

# **Osaka University Regulations on Conflicts of Interest Management**

## **Chapter 1: General**

### Article 1: Purpose

Based on the provisions of Osaka University Policy on Conflicts of Interest, these regulations are intended to appropriately manage conflicts of interest involving Osaka University (hereinafter, “the University”), the Directors of National University Corporation Osaka University (hereinafter, the “Directors”) and Osaka University’s faculty members, etc., and also intended to prevent problems arising from conflicts of interest.

### Article 2: Definitions

The “Osaka University’s faculty members, etc.” referred to in these regulations shall be the following persons.

- (1) Full-time Osaka University’s faculty members; and
- (2) Other persons specified by the committee described in Article 4.

### Article 3: Cases and Acts Subject to Conflict of Interest Management

The management of conflict of interest on the basis of these regulations shall cover cases where the University holds shares etc. (including any Specified Business for Support of the Application of Research Findings in which the University is investing, along with cases in which a Specified Business for Support of the Application of Research Findings hold shares through an investment business limited partnership doing business as a member of an unlimited liability partnership) along with the following acts in cases where they are performed by the Directors or Osaka University’s faculty members, etc.:

- (1) Cases where initiatives for contributing to society are undertaken in regard to persons/bodies outside the University, including the industry-academia-government collaboration initiatives (side jobs in business, joint research, and contract research);
- (2) Cases where any of the following is obtained: money payments over a set monetary limit from business (salaries and allowances, monetary expressions of gratitude, payments for manuscripts, etc.), the provision of benefits (goods, equipment, personnel, etc.) or financial benefits such as shares etc. (except where received from public bodies);
- (3) Cases in which goods or services over a set monetary limit are purchased from a business etc.;
- (4) Cases in which students etc. are put to engaging in initiatives for contributing to society; or
- (5) Any other cases which the committee described in the following Article deems necessary to be covered.

## **Chapter 2: The Conflict of Interest Management Committee**

#### Article 4: Establishment

In order to properly manage conflicts of interest, a Conflict of Interest Management Committee (hereinafter, the “Management Committee”) shall be established.

#### Article 5: Matters for Deliberation

The Management Committee shall deliberate on the following matters:

- (1) Drawing up and revising guidelines on conflict of interest;
- (2) Drawing up policies to minimize the harmful impacts of conflicts of interest;
- (3) Matters in relation to the situation of conflict of interest as a university;
- (4) Matters in relation to whether or not the University can pardon individual conflicts of interest;
- (5) Review/investigations for the purpose of conflict of interest management and procedures for such;
- (6) Matters regarding informing the public about conflict of interest; and
- (7) Other important matters regarding conflict of interest involving the University.

#### Article 6: Review and Investigations for Conflict of Interest Management Purposes

The review and investigations described in Item 5 of the preceding Article shall be conducted using the following methods:

- (1) Requests for Conflict of Interest Self-Report Forms and information-gathering on businesses etc. in which the University holds shares etc.;
- (2) Hearings;
- (3) Guidance and advice, etc.;
- (4) Situational observations; and
- (5) Other methods and approaches deemed necessary for review and investigations for the purpose of conflict of interest management.

#### Article 7: Procedure of Investigations, Recommendations and Decisions, etc.

On the basis of review and investigations it has conducted under the provisions of the preceding Article, the Management Committee shall investigate the circumstances of conflicts of interest, and shall deliberate whether or not conflicts of interest involving the Directors or Osaka University’s faculty members, etc. can be pardoned.

2. The Management Committee shall make recommendations for improvements to persons engaging in conduct which requires such.
3. In cases where the Management Committee makes recommendations for improvements under the preceding Item, it shall monitor the situation of the said conduct of the relevant person.
4. If the person who has been given recommendations for improvements under the provision in Item 2 has objections to the said recommendations, the person can request the Management Committee to

carry out a re-investigation.

5. When the Management Committee receives a request for re-investigation as given in the preceding Item, it shall promptly carry out the re-investigation.
6. The Management Committee shall deliberate on whether or not improvements are required in regard to the conduct for which re-investigation has been requested, and shall report the outcome of its deliberations to the President.
7. In cases where the President has received the report given in the preceding Item, and where improvements in regard to the said conduct are deemed necessary, the President shall order the person engaging in the said conduct to undertake improvements. In cases where improvements are not deemed necessary, the recommendations for improvements shall be revoked and the person engaging in the said conduct shall be informed to such effect.

