

Procedures for Posting the Full Text of Doctoral Dissertations on the Internet

November, 2015

Office of Graduate Studies at BKC

Ritsumeikan University

1 . The full text of doctoral dissertations will be posted on the Internet.

The Academic Degree Regulations set by the Ministry of Education, Culture, Sports, Science and Technology were partially revised in March 2013, and students who were awarded a doctorate in and after April 2013 are now required to post the full text of their dissertations on the Internet.

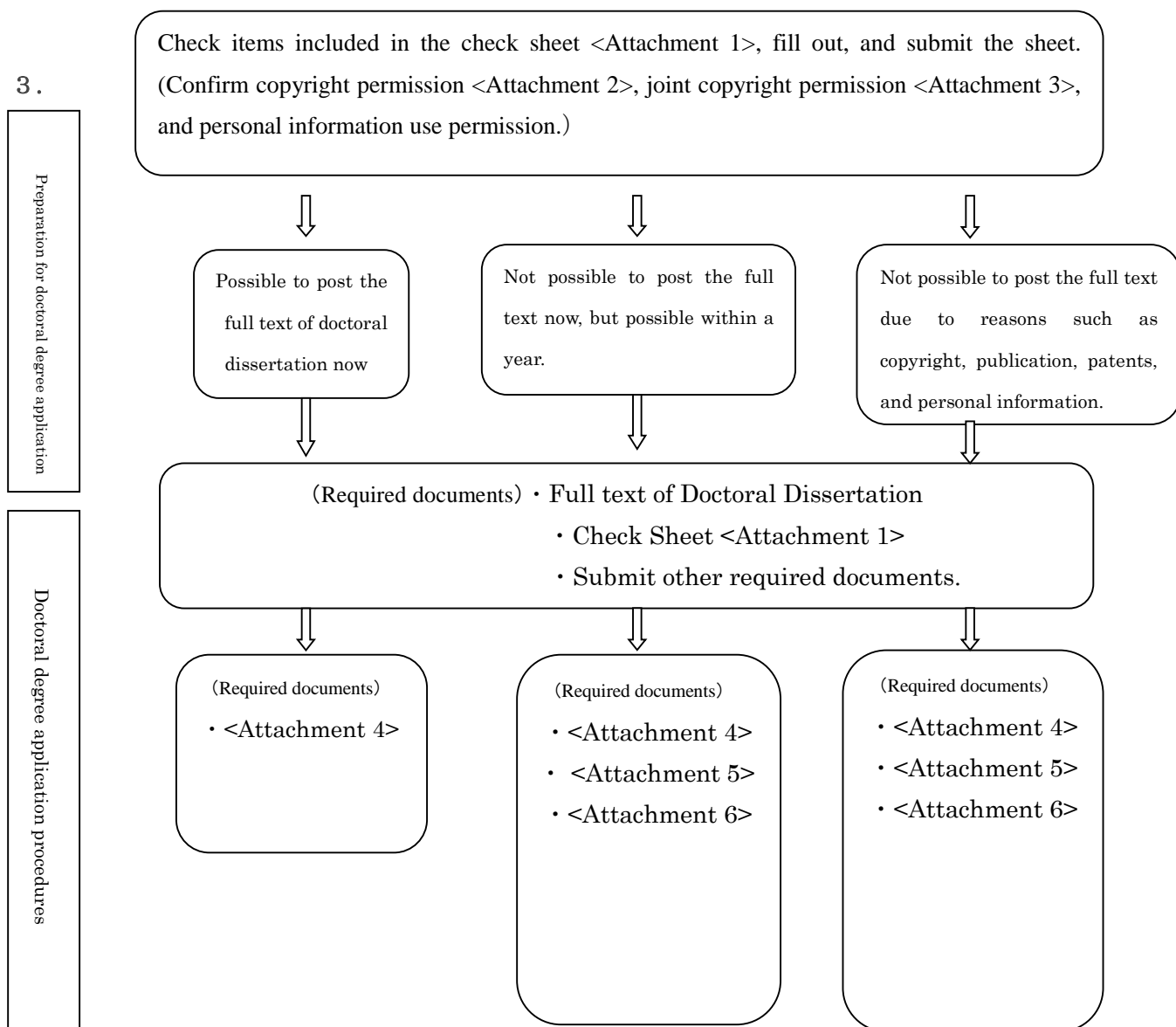
Students who received a doctorate from the University in and after April 2013 are required to post their doctoral dissertations on the Internet through the Ritsumeikan Research Repository (R-Cube) within a year from the date they received their degree.

If the University acknowledges that a student cannot post his/her doctoral dissertation on the Internet due to unavoidable reasons, such as copyright protection or personal information protection, the student is required to post a summary of their doctoral dissertation instead of its full text on the internet.

2 . Posting the Full Text of Doctoral Dissertation on the Internet (Preparation)

When writing sub-theses that will be a part of doctoral dissertations or major research achievements concerning a doctoral dissertation (academic journal peer-reviewed paper) during the period from the 1st year to the 3rd year of a Doctoral Program, please prepare for the following:

- ① If any copyrights have been transferred to academic societies in which you submitted your thesis, acquire required permission related to the copyright beforehand.
- ② When using contents of interviews and surveys in your thesis, carefully handle personal information.
- ③ For the Science and Engineering sector, in research fields where companies' patents are involved, confirm important aspects of posting the dissertation on the Internet.
- ④ Actively attend workshops and guidance sessions related to copyrights.



Students who will apply for a doctoral degree are required to submit the “Check Sheet for Posting the Full Text of Doctoral Dissertation on the Internet” <Attachment 1> when applying for the doctoral degree.

Prior to the submission of this Check Sheet, students must confirm whether or not the full text of their doctoral dissertation can be posted on the Internet after they receive their doctoral degree (hereinafter referred to as *the posting the full text of doctoral dissertation on the Internet*) and then proceed with the required procedures including obtaining permissions related to copyright, patent, confidential information, personal information (hereinafter referred to as *copyright*) <Attachment 2 and 3>.

In order to post a doctoral dissertation on the Ritsumeikan Research Repository, a consent agreement from the conferrer of the doctoral degree is required. Therefore, the “Ritsumeikan Research Repository (R-Cube) Registration Consent Agreement” <Attachment 4> must be submitted.

If the University acknowledges that a student cannot post his/her doctoral dissertation on the Internet due to unavoidable reasons, such as copyright protection or personal information protection, the student is required to post a summary of their doctoral dissertation instead of its full text on the Internet. Students must submit the “Application for posting summary of doctoral dissertation on the website of R-Cube” <Attachment 5> promptly after applying for their doctoral degree. For more information regarding the summary of thesis contents, please see Attachment 6.

Attachment 1**Check Sheet for Posting the Full Text of Doctoral Dissertation on the Internet**

Circle your response to each statement.

■ Can you publish your dissertation through Ritsumeikan Research Repository (R-Cube)?

- ① Yes, I can publish my dissertation on R-Cube because it is not yet published on the internet.
 ② Yes, I can also publish my dissertation on R-Cube although it is already published on the internet.
 ③ No, I can't publish my dissertation on R-Cube because it is already published on the internet.

■ My doctoral dissertation includes content such as a three-dimensional object, precluding it from being posted on the Internet.

→ [1] False. It can be posted. / [2] True. It can't be posted. / [3] To be confirmed.

■ My doctoral dissertation cannot be posted on the Internet within a year from the date I received my doctoral degree because I haven't obtained permission to post a full dissertation on the internet from the academic society or publishing company which published or plan to publish (based on a book deal or publication certificate) my academic articles or publications involving my doctoral dissertation.

→ [1] True. I cannot post my dissertation for the above reason.
 [2] False. The above reason does not apply and I can post my dissertation.
 [3] To be confirmed.

■ My doctoral dissertation cannot be posted on the Internet within a year from the date I received my doctoral degree because academic articles involving my doctoral dissertation were submitted to an academic society or publisher and are multi-authored. I cannot receive permission to publish on the Internet (due to copyright protections or other reasons) from all of the co-authors.

→ [1] True. I cannot post my dissertation for the above reason.
 [2] False. The above reason does not apply or is not relevant and I can post my dissertation.
 [3] To be confirmed.

