

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

Chapter 1 – General Rules

(Purpose)

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

(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, "research misconduct" shall mean "specific research misconduct" as set forth in items (1) through (3) below and "other research misconduct" as set forth in item (4) below due to the intentional act or the gross negligence of the basic duty of care that should be exercised by employees and others.

(1) Fabrication: Making up data or research results, etc.

(2) Falsification: Manipulating research materials, equipment, or processes to change data or results obtained from research activities.

(3) Plagiarism: Appropriating the ideas, analysis, analytical methods, data, research results, research paper(s) or words of other researchers without obtaining the permission of the researchers or without giving appropriate credit.

(4) Other forms of research misconduct, such as duplicate submission (submitting a research paper that is essentially the same as one that has already been published or submitted to another journal) or inappropriate attribution of authorship (failure to attribute authorship of a paper to the qualified authors).

**Chapter 2 – Prohibition of and Preventive Measures against
Research Misconduct**

(Prohibition of research misconduct)

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

(Participation in training sessions and the like)

Article 4 – All employees and others must, in principle, participate in training sessions and the like on research ethics, to be organized by this juristic person to prevent research misconduct.

(Development of code of conduct)

Article 5 – 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 research misconduct.

(Preservation of research data and the like)

Article 6 – Employees and others must preserve research data for a predetermined time period and disclose them as necessary to prevent either intentional or negligent destruction of research data or loss of data as a result of improper management.

2. Details for storage and disclosure of research data shall be prescribed separately, based on the nature of the data and research field.

Chapter 3 – Management System

(Management system)

Article 7 – The system for proper operation and management of this juristic person’s research is as follows:

- (1) The Chairman, as one responsible for and entitled to supervising this juristic person overall, shall take appropriate actions to promote fair research activities, including improvement of research ethics and prevention of research misconduct.
- (2) The Chairman shall retain a Research Ethics Training Officer responsible for and entitled to research ethics training. The Executive Director in charge of prevention of research misconduct (hereafter referred to as “Director in Charge”) shall serve as the Research Ethics Training Officer.
- (3) The Research Ethics Training Officer must provide employees and others with research ethics training on a regular basis.

Chapter 4 – Receiving and Handling Allegations

(Contact point for receiving allegations)

Article 8 – Allegations of research misconduct 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 9 – 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, in principle, only if the informant is identified and provides the following information, as specified in the Allegation report (Attachment 1):
 - (1) Name(s) of the employee(s) or the group(s) suspected of research misconduct (hereafter referred to as “subject”);
 - (2) Nature and specifics of the suspected research misconduct; and
 - (3) Scientifically justifiable reason(s) to suspect research misconduct.
3. Notwithstanding paragraph 2 of this article, if allegations are received by other methods, they may be treated the same as allegations in accordance with paragraph

- 2 of this article depending on the content.
4. In the case of a consultation not explicitly intended to make an allegation, the contact for report/consultation shall check into the case. If the contact deems that sufficient reason exists to make an allegation, the contact shall confirm with the consulter whether s/he intends to make an allegation, and inform the Director in Charge of this matter.
 5. The contact for report/consultation shall report promptly to the Director in Charge and notify the informant(s) of the receipt of an allegation.
 6. 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.
 7. The Director in Charge shall check the allegation reported from the contact for report/consultation and inform the Chairman of this matter.
 8. In the case of research misconduct suspected and brought up by the press, researchers' community, internet, or methods other than report/consultation, only when the name/title of an individual or group suspected of research misconduct 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.
 9. In the case of allegations or consultations declaring that someone intends to commit research misconduct, or that someone was asked to commit such misconduct, the contact for report/consultation shall report them to the Director in Charge.
 10. The Director in Charge, when receiving the report described in the preceding paragraph, shall review the case, and if s/he deems sufficient reason exists, shall, upon consultation with the Chairman, issue a warning to the individual involved in the alleged case. When the individual involved in the alleged case belongs to an organization other than this juristic person, the warning shall be issued to the organization; or, when the warning is issued to an individual not belonging to this juristic person, the organization to which the individual belongs shall be informed of the content of the warning.

(Malicious allegations)

Article 10 – Employees and others must not make malicious allegations (those intended to harm the subject, such as through entrapment or hampering of the subject's research; or by harming the subject's organization: the same applies hereafter).

Chapter 5 – Investigation of Research Misconduct and Corrective Measures

(Preliminary investigation)

Article 11 – When the Chairman obtains information about research misconduct of employees or others through allegation or other means, s/he shall order a preliminary investigation to examine the facts pertaining to the alleged research misconduct.