#### Article 8: Storage of the Conflict of Interest Self-Report Form, Etc.

The Management Committee shall manage as confidential documentation the Conflict of Interest Self-Report Forms, etc. which have been submitted to it, and shall store them.

#### Article 9: Training Sessions

The Management Committee shall hold regular training sessions, in particular for those Directors and members of Osaka University's faculty members, etc. subject to conflict of interest management.

#### Article 10: Disclosure of Information to Persons/Bodies outside the University

Within the required scope, the Management Committee shall disclose information in regard to conflict of interest to persons/bodies outside the University to the extent necessary, thus fulfilling its duty of accountability to the public.

2. The Management Committee shall deal with matters such as review and investigations of conflict of interest carried out by persons/bodies from outside the University.
3. In disclosing information in regard to conflict of interest to persons/bodies outside the University, the Management Committee shall pay due care to protecting personal information on the Directors, Osaka University's faculty members, etc. and other persons.

#### Article 11: Committee Structure

The Management Committee shall consist of the Director of the Office for Industry-University Co-Creation and about 10 members of Osaka University's faculty members nominated by the President.

2. The term of office of the Committee members nominated by the President under the preceding Item shall be 2 years; provided, however, that the term of office of Committee members who are filling a vacancy shall be the remainder of their predecessor's term.
3. The Committee member set forth in the preceding Item shall not be prevented from the reappointment.

#### Article 12: The Chairperson of the Committee

A Committee Chairperson shall be placed on the Management Committee, to be appointed to the Director of the Office for Industry-University Co-Creation.

2. The Committee Chairperson shall convene the Management Committee and preside over it; provided, however, that in cases where the Committee Chairperson is unavoidably absent, a Committee member nominated in advance by the Committee Chairperson shall do so on the Committee Chairperson's behalf.

#### Article 13: Meetings of the Committee

As a general rule, the Management Committee shall meet once a year; provided, however, that meetings shall be held on an ad-hoc basis where deemed necessary.

#### Article 14: Quorum and Resolutions

An attendance of two-thirds or more of the members of the Management Committee shall constitute a quorum, and resolutions shall be carried by majority vote.

#### Article 15: Hearings of Opinion

Where deemed necessary, the Management Committee may request non-members to attend its meetings, and hear their opinions.

### **Chapter 3: The Conflict of Interest Expert Committee**

#### Article 16: Establishment

In order to deliberate on review and investigations of specialized matters in regard to conflict of interest, and also in order to deal with required matters, the Management Committee shall put in place a Conflict of Interest Expert Committee (hereinafter, the "Expert Committee").

#### Article 17: Duties of the Expert Committee

On the basis of the policies provided by the Management Committee, the Expert Committee shall carry out the following duties:

- (1) Matters in relation to the examination and drafting of guidelines on conflict of interest;
- (2) Matters in relation to analysis of the conduct of review and investigations carried out under the methods described in each of (1) to (5) of Article 6.1, and the outcomes of these;
- (3) Matters in relation to the suggestion of topics for deliberation by the Management Committee;
- (4) Matters in relation to the management of information on conflict of interest;
- (5) Matters in relation to the creation of suggestions for the disclosure of information; and
- (6) Matters in relation to other tasks which the Management Committee has referred to the Expert

Committee.

2. In cases where the Expert Committee undertakes the duties in each of (1) to (6) of the preceding Item, it shall report the outcomes of its examinations to the Management Committee when it collates them.

#### Article 18: Committee Structure

The Expert Committee shall consist of the Committee Chairperson, along with Osaka University's faculty members from the faculty offices of: Science and Engineering; Medicine, Dentistry and Pharmaceutical Sciences; Humanities and Social Sciences; the Research Council; the Office for Industry -University Co-Creation; the Administration Bureau; and experts from outside the University.

2. The Committee Chairperson and Committee members given in the preceding Item shall be nominated by the Director of the Office for Industry-University Co-Creation, and their term of office shall be 2 years; provided, however, that the term of office of Committee members who are filling a vacancy shall be the remainder of their predecessor's term.
3. The Committee member set forth in the preceding Item shall not be prevented from the reappointment.