■ My doctoral dissertation cannot be posted on the Internet for more than a year from the date I received my doctoral degree because it contains personal information, and I cannot receive permission from the person who provided the personal information due to personal privacy protections or other reasons.

→ [1] True. I cannot post my dissertation for the above reason.
 [2] False. The above reason does not apply or is not relevant and I can post my dissertation.
 [3] To be confirmed.

Next step based on above responses:

Results		Next Step
I answered that I can post/publish my dissertation for all five statements above, so I am ready to post the full text of my doctoral dissertation on the Internet.	⇒	After being awarded your degree, submit your full dissertation and the consent agreement in order to register your dissertation with R-Cube.
I circled one or more statements above indicating that I can neither post nor publish my doctoral dissertation on the Internet.	⇒	If the University recognizes that there is a compelling reason precluding the dissertation's publication online, you are required to post on the internet a summary of the dissertation instead of the full text.

Students who circled "To be confirmed" in response to any of the statements above should notify the administrative office of their Graduate School once confirmed.

Graduate School (for review): _____

Degree seeking applicant's name: _____

*I supervised and confirmed the above selections.

Academic advisor's name (Signature): _____

Confirmation date: DD/ MM/ YYYY

*Main supervisor will sign here in case applying for 乙号.

4 . Follow the procedures for obtaining copyright permission.

1) Copyright

Copyright is the exclusive right of the owner of a work (e.g. academic papers), which is protected by the Copyright Law and is part of the intellectual property rights along with patents and industrial property rights. If you include copyrighted material as part of your doctoral dissertation, you need to obtain permission from the copyright holder. If you use your own work when copyright of the work is not held by you, you need to obtain permission from the copyright holder (e.g. academic societies and associations).

Failure to comply with the copyright law may result in the revocation of permission to use the copyrighted material or a claim for compensation. To avoid such risks, you must carry out appropriate measures.

2) Copyright permission

Copyright of academic articles are often transferred to the academic societies and associations or a publisher during the process of submitting or peer reviewing the articles. However, when the final draft of an academic article is submitted to the academic societies and associations, the copyright is vested in the society or association to which the student belongs.

Before a student filing their application for a doctoral degree posts their doctoral dissertation on the Internet, the student must always obtain permission from the appropriate academic societies and associations or publisher for reproduction rights and the right of public transmission.

3) Confirmation of permission for use of content copyrighted by academic societies and associations or a publisher

A student can still post their academic articles copyrighted by academic societies and associations or a publisher on the Internet if the student can obtain permission for use. Before or after a student files an application for a degree, the student should check the copyright policies of the academic societies and associations or the publisher, and obtain permission for use necessary to post their doctoral dissertation on the Internet. Copyright policies of academic societies and associations can be found on the following website.

Society Copyright Policies in Japan website: <http://scpj.tulips.tsukuba.ac.jp>

■ Archiving policy categories in SCPJ database

Green – An author can archive both preprints and postprints.

Blue – An author can archive postprints.

Yellow – An author can archive preprints.

White – Archiving not supported.

Gray – Under review / not published / no response / other

How to proceed after checking the policies:

Green or Blue: Doctoral dissertations can be posted on the Internet.

Note 1: Check the conditions of use (conditions of release) if there are any conditions established. If a student is unable to understand the details written in Japanese, the student should contact the administrative office of the Graduate School where the student filed their application for their doctoral degree.

Note 2: If the conditions of use require a written request, a student must submit a request form.

E.g. **Application (Sample)**

Yellow, White, or Gray: A student must contact the academic societies and associations to confirm details. If a student is unable to communicate with the academic societies and associations in Japanese, the student should contact the administrative office of the Graduate School where the student filed an application for a degree.

Attachment 2
Application (Sample)

〇〇年 〇〇月 〇〇日

(Year/Month/Day)

公益社団法人 〇〇学会/〇〇 Association

〇〇 〇〇委員長 殿/ To President, 〇〇

機関リポジトリへの論文掲載申請書

Request Form for Publishing Dissertation to Institutional Repository

貴学会所有の下記著作物を機関リポジトリにて保存・公開する許可をいただきたく、申請いたします。

I hereby apply for permission that the following copyrighted work owned by your Association be preserved and posted online in the institutional repository below.

掲載先（以下、本掲載先）/Publisher

機関リポジトリ名/Institutional repository: Ritsumeikan Research Repository (R-Cube)

URL: <http://r-cube.ritsumei.ac.jp>

管理者名（責任者名、サーバ管理団体など）/Administrator: Shuhei NINOMIYA, Library Director of Ritsumeikan University

掲載論文（以下、本論文）/Published dissertation

Journal title:

Volume / year / I D （開始ページ）/start page:

Article title:

Author(s):

申請者/Applicant

氏名/Name:

大学名、企業名、団体名/University, Company, Organization:

所在地/Address:

電話番号/Tel No.:

F a x 番号/Fax No.:

E-mail address:

公開にあたっては下記の事項を遵守いたします。

I will comply with the guidelines below for the publication of the dissertation.

1. 本掲載先以外には掲載しない。

The dissertation shall not be distributed in any journal other than that of the publisher.

2. 本論文の営利目的の利用を行わない。

The dissertation shall not be used for commercial purposes.

申請者署名/Applicant's Name: _____

機関リポジトリへの論文掲載許可書/Permission for Publishing Dissertation to Institutional Repository

様

本掲載先への本論文の掲載を許可します。

I hereby grant permission for the applicant to publish his/her doctoral dissertation to the publisher.

年 月 日

Year/Month/Day

公益社団法人 〇〇学会 〇〇委員長

〇〇Association

President

〇〇

4) Confirmation of permission for use of joint copyright

Joint copyright cannot be exercised without the agreement of all parties involved. As authorization from all authors including researchers outside the University is required, the student must submit **Permission to Include Coauthored Paper** immediately after filing an application for a degree.

Attachment 3

Letter of Consent

I, as a co-author / joint researcher of the doctoral dissertation written by Mr./Ms. ●●●●, hereby give my consent for him/her to be the owner of the following materials written in collaboration with me for his/her doctoral dissertation.

Please check appropriate box.

- ☐ I agree to allow Mr. / Ms. ●●●● to post the full dissertation through Ritsumeikan Research Repository (R-Cube) according to the operation guidelines of Ritsumeikan Research Repository (R-Cube).
- ☐ I do not agree to allow Mr. / Ms. ●●●● to post his/her full dissertation through Ritsumeikan Research Repository (R-Cube), but I agree to allow him/her to post a summary instead.

(1) Published date: DD/MM/YYYY

Name of magazine:

Chapter:

Page No.: ●—●

Title of paper:

Authors' names: (Write all authors' names in the order written in the dissertation)

(2) Published date: DD/MM/YYYY

Name of magazine:

Chapter:

Page No.: ●—●

Title of paper:

Authors' names: (Write all authors' names in the order written in the dissertation)

(3) Published date: DD/MM/YYYY

Name of magazine:

Chapter:

Page No.: ●—●

Title of paper:

Authors' names: (Write all authors' names in the order written in the dissertation)

DD/MM/YYYY
Co-author/ Name of joint researcher
Name: Stamp
(Signature)

5) Confirmation of permission for use of personal information

If a doctoral dissertation contains personal information, pursuant to personal information protection laws, the student must always obtain permission from individuals or groups who provided personal information in order to post the dissertation on the Internet. A student who is unable to obtain permission should contact the administrative office of the Graduate School where the student filed an application for a degree.

Attachment 4**Ritsumeikan Research Repository (R-Cube) Registration
Consent Agreement**

Date: YYYY/MM/DD

ATTN: Library Director of Ritsumeikan University

Name: _____ stamp
(Stamp unnecessary if signed)

Graduate School (for review):

Student ID number:

(Unnecessary to fill in ID for the applicants of 乙号)

Contact Information

Telephone number:

Mobile number:

Email address:

Title of dissertation	_____ _____ _____ _____
Format of dissertation	<input type="checkbox"/> Full text of dissertation / <input type="checkbox"/> Abstract of dissertation
Date of submission for doctoral dissertation in PDF	YYYY/MM/DD
Conditions	<p>I agree to the following:</p> <ul style="list-style-type: none"> -My electronic dissertation be collected and loaded into the “Ritsumeikan Research Repository (R-Cube)” database and published on the internet. -The registered data be managed subject to the guidelines of the Ritsumeikan Research Repository. -Users may download and print the full-text of the dissertation. -The dissertation be loaded into and managed in the NII Institutional Repositories Program [部課用1] operated by the National Institute of Informatics (国立情報学研究所). -The dissertation be loaded into and managed by the National Diet Library. <p>Dissertation release date:</p> <p><input type="checkbox"/> Soon after degree is received</p> <p><input type="checkbox"/> ○○ months after degree is received</p> <p>Remarks:</p>

Attachment 5

**Application for posting summary of doctoral dissertation
on the website of R-Cube**

Date: DD/MM/YYYY

Dear President of Ritsumeikan University

I hereby apply to post a summary of my doctoral dissertation instead of its full text on the website of “Ritsumeikan Research Repository (R-Cube)” for the reason below.

