

**(Tentative Translation) Regulations on the Prevention of Unlawful Acts Pertaining
to Research at the National Graduate Institute for Policy Studies**

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Chapter 1. General Provisions

(Purpose)

Article 1 The purpose of these Regulations is to provide for matters necessary for preventing unlawful acts during research activity and the unlawful use of research funds (hereinafter collectively referred to as “Unlawful Acts Pertaining to Research”) at the National Graduate Institute for Policy Studies (hereinafter referred to as the “Institute”), and for responding strictly and appropriately in cases where Unlawful Acts Pertaining to Research are performed or are likely to be performed.

(Definition of Terms)

Article 2 (1) In these Regulations, Unlawful Acts during Research Activity refers to acts conducted during research activities or the announcement of research results that are in conflict with the code of conduct required of a party who engages in research (including staff members and students, hereinafter referred to as a "Researcher") and contrary to the true nature or purpose of these activities (including planning such acts, ordering such acts, deliberately allowing such acts, instigating such acts, or aiding and abetting such acts).

(2) Examples of Unlawful Acts during Research Activity described in the preceding paragraph can roughly be classified as follows.

- (i) Fabrication (meaning the creation of data, research results, etc. that do not exist; the same shall apply hereinafter)
- (ii) Manipulation (meaning to modify the materials, equipment, and processes of research and thereby process the data, results, etc. obtained from the research activity, etc. in an inauthentic way; the same shall apply hereinafter)
- (iii) Fraudulent Use (meaning the misuse of another person’s ideas, analysis methods, data, research results, research papers, or terms without the consent of said person or without appropriate indications; the same shall apply hereinafter)

(iv) Duplicate Submissions

(v) Improper Authorship

(3) In these Regulations, a Specified Unlawful Act refers to an Unlawful Act during Research Activity (limited to Fabrication, Manipulation, and Fraudulent Use) that is conducted deliberately or due to significant negligence of one's duty of care.

(4) In these Regulations, Unlawful Use of Research Funds refers to the use of funds in violation of the laws and regulations, etc. provided for by an organization that paid for the research funds, or the Institute's regulations, etc. (including planning such acts, ordering such acts, deliberately allowing such acts, instigating such acts, or aiding and abetting such acts).

(Obligations of Researchers)

Article 3 (1) Researchers engaged in research at the Institute must work to ensure the fair and proper implementation of research in accordance with the spirit of the code of conduct for research activities separately stipulated by the President while complying with the relevant laws and regulations.

(2) The Institute's faculty and staff members that supervise or provide guidance to Researchers shall conduct supervision and guidance properly to ensure that no Unlawful Acts Pertaining to Research are conducted by Researchers.

Chapter 2. Measures to Prevent Unlawful Acts Pertaining to Research

(Director of Unlawful Act Prevention Promotion, Deputy Director of Unlawful Act Prevention Promotion, and Director of Research Ethics and Research Funds Compliance)

Article 4 (1) A Director of Unlawful Act Prevention Promotion, Deputy Director of Unlawful Act Prevention Promotion, and Director of Research Ethics and Research Funds Compliance shall be established for the systematic promotion of measures to prevent Unlawful Acts Pertaining to Research (hereinafter referred to as "Unlawful Act Prevention Measures").

Article 5 (1) The Director of Unlawful Act Prevention Promotion shall engage in the duties listed in the following items.

(i) Play a leading role in promoting Unlawful Act Prevention Measures as the top authority.

(ii) Stipulate the Unlawful Act Prevention Plan.

(iii) Provide guidance on response in the event of the occurrence of Unlawful Acts Pertaining to Research.

(2) The Director of Unlawful Act Prevention Promotion shall be the President; provided, however, that if in the process of responding to the case where a Specified Unlawful Act, etc. stipulated in Chapter 3 is committed or suspected, the President has direct interests in relation to the accuser or the accused, the Vice President (in charge of compliance) shall fulfill the duties of the Director of Unlawful Act Prevention Promotion in responding to the case.

(3) Under the premise that a possibility of Unlawful Acts Pertaining to Research always exists, the Director of Unlawful Act Prevention Promotion must aim to eliminate the factors that induce

such acts and facilitate the establishment of an environment or system that is equipped with sufficient preventive functions as they fulfill their duties.

Article 6 (1) The Deputy Director of Unlawful Act Prevention Promotion shall engage in the duties listed in the following items.

