

## Detailed Regulations Pertaining to Preliminary Investigations and Formal Investigations of Specific Research Misconduct at Osaka University

\*Please note that this document is a translation of the original Japanese version, and should only be used as a reference.

(Purpose)

### **Article 1**

These regulations are to specify the matters of preliminary investigations and formal investigations regarding prescribed specific research misconduct other than those matters specified in Article 18 and Article 20 of the Regulations regarding the Promotion of Research Integrity at Osaka University (hereinafter referred to as “Regulations”).

(Custody of Materials, Etc.)

### **Article 2**

In cases where allegations under the provisions of Paragraph 1 of Article 11 of the Regulations regarding specific research misconduct are deemed to require an investigation, or where a call for an investigation etc. is given by the Research Integrity Committee (hereinafter referred to as “Committee”) under the provisions of Paragraphs 1 to 3 of Article 18 of the Regulations, in order to ensure that such investigations etc. are conducted properly and smoothly, the Dean or Director shall take measures to ensure the custody of materials, etc. which are to be used as evidence, along with other necessary measures.

(Preliminary Investigation)

### **Article 3**

On the basis of the materials, etc. retained under the provisions of the preceding Article and on materials, etc. gathered as necessary, the preliminary investigation shall investigate the details of whether or not specific research misconduct has been committed by the following methods:

- (1) hearings of testimony from the person making the allegations under investigation (hereinafter referred to as the “complainant”), the researchers, etc., subject to investigation (hereinafter referred to as the “researcher(s) under investigation”) and other parties involved;
- (2) close examination of data such as experiment notes, records, and all other materials;
- (3) close examination of research report manuscripts and publication notes, etc.;
- (4) close examination of funds used for the research in question;
- (5) creating minutes of the preliminary investigation; and
- (6) other methods necessary for the conduct of an appropriate investigation.

2. Where deemed necessary in the preliminary investigation, the researcher(s) under

investigation may be required to demonstrate duplicability of their research by means such as repeating an experiment.

(Person to be Excluded from Those Conducting the Preliminary Investigation)

**Article 4**

In order to ensure the impartiality of the investigation given in the preceding Article, persons who have a relationship with the researcher(s) under investigation and/or the complainant shall be excluded from those persons conducting the investigation.

(Protecting the Research and Technical Information for the Investigation)

**Article 5**

In the course of the preliminary investigation, adequate care shall be taken that research in the form of as yet unpublished data, papers etc. subject to investigation and information to be kept confidential on technical grounds shall not be leaked beyond the scope required for the accomplishment of the investigation.

(Extension of the Period within which the Preliminary Investigation is to be Concluded)

**Article 6**

In cases where there are concerns that due to unavoidable circumstances it is impossible to conclude the preliminary investigation within the period described in Paragraph 5 of Article 18 of the Regulations, the Dean or Director shall submit a written statement of reasons to the Chairperson of the Committee, and shall obtain the Chairperson's approval.

(Creation of a Report of the Findings of the Preliminary Investigation)

**Article 7**

When the preliminary investigation has been concluded, the Dean or Director shall create a report of the findings of the preliminary investigation including the following matters, and shall report such to the Chairperson of the Committee, along with other related materials:

- (1) the names and titles of posts of the persons who conducted the preliminary investigation;
- (2) the investigative methods and procedures;
- (3) summary and findings of the investigation (summary of the testimony of the parties involved, explanations given by the researcher(s) under investigation, and specific details of the misconduct, etc.);
- (4) funds used for the research in question;
- (5) the department, institute, or center's conclusions and grounds for such in light of the investigation; and
- (6) in cases where it was determined that misconduct had been committed, the reasons for its occurrence and countermeasures against its reoccurrence.

(Formal Investigation)

**Article 8**

On the basis of the department, institute, or center's report of the findings of the preliminary investigation and relevant accompanying documentation, along with any other materials, etc. gathered as necessary, the formal investigation shall investigate the details of whether or not specific research misconduct has been committed, by the following methods:

- (1) close examination of the report of the findings of the preliminary investigation; and
- (2) other methods necessary for the conduct of an appropriate investigation.

(Extension of the Period within which the Formal Investigation is to be Concluded)

**Article 9**

In cases where there are concerns that due to unavoidable circumstances it is impossible to conclude the formal investigation within the period described in Paragraph 1 of Article 20 of the Regulations, the Chairperson of the Investigative Committee shall submit a written statement of reasons to such effect to the Chairperson of the Committee, and shall obtain the Chairperson's approval.

**Supplementary Provision**

The Detailed Regulations have been in force since October 1, 2006.

**Supplementary Provision**

The revision has been in force since April 20, 2010.

**Supplementary Provision (excerpt)**

(Effective date)

1. The revision has been in force since October 1, 2013.

**Supplementary Provisions**

1. The revision has been in force since April 1, 2015.
2. The Detailed Regulations Pertaining to Formal Investigation of Specific Research Misconduct at Osaka University (enacted on September 20, 2006) are annulled.