Should this circumstance change and there are no reasons precluding the posting of the full text online, I shall post the full text online.

(Check the applicable box below.)

☐ The doctoral dissertation includes content such as a three-dimensional object that precludes it from being uploaded on to the Internet.

☐ Reasons related to copyright protection, personal information protection or a patent preclude the doctoral dissertation from being posted on the Internet over a certain period from the date the doctoral degree was received.

☐ Publication of my dissertation in an academic journal that prohibits multiple publications, or reasons related to a patent application implicate that I would incur a clear disadvantage over a certain period from the date the doctoral degree was received, should the full text of my dissertation be published on the Internet.

*Publication possible from: DD/MM/YYYY

☐ For all other reasons precluding the dissertation from publication on the Internet over a certain period.

*Publication possible from: DD/MM/YYYY

Graduate School (for review): ○○○○○

Name : ○○○○○○○○

(Seal unnecessary if applicant name is handwritten)

Summary of Thesis Contents

If the University acknowledges that a student cannot post his/her doctoral dissertation on the Internet due to unavoidable reasons such as copyright protection or personal information protection, the student is required to post a summary of their doctoral dissertation (hereinafter referred to as the "Summary of Thesis Contents") instead of its full text on the Internet. (Please note that the "Summary of Thesis Contents" is not identical to the "Abstract of Doctoral Thesis" that you submit at the time of application for a doctoral degree.)

Items to be included in the Summary of Thesis Contents, common to all Graduate Schools, are described below. Based on these items, each Graduate school establishes their own approach to the Summary of Thesis Contents. For further details, contact the administrative office of your Graduate School.

The Summary of Thesis Contents consists of the following items.

- ① Title of thesis
- ② Abstract
- ③ Objective and chapter composition
- ④ Summary of each chapter
- ⑤ Conclusion (Result / Consideration)
- ⑥ Main references

Submission date: Submit the Summary of Thesis Contents to the administrative office of each Graduate School prior to the oral examination.

Reference

Library Committee

March 1, 2010

Operational Guidelines of the Ritsumeikan University Research Repository

(Purpose)

Article 1

These Guidelines stipulate matters concerning the operation of the Ritsumeikan University Research Repository (hereinafter referred to as the “Repository”). The purpose of these guidelines is to contribute to the further advancement of academic research by making academic information that is the product of research and educational activities (hereinafter referred to as “Academic Work”) at Ritsumeikan University (hereinafter referred to as the “University”) widely available in and outside of the University and thereby promoting and supporting the research and educational activities of the University.

(Definitions)

Article 2

The Repository is an entity whereat the university library registers Academic Work produced at the University, permanently stores it in a digital format, and publicizes it at no charge in and outside of the University.

(Academic Work eligible for Repository registration)

Article 3

Academic Work eligible to be registered in the Repository shall meet the following criteria:

- (1) The work is the outcome of academic research or is research or education related material.
- (2) The principal content of the work was produced at the University.
- (3) The work is in digital format.
- (4) The work can be transmitted over a network.

(Persons eligible to register Academic Work)

Article 4

Persons who fulfill one of the following requirements shall be eligible to register their Academic Work at the Repository:

- (1) Any person involved in the production of Academic Work who is currently/was previously enrolled at the University.

- (2) Any organization of which the person in (1) is a member.
- (3) Any person who has received a degree from the University.
- (4) Any person who is considered to be appropriate by the Director of Ritsumeikan University Libraries (hereinafter referred to as the “Director”).

(Use of registered Academic Work)

Article 5

The university library shall use Academic Work registered at the Repository as prescribed below:

- (1) Create a copy of the Academic Work and save it in the Repository server.
- (2) Send the copied work at no charge to an unspecified large number of people via a network.
- (3) Back up the copied work and make a copy for use.

(Registering at the Repository)

Article 6

Any person who, or group that, wishes to register work (hereinafter referred to as the “Registrant”) shall abide by the matters prescribed in Article 7 and submit to the Director a written proof of the copyright owner's consent for the Academic Work to be registered at the Repository.

(Matters concerning copyrights on Academic Work)

Article 7

In cases where the copyright on an Academic Work belongs only to the Registrant, the Registrant shall grant the university library permission to use the Academic Work at no charge as prescribed in Article 5.

2. In cases where the copyright on an Academic Work belongs to multiple persons including the Registrant, the Registrant shall obtain in advance consent in writing from all owners of the copyright for the university library to use at no charge the Academic Work as prescribed in Article 5, and then shall complete the registration procedures.

3. In cases where the copyright on an Academic Work belongs to a person other than the Registrant, the Registrant shall obtain in advance the consent of the person who owns the copyright for the university library to use the Academic Work as prescribed in Article 5 at no charge, and then shall complete the registration procedures.

4. If the publication of an Academic Work leads to the infringement of the portrait rights or rights concerning personal information of a person other than the Registrant, the Registrant shall obtain in advance written consent for publication from the person.

5. The Registrant shall investigate, before registering the Academic Work, into whether there are any other obstacles to the registration and publication of the Academic Work such as the copyright of the

publisher.

6. All copyright owners shall retain their copyrights even after the Academic Work, to which the copyrights pertain, has been registered at the Repository, and the university library's usage of the Academic Work shall not extend beyond the scope of use prescribed in Article 5.

(Refusal to register)

Article 8

The Director shall, if any of the following conditions apply, refuse to register an Academic Work:

- (1) The Academic Work has content that infringes on copyrights belonging to other persons.
- (2) The Academic Work contains content that infringes on public order and morality and/or includes content that is socially inappropriate.

(Publication)

Article 9

The university library shall register Academic Work provided, save it on the server, and publicize it via a network.

(Deletion and non-publication)

Article 10

If there is a reason for any of the following to be applicable to an Academic Work that is to be registered or has been registered already, a part of or the entirety of the Academic Work shall be deleted or withheld from publication.

- (1) A request for deletion or non-publication is made.
 - (2) The copyright and/or other rights of other persons are violated.
 - (3) The work is deemed to contain content that infringes on public order and morality and/or includes content that is socially inappropriate.
2. The Director shall adjudicate the deletion or non-publication stipulated in the foregoing paragraph.
3. Even if a request for non-publication, as prescribed in clause 1 of paragraph 1, is made, the catalogue information shall remain publicized as at the time of registration.

(Terms of use)

Article 11

All persons who intend to utilize Academic Work registered at the Repository shall abide by the following:

- (1) Conditions stipulated in laws and regulations relating to the Copyright Act and other acts.

(2) Terms set by a publisher pursuant to their posting rules and/or a publication contract when the Academic Work concerned has already been published and disclosed to the public by the publisher prior to being publicized by the Repository.

(Disclaimer)

Article 12

The University assumes no responsibility and shall not be liable for any damage resulting from the registration, publication, or use of Academic Work at the Repository.

(Other)

Article 13

Any matters of doubt arising out of, or in connection with, these Guidelines or any matters not stipulated in these Guidelines shall where necessary be settled through consultation between the Registrant and the Director.

(Amendment and abolition)

Article 14

Amendment to, or abolition of, these Guidelines shall be adjudicated by the Library Committee.

Supplementary provision

These Guidelines are effective from April 1, 2010.

4. Ethics for research involving people

(1) Introduction

"Research involving people" means investigations and experiments which collect information from individuals or groups about their conduct, physical or mental condition, environment, etc.

The following are envisioned as examples of difficulties when performing such "research involving people".

