – General Rules

(Purpose)

Article 1 – The purpose of these regulations is to prevent misuse of research funds (hereafter referred to as “misuse”) and to stipulate matters necessary for strict and proper measures against occurrences of misuse at the Radiation Effects Research Foundation (hereafter referred to as “this juristic person”).

(Definition)

Article 2 – In these regulations, the term “employees and others” shall mean research scientists and general employees stipulated in Article 2 of the Rules of Employment and all other individuals who engage in research activities or research support activities using research funds or this juristic person’s facilities/equipment.

2. In these regulations, the term “research funds” shall mean all research funds used for this juristic person to carry out research projects, including research funds pertaining to externally funded research.
3. In these regulations, the term “misuse” shall mean behaviors and complicity in behaviors such as those described in the following items:
 - (1) Engaging in fictitious transactions in collusion with a vendor/contractor for services to this juristic person, through payments from this juristic person to the vendor/contractor or through improper payments from research funds involving false transactions, such that the vendor/contractor receives money in the form of false deposits.
 - (2) Making payments from this juristic person or making payments out of research funds based on a false application, in order to cover expenditures (expenses for goods, travel expenses, remuneration for research assistants, etc.).
 - (3) Using funds for purposes other than those stipulated in the laws, ordinances, and regulations of this juristic person, or in guidelines concerning use of the pertinent research funds.
4. In these regulations, “vendors/contractors” shall mean those who engage in transactions with this juristic person based on research-related construction/purchase contracts.
5. In these regulations, “transaction,” regardless of the type of contract (bid or negotiated contract), shall mean selection of a vendor/contractor and conclusion of a research-related construction/purchase contract with said vendor/contractor.

**Chapter 2 – Prohibition of and Preventive Measures against
Misuse of Research Funds**

(Prohibition of misuse)

Article 3 – Employees and others must not engage in misuse and must work to prevent such misuse.

(Submission of written pledge)

Article 4 – All employees and others who participate in research projects using research funds managed by this juristic person, at this juristic person or other research institutions, must submit a written pledge (attached form 1) to the Chairman of this juristic person.

2. In the written document stipulated in the preceding paragraph, employees and others must pledge:
 - (1) To observe relevant rules and regulations of this juristic person;
 - (2) To use funds appropriately and never engage in any misuse; and
 - (3) To accept disciplinary actions undertaken by this juristic person or by the organization(s) funding the study, as well as assume legal responsibilities for misuse of funds, if any, in violating rules and regulations.

(Acquisition of written pledges from vendors/contractors)

Article 5 – The Chairman must obtain a written pledge (Attachment 2) from vendors/contractors with a history of transactions with this juristic person involving research funds managed by this juristic person. This pledge assures, among other matters, that vendors/contractors will not be involved in misconduct and will cooperate in internal audits and other investigations.

(Participation in training sessions and the like)

Article 6 – Employees and others must routinely participate in training sessions and the like on compliance, to be organized by this juristic person to prevent misuse of funds.

(Development of code of conduct)

Article 7 – The Chairman shall establish a code of conduct to edify employees and others, and to instill a deeper understanding of research ethics, in order to prevent misuse of funds.

Chapter 3 – Management System

(Management system)

Article 8 – The system for proper operation and management of this juristic person's research funds is as follows:

- (1) The Chairman of this juristic person, as Chief Managing Officer, shall supervise this juristic person overall and take ultimate responsibility for the operation and management of research funds, and in doing so shall take appropriate actions to prevent misuse and exercise leadership properly to ensure that a General Managing Officer and Compliance Promotion Managers can responsibly operate with and manage research funds.
- (2) This juristic person shall have a General Managing Officer to assist the Chief Managing Officer, with the overall responsibility and authority to operate with or manage research funds, including prevention of misuse. The Executive Director in charge of prevention of improper research conduct (hereafter referred to as "Director in Charge") shall serve as the General Managing Officer, and will develop and implement specific measures to be applied throughout the entire organization based on basic policies, among others. S/he will monitor the implementation status of such measures and report to the Chairman.