(i) The Deputy Director of Unlawful Act Prevention Promotion shall assist the Director of Unlawful Act Prevention Promotion.

(ii) The Deputy Director of Unlawful Act Prevention Promotion shall be responsible for duties pertaining to matters such as the planning, designing, and implementation of Unlawful Act Prevention Measures.

(iii) In addition to the matters described in the preceding two items, the Deputy Director of Unlawful Act Prevention Promotion shall implement the duties required for the implementation of Unlawful Act Prevention Measures based on the orders of the Director of Unlawful Act Prevention Promotion.

(2) The Deputy Director of Unlawful Act Prevention Promotion shall be the Vice President (in charge of compliance); provided, however, that if in the process of responding to the case where a Specified Unlawful Act, etc. stipulated in Chapter 3 is committed or suspected, the Vice President (in charge of compliance) has direct interests in relation to the accuser or the accused, the President shall fulfill the duties of the Deputy Director of Unlawful Act Prevention Promotion in responding to the case.

Article 7 (1) The Director of Research Ethics and Research Funds Compliance shall engage in the duties listed in the following items.

(i) Manage participation in Research Ethics Training stipulated in Article 10 and Research Funds Compliance Training stipulated in Article 11.

(ii) Responsible for duties such as the provision of guidance and advice related to maintaining research ethics.

(iii) Responsible for duties such as management and supervision pertaining to the use status of research funds.

(iv) In addition to the matters described in the preceding three items, the Director of Research Ethics and Research Funds Compliance shall implement the duties required for maintaining research ethics and the proper use and management of research funds based on the orders of the Director of Unlawful Act Prevention Promotion.

(2) The Director of Research Ethics and Research Funds Compliance shall be a faculty or staff member assigned by the Director of Unlawful Act Prevention Promotion.

(Unlawful Act Prevention Plan)

Article 8 The Director of Unlawful Act Prevention Promotion shall identify factors that cause Unlawful Acts Pertaining to Research (hereinafter referred to as “Causes of Unlawful Acts”), establish a plan concerning specific measures to respond to these causes (hereinafter referred to

as the “Unlawful Act Prevention Plan”) as the measure of top priority among these specific measures, and endeavor to manage the progress of the Unlawful Act Prevention Plan.

(Unlawful Act Prevention Plan Promotion Office)

Article 9 (1) An Unlawful Act Prevention Plan Promotion Office shall be established under the Director of Unlawful Act Prevention Promotion in order to promote the Unlawful Act Prevention Plan.

(2) The Unlawful Act Prevention Plan Promotion Office shall be composed of the persons listed in the following items:

- (i) Deputy Director of Unlawful Act Prevention Promotion;
- (ii) Director of Research Ethics and Research Funds Compliance;
- (iii) a person(s) who has research experience and is designated by the Director of Unlawful Act Prevention Promotion; and
- (vi) other persons who are found to be necessary by the Director of Unlawful Act Prevention Promotion

(3) An Officer shall be assigned to the Unlawful Act Prevention Plan Promotion Office and the person provided for in item (i) of the preceding paragraph shall serve as the Officer.

(4) The Unlawful Act Prevention Plan Promotion Office shall engage in the duties listed in the following items:

- (i) Planning, drafting, implementing, and reviewing the Unlawful Act Prevention Plan.
- (ii) Proposals concerning surveying and research on Causes of Unlawful Acts and improvement measures.
- (iii) The implementation of Research Ethics Training stipulated in Article 10, Research Funds Compliance Training stipulated in Article 11, and Awareness-Raising Activities stipulated in Article 11-2.
- (iv) In addition to the matters described in the preceding three items, the Unlawful Act Prevention Plan Promotion Office shall implement the duties required based on the orders of the Director of Unlawful Act Prevention Promotion.
- (5) The administrative work of the Unlawful Act Prevention Plan Promotion Office shall be processed by the Research Support and International Affairs Division with the cooperation of the related divisions.

(Research Ethics Training)

Article 10 (1) In order to prevent unlawful acts during research activity at the Institute, it is essential to provide researchers engaged in research at the Institute with the opportunity to take training regarding the code of conduct for researchers (hereinafter referred to as "Research Ethics Training").

(2) Efforts shall be made to enhance Research Ethics Training in the Institute's educational programs so that students can have a full understanding of the code of conduct for researchers.

(3) Researchers conducting research at the Institute must receive training implemented by the

Institute for Research Ethics Training, as stipulated separately.