- After you received consent from the research subjects and began the investigation/experiment, a coworker points out that there might be an infringement of human rights.
- You said you would provide feedback; however, the experiment/investigation result is an unexpected result that is negative for the research subjects.
- Even though you anonymized the data when presenting the result, using pseudonyms such as "Student A who goes to a private university in Kyoto", there was a complaint about an infringement of privacy.
- You want to research a special characteristic about a certain area, but you're worried it will result in prejudice or discrimination.
- You noticed there is a chance a research subject is being abused. (*)



(*) The duty to report child abuse, etc, is not superseded by the duty of confidentiality. In other words, the researcher has the duty to report abuse.

"Research involving people" involves some kind of burden on the research subject, such as time constraints, mental or physical risk, or the supply of personal information. There are many things that are indispensable when performing "research involving people", such as proper ethical consideration, researchers fulfilling their accountability, and gaining consent from research subjects to cooperate with the research based on their own free will. While making considerations so as not to interfere with the research result, carefully investigating these matters improves the relationship with the research subjects and, at the same time, densifies the research proposal. Also, careful and thorough consideration will help you properly respond should you face any difficulty.

Our University has the Ethics Review Committee for Research Involving Human Participants as an agency for reviewing research implementation proposals so that this kind of "research involving people" can be carried out smoothly.

One could say that, fundamentally, ethical consideration for carrying out research is something that researchers themselves create originally by continuing to inquire while reflecting conventional wisdom. However, particularly in cases where ethical considerations are necessary, we recommend that researchers confirm that their research proposals are appropriate by receiving confirmation from a third party; in other words, by undergoing the Committee's review and receiving approval. Also, some academic journals and academies have established codes of ethics and many require the approval of an ethics review committee for submissions or presentations. When you consider the location where you want to present your research result, confirm their code of ethics and, if necessary, apply to the review committee.

Each research office performs support aimed at resolving any trouble that occurs when carrying out research. If any trouble occurs when carrying out research, one can expect a smoother, proper resolution for problems if the review process was completed before the research was started. The review committee does accept applications after the start of research; however, we recommend undergoing a review before beginning research whenever possible.

Furthermore, when performing research that is subject to policies decided by central government agencies, such as clinical or epidemiology research or research on the human genome and gene analysis, the research must be implemented based on those policies. For details, please check "5. Ethics for research involving humans" on page 23.

(2) Regarding research subject to a review and the applicant

The proposal for "research involving people" means investigations and experiments which, through clinical or on-site surveys or experiments, collect information from individuals or groups about their conduct, physical or mental condition, or environment, etc. You can use the check sheet prepared by the Committee to confirm if part or all of your research requires ethical consideration. If even only a part applies, we recommend applying for a review. Not only faculty, but anyone who performs research activities at our University, such as research staff, graduate school students, and undergraduates can apply as "researchers". However, for research of undergraduate students, please deliberate regarding the necessity of applying for an ethics review under the instruction of the responsible faculty member. For research done as part of a class, in general, we ask that the person in charge of the class apply at his/her own discretion.

(3) Method for applying

1) Use the check sheet for checking if an ethics review is necessary

Check if there are any contents which require ethical considerations included in your research proposal.

If even only one item applies, we recommend applying for a review. If no item applies, but you still would like to apply for a review, please consult with the Office.

Furthermore, many academic journals you may be planning to submit to have established codes of ethics and require an ethical review at your affiliated agency (University, etc.). Please check in advance.



2) Submitting the documents for applying for a review

Please prepare the following documents and submit them to the Office.

① Check sheet

After the applicant confirms the checked items where ethical considerations are necessary, the contents of the application documents are confirmed.

② Application for a research ethics review

The review is performed while confirming the rationality of the method illuminated in the research purpose. In specific terms, please describe the outline of the research, including the publication method of the research result, the research subjects and the research request/method of explanation, and the method of managing personal information.

③ Informed consent check sheet

In general, we recommend explaining the sixteen items on this check sheet. Fill in the check sheet, reflecting the contents you expect to explain.

④ Related documents (Explanation/consent sheet, questionnaires/research items (plan), prior research theses, etc.)

Please attach materials used to explain the research to research subjects, the consent sheet, as well as any materials which will help the Committee to understand the contents of the research proposal. These documents will be used to confirm the contents explained to the research subjects and the presence of invasiveness, etc.

(4) Flow of the review

1) Flow of the review

In general, the application deadline is the 15th of each month. We plan to send the review result notification by the 15th of the following month. Please check the detailed schedule on our homepage.

<http://www.ritsumei.ac.jp/research/ethics/mankind/>

- The Office receives the application documents.



- The Office confirms their contents.
 - The appointed Committee Members perform a provisional review.
- During this stage, we may confirm some details or you may have to investigate revisions to the application documents.



- Review Committee (Review)
- Result notification

* We plan to send the result notification approximately one month after the review application deadline. However, depending on the contents of the application, completing the review may take some time.

For the whole flow, please refer to "(8) Review flowchart" (P. 19).

2) Regarding fast-track reviews

If the Committee Director acknowledges that any of the following applies, the review procedure is simplified, and three committee members perform the review on paper. (According to the regulations in Article 9 of the Committee rules)

- ① Reviews which involve slight changes in a research proposal, etc.
- ② Reviews which involve research proposals that conform with research proposals already approved by the Committee
- ③ Reviews which involve research proposals that do not involve danger for the research subjects in excess of the minimum danger (meaning danger that is socially allowed and does not exceed the risk of physical, mental, or social harm that one bears in every-day life)

If you would like a fast-track review, please let the Office know when you are applying.

3) Review result

The review result is determined by the following items, and is sent to the applicant via e-mail.

- ① Approval
- ② Approval with conditions --- Research is approved after a response to the Committee's findings has been confirmed.
- ③ Recommendation of change(s) --- The applicant must change the research proposal and resubmit the application documents.
- ④ Disapproval
- ⑤ Not applicable

* In the case of ② or ③, if the conditions in the findings of the Review Committee are not met or there is no response for the research proposal by the third time the Review Committee meets after the review result notification is sent, then the application for the said research shall be deemed to have been canceled.

(5) Method for filling in the application

O General notes

The Review Committee Members consist of members from multiple disciplines, including members from outside the University. Be sure to use expressions that are easy to understand so that Committee Members who are not in your particular field can understand. In particular, for technical terms and abbreviations, take steps such as explaining the meaning in brackets the first time the word appears.

We ask that researchers be careful about the following items when filling in the application.

Application - I. Researcher

•Applying researcher

Regarding the applying research proposal and research subjects, if there are any affiliations (workplaces) other than this University, please fill in the details. These details will be considered when considering issues of conflicts of interest or consent to participate in research from research subjects under their free will.

•Collaborators in implementing the experiment/investigation

If there is a collaborator who has a direct connection with a research subject, please use section II-9 of the application to describe whether there was training in advance.

Application - II. Outline of the research

•Purpose and significance of the research

Be careful to use expressions that are easy to understand, and describe the background, such as previous research, as much as possible. Also, if there is an important thesis from previous research, please quote it and explain it, and submit it as reference material.

•Method of research

Please describe the method in specific terms. In particular, regarding items related to research subjects (investigation period, time, number of times, etc.) and the details of experiments, please provide an explanation that is as clear as possible. If you cannot write everything in this section, please attach a separate sheet.

•Location of the research (experiments/investigations/practices, etc)

If you are implementing research outside of the University, use section III-3 of the application to describe the method for requesting cooperation in the research from the person in charge of that facility.

•Expected research result

In addition to the expected research result for academia, please describe the research's expected contribution to society.

•Publication method of the research result

Please describe, in specific terms, the type of thesis (graduation thesis, master's thesis, doctoral thesis), the academic journal you plan to submit to, the name of the academy where you plan to make a presentation, etc. In recent years, cases where the research results are published online through electronic journals or electronic archives have been increasing. Please keep this in mind when providing an explanation to the research subjects.

Application - III. Regarding the collection and sampling of research subjects' and personal information and data

•Type and number of participants

Please write how many people and what kind of people you are planning to make your research subjects.

• **How subjects are selected and the reason why**

Please describe the method for selecting research subjects and, if there are selection criteria, the reasoning behind those criteria. If you are not recruiting subjects, describe how the subjects became research subjects in a way that is easy to understand. Also, if you are recruiting subjects using documents, please attach and submit those documents.