2. The General Affairs Section of the Secretariat shall conduct a preliminary investigation, coordinated and supervised by the Director in Charge, of the alleged research misconduct, under the instruction of the Chairman. The Chairman may ask staff members of related sections/departments other than the General Affairs Section to participate in a preliminary investigation when necessary.

3. Those engaged in a preliminary investigation must not be involved in the handling or investigation of any alleged research misconduct in which they themselves are involved.
4. When requested to cooperate in a preliminary investigation pertaining to research misconduct, employees and others must provide their cooperation to the General Affairs Section of the Secretariat.
5. In a preliminary investigation, a decision shall be made as to whether or not the case requires a thorough formal investigation. The decision shall be reported to the Chairman promptly.
6. The Chairman shall make a decision, based on the report described in the preceding paragraph, whether or not to conduct a formal investigation within 30 days of receiving the allegation and after confirming the reasonableness of the contents of the allegation and the feasibility of the investigation.

(Decision to conduct a formal investigation)

Article 12 – If research misconduct is suspected as the result of a preliminary investigation, the Chairman shall establish an investigative committee to conduct a formal investigation.

2. When a decision is made to conduct a formal investigation, the Chairman shall notify the informant and the subject of the decision, and request their cooperation in the investigation. If the subject belongs to an organization other than this juristic person, the subject's organization also shall be notified.
3. When a decision is made to conduct a formal investigation, the Chairman shall notify funding organization(s) and concerned government ministries and agencies of the decision.
4. If a decision is made not to conduct a formal investigation based on the result of a preliminary investigation, the Chairman shall notify the informant of this decision and present the reasons for the decision. In such cases, the materials used in the preliminary investigation shall be preserved at the General Affairs Section of the Secretariat and be disclosed to the organization(s) funding the study in question, concerned government ministries and agencies, and the informant, if so requested.

(Establishment of investigative committee)

Article 13 – The investigative committee stipulated in the preceding article's first paragraph shall consist of members appointed by the Chairman from among those in the following items. Majority of members must be outside experts free from 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 from the department(s) to which the subject(s) are affiliated;
 - (4) Employees affiliated with departments to which those stipulated in the preceding item do not belong;
 - (5) Outside experts;
 - (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.
 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.

(Notification of establishment of investigative committee)

Article 14 – When establishing an investigative committee based on paragraph 1 of Article 12, the Chairman shall notify the informant and the subject of the names and affiliations of those appointed or commissioned as investigative committee members (hereafter referred to as “members”).

2. When the informant or the subject of investigation has an objection to the members, s/he shall be eligible to file an objection with the Chairman, in writing within seven days after the date on which the notification in the preceding paragraph is received.
3. When the Chairman receives an objection as described in the preceding paragraph and determines, based on review of the objection and consultation with the Director in Charge, that the objection is justified, s/he shall replace the member(s) relevant to the objection and inform the informant or the subject to that effect.

(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 research misconduct;
- (2) Matters related to corrective measures for preventing recurrence of research misconduct; and
- (3) Matters related to collection of information pertaining to compliance with laws, ordinances and the like.

(Formal investigation conducted by investigative committee)

Article 17 – The investigative committee shall initiate a formal investigation within 30 days from the day of the decision to conduct a formal investigation.

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 must truthfully state the facts they have come to know to ensure that the investigation can be conducted smoothly.
3. The investigative committee may investigate the subject’s other research projects pertinent to the formal investigation, as well as the project suspected of research misconduct.
4. The investigative committee shall take measures to ensure safe preservation of evidentiary materials and other relevant documents when it conducts a formal investigation. The investigative committee can prohibit the subject(s) of the investigation from contacting those related to the suspected research misconduct and from approaching any area that must be kept intact. The committee can also order

partial suspension of research activities and full suspension of use of research funds related to the study under investigation, and other necessary measures.

5. When issuing a directive in accordance with the preceding paragraph, the investigative committee must give due consideration to ensure that 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.
6. When research activities of the study in question have been conducted at an organization(s) other than this juristic person, the investigative committee shall request that organization(s) to take measures to preserve evidentiary materials and other relevant documents.
7. When this juristic person is not the investigating organization but is the organization at which research activities of the study in question have been conducted, this juristic person shall take measures to preserve evidentiary materials and other relevant documents.
8. The investigative committee must perform investigations based on facts with fairness and without bias.
9. The investigative committee must hear the explanation of subjects of investigation.
10. In conducting a formal investigation, the investigative committee shall take all due care not to disclose information beyond the scope necessary for conducting the investigation. Such information includes data, research paper(s), or other information covered by the investigation that has not yet been made public and should remain confidential from a technical or research perspective.

