

(Tentative Translation) Regulations on Protection of Whistleblowers, etc. at the
National Graduate Institute for Policy Studies

July 25, 2012
Regulation No. 13 of 2012

Revised by: Regulation No.9 of 2013 [April 1, 2013]
Regulation No.14 of 2014[September 1, 2014]
Regulation No.1 of 2018 [March 26, 2018]
Regulation No.4 of 2018 [December 14, 2018]
Regulation No.6 of 2022 [April 1, 2022]
Regulation No.24 of 2024 [July 1, 2024]

(Purpose)

Article 1 The purpose of these Regulations is to provide for the protection of whistleblowers, the processing of reports from whistleblowers, and other necessary matters at the National Graduate Institute for Policy Studies (hereinafter referred to as the "Institute") under the Whistleblower Protection Act (Act No. 122 of 2004; hereinafter referred to as the "Act").

(Definitions)

Article 2 (1) The term "whistleblowing" as used in these Regulations means whistleblowing conducted by a non-faculty staff member (including those who engage in the operations of the Institute based on a dispatch contract or any other contract; the same shall apply hereinafter), without the purpose of obtaining any wrongful gain, causing damage to others, or any other wrongful purpose, about a reportable fact that has been committed, is being committed, or is about to be committed by the Institute or an Officer, non-faculty staff member, or any other person in cases where such person is engaged in the operations of the Institute, to any of those set forth in the following items:

(i) the Institute;

(ii) an administrative organ with the authority to impose a disposition (which means an order, rescission, or other acts involving the exercise of public authority; the same shall apply hereinafter) or a recommendation, etc. (which means a recommendation and other acts which are not a disposition; the same shall apply hereinafter) upon said reportable fact (which means an administrative organ provided for in Article 2, paragraph (4) of the Act); and

(iii) any person to whom whistleblowing of said reportable fact is found to be necessary in order to prevent the occurrence thereof or the spread of damage caused thereby (including persons who suffer or are likely to suffer damage from said reportable fact, but excluding any person who is likely to cause damage to the competitive position or any other legitimate interests of the Institute).

(2) The term "whistleblower" as used in these Regulations means a non-faculty staff member who has conducted whistleblowing.

(3) The term "person subject to whistleblowing" as used in these Regulations means a person who has been reported through whistleblowing.

(4) The term "reportable fact" as used in these Regulations means any of the following facts:

(i) the fact of a criminal act provided for in the laws listed in the appended table of the Act (including the orders based on those laws; the same shall apply in the following item); and

(ii) in the case where a violation of a disposition under the provisions of a law listed in the appended table of the Act constitutes the fact provided for in the preceding item, the fact which is the grounds of said disposition (including the following: in the case where the fact which is the grounds of said disposition is

the fact of violating another disposition or the fact of not complying with a recommendation, etc. under the provisions of a law listed in said appended table, the fact which is the grounds of said other disposition or recommendation, etc.).

(5) The term "divisions and bureaus" as used in these Regulations means the Graduate School of Policy Studies, the Policy Research Center, the Executive Development Center for Global Leadership, the Library, the Health Services Center, the GRIPS Alliance and the Administrative Bureau.

(General Manager)

Article 3 (1) The Institute shall have a General Manager, who shall be a Trustee or the Vice President, as designated by the President in advance; provided, however, that if the General Manager is involved in the reportable fact in question, the President shall perform the General Manager's duties on his/her behalf.

(2) The General Manager shall preside over operations concerning the processing of reports from whistleblowers at the Institute.

(Whistleblowing Desks)

Article 4 (1) The Institute shall establish the following whistleblowing desks as internal and external offices to respond to whistleblowing and consultation requests about whistleblowing (hereinafter referred to as "consultation requests"):

(i) internal desk: Director of the General Affairs Division; and

(ii) external desk: a law firm designated by the President.

(2) The whistleblowing desk shall have persons in charge, and non-faculty staff members at the General Affairs Division shall serve as such persons.

(Methods of Whistleblowing and Consultation Requests, etc.)

Article 5 (1) Whistleblowing and consultation requests shall be conducted through interview, by telephone, or in writing (including e-mails and facsimiles).

(2) A person who conducts whistleblowing or a consultation request shall make an effort not to damage other person's legitimate interests or public interests.

(3) When whistleblowing is conducted by a method whereby the whistleblower is unable to confirm the arrival of his/her report, such as in writing, the whistleblowing desk shall make an effort to notify said whistleblower that the report has been received.

(4) When the whistleblowing desk receives a report from a whistleblower or a consultation request, the desk shall immediately report it to the President and the General Manager; provided, however, that if the whistleblowing desk receives a report from a whistleblower or a consultation request involving the President, the desk shall report it to the General Manager and the Chairperson of the Presidential Selection and Monitoring Committee.

(5) When a non-faculty staff member other than the whistleblowing desk receives a report from a whistleblower or a consultation request, he/she shall immediately notify the whistleblowing desk or shall advise the whistleblower to conduct whistleblowing to or consult with the whistleblowing desk.