### **Chapter 4: The Conflict of Interest Advisory Board**

#### Article 19: Establishment

In order to obtain advice on conflict of interest as a university, a Conflict of Interest Advisory Board (hereinafter, the "Advisory Board") shall be put in place in the University.

#### Article 20: Duties of the Advisory Board

The Advisory Board shall carry out the following duties:

- (1) Answering inquiries from the Management Committee on conflict of interest as a university;  
and
- (2) Other tasks which the Management Committee has referred to the Advisory Board.

#### Article 21: Board Structure

The Advisory Board shall consist of a small number of Committee members including experts from outside the University, and Directors and/or Osaka University's faculty members. More than half of the Committee membership shall consist of experts from outside the University.

2. The President shall appoint the Committee members under the preceding Item, and their term of office shall be 2 years; provided, however, that the term of office of Committee members who are filling a vacancy shall be the remainder of their predecessor's term.
3. The Committee member set forth in the preceding Item shall not be prevented from the

reappointment.

4. Monetary expressions of thanks shall be paid to Committee members from outside the University, on the basis of National University Corporation Osaka University's regulations on monetary expressions of thanks.

## **Chapter 5: Conflicts of Interest Consultation Office**

### Article 22: Establishment

In order to prevent problems of conflict of interest from happening before they become full-blown, a Conflicts of Interest Consultation Office (hereinafter, the "Consultation Office") shall be put in place as a liaison point for the Directors and Osaka University's faculty members, etc. The Consultation Office shall operate under the Conflict of Interest Management Committee.

### Article 23: Center Structure

The Consultation Office shall be composed of a small number of conflict of interest advisory staff drawn from experts from outside the University and Osaka University's faculty members.

2. Conflict of interest advisory staff shall be appointed by the Committee Chairperson of the Management Committee.
3. Monetary expressions of thanks shall be paid to conflict of interest advisory staff from outside the University, on the basis of National University Corporation Osaka University's regulations on monetary expressions of thanks.

### Article 24: Duties of Advisory Staff

Conflict of interest advisory staff shall carry out the following duties:

- (1) Matters in relation to the required advice and guidance in regard to inquiries and consultations on conflict of interest by the Directors and Osaka University's faculty members, etc.;
- (2) The collation and submission of reports on its tasks to the Expert Committee; and
- (3) Examining and answering regarding other conflict of interest-related matters referred to it by the Expert Committee.

## **Chapter 6: Maintenance of Confidentiality**

### Article 25: The Duties of Committee Members, Etc.

The members of the Management Committee, the Expert Committee and the Committee of the Advisory Board, along with conflict of interest advisory staff, shall not leak any confidential information of which they have become aware in the course of performing their duties. The same shall apply after such members have left the Committee etc. on which they served.

2. The provisions of the preceding Item shall apply mutatis mutandis to those persons requested to

attend meetings of the Management Committee as described in Article 15, and to the persons undertaking administration work described in the following Article.

## **Chapter 7: Administration**

### Article 26: Administration

Administration work for the Management Committee, the Expert Committee, the Advisory Board and the Consultation Office shall be carried out by the University-Industry Collaboration Division of the Department of Research and Industry Collaboration, with the cooperation of the relevant faculty offices.

## **Chapter 8: Miscellaneous**

### Article 27: Miscellaneous

Matters necessary in relation to the management of conflicts of interest other than those set forth in these regulations shall be separately provided.

#### Supplementary Provision

These regulations have been in force since October 21, 2004.

#### Supplementary Provision

This revision has been in force since April 1, 2005.

#### Supplementary Provision

This revision has been in force since, October 1, 2007.

#### Supplementary Provision

This revision has been in force since, April 1, 2008.

#### Supplementary Provision

This revision has been in force since April 1, 2009.

#### Supplementary Provision

This revision has been in force since April 1, 2011.

#### Supplementary Provision (excerpt)

(Effective Date)

1 This revision has been in force since April 1, 2012.

#### Supplementary Provision

This revision has been in force since April 1, 2014.

#### Supplementary Provision

This revision has been in force since April 1, 2015.

#### Supplementary Provision

This revision has been in force since August 31, 2015.

Supplementary Provision

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Supplementary Provision

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