(Research Funds Compliance Training)

Article 11 (1) In order to prevent Unlawful Use of Research Funds at the Institute, it is essential to provide researchers engaged in research at the Institute with the opportunity to take training regarding standards that should be complied with to ensure the proper use and management of research funds (hereinafter referred to as "Research Funds Compliance Training").

(2) Researchers involved in the use and management of research funds must receive training implemented by the Institute for Research Funds Compliance Training, as stipulated separately.

(Awareness-Raising Activities)

Article 11-2 In order to prevent Unlawful Use of Research Funds at the Institute, it is essential to implement various activities aimed at raising and instilling awareness regarding the prevention of Unlawful Use of Research Funds among researchers engaged in research at the Institute (hereinafter referred to as "Awareness-Raising Activities"), as stipulated separately.

(Pledge Submission)

Article 12 When a faculty or staff member of the Institute receives research funds distributed by the Institute or submits an application for external funds as a research representative or participant, they must submit a pledge to the Director of Unlawful Act Prevention Promotion stating matters including the promise not to conduct any Unlawful Acts Pertaining to Research using a separate form.

(Saving and Disclosure of Data)

Article 13 In order to enable verification of the results of their own research by a third party, Researchers engaged in research at the Institute shall save records of the data required for verification and other materials as separately stipulated and disclose this information if necessary.

Chapter 3. Response in the Event or Suspected Event of Specified Unlawful Acts, etc.

(Support Desks)

Article 14 (1) Support desks shall be established as internal and external offices to respond to suspected Specified Unlawful Acts and the Unlawful Use of Research Funds (hereinafter referred to as "Specified Unlawful Acts, etc.").

(2) The internal support desk shall be the Director of the Research Support and International Affairs Division.

(3) The external support desk shall be a law firm designated by the Director of Unlawful Act Prevention Promotion.

(Acceptance of Accusations, etc.)

Article 15 (1) The support desk shall accept accusations, consultations, and the provision of

information (hereinafter referred to as "Accusations, etc.") through means such as in writing, telephone, fax, email, or face-to-face concerning suspicions of Specified Unlawful Acts, etc. at the Institute (refers to Specified Unlawful Acts, etc. conducted at the Institute or Specified Unlawful Acts, etc. conducted by Researchers of the Institute; the same shall apply hereinafter).

(2) Accusations, etc. shall be made with the name in principle and shall be accepted only when the identification of the party accused of the Specified Unlawful Acts, etc. and state of the act are clear and when there are reasonable reasons for judging them to be unlawful. However, in cases where there is an Accusation, etc. made anonymously, it may be treated the same as cases where the person making the Accusation, etc. is named, depending on the content of the Accusation, etc.

(3) In cases where an Accusation, etc., is made by a method through which the accuser cannot find out whether the support desk has accepted the Accusation, etc. such as an Accusation, etc. in writing, the accuser (including parties that conducted consultations or provided information; the same shall apply hereinafter) will be notified to the effect that the Accusation, etc. has been accepted.

(4) In cases where there is a consultation or information provision in which the consuler or information provider does not indicate his/her intent to make an accusation, when it is found that there are reasonable grounds after the content is confirmed and examined following an accusation, it is required to confirm whether or not the consuler or information provider intends to make an accusation. In this case, even if the consuler or information provider does not intend to make an accusation, the case can be treated in the same manner as in a case with a nominal accusation.

(5) If an Accusation, etc. is made concerning Specified Unlawful Acts, etc. conducted by a Researcher belonging to the Institute at a research institution other than the Institute, if that institution forwards the accusation to the Institute, it shall be treated like an Accusation, etc. in accordance with Paragraph 2.

(Response to Suspicions Pointed Out Other than in Accusations, etc.)

Article 16 (1) In cases where a suspicion of Specified Unlawful Acts, etc., is pointed out by an academic society, etc., it shall be treated equivalently to cases where there is a nominal accusation.

(2) Cases where a suspicion of Unlawful Acts, etc. at the Institute is pointed out by media reports and where a suspicion of Unlawful Acts, etc. at the Institute is posted on the Internet (limited to cases in which the identification of the party accused of the Specified Unlawful Acts, etc. and state of the act are clear and when there are reasonable reasons for judging them to be unlawful) can be treated in accordance with the handling for nominal accusations.

(Treatment of Accusations, etc.)

