

* 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.

Regulations Concerning Subsidiary Business of Employees at Tokyo University of Foreign Studies

(April 1, 2004
Regulation No. 57)

Article 1 Purposes

These Regulations provide matters relating to any subsidiary business of full-time employees (hereinafter referred to as “employees”) of the Tokyo University of Foreign Studies (hereinafter referred to as the “University”) under the provisions of Article 32, paragraph 2 of the Working Regulations for Employees of Tokyo University of Foreign Studies (Regulation No. 52 of 2004).

Article 2 Restriction or prohibition

- 1 Employees may concurrently hold other positions with the prior permission of the President within the scope that does not hinder the performance of their duties under the conditions as set forth in Article 3 and subsequent articles.
- 2 However, those positions may not be held, in principle, if any of the following items are applicable:
 - (1) When such holding of positions results in curtailment or threat of curtailment of the employees’ working hours for the University;
 - (2) When such holding of positions poses a risk of hindering the fulfillment of its duties at the University; and
 - (3) When such holding of positions may damage the reputation of the University.
- 3 The President may discontinue the permitted subsidiary business if it is found that such subsidiary business risks interfering with the performance of the main work.

Article 3 Type of subsidiary business

In these Regulations, “subsidiary business” means any of the following cases:

- (1) Subsidiary business in a commercial enterprise
- (2) Subsidiary business in an organization other than a commercial enterprise
- (3) Self-employed occupation

Article 4 Subsidiary business in a commercial enterprise

In principle, no subsidiary business in a commercial enterprise may be conducted. Provided, however, that the following subsidiary businesses may be engaged in for the purpose of strengthening industrial competitiveness or enhancing the legal and proper management discipline of corporations through promotion of commercialization of the results of research

conducted by the University or for promoting social contribution and vitalization of research and education by the University.

(1) Subsidiary business of officers

- (a) Concurrent officer for technology transfer business operators (i.e., operators of Specified University Technology Transfer Operations referred to in Article 2, paragraph 1 of the Act on the Promotion of Technology Transfer from Universities to Private Business Operators [Act 52 of 1998] and Certified Business Operators referred to in Article 12, paragraph 1 and Article 13, paragraph 1 of the same Act. The same shall apply hereinafter.)
- (b) Concurrent officer for a corporation utilizing the research results
- (c) Concurrent auditor of a stock company, etc.
- (d) Other roles specifically approved by the President

(2) Subsidiary business other than by officers

- (a) When there is a strong public element to the business and work for the subsidiary business is not directly involved in the operation of a commercial enterprise such as a part-time doctor at a clinic, etc. attached to the commercial enterprise;
- (b) When technical guidance is being offered to the relevant enterprise under a contract for the implementation of a state-owned patent (including any patent pending application) under the control of an organization;
- (c) When being a part-time lecturer at an educational facility, training institute, training course, etc. or cultural course, etc. attached to a commercial enterprise can be considered to be part of employee education or social education;
- (d) Research and development (refers to basic research, applied research, and developmental research, and includes technological development; the same shall apply hereinafter.) at a commercial enterprise or providing technical guidance for research and development thereof;
- (e) When it will greatly serve public interest and it is obligated by laws (including ordinances) to hear opinions from academic experts;
- (f) When engaging in technical guidance that a technology transfer business operator is engaged in for another enterprise;
- (g) When engaging in services related to discovery, evaluation, and selection of research results relating to technology conducted by a technology transfer business operator; and
- (h) When giving advice on management and legal affairs of a commercial enterprise.

Article 5 Subsidiary business in an organization other than a commercial enterprise

Subsidiary business in an organization other than a commercial enterprise may be conducted within the scope of Article 2, paragraphs 1 and 2. Provided, however, that an officer may concurrently engage in subsidiary business only when any of the following items is applicable:

- (1) Concurrent employment as an officer of a corporation, etc. for the purpose of promoting international exchange;

- (2) Concurrent employment as an officer of a corporation, etc. which is deemed to be useful for academic research such as an academic society and is closely related to the research field of the relevant employee;
- (3) Concurrent employment as an officer of a corporation, etc. whose scope of activity is limited within the university or a corporation, etc. of any person similar thereto;
- (4) Concurrent employment as an officer of a corporation, etc. engaged in educational scholarships;
- (5) Concurrent employment as an officer of a corporation, etc. that serves to achieve industry-academia collaboration and cooperation; and
- (6) Concurrent employment as an officer of a corporation, etc. serving to promote education, academics, culture, and sports and is deemed to considerably serve public interest.

Article 6 Prohibition of concurrent employment by teachers at preparatory schools, etc.

No teacher (i.e., a teacher as defined in Appended Table 1 to the Regulations Concerning Employment, Separation from Employment, etc., for Employees of Tokyo University of Foreign Studies [Regulation No. 56 of 2004]) may engage in the teaching at any preparatory school or any similar class, cram school, course, etc. established or opened for the purpose of preparing for university entrance examinations.

Article 7 Self-employed occupation

When employees are to engage in a self-employed occupation, etc. related to the lease of real estate or parking spaces, they must obtain permission from the President.

Article 8 Application for permission related to subsidiary business

When engaging in any of the subsidiary businesses, documents listed in the following items must be submitted to the President for permission in advance after approval by the dean.

- (1) Application form for permission related to subsidiary business
- (2) Request from the subsidiary business
- (3) Other materials as reference

Article 9 Number of permitted subsidiary businesses and working hours

- 1 The number of permitted subsidiary businesses and the limitation on working hours shall be determined separately by each school.
- 2 The period for the subsidiary business shall be within one (1) year. Provided, however, that in the case of holding a post whose term of office is fixed by laws and regulations, etc., a maximum of four (4) years may be approved. The period of the subsidiary business may be renewed with permission.

Article 10 Short-duration subsidiary business

When the number of days engaged in the subsidiary business is not more than six (6) days and the total number of working hours is less than ten (10) hours, only notification shall be submitted and permission is not required. However, permission is required in case of more than seven (7)

days regardless of the number of hours. When calculating the number of days, in addition to cases in which working days are consecutive, in cases where there are intervals in between working days, if the number of days to be engaged in work is fixed in advance and the continuity of the content of work is recognized, whether the above applies shall be judged based on the sum of all of these days.