(Consideration of Measures in Response to Whistleblowing)

Article 6 (1) When the General Manager receives a report set forth in paragraph (4) of the preceding Article (limited to a report from a whistleblower), he/she shall consider the necessity of investigating facts regarding said whistleblowing in a fair, impartial, and faithful manner.

(2) The General Manager shall report the results of the consideration set forth in the preceding paragraph to the President and shall also notify the whistleblower of the results within 20 days reckoned from the day on which he/she received the report from the whistleblower. In this case, when an investigation of facts is not conducted, notice of the reasons therefor shall also be provided.

(Investigation)

Article 7 (1) When the General Manager decides to conduct an investigation, he/she shall establish an investigation committee consisting of Trustees or the Vice President, directors of divisions and bureaus, the Managing Director of GRIPS Alliance and related non-faculty staff members who take charge of operations that are deeply related to the content of the investigation.

(2) When it is necessary due to the content of an investigation, the General Manager may add persons outside the Institute to the members of the investigation committee.

(3) In conducting an investigation, sufficient consideration shall be given to the method of investigation to prevent a whistleblower from being identified in order to protect the secret of the whistleblower.

(Obligation to Cooperate)

Article 8 When being requested for cooperation by the investigation committee, a division or bureau or a non-faculty staff member shall provide cooperation to enable an investigation to be conducted smoothly.

(Notification of Results of an Investigation)

Article 9 The General Manager shall report the results of an investigation to the President and shall also make an effort to promptly notify the whistleblower of them.

(Correction Measures, etc.)

Article 10 (1) When a reportable fact is revealed through an investigation, the President shall promptly take necessary measures for correction and prevention of recurrence (hereinafter referred to as "correction measures, etc.").

(2) As a result of the investigation in the preceding Article, if the President considers that the misconduct in the reportable fact falls under the grounds for disciplinary action, 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).

(3) The General Manager shall make an effort to promptly notify the whistleblower of the results of correction measures, etc.

(Exclusion of Persons Related to a Reportable Fact)

Article 11 A person who engages in the processing of reports from whistleblowers shall not become involved in the processing of a case to which he/she is related.

(Protection of Whistleblowers, etc.)

Article 12 (1) Whistleblowers and persons who have cooperated in an investigation shall not receive dismissal (for a person who engages in operations based on a dispatch contract or any other contract, cancellation of said contract), demotion, a salary cut, or any other disadvantageous treatment (hereinafter referred to as "disadvantageous treatment") for the reason of the whistleblowing or cooperation.

(2) The President shall take appropriate measures for whistleblowers and persons who have cooperated in an investigation to prevent their work environment from deteriorating for the reason of the whistleblowing or cooperation.

(3) When a person subjects a whistleblower or a person who has cooperated in an investigation to disadvantageous treatment, hate, etc., the President may take a disciplinary action, etc. based on the Regulations on the Employment of Faculty Members of the National Graduate Institute for Policy Studies (Regulation No. 1 of 2004), the Regulations on the Employment of Non-Faculty Staff of the National

Graduate Institute for Policy Studies (Regulation No. 2 of 2004), and other regulations, etc. set by the Institute (hereinafter referred to as the "Employment Regulations, etc.").

(Consideration to Persons Subject to Whistleblowing, etc.)

Article 13 When the General Manager gives a notice under the provisions of Article 9 and Article 10, paragraph (2), he/she shall make an effort to give consideration so as not to infringe the trust, honor, and privacy of the person subject to whistleblowing and persons who have cooperated in the investigation.

(Whistleblowing for Wrongful Purposes)

Article 14 (1) Non-faculty staff members shall not conduct false whistleblowing, whistleblowing that detracts other persons, or any other whistleblowing for wrongful purposes.

(2) The President may take a disciplinary action, etc. against a person who has conducted the whistleblowing set forth in the preceding paragraph based on the Employment Regulations, etc.

(Confidentiality)

Article 15 A person who has engaged in the processing of a report from a whistleblower shall not disclose to other persons the content of the report or consultation request, or any secrets which he/she has learned through an investigation. This shall also apply after he/she resigns from his/her duties.

(Publicity of Whistleblowing Processing System, etc.)

Article 16 The General Manager shall inform the Officers and non-faculty staff members, etc. of the Institute of the method of whistleblowing, etc., the location of the whistleblowing desk, and other matters necessary for whistleblowing, etc.

(Relationship with Other Internal Regulations, etc.)

Article 17 Notwithstanding the provisions of these Regulations, when any other internal regulations, etc. which should be applicable to a reportable fact have been set, necessary measures shall be taken as provided for in said regulations, etc.

(Application Mutatis Mutandis)

Article 18 Reports and consultation requests from whistleblowers who are not non-faculty staff members shall be handled pursuant to these Regulations.

(Administrative Affairs)

Article 19 The administrative affairs for the processing of reports from whistleblowers shall be carried out by the General Affairs Division with the cooperation of related divisions and bureaus.

(Miscellaneous Provisions)

Article 20 In addition to what is provided for in these Regulations, any matters necessary for the protection of whistleblowers, etc. shall be provided for separately.

Supplementary Provisions

These Regulations shall come into effect as of August 1, 2012.

Supplementary Provisions (Regulation No.9 of 2013 [April 1, 2013])

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