Article 17 (1) In cases when an Accusation, etc. is made in accordance with Article 15 (including treatment in accordance with a nominal accusation pursuant to the provisions of the preceding article), the support desk shall promptly report this fact to the Director of Unlawful Act Prevention Promotion and Deputy Director of Unlawful Act Prevention Promotion, and confirm and examine the contents of the Accusation, etc.; provided, however, that if the Accusation, etc. is related to

matters concerning a Specified Unlawful Act, etc. of the President, the support desk shall promptly report this fact to the Deputy Director of Unlawful Act Prevention Promotion and the Chairperson of the Presidential Selection and Monitoring Committee, and confirm and examine the contents of the Accusation, etc.

(2) If the contents of the report received pursuant to the provisions of the preceding paragraph indicate that Specified Unlawful Acts, etc. are being conducted or call for Specified Unlawful Acts, etc. to be conducted, if deemed necessary the Deputy Director of Unlawful Act Prevention Promotion shall issue a warning to the person subject to the Accusation, etc. (including cases where a suspicion of Specified Unlawful Acts, etc. are pointed out to be treated in the same manner as nominal accusations pursuant to the provisions of the preceding paragraph; hereinafter referred to as the "Accused Person") after gaining the approval of the Director of Unlawful Act Prevention Promotion. However, if the Accused Person does not belong to the Institute, the Accusation, etc. shall be forwarded to the research institution that the Accused Person belongs to.

(Protection of Accusers and Accused Persons)

Article 18 (1) The support desk must take appropriate measures to protect the personal information of Accusers and Accused Persons and other confidential information received concerning Accusations, etc.

(2) Information regarding Accusations, etc. shall not be disclosed inappropriately against the wishes of Accusers and Accused Persons, excluding cases of disclosure pursuant to the provisions of Article 34, cases in which it has already become public knowledge, and cases in which disclosure is necessary for the fulfillment of social accountability.

(3) Adverse dispositions cannot be imposed on an Accuser only on the grounds that he/she made an accusation.

(4) Adverse dispositions without reasonable grounds cannot be imposed on an Accused Person only on the grounds that he/she has been accused, etc.

(Implementing Investigation)

Article 19 (1) If a nominal accusation concerning suspicions of Specified Unlawful Acts, etc. at the Institute is received, an investigation shall be conducted on the accusation. The same applies for accusations to be treated in the same manner as nominal accusations.

(2) In cases where the Accused Person is a Researcher that belongs to the Institute, the case shall be investigated by the Institute in principle.

(3) In cases where the Accused Person is a Researcher that belongs to the Institute and an Accusation, etc. is received for a Specified Unlawful Act, etc. conducted at a research institution other than the Institute, the investigation shall be jointly conducted by the relevant research institution and the Institute in principle.

(4) In cases where Accused Person is a Researcher that belongs to the Institute and a research institution other than the Institute, the investigation shall be jointly conducted by the relevant research institution and the Institute in principle, with a focus on the research institution where

the Specified Unlawful Act, etc. mainly took place.

(5) In cases where the Accused Person has resigned from the Institute, the research institution to which he/she currently belongs to shall implement a joint investigation with the Institute in principal. However, in cases where the Accused Person does not belong to any research institution after resigning from the Institute, the Institute shall conduct the investigation.

(Unlawful Act Investigation Committee)

Article 20 (1) When investigations are conducted by the Institute concerning suspicions of a Specified Unlawful Act, etc. in accordance with the preceding article, an Unlawful Act Investigation Committee (hereinafter referred to as the "Investigation Committee") shall be established to conduct the investigation. However, when investigations are conducted jointly with other research institutions, this does not necessarily apply for investigations that do not focus on the Institute.

(2) The Investigation Committee shall be comprised of the committee members listed in the following items:

(i) Vice-President designated by the Director of Unlawful Act Prevention Promotion

(ii) Faculty or staff member designated by the Director of Unlawful Act Prevention Promotion

(iii) When conducting a main investigation provided for in Article 22 or when otherwise necessary, a person who has the knowledge and experience necessary for the investigation, no direct interests in the Institute and does not belong to the Institute (Lawyers, Certified Public Accountant, etc.)

(3) When conducting a main investigation provided for in Article 22, the majority of committee members must be committee members pursuant to Item 3 of the previous paragraph.

(4) The committee members shall be persons who have no direct interests in the Accuser or the Accused Person.

(5) The Investigation Committee shall have a chairperson and the committee member provided for in Paragraph 2, Item (i) shall serve as the chairperson.

(6) Matters necessary for the operation of the Investigation Committee shall be provided for by the Investigation Committee.