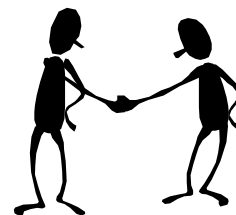
• **Request for cooperation in the research and the method of explanation (informed consent)**

Please describe who you are giving an explanation to and gaining consent from. Also, if the research subject cannot give informed consent, please describe the reason why.

■□■□ What is informed consent? □■□■

Informed consent means that a person who is desired as a test subject receives a sufficient explanation of the said research from the researcher in advance, understands the significance, purpose, method, etc, of the said research, and, based on his/her own free will, consents to becoming a research subject and being used as a specimen.

Below are the things you must be careful about when getting informed consent.



① **Regarding legal guardians**

If it is determined that a research subject does not have the capacity to give consent because he/she is a minor or has a disability, you shall gain consent from someone such as the subject's guardian, in place of the subject himself/herself.

Even in cases where you gain consent from a legal guardian, you must do whatever you can to give an explanation to the research subject so that he/she understands, too.

② **Regarding the explanation and consent form**

In general, the confirmation of consent is performed in writing.

The applicant can use any format for the document. However, we recommend writing the items written in the informed consent check sheet.

Aside from these items, the date the explanation was given, the name of the person providing the explanation, the confirmation of consent, and a section for signing are generally included.

③ **Notes for when creating the document**

It is very important to explain the research in words that are easy to understand so that the research subject can understand.

Of course, you should refrain from using technical terms, or if you do use them, provide explanations in brackets. Please think about the research subject's position and write a document that will be understood.

④ **Notes for when providing the explanation**

If a more thorough explanation is necessary, do not give only a written explanation to the research subject, but supplement that with a verbal explanation. This will allow for a better understanding.

⑤ **Method for keeping the document**

Provide a copy of the signed explanation / consent document to the research subject, and have both parties keep a record of the consent contents.

A signed consent document is a document with personal information. Researchers must carefully store these documents in accordance with the method for storing personal information as written on the application, so that there are no leaks.

•**Specific method for subjects to withdraw consent during research, and how to ensure the right to prevent any disadvantage thereby**

Please describe how research subjects can convey their will in the event they decide, even though they consented to become research subjects, that they want to cancel their participation once the investigation or experiment is underway. Also, describe how you will respond so that the research subject will not be disadvantaged because of this.

•**Method for collection and sampling personal information and data**

Please describe what kind information you will collect, and the method you will use to collect and sample this information when carrying out the research. If information gathered by the researcher(s) contains information provided by a third party, please organize and describe the information.

If you have any forms to fill in or survey drafts, please attach them to the application documents.

•**Potential dangers or disadvantages for the research subjects**

① **Contents of the danger or disadvantage**

Please consider not only physical danger for the research subjects, but also cases involving mental burden, such as when you ask personal questions, and describe those contents.

② **Responding to danger or disadvantage**

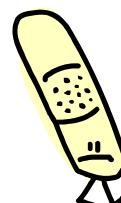
Especially in cases where the danger or disadvantages you considered in (1) exceed the risk of physical, mental, or social harm that one bears in every-day life, please describe how you will respond in specific terms.

③ **Regarding compensation in case of accidents, disputes, and conflicts of interests**

For research proposals with the possibility of an accident occurring, we recommend being prepared with insurance, should an accident occur. Furthermore, if students or graduate students are performing research activities, the insurance our University has (and they can have) includes Personal Accident Insurance and Personal Liability Insurance. (See below.)

In addition, please consider all possible accidents and entering compensation (insurance) based on the research proposal.

Also, consider in advance how you will respond so that, in the event of an accident, you can respond calmly, and describe your response here so that you can display the related contact information, such as a public health center.



■□■□ What are Personal Accident Insurance and Personal Liability Insurance? (Applicable to students and graduate students) ■□■□

Our University pays the premium to enter the "Personal Accident Insurance for Students Pursuing Education and Research (Personal Accident Insurance)", which applies to all undergraduate and graduate students. Injuries that undergraduate or graduate students sustain during research activities in the University are subject for insurance support. (There are some exceptions.)

Also, by participating in the optional contract of "Personal Liability Insurance for Students (Personal Liability Insurance)", researchers can secure compensation if they are held liable for damage compensation for causing a research subject to sustain an injury.

Some research departments have entered the Personal Liability Insurance at the department's expense (the research department bears the premium). Please inquire at the department's Office. Also, regarding the Personal Accident Insurance or the procedures in the event of an accident, please inquire at the Student Office.

You can also check the home page of the Japan Educational Exchanges and Services for details about Personal Accident Insurance and Personal Liability Insurance.

<http://www.jees.or.jp/index.htm>

• **Presence of compensation and the like for research subjects or organizations**

If you have prepared compensation, please describe the details and the applicability of the settings.

This will be used to consider if a high compensation was used to attract the participation of research subjects and had an effect on their consent through free will.

• **Presence of an expected benefit for research subjects directly brought about by participating in the research**

Please write if there are some benefits, such as having a new experience, other than compensation.

(The presence of a direct benefit is not a condition for approval, but it will be considered when weighing the benefits and the risks for the research subjects (considering if the expected benefits can justify the possible risks).)

• **Conflicts of interests and conflicts of responsibilities**

■□■□ What are conflicts of interests and conflicts of responsibilities? ■□■□

A conflict of interests (or a conflict of responsibilities) means situations where there are worries from a third party that a relationship with an extramural or concurrent employment activity or sponsor may affect the researcher's ability to make proper decisions during the research, or there are similar worries because of a blood or professional relationship, or there are worries that may affect the consent through the research subject's free will.

Example 1) A company where the researcher holds an office or owns stock has commissioned research at our University.

→The position in the company (profit) and the responsibility to perform education and research in the University can conflict and clash.

Example 2) A researcher requests that his/her subordinate at work cooperate with the research.

→The professional position in the company and the position as a researcher in the University are mixed up.

If it is believed that there is a conflict of interests or a conflict of responsibilities, please describe the details and the management method (accountability and disclosure to fulfill the social responsibility as a researcher at our University).

Also, please be aware that if you are contributing to an academic journal, particularly an overseas journal, you may be asked to describe any conflicts of interest (COI). For details, inquire at our Office.

• **Anonymizing of personal information**

■□■□ What is personal information? ■□■□

Personal information means information that can be used to identify a particular person, such as a name, date of birth, or other descriptions. Along with taking all possible measures to ensure the safe management of materials and data, etc, which was collected related to the research, the researcher must not release any personal information gained while carrying out the research without the consent of the concerned individual.

Linkable anonymizing is a management method where you remove personal information from the collected data and store it separately, and use correlating numbers so that you can know who certain data belongs to. Unlinkable anonymizing is a management method where you remove personal data without creating another sheet, making it so that you can't know who certain data belongs to.

In cases where there are few research subjects or it is substantially impossible to separate the personal information and the data, check (5) Other, and describe the reason (collection of credentials that cannot be anonymized), and how you will anonymize the information during the presentation.

•**How to store the collected personal information and data**

Consider specific measures you can take to prevent the leakage or loss of personal information, such as keeping the data in a locked bookcase, and describe them here.

In particular, be careful when considering moving or keeping data using USB memory; the risk the data will be lost is increased.

Also, if you have personal information or data that includes personal information saved on a computer connected to the Internet, there is a risk the data can be leaked. Please consider the appropriate management, such as managing the information on a stand-alone computer or using encryption.



•**How to dispose of collected personal information and data**

It is necessary to keep the collected data for the period required to perform subsequent verification. Please describe the expected period and the method for properly disposing of personal information and data that no longer needs to be kept.

(6) List of forms

The following forms can be downloaded from our homepage.

<http://www.ritsumeai.ac.jp/research/ethics/mankind/>

- Check sheet for ethics reviews for research involving human participants
- Application for an ethics review for research involving human participants
- Informed consent check sheet

(7) Inquiries

Please refer to the Office on each campus for inquiries and consultation.