- (3) This juristic person shall have Compliance Promotion Managers responsible for operation with and management of the research funds of this juristic person. The chiefs of the research departments and the Chief of Secretariat shall serve as the Compliance Promotion Managers, and, under the instruction of the General Managing Officer, shall:
 - 1) Implement preventive measures against misconduct and regularly report the status of implementation to the General Managing Officer;
 - 2) Provide compliance education to all employees and others involved in operation with and management of research funds, and supervise the status of their attendance; and
 - 3) Monitor the management and implementation of research funds by employees and others, and provide guidance for improvement, as appropriate.
2. The Chairman shall establish a promotional unit concerning the plans for prevention of research fund misuse as specified separately by the Framework Concerning Plans for Prevention of Misuse of Research Funds.
3. The Chairman shall establish a system to perform internal audits.

Chapter 4 – Receiving and Handling Allegations

(Contact point for receiving allegations)

- Article 9** – Allegations of misuse from within and outside of this juristic person shall be handled in accordance with Radiation Effects Research Foundation Regulations on Reporting in the Public Interest and with the regulations stipulated in this document.
2. An individual who receives allegations shall not be engaged in cases in which s/he is personally involved or has a personal stake.

(Methods for presenting and handling allegations)

- Article 10** – Allegations may be received by telephone, e-mail, fax, in writing or in person by the General Affairs Sections of the Secretariat in Hiroshima or Nagasaki.
2. Allegations shall be accepted, as a matter of principle, only if the informant is identified and provides the following information, as specified in Attachment 3 Allegation report:
 - (1) Name(s) of the employees and others or the group(s) suspected of misuse (hereafter referred to as the “subject”);
 - (2) Nature and specifics of the suspected misuse; and
 - (3) Justifiable reason(s) to suspect misuse.
 3. Notwithstanding the preceding two paragraphs of this article, if allegations are received by other methods, they may be treated the same as allegations in accordance with the preceding two paragraphs of this article, depending on their content.
 4. The contact for report/consultation shall report promptly to the Director in Charge and notify the informant(s) of the receipt of an allegation.
 5. In the case of an anonymous allegation, only if the Director in Charge deems that sufficient credibility exists to make an allegation, shall it be handled in accordance with paragraph 2. In this case, however, notification and reporting to informant(s) prescribed in these regulations shall not be conducted.
 6. The Director in Charge shall check the allegation reported from the contact for report/consultation and inform the Chairman of this matter.

7. In the case of misuse suspected and brought up by internal audit, an outside organization, press report or the like, only when the name/title of an individual or group suspected of misuse and reasonable justification are available, the Director in Charge may treat the case the same as an anonymous allegation and report it to the Chairman.

(Prohibition of abusive allegations)

Article 11 – Employees and others must not make false, abusive or illicit allegations.

2. Based on the Rules of Employment, the Chairman may take proper action, such as reprimand, for those making allegations for illicit purposes.

Chapter 5 – Investigation of Misuse of Research Funds and Corrective Measures

(Judgment that investigation is necessary)

Article 12 – When the Chairman obtains information about misuse of funds by employees and others, through an allegation or other means, and deems that the allegation is reasonable, s/he shall make a decision, based on consultation with the Director in Charge, whether or not to conduct an investigation within 30 days of receiving the allegation.

2. When making the decision in the preceding paragraph, the Chairman shall report whether or not to conduct an investigation to the funding organization(s) and to concerned government ministries and agencies. When deciding to conduct an investigation, the Chairman must make a report to or consult with the funding organization(s) and concerned government ministries and agencies in terms of the investigation policy, object, method, etc.
3. When deciding to conduct an investigation, the Chairman shall provide notification of the decision to the informant, the subject, and the chief of department to which the subject belongs (or the subject's organization, when s/he belongs to an organization other than this juristic person).
4. If a decision is made not to conduct an investigation, the Chairman shall notify the informant of this decision and present the reasons for the decision.

(Establishment of investigative committee)

Article 13 – If the decision is made to conduct an investigation, the Chairman shall establish an investigative committee without delay to conduct an investigation.

(Composition of investigative committee)

Article 14 – The investigative committee stipulated in the preceding article shall consist of members appointed by the Chairman from among those indicated in the following items. To ensure fairness and transparency of the investigation, members must include outside experts not belonging to this juristic person and members who are free from any direct personal stake or relationship with the informant(s) or the subject(s) of investigation.

- (1) Director in Charge;
- (2) Chief of Secretariat;
- (3) Employees and others from the department(s) with which the subject(s) are affiliated;

- (4) Employees and others affiliated with departments to which those stipulated in the preceding item do not belong;
- (5) Outside experts (those free from direct personal stake or relationship with this juristic person);
- (6) Others deemed necessary by the Chairman.
2. The Chairman shall appoint a chairman of the investigative committee from among the members of the committee stipulated in the preceding paragraph.
3. The committee chairman shall represent the investigative committee and supervise the work performed by the committee.
4. The General Affairs Section of the Secretariat shall be in charge of the administrative work of the committee.

