

Guidelines for Appropriate Execution of Competitive Research Funds

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Agreement by the Inter-Ministry/Agency Liaison Group Regarding Competitive
Research Funds

1. Purpose

The Third Science and Technology Basic Plan (March 2006 Cabinet Decision) describes the necessity to maximize the investment impact of the government research and development investments and seeks to completely eliminate waste through measures such as elimination of irrational overlap or excessive concentration and strict response to illegal receipt and use of research funds to promote effectiveness and efficiency of research and development. The government and other agencies are also to formulate rules regarding ethical issues of researchers such as experiment data fabrication and encourage those who carry the future of science and technology to act in accordance with the rules in order to win social trust for science and technology.

Related to this, the Council for Science and Technology Policy, considering that misuse, etc. of public research funds betray the people's trust, approved the "Measures to Prevent the Misuse of Public Research Funds (Common Guidelines)" in August 2006, and is seeking ministries, agencies, and involved organizations to promote initiatives in accordance with the common guidelines such as ensuring institutional accounting and development of structures for research institutions.

The Council for Science and Technology Policy, in February 2006, approved "Appropriate Measures against Research Misconduct" observing that misconducts in research have serious adverse impact on the development of science and technology and stipulated that ministries, agencies, and organizations that offer research funds from the government must clarify the handling of the case where a misconduct of research funds is revealed in advance.

Further, the Integrated Innovation Strategy Promotion Council, in April 2021, approved the "Policy for Ensuring Research Integrity in Response to New Risks Arising from Increasing Internationalization and Openness of Research Activities," aiming to support researchers, universities, and research

institutions¹ to autonomously secure the soundness and fairness of research (research integrity), as it is essential to build an internationally reliable research environment.

These guidelines are aimed at laying out rules regarding elimination of irrational overlap and excessive concentration of competitive research funds, illegal receipt and use of funds, and research-related misconducts in research papers to address these issues. Acting in accordance with these guidelines contributes to not only addressing these issues but also economic security. Ministries and agencies are to respond appropriately based on these guidelines in accordance with the purpose of individual systems over which they have jurisdiction.

2. Elimination of irrational overlap and excessive concentration

(1) Concept of elimination of irrational overlap and excessive concentration

- (i) In these guidelines, irrational overlap refers to a situation in which more than one competitive or other research funds (all research funds being allocated to the researcher for individual research content such as subsidies, grants, joint research funds, consigned research funds both in Japan and abroad²; the same shall apply hereinafter) are unnecessarily and repeatedly allotted to one and the same research project (the name and contents of research to which competitive research funds are allotted; the same shall apply hereinafter) being carried out by one and the same researcher, and one that falls under any of the following cases.
 - Cases where simultaneous applications have been made to more than one competitive or other research fund for substantially the same research project (including cases where the contents overlap to a considerable degree; the same shall apply hereinafter), and where these research projects are redundantly adopted.
 - Cases where an application has been made again for substantively the same research project as another one that has already been adopted, and for which the allotment of competitive or other research funds has already been completed.
 - Cases where there is overlap in the use of research funds among more than one research project.
 - Other cases equivalent to the above.
- (ii) In these guidelines, excessive concentration is a situation in which the entire research funds that are allotted to one and the same researcher or

¹ In these guidelines, universities and research institutions denote research and development institutions (government testing and research institutions, research and development corporations, universities, and organizations involved in research and development at private businesses) engaging in research and development using funds granted, subsidized, or commissioned by the government or research funding agencies. “Policy for Ensuring Research Integrity in Response to New Risks Arising from Increasing Internationalization and Openness of Research Activities” describes that “It is expected that other research and development institutions also would implement initiatives contributing to independent assurance of research integrity.”

² Excluding basis expenses distributed within the organization the researchers belong to or internal fund and funds procurement through commercial transactions stipulated by the Commercial Code and direct or indirect financing.

research group (“Researchers”) in the fiscal year in question exceed the limit within which they can be used effectively and efficiently, and in which the research funds cannot be used within the research period, and one that falls under any of the following cases.

- Cases where, in light of the abilities of the Researchers and the research methods, excessive research funds are allotted.
- Cases where, in comparison with the effort (the allocation rate (%) of the time necessary to carry out the said research activities with respect to the entire working time of researcher) that is being allotted to the research project in question, excessive research funds are allotted.
- Cases where the purchase of unnecessarily expensive equipment is carried out.
- Other cases equivalent to the above.