(Weekdays: 9:00 - 11:30, 12:30 - 17:30)

OKinugasa Campus Review Committee Office (including Suzaku Campus)

Research Office (Kinugasa)/Kinugasa Shugakukan, 2nd floor

TEL: 075-465-8224 (Ext: 511-2806)

FAX: 075-465-8245 (Ext: 511-2544)

E-mail: k-rinri@st.ritsumeai.ac.jp

OBiwako-Kusatsu Campus Review Committee Office

Research Office (BKC)/Rohm Plaza, 1st floor

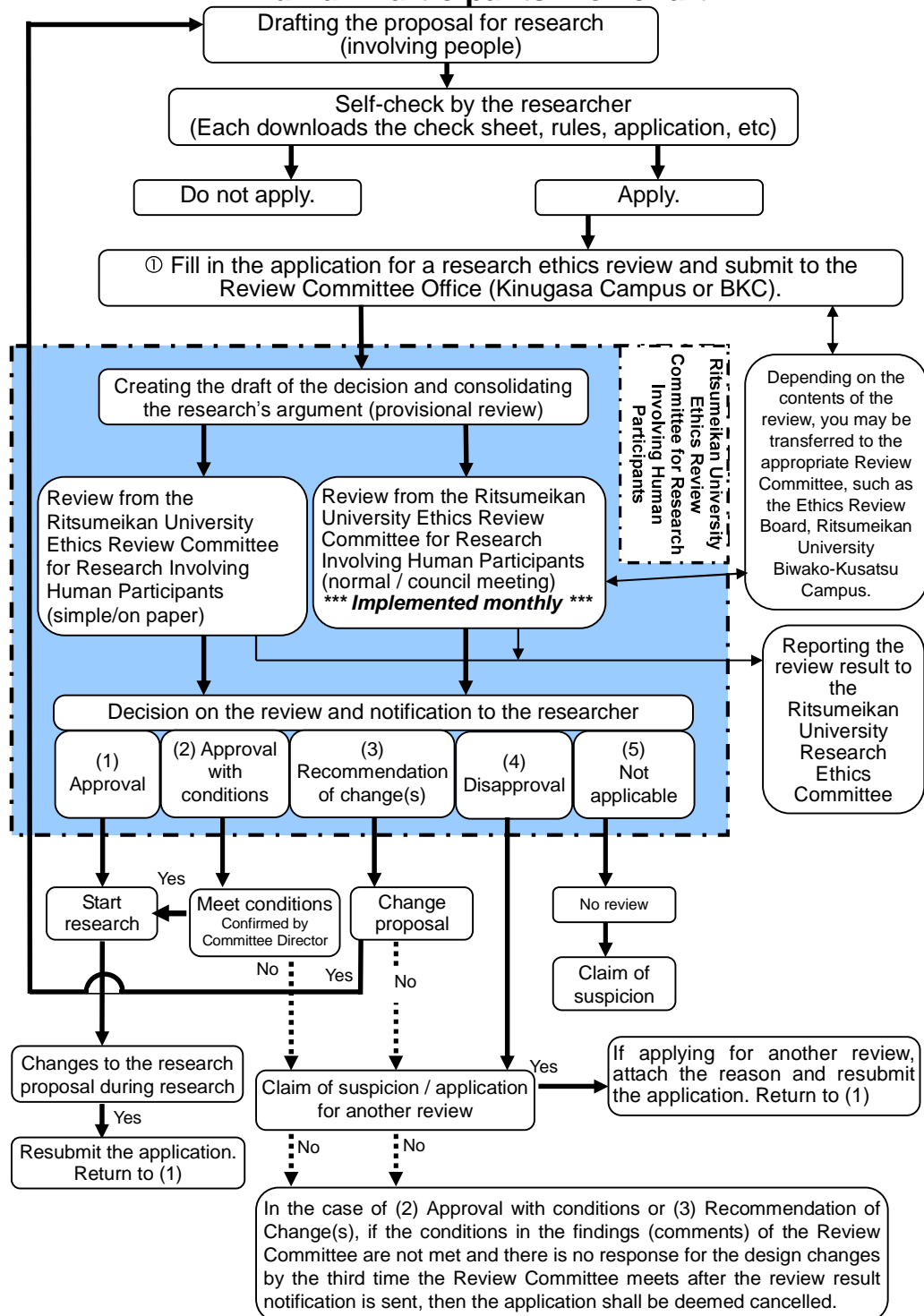
TEL: 077-561-3488 (Ext: 515-6510)

FAX: 077-561-2633 (Ext: 515-6519)

E-mail: b-rinri@st.ritsumeai.ac.jp

(8) Review flowchart

Ritsumeikan University Ethics Review for Research Involving Human Participants Flowchart



Ritsumeikan University Ethics Review Committee for Research Involving Human Participants
(Updated December, 2010)

(9) Q & A

- ※ This Q & A was created provisionally at our Office with the purpose of providing information related to this system.
- ※ In the future, we plan to review it as appropriate to more closely reflect the actual condition. Please contact our Office with any opinions or requests.

Q1 Please tell me the definition of "research involving people" and what is subject to a review.

- A1 In the "Ritsumeikan University Ethics for Research Involving Human Participants Policy", "research involving people" is defined as "including sampling data or collecting information from individuals or groups about their conduct, physical or mental condition, or environment, etc, through clinical/on-site, humanities or social science surveys or experiments". Research subject to a review is not limited to disciplines in humanities and social sciences, but includes any research that requires ethical considerations in the implementation of the research, such as the collection of information or data from individuals or groups, even if it does not correspond to the policies decided by central government agencies.

Q2 Is it absolutely necessary to apply for a review when performing research?

- A2 Currently, it is not an obligation. We perform reviews on request from researchers. However, we recommend undergoing a review for research proposals which particularly require ethical consideration.

Q3 What exactly does "research proposals which particularly require ethical consideration" mean?

- A3 We have prepared the "Check sheet related to 'Ritsumeikan University Ethics Reviews for Research Involving Human Participants'" which will help you determine if your research requires ethical consideration. Even if your research does not apply to the check sheet, but you would like confirmation from a third party regarding ethical considerations or the academy you're using requires this confirmation, you can undergo a review on request. Please inquire at the Office on your campus.

Q4 When should I apply for a review?

- A4 It is preferable to have a review after drafting your research proposal but before implementing (starting) the research. If you apply after starting your research, it will become difficult to respond to directions from the Committee. At the latest, please try to apply for a review before getting consent to participate in the research from your research subjects.
Furthermore, if it becomes necessary to undergo a review after starting the research, you can still apply. Please consult the Office on your campus.

Q5 Specifically, what kinds of contents are reviewed?

- A5 We perform the review focused on whether the research is being proposed with ethical consideration for the individuals or groups that are the research subjects. For example, is the method for the experiment or survey appropriate in light of the research purpose? Is there mental, psychological, or physical invasiveness (risk)? If there is risk, is there sufficient benefit for the research subjects and social and academic significance to justify it (the weighing of benefit and risk)? What are the specific procedures (contents explained to research subjects, way of getting consent)?
Furthermore, this system exists not so much as to "give a stamp of approval to research", but rather, by having researchers look at their own research when undergoing the review, this system has significance in deepening the ethical investigation, in fulfilling ethical consideration for the research subjects, in bettering the researcher's relationship with the research subjects, and along with this, in refining the research proposal and leading to proper implementation of research.

Q6 Is it absolutely necessary to get informed consent? Can it be taken verbally?

A6 Our University's policy states that "As a general rule, when collecting or sampling personal information or data, the researcher shall gain consent from the research subject in advance". Also, as a general rule, it is required to get consent in writing. If you cannot get informed consent, or getting informed consent is not appropriate, please write the reason on your application.

Q7 Is there a certain format for informed consent?

A7 The Committee does not designate a fixed format. There are sixteen points indicated for the informed consent check sheet. Use the contents of these items when considering a format.

Q8 How should I keep the personal information and data I collected? When is an appropriate time to dispose of it?

A8 It is necessary to properly keep personal information so that it is not leaked or lost. Please consider specific measures, such as keeping documents in a locked bookcase and maintaining data in a stand-alone computer that is not connected to the Internet and then encrypting the data. Regarding personal information, it is generally required that one does not keep unnecessary personal information. It is appropriate to dispose of personal information you can determine to be unnecessary. However, it is necessary to keep the research data for a period so that subsequent verification can be performed. Please consider when you will dispose of personal information and research data, depending on their respective necessities.

Q9 Are experiments and surveys in classes subject to reviews as well?