(Operation of investigative committee)

Article 15 – The committee chairman shall convene meetings of the investigative committee.

2. A meeting of the investigative committee cannot be held without participation of 2/3 or more of the members.
3. Decisions of the investigative committee can be made with a 2/3 majority of the members in attendance.

(Duties of investigative committee)

Article 16 – The investigative committee shall be in charge of the following matters:

- (1) Matters related to fact-finding investigations pertaining to misuse;
- (2) Matters related to corrective measures for preventing recurrence of misuse; and
- (3) Matters related to collection of information pertaining to compliance with laws, ordinances, and the like.

(Investigation conducted by investigative committee)

Article 17 – The investigative committee shall investigate the following matters:

- (1) Existence of misuse of funds and its content;
- (2) Those involved and the degree of involvement; and
- (3) Amount of funds misused.
2. The investigative committee can request the cooperation of the subject of the investigation, employees and others in the department or unit the subject is affiliated with, as well as that of other relevant individuals in presenting materials, expressing their views, giving explanations, and in other ways. In such cases, those whose cooperation is requested must cooperate actively, and truthfully state the facts they have come to know to ensure that the investigation can be conducted smoothly.
3. When performing investigations, the investigative committee, as required, can order the subject to suspend use of research funds related to the study under investigation, and undertake other measures necessary during the investigation period.
4. When issuing a directive in accordance with the preceding paragraph, the investigative committee must give due consideration to ensure that the research activities of employees and others not under investigation, as well as work related to management and operation of this juristic person, are not hindered.
5. The investigative committee must perform investigations based on facts, with fairness and without bias.
6. The investigative committee must hear the explanation of subjects of investigation.

(Determination)

Article 18 – The investigative committee shall form conclusions concerning the matters outlined below and report its conclusions to the Chairman. When misuse is confirmed, even partially, in the course of investigation, the committee shall promptly conclude that misuse took place, even though the investigation has not been completed.

- (1) Presence or absence of misuse;
- (2) If the committee concludes that misuse has been or is being committed, it should determine the nature of the misuse, the person(s) involved and the degree of involvement, the amount of funds misused, etc.

(Notice from the Chairman)

Article 19 – When receiving a report of investigation results in accordance with the preceding article, the Chairman shall immediately notify the informant, the subject, and the chief of department to which the subject belongs (or the subject's organization, when s/he belongs to an organization other than this juristic person), in writing, of the content of the report. This notification shall, at the same time, be made to the organization(s) funding the study in question and to concerned government ministries and agencies.

(Filing of appeals)

Article 20 – When the informant or the subject of investigation has a disagreement with the content of the notice received in accordance with the preceding article, s/he shall be eligible to file an appeal to the Chairman, in writing, pursuant to the form "Notice of Appeal" provided as an Attachment 4, within 14 days after the date on which the notice is received. No further appeals on the same grounds shall be filed, even within the specified period.

2. When receiving an appeal in accordance with the preceding paragraph of this article, the Chairman shall direct the investigative committee working on the case to review the appeal.
3. The Chairman shall notify the informant or the subject of investigation that an appeal has been filed, as provided for in paragraph 1. The Chairman shall also report to the organization(s) funding the study in question and to concerned government ministries and agencies that an appeal has been filed.
4. The investigative committee shall promptly decide whether or not to conduct a new investigation of the case, taking into consideration the details of the appeal pursuant to paragraph 1 and in consideration of reasons given, among others, and shall report the result to the Chairman.
5. When a decision is made not to reopen the investigation as a result of the review prescribed in the preceding paragraph, the Chairman shall notify the informant and the subject of investigation, in writing, of the result of the review, along with the reasons. The Chairman shall also report to the organization(s) funding the study in question and to concerned government ministries and agencies to that effect.
6. When a decision is made to reopen the investigation as a result of the review prescribed in paragraph 4, the Chairman shall request that the informant or the subject of investigation present materials sufficient for overturning the results of the earlier investigation and ask for cooperation from the informant or the subject of investigation toward the prompt resolution of the matter. If such cooperation is not obtained, the Chairman shall be able to halt the investigation without going ahead

with a new investigation. The Chairman shall also report to the organization(s) funding the study in question and to concerned government ministries and agencies to that effect.