(Preliminary Investigation)

Article 21 (1) Within thirty days of receiving the report of the Accusation, etc. that Investigation Committee shall conduct a preliminary investigation on matters including the reasonableness of the Accusation, etc. concerning the Specified Unlawful Act, etc. and the feasibility of a main investigation and then report the results to the Director of Unlawful Act Prevention Promotion.

(2) In cases of conducting a preliminary investigation pertaining to Accusations, etc. against a research report, etc. that is withdrawn before the Accusation, etc. is made, an investigation shall be conducted on whether it shall be investigated as an issue of an Unlawful Act, etc. including the background and circumstances of the withdrawal, and then a judgment shall be made.

(3) The Director of Unlawful Act Prevention Promotion shall decide whether or not to conduct a main investigation based on the report of the results of the preliminary investigation stipulated in

Paragraph 1.

(4) If the Director of Unlawful Act Prevention Promotion decides not to conduct a main investigation, this must be notified along with the reason to the funding institutions related to the matter and the Accuser. In this case, materials, etc. regarding the preliminary investigation must be saved and disclosed upon request from the funding institutions related to the matter and the Accuser.

(Main Investigation)

Article 22 (1). If the Director of Unlawful Act Prevention Promotion decides to conduct a main investigation, the matters in the following items must be notified to the parties stated in each of the items.

(i) Accuser and Accused Person: The fact that it has been decided to conduct a main investigation, a request to cooperate with main investigation, and the composition of Investigation Committee;

(ii) Research institutions other than the Institute that the Accused Person belongs to at the same time: The fact that it has been decided to conduct a main investigation;

(iii) Funding institutions (referring to institutions that provided funding for the research related to the matter; the same shall apply hereinafter); and supervising offices and ministries (referring to offices and ministries that supervise funding budgets for the research related to the matter; the same shall apply hereinafter): The fact that it has been decided to conduct a main investigation

(2) In cases where the Director of Unlawful Act Prevention Promotion decides to conduct a main investigation, the Investigation Committee shall commence the main investigation within thirty days from the date of the report provided for in Paragraph 1 of the preceding article.

(3) The Accuser and Accused Person can submit an objection to the Director of Unlawful Act Prevention Promotion regarding the composition of Investigation Committee.

(4) The objection in the preceding paragraph must be made within ten days of receipt of the notice in Paragraph 2.

(5) If the Director of Unlawful Act Prevention Promotion receives an objection in accordance with Paragraph 3, he/she shall examine the contents of the objection and replace all or some members of the Investigation Committee if the objection is deemed appropriate. In this case, notification must be provided to the Accuser or Accused Person that submitted the notification on whether there was a replacement and notification must be provided to the other Accusers or Accused Person regarding the details of the objection and on whether there was a replacement.

(6) The Accuser, Accused Person, and other relevant parties must faithfully cooperate with the main investigation.

(Investigation Method and Scope)

Article 23 (1) When conducting the main investigation, the Investigation Committee shall hear explanations from the Accuser and the Accused Person.

(2) When conducting the main investigation, the Investigation Committee shall take measures to maintain the materials, etc. that can be used as evidence for the research pertaining to the

Accusation, etc. (for cases which the research was conducted at research institutions other than the Institute, measures shall be taken to request that institute to maintain the materials, etc. that can be used as evidence for the suspicions).

(3) In addition to the measures described in the preceding two paragraphs, the Investigation Committee shall conduct the main investigation through appropriate methods, including interviews with the parties concerned and the collection and close examination of materials such as research reports, raw data, and documentary evidence concerning the use of funds.

(4) When conducting the main investigation, the Investigation Committee can include matters other than those relating to the Accusation, etc. in the investigation scope that concern research that the Accused Person or other party suspected of Specified Unlawful Act, etc. (hereinafter referred to as the "Accused Person, etc.") were involved with.

(5) When conducting the main investigation, the Investigation Committee can also conduct investigations on the state of supervision by parties responsible for the supervision of the Accused Person, etc. as necessary depending on the details of the matter.

(6) When conducting the main investigation, funding institutions must be consulted with through the Director of Unlawful Act Prevention Promotion concerning matters such as the investigation method and scope.

(Temporary Measures during Investigation)

Article 24 In cases where it is determined to implement a main investigation, the Director of Unlawful Act Prevention Promotion may order the Accused Person, etc. to suspend the use of funds pertaining to the research concerned by said investigation for the period until the results of the investigation are reported.