(2) Means of eliminating “irrational overlap” and “excessive concentration”

Ministries and agencies involved in competitive research funds take the following measures to eliminate irrational overlap and excessive concentration of competitive research funds and to confirm whether effort can be sufficiently secured while ensuring transparency of research activities. As for competitive research funds of incorporated administrative agencies, the competent ministry shall request the said agency to implement similar measures.

- (i) Clarify in the solicitation guidelines the fact that part of the information related to the application details will be shared among the divisions handling competitive research funds (including distributing institutions such as incorporated administrative agencies; the same shall apply hereinafter) using the Cross-ministerial R&D Management System (hereinafter referred to as the “Common System”) and within the scope necessary to eliminate irrational overlap and excessive concentration, and that if there is irrational overlap or excessive concentration, it shall not be accepted.
- (ii) When applying, have the applicants describe information regarding the status of competitive or other research funds from (including other) ministries and agencies which the principal investigators and co-investigators³ are currently applying for or receiving (the name of the system, research project, implementation period, budget, effort, etc.) and all of organizations they currently belong to and positions they hold (including concurrent positions, participation in a foreign recruitment program, the position of honorary professor without employment contract)) in the application form and Common System. Further, clearly state in the solicitation guidelines that if factually incorrect entries are made in the application form and Common System, the research topic may be

³ Denotes those who will take measures in the respective competitive research fund projects based on the purpose of eliminating irrational overlap and excessive concentration in these guidelines such as the representative of the research project they are applying to and researchers who will use the research funds on their own initiatives.

rejected or withdrawn from selection or there could be reduction in the grant amount.

- (iii) Ensure ⁴ that, of the information regarding research funds in (ii), information such as joint research for which a non-disclosure agreement is signed, is handled only by those who have confidentiality obligation so that it would not constrain the activities of commitment in industry-academia collaboration and clearly state in the solicitation guidelines the policy for having the applicants describe in the application form and Common System while giving consideration to the situation of each competitive research fund project including the following perspectives.
- a) Research funding agencies shall request researchers to submit only that information⁵ necessary for confirming whether effort for executing the research topic for which the application was made can be appropriately secured without causing irrational overlap and excessive concentration of research funds.
 - b) However, for the time being, if it is difficult to submit it due to unavoidable circumstances such as being unable to do so based on existing non-disclosure agreement, the applicant may submit it without describing the name of the counterpart organizations and the amount of research fund that have been accepted, and even in such cases the organization the applicant belongs to may still be contacted for verification.
 - c) Urge the applicants to include in the contents the possibility of submitting only necessary information when applying for competitive research funds upon signing non-disclosure agreement in the future.
 - d) Based on these guidelines, the information may be shared with the research funding agencies and among ministries and agencies involved in competitive research funds in addition to the organization the applicant belongs to, in such cases also information is shared only among those who have confidentiality obligation.
- (iv) Prior to accepting the research topic, the divisions handling competitive research funds shall utilize the Common System to share the information (system name, researcher name, research institution, research topic, research outline, budget, etc.) related to the research topic to be accepted and information regarding research funds, organizations the applicants belong to, and their positions, and check for the existence of irrational overlap and excessive concentration within the necessary range. Also, upon sharing information, the scope of sharing shall be kept to the minimum such as limiting the number of people with access to the information.

⁴ Limit the persons who handle the concerned information to those who truly require it for in the course of their work and research funding agencies take necessary measures such as ensuring providing education and training regarding information management to those personnel.

⁵ As a rule, it is limited to information related to the name of counterpart organizations of joint research, the amount of research funds being accepted, and effort.

- (v) When it is recognized to be irrational overlap or excessive concentration based on the description in the application form or Common System and information from other ministries and agencies, reject or withdraw the research topic from selection or reduce the grant amount corresponding to the degree of overlap or concentration.

Development of competitive research environment could lead to excellent researchers receiving more research funds and research topics, and upon operation of these guidelines, it is necessary to pay full attention to the fact that not all overlap and concentration of competitive research funds is improper.