(New investigation)

Article 21 – The regulations prescribed in Articles 15 to 18 shall be applied to a new investigation.

(Corrective measures and disciplinary actions)

Article 22 – When misuse is confirmed as the result of an investigation, as stipulated in Article 17 (or as the result of a new investigation conducted in accordance with the preceding article), the Chairman shall immediately notify the subject as well as the chief of the department or secretariat with which the subject of investigation is affiliated, in writing, to that effect. S/he shall also order the implementation of measures necessary to remedy any problems in systems or operations that led to misuse and to prevent recurrence (hereafter referred to as “corrective measures”).

2. As necessary, the Chairman may notify the chiefs of other relevant departments or the Chief of Secretariat of corrective measures and order their implementation, as prescribed in the preceding paragraph.
3. When the department chiefs and the Chief of Secretariat receive an order for the implementation of corrective measures according to the preceding two paragraphs, they shall report immediately to the Chairman about the status of implementation.
4. When misuse is confirmed as the result of an investigation, as stipulated in Article 17 (or as the result of a new investigation conducted in accordance with the preceding article), the Chairman may take disciplinary and other actions against the subject of investigation in accordance with the Rules of Employment.
5. The Chairman shall, as stipulated under Article 17, promptly order the employees and others determined through investigation to be involved in misuse of funds to discontinue use of the funds for the study in question.
6. The Chairman shall take legal actions when misuse is highly malicious (e.g., private diversion of funds).
7. When it is determined that no misuse has been or is being committed, the Chairman shall cancel measures taken in accordance with paragraph 3 of Article 17.

(Suspending transactions with vendors/contractors)

Article 23 – When improper conduct by a vendor/contractor is confirmed as the result of an investigation, as stipulated in Article 17 (or as the result of a new investigation conducted in accordance with Article 21), the Chairman may take such actions as suspending transactions with the relevant vendor/contractor or issuing a warning.

2. The policy concerning punitive actions to be taken for vendors/contractors involved in fraudulent transactions shall be determined separately.

Chapter 6 – Other Matters

(Reports to organizations concerned)

Article 24 – The Chairman must submit a final report to the organization(s) funding the study in question and to concerned government ministries and agencies, based on the report stipulated in Articles 18 and 21. The report must state the results of the

investigation, factors behind the occurrence of misconduct, the status of management and audit systems for other competitive funds and the like that are accessible to employees and others involved in misconduct, and measures for preventing a recurrence. As a general rule, the report must be submitted within 210 days of the time the allegation is received. If the investigation is not complete within the specified time period, an interim report of the investigation shall be submitted to the organization(s) funding the study in question and to concerned government ministries and agencies.

2. When misconduct is confirmed, even partially, in the course of investigation, this juristic person shall promptly conclude that misconduct took place and report to the organization(s) funding the study in question, and to concerned government ministries and agencies, even though the investigation has not been completed.
3. When the organization(s) funding the study in question or concerned government ministries and agencies request a progress report or interim report of the investigation, it must be submitted to them, even though the investigation has not been completed.

(Submission of materials used for investigation)

Article 25 – This juristic person must accommodate requests from the organization(s) funding the study in question, and from concerned government ministries and agencies, for submission of or access to materials used in the investigation or on-site investigations. This shall not apply, however, in cases in which accommodating such requests will hinder the investigation or in which other legitimate reasons apply.

(Announcement of investigation results)

Article 26 – When it is determined that misuse of funds has been committed, the Chairman shall promptly make public the results of the investigation enumerated below.

- (1) Name(s) and affiliation(s) of those involved in misuse;
 - (2) Specifics of misuse;
 - (3) Measures taken prior to the announcement;
 - (4) Names and affiliations of committee members, investigation method, and procedures, etc.
2. Some of the information enumerated above, however, may not be disclosed when there are reasonable grounds for not disclosing it.

(Consideration for the subject of investigation)

Article 27 – When exercising authority based on these regulations, the Chairman, those engaged in work related to the investigations, and the contact point for receiving allegations (hereafter referred to as “investigators”) must give due consideration to avoid unjustifiable violation of the prestige of the subject of investigation.

2. When no misuse by the subject of investigation is confirmed, the Chairman shall, as necessary, take measures to restore the prestige of the subject of investigation and adopt measures to prevent disadvantage to the subject of investigation.