(Determination)

Article 18 – The investigative committee shall, within 150 days from the initiation of the formal investigation, form conclusions concerning the matters outlined below, and report its conclusions to the Chairman. The committee shall determine whether or not research misconduct has occurred based on a comprehensive assessment of the evidence obtained through investigation, including physical and scientific evidence and testimonies, and not solely on an admission by the subject of investigation. The committee will determine the following matters:

- (1) Presence or absence of research misconduct
In the event a subject is unable to provide sufficient evidence to dispel the suspicion of research misconduct due to a lack of basic elements (raw data, experiment and observation notes, test samples and reagents, etc.) that should normally exist, the subject shall be deemed to have committed research misconduct.
 - (2) If the committee concludes that research misconduct has been or is being committed, it should determine the nature of the research misconduct, the persons involved in the misconduct, the degree of their involvement, the roles of each of the authors involved in any associated research paper(s) with regard to the research activities as well as in the paper(s) themselves, the amount of funds misused; and
 - (3) If the committee concludes that no research misconduct has been committed, whether or not the allegation was lodged out of malice.
2. If the committee concludes that no research misconduct has been committed and decides through investigation that the allegation was lodged out of malice, it shall deliver a conclusion to this effect.

3. If the committee concludes that an allegation has been lodged out of malice, as stipulated in the preceding paragraph, the committee shall give the informant(s) the opportunity to offer a defense.

(Notice of investigation results)

Article 19 – When receiving a report of investigation results in accordance with paragraph 1 of the preceding article, the Chairman shall immediately notify the informant and the subject of investigation in writing of the content of the report. In addition, this notification shall be made to the organization(s) funding the study in question and to concerned government ministries and agencies. If the informant or the subject is affiliated with an organization other than this juristic person, that organization also shall be notified.

(Filing of appeals)

Article 20 – When 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 2, 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 it is determined that an informant’s allegations have been made out of malice, the informant shall be eligible to file an appeal, pursuant to the preceding paragraph.
3. When receiving an appeal in accordance with paragraph 1 of this article, the Chairman shall direct the investigative committee working on the case to review the appeal. When the nature of the appeal necessitates a decision requiring new expertise, this juristic person shall replace or add new investigative committee members.
4. The Chairman shall notify the informant or the subject of investigation of an appeal filed, as provided for in paragraphs 1 and 2. The Chairman also shall report to the organization(s) funding the study in question and to concerned government ministries and agencies that an appeal has been filed.
5. 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 reasons given, among others, and shall report the result to the Chairman.
6. When a decision is made not to reopen the investigation as a result of the review as 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.
7. When a decision is made to reopen the investigation as a result of the review as prescribed in paragraph 5, the Chairman shall request the subject of investigation to present materials sufficient for overturning the results of the earlier investigation and ask for cooperation 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 – If the investigative committee starts a new investigation in the preceding article's paragraph 7, the committee shall, within 50 days from the initiation of the new investigation, decide whether or not to overturn the earlier investigation results, and shall immediately report this decision to the Chairman. When the committee has a good reason for being unable to make such a decision within 50 days, however, it shall report the reason and the date by which the committee intends to make the decision to the Chairman for approval.

2. The Chairman shall notify the informant and the subject of investigation of the result of the new investigation. If the subject of investigation is affiliated with an organization other than this juristic person, that organization shall be notified. In addition, the Chairman shall report the result to the organization(s) funding the study in question and to concerned government ministries and agencies.
3. An appeal filed by an informant concerning the determination that an allegation has been lodged out of malice shall be reinvestigated by the investigative committee within 30 days after the appeal is filed, and the committee shall promptly notify the Chairman of the result of the new investigation.
4. Based on the notification in the preceding paragraph, the Chairman shall notify the informant and the subject of investigation of the result of the new investigation. In addition, this notification shall be made to the organization(s) funding the study in question and to concerned government ministries and agencies. If the informant is affiliated with an organization other than this juristic person, that organization also shall be notified.