- (vi) Require the applicants to pledge that they have been appropriately reporting to organizations they belong to, in accordance with related rules, information related to all activities they are involved that is required for ensuring transparency, including donation, and non-fund support⁶ such as facilities and equipment in addition to information regarding research funds, organizations they belong to, and positions in (ii). Also, clearly state in the solicitation guidelines that the research topic may be rejected or withdrawn from selection or there could be reduction in the grant amount if it is revealed that they are breaking the pledge and not reporting appropriately.
- (vii) Similar to research funds, seek applicants to submit information regarding the acquisition status of facilities, equipment, etc. used in research they are separately engaged in although they are not used for the concerned research topic in (vi) from the perspective of confirming that the research topic can be sufficiently executed without causing irrational overlap or excessive concentration. However, as it is necessary to clarify the scope of information which applicants are required to submit while taking into consideration the actual situation at universities and research institutions for the time being clearly state in the solicitation guidelines that the organizations the applicants belong to may be required to submit the status of grasping and management of the concerned information in addition to the pledge in (vi).
- (viii) Clearly indicate the importance of developing rules regarding conflicts of interest and commitment based on the Policy for Ensuring Research Integrity in Response to New Risks Arising from Increasing Internationalization and Openness of Research Activities (April 27, 2021 Integrated Innovation Strategy Promotion Council Decision) at organizations the applicants belong to, and clearly state in the solicitation guidelines that organizations the applicants belong to may be contacted for verification as necessary, for example, to confirm the status of development of rules at the organization and the status of grasping and management of information.

⁶ Free provision of goods such as research facilities, equipment, and devices and receiving free provision of services.

3. Response to Illegal Receipt and Use of Funds (Attached Table 1)

Ministries and agencies involved in competitive research funds shall take the following measures against researchers who engaged in illegal receipt and use of competitive research funds, and those who conspired in it together as well as those researchers who, though not recognized as involved in the illegal receipt and use, failed to exercise their duty to carry out the business with the due care of a prudent manager (hereinafter referred to as the “Duty of Due Care of a Prudent Manager”). As for competitive research funds of incorporated administrative agencies, the competent ministry shall request the said agency to implement similar measures.

- (1) In addition to limiting the eligibility of researchers who committed illegal use (use of competitive research funds for other purposes, intentionally or by gross negligence or use of competitive research funds in violation of the content of the funding decision or the conditions it implies) and researchers who conspired in such acts to apply for the concerned competitive research funds, clearly state in the solicitation guidelines that the divisions handling other competitive research funds including other ministries and agencies may restrict such researchers from applying to the competitive research funds under their jurisdiction by providing an overview of the concerned illegal use (the name of researchers who engaged in the illegal use, the name of the system, the organization he or she belongs to, the research topic, budget, fiscal year of the research, details of the illegal act, details of the measures taken, etc.) to the divisions handling other competitive research funds including other ministries and agencies.

The period of restrictions on the application by the researchers who engaged in the illegal use and researchers who conspired in such an act, in principle, ranges from one year to 10 years from the following fiscal year in which subsidies were returned, depending on the seriousness of the illegal act.

- (2) In addition to limiting the eligibility of researchers who acquired competitive research funds through falsehood or other illegal means and researchers who conspired in such acts to apply for the concerned competitive research funds, clearly state in the solicitation guidelines that the divisions handling other competitive research funds including other ministries and agencies may restrict such researchers from applying to the competitive research funds under their jurisdiction by providing an overview of the concerned illegal receipt (the name of researchers who engaged in illegal receipt, the name of the system, the organization he or she belongs to, the research topic, budget, fiscal year of the research, details of the illegal act, details of the measures taken, etc.) to the divisions handling other competitive research funds including other ministries and agencies.

The period of restrictions on the application by the researchers who engaged in the illegal receipt and researchers who conspired in such an act, in principle, is five years from the following fiscal year in which subsidies

were returned.

- (3) In addition to limiting the eligibility of researchers who breached the Duty of Due Care of a Prudent Manager to apply for the concerned competitive research funds, clearly state in the solicitation guidelines that the divisions handling other competitive research funds including other ministries and agencies may restrict such researchers from applying to the competitive research funds under their jurisdiction by providing an overview of the concerned breach of duty (the name of researchers who breached the duty, the name of the system, the organization he or she belongs to, the research topic, budget, fiscal year of the research, details of the breach, details of the measures taken, etc.) to the divisions handling other competitive research funds including other ministries and agencies.

The period of restrictions on the application by the researchers who failed to practice the Duty of Due Care of a Prudent Manager, in principle, is one to two years from the following fiscal year in which subsidies were returned.

4. Response to Misconduct in Research (Attached Table 2)

Ministries and agencies involved in competitive research funds shall take the following measures when it is recognized that there was research misconduct (fabrication, falsification, and plagiarism) in research papers and reports funded by competitive research funds. As for competitive research funds of incorporated administrative agencies, the competent ministry shall request the said agency to implement similar measures.