(Confidentiality obligation)

Article 28 – Investigators must not divulge any confidential information that has come to their knowledge in the course of the investigation. The same shall apply even when they are no longer affiliated with this juristic person.

(Protection of personal information)

Article 29 – Investigators must not disclose personal information that has come to their knowledge in the course of the investigation without legitimate justification and must not use it for improper purposes. The same shall apply even when they are no longer affiliated with this juristic person.

Supplementary Provision

These regulations will be effected on April 1, 2020.

2. Regulations Concerning Prevention of and Response to Improper Research Conduct effected on November 6, 2007, shall be abolished upon effectuation of the present regulations.

Supplementary Provision

These regulations will be effected on April 1, 2021.

Pledge

To: Chairman of RERF

In conducting or participating in research using research funds managed by this juristic person, I pledge to remain aware of compliance obligations and not to engage in any misuse of research funds by carefully observing the “RERF Regulations Concerning Prevention of and Response to Misuse of Research Funds,” “RERF Framework Concerning Plans for Prevention of Misuse of Research Funds,” and other relevant rules, in compliance with the Science Council of Japan’s “Code of Conduct for Researchers,” promulgated on January 25, 2013.

I agree that I will be subject to disciplinary action by the Radiation Effects Research Foundation and the organization(s) funding the study in the event that I violate any one of these provisions. I also agree to accept legal responsibilities for my misconduct.

Date:

Name (Signature):

Affiliation:

Pledge

To: Chairman of RERF

In conducting transactions with the Radiation Effects Research Foundation (hereafter referred to as “RERF”), all the staff at our company pledge:

1. To observe the Accounting Regulations, the Supplementary Regulations for Administering Contracts, the Guidelines for Purchase of Goods, the Guidelines for Handling Competitive Bidding for Construction Work, the Guidelines for Entrustment Contracts, and the Regulations Concerning Prevention of and Response to Misuse of Research Funds, and to abstain from involvement in misconduct;
2. To cooperate in RERF’s internal audits of external research funds and other investigations, and to comply with requests for access to, or provision of, records of transactions;
3. Not to object to any action taken by RERF, including suspension of business transactions pertaining to the supply of goods to RERF, when misconduct is confirmed.
4. To contact the General Affairs Section of the Secretariat, either in Hiroshima or in Nagasaki, which serves as the RERF Contact for Report/Consultation, as stipulated by the RERF Regulations Concerning Prevention of and Response to Misuse of Research Funds and Regulations on Reporting in the Public Interest, when a request involving misconduct is received from a RERF officer or employee (including researchers).

Date:

Name and position of the representative (Signature):

Company name:

Address:

Date:

Allegation

Name:

Affiliation:

Address:

Contact information:

(e.g., telephone number and email address):

I hereby lodge an allegation, in accordance with Article 10 of the Regulations Concerning Prevention of and Response to Misuse of Research Funds, as follows:

1. Name, position, and affiliation of the individual(s) or group(s) suspected of misconduct

Name:

Position and affiliation:

2. Nature of allegation (Please check the appropriate boxes.)

☐ False deposits

Using an affiliated research organization to make payments to a vendor/contractor through fictitious transactions and managing such money in the form of false deposits

☐ Fictitious business trip

Using an affiliated research organization to pay for a fictitious business trip

☐ False honoraria

Using an affiliated research organization to pay honoraria for work that was not performed

☐ Other (Please specify.)

3. Specifics of allegation

- Please state empirical or substantive evidence and other reason(s) for suspecting misconduct.
- You may attach a separate sheet if you need more space than provided here.
- Please attach evidentiary documents, if any.

Specifics

[Note]

- Please submit the completed form to the General Affairs Section.
- Informant(s) may be asked to cooperate in the investigation concerning the information presented in this allegation.
- The information presented in this allegation will be used in an investigation conducted in accordance with RERF Regulations Concerning Prevention of and Response to Misuse of Research Funds. It will not be used for any other purpose.

Form 4 (relevant to Article 20)

Date:

Notice of Appeal

To: Chairman, Radiation Effects Research Foundation

Name (signature):

Position:

Affiliation:

I received notification of investigation results dated ____, and I have an objection to this decision. I therefore file an appeal in accordance with Article 20 of the RERF Regulations Concerning Prevention of and Response to Misuse of Research Funds as follows:

Reason(s) for objection