(Corrective measures and disciplinary actions)

Article 22 – When research misconduct is confirmed as the result of a formal investigation, as stipulated in Article 17 (or as the result of a new investigation conducted in accordance with paragraph 1 of the preceding article), the Chairman shall immediately notify the chief of the department with which the subject of investigation is affiliated or the Chief of Secretariat in writing to that effect. S/he shall also order the implementation of necessary measures to remedy any problems in systems or operations that led to research misconduct 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 research misconduct is confirmed as the result of a formal investigation, as stipulated in Article 17 (or as the result of a new investigation conducted in accordance with paragraph 1, Article 21), the Chairman may take disciplinary and other actions against the subject of investigation in accordance with the Rules of Employment. When deemed highly malicious, s/he may turn to legal action.
5. The Chairman shall promptly order the employees and others determined to be involved in research misconduct through a formal investigation, as stipulated under Article 17 (or as the result of a new investigation conducted in accordance with paragraph 1 of the preceding article) to discontinue use of the fund for the study in

question.

6. The Chairman shall advise the author(s) of the paper(s) and the like determined to be involved in research misconduct to withdraw or revise the paper(s).
7. When it is found that an allegation has been lodged out of malice and the informant is this juristic person's employee or the like (provided that the allegation has not been made anonymously), the Chairman shall take suitable measures, such as disciplinary actions toward the informant, based on the Rules of Employment and the like.
8. When it is determined that no research misconduct has been or is being committed, the Chairman shall cancel the measures taken in accordance with paragraph 4 of Article 17.

Chapter 6 – Other Matters

(Reports to organizations concerned)

Article 23 – 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, the Chairman must submit such a report to them even though the investigation has not been completed.

(Announcement of investigation results)

Article 24 – When it is determined that research misconduct has been committed, the Chairman shall promptly make public the results of the investigation. Such information, however, may not be disclosed when there are reasonable grounds for not disclosing it.

- (1) Name(s) and affiliation(s) of those involved in research misconduct,
 - (2) Specifics of research misconduct,
 - (3) Measures taken prior to the announcement,
 - (4) Names and affiliations of committee members, investigation method, and procedures, etc.
2. When it is determined that no research misconduct has occurred, the Chairman shall not, as a general rule, make the results of the investigation public. If, however, the honor of the subject of investigation needs to be restored, if the case under investigation has been leaked, or if unintentional errors in research paper(s) or other forms of publication have been uncovered, the results of the investigation may be made public.
 3. If it is determined that an allegation has been lodged out of malice, the Chairman may make public investigation results including the name and affiliation of the informant in question.

(Protection of the informant, consultants, and investigation collaborators)

Article 25 – The Chairman must provide protection to the informant, consultants, and investigation collaborators to avert any negative effects such as hostile working conditions or discrimination for serving as informant, consultant or investigation collaborator.

(Consideration for the subject of investigation)

Article 26 – When exercising authority based on these regulations, the Chairman and those engaged in work related to the preliminary and formal investigations (hereafter

referred to as “investigators”) must give due consideration to avoid unjustifiable violation of the prestige of the subject of investigation.

2. When no research misconduct 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 27 – 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 28 – 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 Provisions

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 Provisions

These regulations will be effected on April, 1, 2021.

Date:

Allegation

Name:

Affiliation:

Address:

Contact information:

(telephone number, email address, etc.):

I hereby lodge an allegation, in accordance with Article 9 of the Regulations Concerning Prevention of and Response to Research Misconduct, as follows:

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

Name:

Position and affiliation:

2. Nature of allegation (Check the appropriate boxes.)

Fabrication

Making up data or research results, etc.

Falsification

Manipulating research materials, equipment, or processes to change data or results obtained from research activities.

Plagiarism

Appropriating the ideas, analysis, analytical methods, data, research results, research paper(s) or words of other researchers without obtaining the permission of the researchers or without giving appropriate credit.

Other (Specify below.)

3. Specifics of allegation

- Please state the scientifically rational reason(s) for suspecting misconduct.
- You may attach a separate sheet if you need more space than provided here.
- Attach evidentiary documents, if any.

Specifics

[Notes]

- Submit the completed form to the General Affairs Section, Secretariat.
- The informant 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 the RERF Regulations Concerning Prevention of and Response to Research Misconduct. It will not be used for any other purpose.

Form 2 (relevant to Article 20)

Date:

Notice of Appeal

To: Chairman, Radiation Effects Research Foundation

Name (signature):

Position:

Affiliation:

I received notification of investigative committee's investigation results dated __, and I have an objection to its decision. I therefore file an appeal in accordance with Article 20 of the RERF Regulations Concerning Prevention of and Response to Research Misconduct, as follows:

1. Reason(s) for objection