(Recognition, etc.)

Article 25 (1) The Investigation Committee shall recognize the matters listed in the following items within one hundred fifty days after the commencement of the main investigation, summarize investigation results including the matters recognized, and report to that effect to the Director of Unlawful Act Prevention Promotion.

(i) Whether a Specified Unlawful Act, etc. has been performed

(ii) If it has been recognized that a Specified Unlawful Act, etc. was conducted, the following matters concerning the Specified Unlawful Act, etc.:

(a) The details of the Specified Unlawful Act, etc.

(b) The parties involved in the Specified Unlawful Act, etc., and the degree of involvement

(c) When an investigation is conducted in accordance with Article 23, Paragraph 5, whether the party responsible for the supervision of the research related to Specified Unlawful Act, etc. was negligent in the management and supervision duties to control the Specified Unlawful Act, etc.

(d) The amount of funds used on research related to Specified Unlawful Act, etc. or the amount and usage of research funds used in an unlawful manner

(iii) In cases where it is recognized that a Specified Unlawful Act, etc. has not been performed,

whether the Accusation, etc. is based on bad faith.

(2) The Investigation Committee must recognize matters by comprehensively assessing various evidence obtained through the investigation, including physical and scientific evidence, testimony, and any admission by the accused.

(3) In cases where it is recognized that a Specified Unlawful Act, etc. was conducted, the Investigation Committee shall report Causes of Unlawful Acts, conditions of the management and auditing system of other research funds in which the parties involved in the Specified Unlawful Act, etc. have engaged, preventive measures, etc. to the Director of Unlawful Act Prevention Promotion.

(4) When the Investigation Committee recognizes matters as stipulated in Paragraph 1, if, as a result of the investigation, sufficient evidence to dispel the suspicion of a Specified Unlawful Act, etc. is not found due to a lack of key components of research that should normally exist, it shall be deemed that a Specified Unlawful Act, etc. has been committed.

(Postponement of Recognition)

Article 26 (1) Regardless of the provisions of the preceding article, the report of the investigation results can be postponed if there are considerable reasons for the recognition of the matters of each item of that article not being possible for up to one hundred fifty days from the start of the main investigation.

(2) In the case of the preceding paragraph, the Investigation Committee must summarize the status of the investigation by one hundred fifty days from the start of the main investigation and report to the Director of Unlawful Act Prevention Promotion.

(3) The Director of Unlawful Act Prevention Promotion shall promptly notify the funding institutions of the status of the investigation reported in accordance with the previous paragraph.

(Notification of the Investigation Results)

Article 27 (1) If the Director of Unlawful Act Prevention Promotion receives a report in accordance with Article 25, he/she must promptly notify the parties stated in each of the following items of the contents of the report:

(i) Accuser and Accused Person, etc.

(ii) Parties for which it has been recognized that management and supervision duties to control the Specified Unlawful Act, etc. were neglected

(iii) Research institutions (excluding the Institute) that an Accuser for which it is recognized that the Accusation, etc. was made in bad faith belongs to

(iv) Research institutions (excluding the Institute) to which the Accused Person, etc. belongs to

(v) Funding institutions and supervising offices and ministries

(Appeals)

Article 28 (1) An Accused Person, etc. who is recognized to have performed an Unlawful Act, etc. or parties for which it has been recognized that management and supervision duties to control the

Specified Unlawful Act, etc. were neglected may appeal to the Director of Unlawful Act Prevention.

(2) In cases where the appeal in the preceding paragraph has been received, the Director of Unlawful Act Prevention Promotion must provide notification of that fact to the Accuser, funding institutions, and supervising offices and ministries.

(3) The appeal in Paragraph 1 must be made in writing within ten days of notification based on the preceding article.

(Examination and Reinvestigation of Appeals)

Article 29 (1) The examination of the appeal shall be conducted by the Investigation Committee. However, if intent of the appeal requires a judgment made based on new expertise, the Director of Unlawful Act Prevention Promotion can replace all or some members of the Investigation Committee.

(2) The Investigation Committee shall promptly conduct an examination taken into consideration the intent, reason, etc. of the appeal and determine whether said case should be reinvestigated, and notify the Director of Unlawful Act Prevention Promotion of the results.

(3) The Director of Unlawful Act Prevention Promotion shall decide whether or not to conduct a reinvestigation based on the report of the results of the examination stipulated in the preceding paragraph.

