

* The Japanese version is the authoritative version, and this English translation is intended for reference purposes only. Should any discrepancies or doubts arise between the two versions, the Japanese version will prevail.

Employee Ethics Regulations for Tokyo University of Foreign Studies

(April 1, 2004
Regulation No. 61)

Article 1 Purposes

These Regulations are based on Article 42 of the National Public Service Ethics Act (Act No. 129 of 1999) and in accordance with the measures taken under the provisions of the said Act and serve to prevent any act which may cause public suspicion or distrust of the fairness of the execution of duties by taking necessary measures to contribute to the maintenance of ethics pertaining to the duties of officers (excluding part-time officers. The same shall apply hereinafter.) and employees (hereinafter referred to as "officers and employees") of the Tokyo University of Foreign Studies (hereinafter referred to as the "University"), thereby securing public confidence in the services of the University.

Article 2 Code of ethical conduct

Officers and employees shall take pride in being officers and employees of the University and must be aware of their mission as well as act in compliance with the following items in order to maintain ethics in their duties.

- (1) Officers and employees shall not treat information obtained in the course of duties in an unfair and discriminatory manner, such as using such information to treat only a limited number of persons favorably, and must always execute their duties fairly;
- (2) Officers and employees must always clearly indicate whether they are acting in a public or private capacity and must not use their duties or positions for personal benefit for themselves or for the organization to which they belong;
- (3) When exercising authority given in accordance with laws and regulations of the University, officers and employees must not take any actions such as receiving gifts, etc. from the person who is the subject of said exercising of authority;
- (4) Officers and employees must exert their best efforts to promote public interest in the performance of their duties; and
- (5) Officers and employees must always recognize that their activities will affect the credibility of the University even outside their working hours and act accordingly.

Article 3 Business operator, etc.

- 1 In these Regulations, the term "business operator, etc." means any corporation (including any association or foundation which is not a corporation and for which a representative or an administrator has been designated), any other organization, or any individual who conducts business (limited to any individual who takes action for the benefit of such business).
- 2 For the purpose of application of these Regulations, any officer, employee, agent, or other person acting for the benefit of the business operator, etc. shall be deemed to be a business operator, etc. in the preceding paragraph.

Article 4 Interested party

- 1 In these Regulations, interested party means any of the persons set forth in the following items in accordance with the categories of affairs set forth in such items in which employees are engaged in as their duties.
 - (1) Clerical work related to contracts for purchase of goods, etc.: Any business operator, etc. who has entered into, has applied for, or is clearly intending to apply for such contracts;
 - (2) Clerical work related to contracts for joint research and commissioned research: Any business operator, etc. who has entered into, has applied for, or is clearly intending to apply for such contracts;
 - (3) Clerical work pertaining to the decision on successful examinees of entrance examinations: Applicants for entrance to the University and persons concerned therewith;
 - (4) Clerical work pertaining to the decision on disciplinary action for students, etc.: Students, etc. subject to such disciplinary punishment; and
 - (5) Clerical work pertaining to the decision on employment of individuals as employees: Any person who wishes to be hired as an employee by the University and any person related thereto.
- 2 In the event of any change in position of officers or employees, if a person who was an interested party of such officer or employee in the position before such change continues to be an interested party of another officer or employee in such position after such change, such person who was an interested party shall be deemed to be an interested party of the officer or employee having undergone change for a period of three (3) years from the date of such change (or if such person who was an interested party ceases to be an interested party of another officer or employee in such position within such period, until such date).
- 3 If it is clear that an interested party of another officer or employee has been in contact with an officer or employee for his/her own benefit by causing such officer or employee to exercise his/her influence based on such position upon the other officer or employee, such interested party of the other officer or employee shall be deemed to also be an interested party of the officer or employee.

Article 5 Prohibited acts

- 1 Officers and employees shall not perform any of the following acts:
 - (1) Receive money, goods, or gifts of real property (including farewell gifts, gratuity, condolence money or flowers, or the like) from interested parties;