- (1) Stipulate that a researcher can be required to return all or part of the concerned competitive research funds taking into account the level of maliciousness of the misconduct, and clearly state it in the solicitation guidelines of the competitive research funds.
- (2) In addition to limiting the eligibility of researchers who engaged in research misconduct to apply for the concerned competitive research funds, clearly state in the solicitation guidelines that the divisions handling other competitive research funds including other ministries and agencies may also restrict such researchers from applying to the competitive research funds under their jurisdiction by providing an overview of the concerned misconduct (overview of the investigation results by the research institutions, the name of researchers who engaged in the misconduct, the organization he or she belongs to, the research topic, budget, fiscal year of the research, details of the measures taken, etc.) to the divisions handling other competitive research funds including other ministries and agencies.

The period of the restrictions on application, in principle, ranges from two to 10 years from the following fiscal year in which the research misconduct occurred, depending on the seriousness of the misconduct.

- (3) If a researcher was not recognized to have been involved in the misconduct but deemed to be responsible for it to a certain extent as he or she failed to perform the duty of care of a manager of the concerned paper, the report, etc., he or she shall be treated in the same manner as in (2) above and this shall be clearly stated in the solicitation guidelines.

The period of the restrictions on application, in principle, ranges from one year to three years from the following fiscal year in which the fraud occurred, depending on the degree of responsibility.

5. Disclosure of research misconduct cases

Ministries and agencies involved in competitive research funds, based on the respective rules they stipulated, shall seek organizations that carried out investigation of misconduct cases to make public the name and organization of the researcher who was involved in the misconduct, the details of the misconduct, measures taken against it, etc. in accordance with the prescribed procedure. When restricting the application of the researcher based on the above response to illegal receipt and use of funds and response to misconduct in research, they should swiftly make public the overview of the concerned misconduct case (the system, fiscal year of research, details of the misconduct, details of the measures taken, etc.). As for competitive research funds of incorporated administrative agencies, the competent ministry shall request the said agency to implement similar responses.

6. Other

- (1) Responses to the initiatives to eliminate the above irrational overlap and excessive concentration shall be made in the solicitations in fiscal year 2021 to the extent possible in accordance with the purpose of these guidelines after following the prescribed procedure such as revision of the solicitation guidelines and the initiatives shall be implemented with solicitations from April 2022 onwards.
- (2) Responses to the initiatives of the above response to illegal receipt and use of funds shall be made in the solicitations in fiscal year 2021 to the extent possible in accordance with the purpose of these guidelines after following the prescribed procedure such as revision of the solicitation guidelines and the initiatives shall be implemented with solicitations from April 2022 onwards.
- (3) Responses to the initiatives of the above response to misconduct in research shall be made in solicitations in fiscal year 2021 to the extent possible in accordance with the purpose of these guidelines after following the prescribed procedure such as revision of solicitation guidelines and the initiatives shall be fully implemented with solicitations from April 2022 onwards.

- (4) The application restriction period shall be implemented with the ones whose application restriction period has decided after the revision of these guidelines based on Attached Tables 1 and 2 following the prescribed procedure including revision of internal rules.

Based on the revision of these guidelines on October 17, 2012, when deciding the application restriction period of illegal fund use or misconduct in projects that begin after the date of implementation of revised internal rules at each ministry and agency but are based on offering guidelines and consignment contract adopting the internal rules before the revision, adopt the shorter period if the restriction period becomes shorter by adopting the internal rules after the revision.

Further, the initiative to extend the application restriction period, judged based on the internal rules after the revision compared with the period judged based on the internal rules before the revision (in Attached Table 1, 10 years for the cases of misappropriation of the funds for personal gain of 1. and five years in the cases other than misappropriation of being judged to have a significant impact on society and that the acts are highly malicious of 2.), shall be implemented when there is improper fund use in the projects carried out after the initial budget for fiscal year 2013 (including continuing projects).

- (5) The initiatives of the above-mentioned disclosure of research misconduct cases shall be implemented after going through the prescribed procedure including revision of internal rules.

Ministries and agencies are not prevented from taking stricter actions than these guidelines based on their respective rules.