(4) In cases where it has been decided whether or not to conduct a reinvestigation, the Director of Unlawful Act Prevention Promotion must provide notification of the decision to the Accuser, Accused Person, etc., funding institutions, and supervising offices and ministries.

(5) In cases where it has been decided to conduct a reinvestigation by the Director of Unlawful Act Prevention, the Investigation Committee shall promptly commence the reinvestigation. In this case, the Investigation Committee shall request the Accused Person, etc. to cooperate with the prompt and effective implementation of the investigation through means such as the submission of materials sufficient for overturning the results of the previous investigation.

(6) The Investigation Committee may terminate the reinvestigation if the Accused Person, etc. does not cooperate with requests made in accordance with the preceding paragraph.

(7) After the Investigation Committee commences a reinvestigation, it shall determine whether the investigation results provided for in Article 25 are to be reversed and shall report the results to the Director of Unlawful Act Prevention Promotion within fifty days from the date of said appeal.

(8) If the Director of Unlawful Act Prevention Promotion receives a report in accordance with the preceding paragraph, the contents of the report must be notified to the parties stated in each item of Article 27.

(Appeals by Accuser)

Article 30 (1) An Accuser whose Accusation, etc. is recognized to be in bad faith may appeal to the Director of Unlawful Act Prevention.

(2) In cases where the appeal in the preceding paragraph has been received, the Director of

Unlawful Act Prevention Promotion must provide notification of the receipt to the research institution that the Accuser belongs to (excluding the Institute), Accused Person, etc., funding institutions, and supervising offices and ministries.

(3) The appeal in Paragraph 1 must be made in writing within ten days of notification based on Article 27.

(4) With regard to the examination and reinvestigation of the appeal in Paragraph 1, they shall be conducted in accordance with Article 29.

(Suspension of the Use of Research Funds)

Article 31 In cases where it is recognized that a Specified Unlawful Act, etc. has been performed, the Director of Unlawful Act Prevention Promotion shall immediately order the suspension of the use of said research funds.

(Disposition)

Article 32 (1) In cases where it is recognized that a Specified Unlawful Act, etc. was performed or management and supervision duties to control the Specified Unlawful Act, etc. were neglected, or where it is recognized that the Accusation, etc. was made in bad faith, if the President considers that the acts committed by the party involved fall under the grounds for disciplinary action (refers to disciplinary action pursuant to the Article 17 of the Regulations on the Employment of Faculty Members of the National Graduate Institute for Policy Studies (Regulation No. 1 of 2004) and the Article 18 of the Regulations on the Employment of Non-Faculty Staff of the National Graduate Institute for Policy Studies (Regulation No. 2 of 2004)), the President shall have the Academic Council as for Faculty Members or the Disciplinary Actions Review Committee as for Non-Faculty Staff Members recognize the facts of the grounds for disciplinary action and examine the determination on assessment of disciplinary action, in accordance with the Article 4 of the Regulations on Disciplinary Procedures for Employees of National Graduate Institute for Policy Studies (Regulation No. 10 of 2018)..

(2) In cases where it is recognized that a Specified Unlawful Act, etc. was performed or management and supervision duties to control the Specified Unlawful Act, etc. were neglected, or where it is recognized that the Accusation, etc. was made in bad faith, legal action shall be considered for the party involved if necessary, depending on the seriousness of the matter in consideration of factors such as whether or not a crime was committed, the levels of losses incurred, and other circumstances.

(Recommendation to Withdrawal Research Reports, etc.)

Article 33 If necessary, the Director of Unlawful Act Prevention Promotion shall recommend that research reports, etc. that were created through the Specified Unlawful Act, etc. be withdrawn for the party that committed a Specified Unlawful Act, etc.

(Publication)

Article 34 In cases where it is recognized that a Specified Unlawful Act, etc. was performed or where it is recognized that the Accusation, etc. was made in bad faith, the Director of Unlawful Act Prevention Promotion shall publish the name and affiliation of the person(s) who was involved in the Specified Unlawful Act, etc., the content of the Specified Unlawful Act, etc., the content of the measures taken, etc., excluding those cases where there are considerable reasons for not publishing said information.

(Measures in Cases where it is Recognized that a Specified Unlawful Act, etc. was not Performed)

Article 35 (1) In cases where it is recognized that a Specified Unlawful Act, etc. was not performed, the Director of Unlawful Act Prevention Promotion shall cancel the measures to maintain evidence provided for in Article 23, Paragraph 2 and the temporary measures provided for in Article 24.