- (2) Receive money loans from interested parties (in the case of money loans made in the course of trade, limited to those without interest or those whose interest rate is considerably low);
 - (3) Receive loans of goods or real property free of charge from or at the expense of interested parties;
 - (4) Receive services free of charge from or at the expense of interested parties;
 - (5) Take over unlisted shares from interested parties (i.e., shares which are not listed on the securities exchange prescribed in Article 2, paragraph 14 of the Financial Instruments and Exchange Act (Act No. 25, 1948) and are not registered in the Registry of Over-the-Counter Traded Securities prescribed in Article 75, paragraph 1 of said Act);
 - (6) Receive business entertainment from interested parties;
 - (7) Eat and drink with interested parties;
 - (8) Enjoy pastimes or play golf with interested parties; and
 - (9) Travel (other than travelling in the course of duties) with interested parties.
- 2 Notwithstanding the provisions in the preceding paragraph, any officer or employee may take any of the following actions:
- (1) Receive gifts of advertising merchandise or memorabilia that are being widely distributed to the public from interested parties;
 - (2) Receive gifts as souvenirs at a stand-up party (a meeting at which food and drinks are provided and are consumed while standing. The same shall apply hereinafter.) in which a large number of people attend;
 - (3) Use any goods provided by interested parties in the course of an official visit to such party;
 - (4) Use an automobile (limited to those which interested parties use on a day-to-day basis in their business, etc.) provided by interested parties when visiting such interested parties over the course of business (limited to use of automobiles deemed reasonable in light of transportation conditions in the surrounding areas of the office, etc. of such interested parties);
 - (5) Receive refreshments from interested parties at a conference or any other meeting attended as part of the duties;
 - (6) Receive food or drinks from or eat and drink with interested parties at a stand-up party attended by a large number of persons;
 - (7) Receive light food or drinks from or have light food or drinks with interested parties at any meeting attended as part of the duties; and
 - (8) Eat and drink with interested parties at one's own expense. Provided, however, that in the case of eating and drinking other than light food and drinks (limited to eating and drinking at night) at a meeting or other business discussion attended as part of one's duties, those which the Ethics Manager (i.e., Ethics Manager set forth in Article 14. The same shall apply hereinafter.) approves and permits that it will pose no risk of causing public suspicion or distrust in the fair execution of duties.
- 3 For the purpose of application of the provisions of paragraph 1, in the event that any officer or

employee has purchased any goods or real property, borrowed any goods or real property, or received any services from any interested parties, and if the compensation for such purchase, loan, or receipt is substantially lower than the market price at the time of such act, such officer or employee shall be deemed to have received from such interested parties a donation of money equivalent to the difference between such compensation and market price.

Article 6 Exceptions to prohibited acts

- 1 Notwithstanding the provisions in paragraph 1 of the preceding article, any of the acts set forth in the respective items of the same paragraph may be taken with a person with whom an officer or employee has a personal relationship with (i.e., a relationship that does not involve status as an officer or employee. The same shall apply hereinafter.) and who falls under the category of interested parties if it is found that such act is unlikely to cause public suspicion or distrust in the fair execution of duties in light of the status of the relationship in the course of duties, the background and current status of the personal relationship, and the manner in which the intended act is to be made.
- 2 In the event that any officer or employee is unable to judge whether or not such action is likely to cause public suspicion or distrust in the fair execution of duties in the preceding paragraph, such officer or employee shall consult with the Ethics Manager and follow his/her instructions.
- 3 Notwithstanding the provisions in paragraph 1, item 7 of the preceding article, any officer or employee may eat or drink together with any interested party who has a relationship of having worked in the same department, etc., received training at the same time which was provided by the University, or been dispatched by the University and received training at the same time, provided that numerous other persons attend and that such officer or employee bears the expenses required for his/her own eating or drinking.

Article 7 Prohibited acts with persons other than interested parties

- 1 Officers and employees may not receive business entertainment or property benefits beyond the level of ordinary social interaction, such as repeated reception of business entertainment, from a business operator, etc. who is not an interested party.
- 2 Officers and employees, in purchasing or leasing any goods or real property or receiving any services, shall not cause a business operator, etc., regardless of whether the party is an interested party or not, to bear consideration for such acts which the party was not present when such acts were made.

Article 8 Application of mutatis mutandis regarding contact with administrative organs

When officers and employees make contact with officials of national administrative agencies, local public entities, etc., the provisions of Articles 5 through 7 shall apply mutatis mutandis with consideration to the necessity of the contact in the course of duties, based on the principle of preventing any act which may cause public suspicion or distrust.

Article 9 Restrictions regarding lectures, etc.

- 1 An officer or employee who shall receive remuneration in response to lectures, discussions, coaching or sharing of knowledge in training courses or seminars, writing, supervising, editing, or appearing on radio or television broadcast programs (excluding those for which subsidiary business has been approved. Hereinafter referred to as “lectures, etc.”) requested by an interested party must obtain approval from the Ethics Manager in advance.
- 2 In relation to the remuneration in the preceding paragraph to be received from any interested party, if the Ethics Manager judges that the amount of such remuneration with respect to the type or content of duties of the officer or employee is likely to cause public suspicion or distrust of fair execution of duties, he/she shall not approve such lectures, etc.

Article 10 Approval or permission for application from officers and employees

When any officer or employee intends to apply for permission pursuant to the provisions of Article 5, paragraph 2, item 8 or approval pursuant to the provisions of the preceding article, such officer or employee shall prepare an application for permission for eating or drinking pursuant to Form No. 1 or an application for approval for lectures, etc. pursuant to Form No. 2 and submit such application to the Ethics Manager. (*Forms under preparation)

Article 11 Report of donations, etc.