A9 Even for experiments and surveys for education, we recommend that the faculty member in charge apply for a review for cases that require ethical consideration, in the same way as cases for research.
Also, for cases of performing research activities such as surveys as part of a class, the policy has the following rule. "In educational processes, such as class, lectures, practice, experiments and practical learning, etc, if collecting or sampling personal information or data from lecture students for research, the consent of the lecture students must be gained in writing in advance." Performing research in accordance with this is allowed. However, we recommend applying for a review, particularly in cases where ethical consideration is necessary.

Q10 During the review process, will there be inquiries from the Committee?

A10 Before the Committee (council meeting) decides the review result, 1) the Office will confirm the documents, and 2), the provisional review (a preliminary review done by appointed committee members) is performed. During those stages, we may confirm some details or you may need to consider revisions to the application documents.
Please be sure to use expressions that are easy to understand so that Committee members who are from different disciplines can understand your application documents. In particular, for technical terms and abbreviations, take steps such as explaining the meaning in brackets the first time the word appears.

Q11 Is the review result published?

A11 In accordance with our University's rules, summaries for approved research themes (research theme name, applicant, period of research and review result, etc) are published on our external homepage. However, the Committee may decide not to publish sections that may interfere with the protection of the research subjects' human rights, the originality of the research, or intellectual property rights, or may interfere with assuring a competitive position.

Q12 Please tell me the English name of the Committee.

A12 Please use the following English name.

Ritsumeikan University Ethics Review Committee for Research Involving Human Participants

Ritsumeikan University Ethics Review Committee for Research Involving Human Participants

How to Convert Word files to PDF files (for PC's pre-installed with Adobe Acrobat)

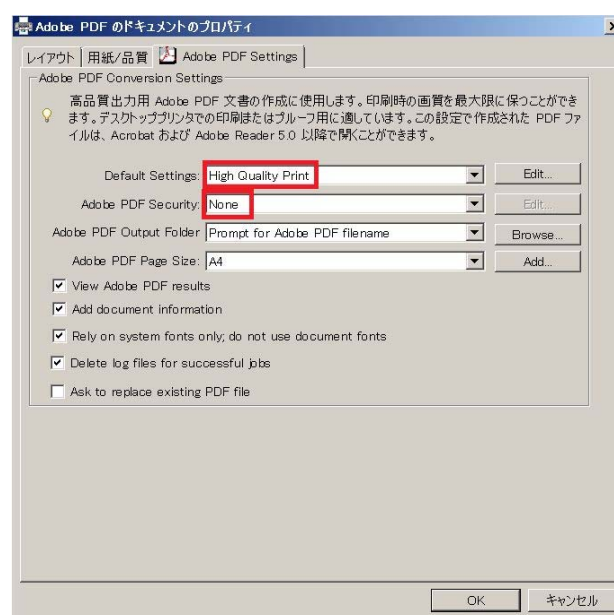
Outline

If Adobe Acrobat has already been installed on your computer, the steps for creating a PDF file are similar to those for printing a document.

Note: Adobe Acrobat is a product sold by Adobe Systems, Inc., and it is not free. Adobe Acrobat is not the same as Adobe Reader. Adobe Acrobat is pre-installed on all public computers on campus including computers in the library.

Step-by-step Instructions

1. Open the file to be converted into PDF format in MS Word.
2. Click File -> Print.
3. Select “Adobe PDF” from the Printer dropdown box then click “Printer Properties”.
4. Click the tab “Adobe PDF Settings”.
5. Select “High Quality Print” from the Default Settings dropdown box.
6. Select “None” from the Adobe PDF Security dropdown box and then click OK.
7. Click Print, select the save location and enter a filename for the PDF.
8. Check that there are no problems with the layout.



Supplementary Information

■ If the file size of the PDF exceeds 50MB, you may amend this using either of the following methods:

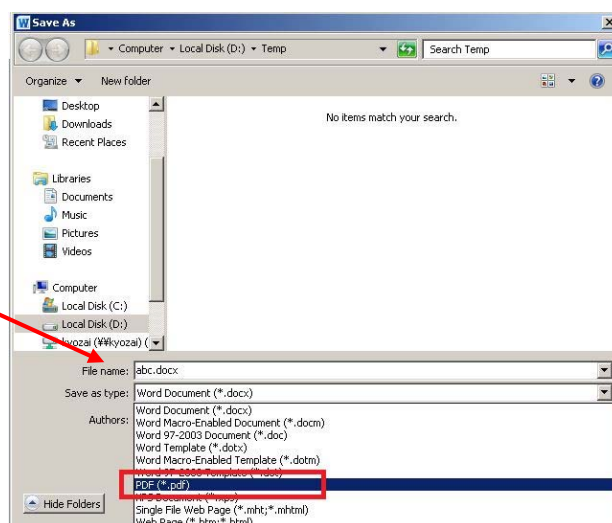
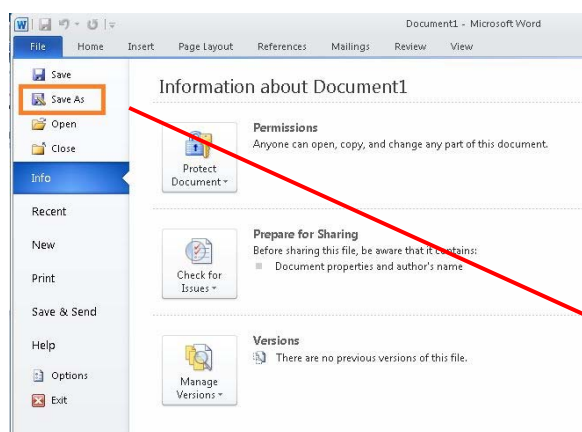
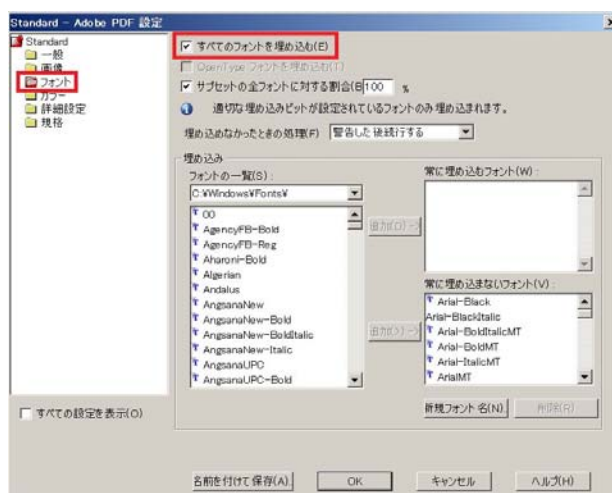
- Select “Standard” from the Default Settings dropdown box (referred to in Step 5). The quality of image content will fall; however, the file size will also decrease. You may specify more advanced settings by clicking on the Edit button (to the right of the Default Settings box) and then clicking the “画像” (Images) folder on the left in the newly opened settings window.

- Save the file across multiple PDF files ensuring that each PDF file has a file size of less than 50MB. By specifying the pages to be saved in each PDF, different sections of the file can be saved as different PDFs.