(2) The Director of Unlawful Act Prevention Promotion shall disseminate the information that no Specified Unlawful Act, etc. has been performed in said case to parties that conducted or cooperated with the investigation of the matter in order to restore the honor of a person who is recognized not to have performed the Unlawful Act, etc. If the matter also became known to other parties, these parties shall be disseminated as well.

(3) Notwithstanding the provisions of the preceding paragraph, in cases where the matter has been leaked widely outside the Institute, or where there has been an unintentional mistake in research reports, etc., the results of the investigation shall be published.

(Confidentiality Obligation)

Article 36 The help desk, staff members assisting the help desk, members of the Investigation Committee, and other parties engaged in the duties stipulated in this chapter shall not disclose any confidential information that was gained in the performance of duties. This shall apply to when he/she retires from the duty.

(Saving and Management of Materials)

Article 37 Materials concerning suspicions of a Specified Unlawful Act, etc. acquired by the Institute through the investigations, etc. stipulated in this chapter shall be properly saved and managed based on the National Graduate Institute for Policy Studies Document Management Regulations (Regulation No. 2 of 2001).

(Cooperation with Funding Institutions)

Article 38 (1) In cases where a suspicion of Specified Unlawful Acts, etc. is pointed out, cooperation shall be provided as much as possible in response to requests from funding institutions, including hearing reports, the delivery and inspection of materials, and access for investigations even before the completion of the investigations.

(2) Even in the course of investigation, in cases where at least some of the facts of unlawful acts

were confirmed, they shall be recognized promptly and reported to funding institutions.

Chapter 4. Roles of Auditors

(Roles of Auditors)

Article 39 (1) Auditors shall check the status of development and operation of internal control systems for prevention of unlawful acts from an organization-wide perspective, and regularly submit reports and state their opinions at board of officers meetings, etc.

(2) In particular, auditors shall check whether the Causes of Unlawful Acts identified through the monitoring and internal audits implemented by the Deputy Director of Unlawful Act Prevention Promotion and the Director of Research Ethics and Research Funds Compliance are reflected in an Unlawful Act Prevention Plan, and whether an Unlawful Act Prevention Plan is implemented appropriately, and state their opinions.

(3) In order to enable auditors to fully perform their duties referred to in the preceding two paragraphs, the Audit Office, the Unlawful Act Prevention Plan Promotion Office and other related departments shall cooperate with auditors and provide them with information appropriately.

Chapter 5. Miscellaneous Rules

(Other)

Article 40 (1) The requirements concerning the implementation of these Regulations shall be separately stipulated.

(2) In addition to the stipulations of these Regulations, the Prevention of Unlawful Acts Pertaining to Research shall be treated pursuant to the Guidelines for Responding to Unlawful Acts during Research Activity (Decision of the Minister of Education, Culture, Sports, Science and Technology, as of August 26, 2014) and the Guidelines for the Management and Audit of Public Research Funds at Research Institutions (Implementation Standards) (Decision of the Minister of Education, Culture, Sports, Science and Technology, as of February 15, 2007, revised on February 1, 2021).

Supplementary Provisions (Regulation No. 1 of 2015 [January 27, 2015])

(1) These Regulations shall come into force as of April 1, 2015.

(2) Regulations on the Prevention of Unlawful Acts pertaining to Research Activities at the National Graduate Institute for Policy Studies (Regulation No.13 of 2007) shall be abolished.

Supplementary Provisions (Regulation No. 16 of 2015 [September 10, 2015])

These Regulations shall come into effect as of September 10, 2015.

Supplementary Provisions (Regulation No. 9 of 2016 [September 7, 2016])

These Regulations shall come into effect as of April 1, 2017.

Supplementary Provisions (Regulation No. 1 of 2017 [June 20, 2017])

These Regulations shall come into effect as of June 20, 2017.

Supplementary Provisions (Regulation No. 3 of 2018 [March 26, 2018])

These Regulations shall come into effect as of April 1, 2018.

Supplementary Provisions (Regulation No. 12 of 2018 [December 14, 2018])

These Regulations shall come into effect as of December 14, 2018.

Supplementary Provisions (Regulation No. 8 of 2021 [September 30, 2021])

These Regulations shall come into effect as of September 30, 2021.

Supplementary Provisions (Regulation No. 6 of 2022 [April 1, 2022])

These Regulations shall come into effect as of April 1, 2022.