Officers and employees in managerial positions (i.e., employees receiving managerial employee allowance based on the Salary Regulations for Employees of Tokyo University of Foreign Studies. Hereinafter the same.), when receiving money, goods, or other property benefits or receiving business entertainment (hereinafter referred to as "gifts, etc.") from the business operator, etc. or when receiving remuneration as set forth in the following article as consideration for personal services to be provided based on the relationship between the business operator, etc. and the duties of officers and employees (limited to cases where officers and employees in managerial positions were so positioned at the time of receiving gifts, etc. or such remuneration, and when the amount of gifts, etc. or such remuneration exceeds 5,000 yen per case), must submit a report of gifts, etc. with Form No. 3 to the President or the person delegated by the President within fourteen (14) days from the first day of each quarter for each period from January to March, April to June, July to September, and October to December (hereinafter referred to as the "Quarter").

Article 12 Remuneration

- 1 Remuneration in the preceding article shall mean such that falls under any one of the following:
 - (1) Remuneration for lectures, etc. received from business operator, etc. falling under the category of interested parties; and
 - (2) Remuneration for lectures, etc. received from business operator, etc. who is not an interested party; such lectures, etc. shall be related to the present or past duties of officers and employees and are conducted after having been clearly revealed to be conducted by officers and employees.
- 2 Remuneration in the items of the preceding paragraph shall exclude fees for lectures, etc. given by educational employees based on their own educational research results.

Article 13 Storing of and access to reports

- 1 The report of gifts, etc. submitted pursuant to the provisions of Article 11 shall be kept by the President or any person delegated by him/her until the day on which five (5) years have passed from the day following the last day of the period during which such report of gifts, etc. should be submitted.
- 2 Any person may request the President or any person delegated by the President access to peruse the report of gifts, etc. (limited to the section on profits received from gifts, etc. or remuneration paid for which the price exceeds 20,000 yen per case) stored pursuant to the provisions of the preceding paragraph.
- 3 Access to reports of gifts, etc. prescribed in the preceding paragraph (hereinafter referred to as "access to reports of gifts, etc.") may be made on or after the day following the day on which sixty (60) days have passed from the day following the due date for submission of such report of gifts, etc.
- 4 Access to reports of gifts, etc. shall be made at the place designated by the President or any person delegated by the President.

Article 14 Ethics Supervisor and Ethics Manager

- 1 In order to maintain ethics in the duties of officers and employees, the University shall have an Ethics Supervisor and an Ethics Manager.
- 2 The Ethics Supervisor shall be the President and the Ethics Manager shall be appointed by the President from among the Vice Presidents.

Article 15 Consultation with the Ethics Manager

In the event that any officer or employee is unable to judge whether or not the other party of any action taken by him/her falls under the category of an interested party or whether or not any action taken with an interested party falls under any of the acts listed in the items of Article 5, paragraph 1, he/she shall consult with the Ethics Manager.

Article 16 Responsibilities of the Ethic Supervisor

The Ethics Supervisor shall have the following duties in relation to implementation of the matters provided for in these Regulations:

- (1) Establish a system for receiving and storing reports of gifts, etc., a system for accessing reports of gifts, etc., and other systems used in maintaining ethics pertaining to the duties of officers and employees;
- (2) Take strict measures in the event that any officer or employee has committed any act in violation of these Regulations;
- (3) Give due consideration so that any officer or employee who has notified the Ethics Manager or other appropriate organization of any violation of these Regulations are not treated adversely because such officer or employee gave such notice; and
- (4) Endeavor to cultivate and maintain ethics among officers and employees through training and other measures.

Article 17 Responsibilities of the Ethics Manager

The Ethics Manager shall have the following duties in relation to implementation of the matters provided for in these Regulations:

- (1) Provide consultation for officers and employees as set forth in Article 6, paragraph 2 or Article 15 and provide necessary guidance and advice;
- (2) Grant approval or permission upon confirmation of application in Article 9 filed by officers or employees as appropriate; and
- (3) Make efforts to confirm whether or not officers and employees have any relationship with specific persons which may cause public suspicion or distrust, and based on the results thereof, provide necessary guidance and advice with respect to maintenance of ethics in the duties of officers and employees.

Article 18 Delegation to Assistant Ethics Manager

- 1 The Ethics Manager may have an Assistant Ethics Manager perform part of his/her duties as set forth in these Regulations.
- 2 The Assistant Ethics Manager shall be the Secretary-General and a dean.

Article 19 Measures against violations of these Regulations by officers and employees

If any officer or employee is found to have possibly committed any act in violation of these Regulations, the Ethics Supervisor shall immediately start an investigation; if such officer or employee is found to have committed any act in violation of these Regulations as a result of the investigation, the Ethics Supervisor shall strictly take necessary measures.

Article 20 Other Matters

The Ethics Supervisor shall be entitled to separately determine necessary matters for implementation of these Regulations.