- (6) After deciding the restriction of application, the ministries and agencies involved in competitive research funds shall report the overview of the concerned misconduct to the administrators of research funding agencies in the Common System of their respective ministries and agencies. The administrators of concerned research funding agencies register the researcher number, the application restriction period, the overview of the concerned misconduct or breach of duty, and the reason for judgment of punishment related to illegal receipt and use of competitive research funds, breach of the Duty of Due Care of a Prudent Manager, and misconduct in research in the Common System to share the concerned information among the involved ministries and agencies.

- (7) The ministry or agency, where the illegal use of competitive research funds occurred, shares the overview of the concerned case, the period of application restriction, and the reason for the judgment with the ministries and agencies involved in competitive research funds apart from the Common System so that the application restriction period will be determined appropriately depending on the seriousness of the illegal use.

If the illegal use case occurred across two or more ministries and

agencies, the ministry or agency that offered the largest amount becomes the main ministry or agency in charge of the case and puts together and shares the information such as the application restriction periods decided by the multiple ministries and agencies.

- (8) The ministry or agency, where the misconduct in research involving competitive research funds occurred, shares the overview of the concerned case, the period of application restriction, and the reason for the judgment with the ministries and agencies involved in competitive research funds apart from the Common System so that the application restriction period will be determined appropriately depending on the seriousness of the misconduct.

If the research misconduct case occurred across two or more ministries and agencies, the ministry or agency, which has the highest number of papers in the research activity where the misconduct occurred with budget allocation or measures from the said ministry or agency, becomes the main ministry or agency in charge of the case and puts together and shares the information such as the application restriction periods decided by the multiple ministries and agencies.

- (9) Ministries and agencies involved in competitive research funds shall properly handle and administer personal information of Researchers in accordance with laws regarding protection of personal information retained by administrative organs. The competent ministry shall request incorporated administrative agencies with jurisdiction over competitive research funds to take the same measures based on the laws regarding protection of personal information retained by incorporated administrative agencies.

- (10) These guidelines shall be reviewed as necessary taking into consideration the status of operation and the Inter-Ministry/Agency Liaison Group Regarding Competitive Research Funds shall continue to make necessary responses considering the discussions by the Council for Science, Technology and Innovation.

(Attached Table 1)

Researchers subject to application restriction due to illegal receipt and use of competitive research funds (3.)	Seriousness of illegal use		Application restriction period
Researchers who committed illegal use of competitive research funds and researchers who conspired in such acts (3.(1))	1. Misappropriation for personal gain		10 years
	2. Other than 1.	(i) Cases judged to have a serious impact on society and to be highly malicious	5 years
		(ii) Other than (i) and (ii)	2 to 4 years
		(iii) Cases judged to have minor impact on society and to be not so malicious	1 year
Researchers who received competitive research funds by deception or other illegal means and researchers who conspired in such acts (3.(2))			5 years
Researchers who were not directly involved in the illegal use of competitive research funds, but failed to exercise Duty of Due Care of a Prudent Manager and used the funds as a result (3.(3))			The upper limit is 2 years and the lower limit is 1 year depending on the seriousness of the breach of duty by the researchers who have the Duty of Due Care of a Prudent Manager

*In the following cases, strict reprimand is given instead of application restriction.

- In 3.(1), the impact on society is small, maliciousness of the act is judged to be low, and the amount of the funds used illegally is small.
- In 3.(3), the cases judged to have minor impact on society and to be not so malicious

(Attached Table 2)

Researchers subject to application restriction due to misconduct in research (4.)		Seriousness of misconduct	Application restriction period	
Researchers who were involved in misconduct (4.(2))	1. Particularly malicious individuals who, for example, intended to carry out research misconduct from the very beginning of the research		10 years	
	2. Authors of papers related to the research in which research misconducts have been identified	Responsible authors of the papers in question (supervising editor, lead author or other authors bearing equivalent responsibilities)	Cases that have significant impact on development of research in the concerned field as well as on society or misconduct that was judged to be highly malicious	5 to 7 years
			Cases that have minor impact on development of research in the concerned field as well as on society or misconduct that was judged to be not very malicious	3 to 5 years
		Authors other than the above		2 to 3 years
	Those who were involved in misconduct other than 3.1. and 2.		2 to 3 years	
Authors who were not involved in the misconduct but are responsible for the papers related to research where misconduct occurred (supervising editor, lead author or other authors bearing equivalent responsibilities) (4.(3))		Cases that have significant impact on development of research in the concerned field as well as on society or misconduct that was judged to be highly malicious	2 to 3 years	
		Cases that have minor impact on development of research in the concerned field as well as on society or misconduct that was judged to be not very malicious	1 to 2 years	