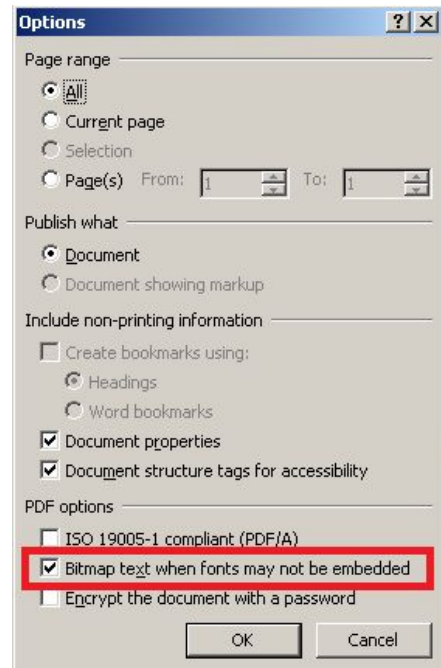
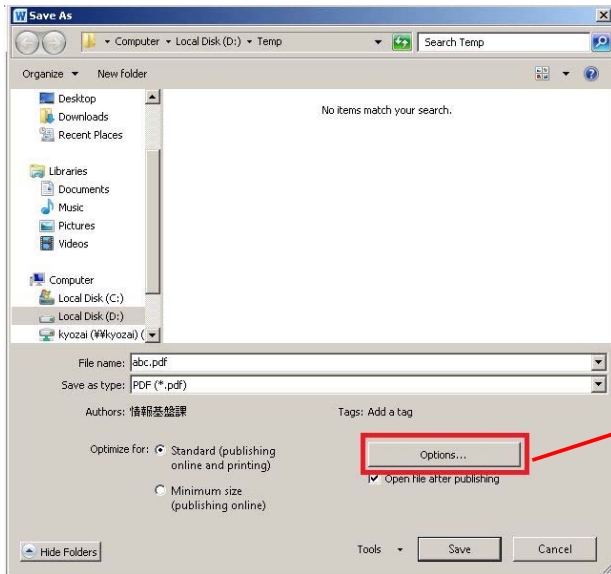
Font Embedding

All fonts are embedded by default; however, just to confirm this, click the Edit button to the right of the Default Settings box (referred to in Step 5), click the “フォント” (Fonts) folder and confirm that “すべてのフォントを埋め込む(E)” (Embed all fonts) is checked.

■ If font embedding is unsuccessful, click “Save As” and select “PDF” from the “Save as type” dropdown box.



Click Options and, in the settings window that opens, check “Bitmap text when fonts may not be embedded”. Click OK and then save the file.



Creating PDF files for Registration in the Ritsumeikan University Repository

The following are precautions and recommended settings to consider when creating a PDF file to be registered in the Ritsumeikan University Repository.

◆ Precautions

1. Things to check after file conversion

Errors, such as problems with the layout or charts not appearing, can result after converting a file to a PDF, particularly if using non-Adobe software. After conversion be sure to check for the following:

- (1) Problems with the layout
- (2) Missing embedded charts or photos
- (3) Missing characters

2. PDF version

The person who views the PDF file may not necessarily view it in the latest version of Acrobat Reader; therefore, if using the latest version of Adobe Acrobat to create the file, it is recommended that you set the PDF version to that indicated under “Recommended Settings” (below) when saving the file.

3. Embedding Fonts

If you have used any uncommon/special fonts, ensure that you set all fonts to be embedded before saving the PDF file.

4. Security Settings

Please do not configure any security settings. The university library will configure security settings. The following security settings will be configured when the PDF is published by the Repository:

- Changes to text not permitted
- Copying of text, images, etc. not permitted
- Printing permitted

5. File size

Reduce the file size if it is large as it contains many photos, charts etc. If it is not possible to reduce the file size to below 50MB, save the file across multiple PDF files ensuring that each PDF file has a file size of less than 50MB.

◆ Recommended Settings

PDF software: Adobe Acrobat

PDF version: Acrobat 5.0 (PDF 1.4) compatible or PDF/A-1

Font Embedding: Embed all fonts

Security Settings: None

File size: Less than 50 MB per PDF file (multiple files permitted)

Notification regarding Ministerial Ordinance for the Partial Revision of Regulations on Academic Degrees

A ministerial ordinance for the partial revision of regulations on doctoral academic degrees was promulgated on March 11, 2013 and will become effective on April 1, 2013.

With a view to promoting the digitization and public accessibility of the results of educational research, this revision is to establish a requirement for doctoral degree recipients to publish their doctoral dissertation online and the university conferring the doctoral degree to publish a summary of the content of the dissertation (an abstract) and the results of the dissertation review online.

Article 1. Partial revision of regulations on academic degrees

1 Overview of the revision

(1) Publication of doctoral dissertation abstract

Within three months of the day a university confers a doctoral degree, the university shall publish an abstract of the content of the doctoral dissertation and a summary of the dissertation review on the Internet. (Article 8)

(2) Publication of doctoral dissertation

- i. Within one year of the day a person was conferred a doctoral degree, the person shall publish the full text of the relevant doctoral dissertation. (Paragraph 1, Article 9)
- ii. If an unavoidable circumstance should arise, a doctoral degree recipient shall be permitted to publish a summary of the content of their doctoral dissertation in place of the full text, upon receiving approval from the university that conferred the doctoral degree. In this case, the university shall make available for inspection the full text of the dissertation upon request. (Paragraph 2, Article 9)

2 Important Notices

(1) Significance of publication

Doctoral dissertations are published with the objective of assuring their quality. In the past doctoral degree recipients were required to publish their dissertations in printed format. However, by requiring doctoral dissertations to be published online instead, dissertations can be publicized more effectively and the time and effort of the recipients in printing their dissertations can be saved.

(2) Publication method

In principle, a doctoral dissertation shall be published online via the institutional repository of the university that conferred the doctoral degree pertaining to the said dissertation.

(3) Omission of content

The following are examples of “unavoidable circumstances” whereby students are required to publish the text of their dissertation online exclusive of the content liable for preventing them from publishing their dissertation online:

- i. The doctoral dissertation cannot be published on the Internet as it contains material presented in a three-dimensional format.
- ii. The doctoral dissertation cannot be published on the Internet as it contains content that cannot be published for reasons pertaining to copyright protection, personal information protection, etc.
- iii. If publication of the full text of the dissertation will cause the doctoral degree recipient to suffer an obvious disadvantage arising from the dissertation’s publication in an academic journal that prohibits concurrent publication or in a separate published material, or for reasons related to the filing of a patent.

Doctoral degree recipients are required to publish the full text of their doctoral dissertations on the Internet with the assistance of their university once the “unavoidable circumstance” ceases to prevail.

5) Awareness of the revisions to academic degree regulations

All universities must ensure that doctoral students or those wishing to enroll on doctoral programs are aware of the revised academic degree regulations.

3. Enforcement

(1) The changes shall come into effect on April 1, 2013.

(2) The revised regulations will be applicable to those students who are conferred a doctoral degree after April 1, 2013.

Handled by
University Promotion Division, Higher Education Bureau, MEXT

Reference: Copyright Act (Act No.48 of May 6, 1970)

出典：著作権法（昭和四十五年五月六日法律第四十八号）

第三章 出版権

Chapter III Right of Publication

（出版権の設定）

(Establishment of the right of publication)

第七十九条 第二十一条に規定する権利を有する者（以下この章において「複製権者」という。）は、その著作物を文書又は図画として出版することを引き受ける者に対し、出版権を設定することができる。

Section 79 (1) The holder of the right provided for in Section 21 (in this Chapter referred to as "the holder of right of reproduction") may establish a right of publication in favor of a person who undertakes to publish the work in a document or picture.

2 複製権者は、その複製権を目的とする質権が設定されているときは、当該質権を有する者の承諾を得た場合に限り、出版権を設定することができるものとする。

(2) If a pledge is established on the right of reproduction, the holder of the right of reproduction shall only be able to establish a right of publication with the consent of the pledgee.

（出版権の内容）

(Subject matter of the right of publication)

第八十条 出版権者は、設定行為で定めるところにより、頒布の目的をもつて、その出版権の目的である著作物を原作のまま印刷その他の機械的又は化学的方法により文書又は図画として複製する権利を専有する。

Section 80 (1) The holder of a right of publication shall, for the purpose of distribution and as provided by the act of establishment, possess the exclusive right to reproduce the original of the work with respect to which the right of publication has been established, without change and in a document or a picture, by means of printing or other mechanical or chemical processes.

2 出版権の存続期間中に当該著作物の著作者が死亡したとき、又は、設定行為に別段の定めがある場合を除き、出版権の設定後最初の出版があつた日から三年を経過したときは、複製権者は、前項の規定にかかわらず、当該著作物を全集その他の編集物（その著作者の著作物のみを編集したものに限る。）に収録して複製することができる。

(2) If [(a)] the author of the subject work dies within the duration of the right of publication or [(b)] unless otherwise provided by the act of establishment, three

years have passed since the first publication following the establishment of the right of publication, the holder of the right of reproduction may, notwithstanding the provisions set forth in the preceding paragraph, reproduce the work in compilations, such as complete collections, comprised only of the works of the same author.

3 出版権者は、他人に対し、その出版権の目的である著作物の複製を許諾することができない。

(3) The holder of the right of publication may not authorize a third person to reproduce the work with respect to which the right of publication has been established.

(出版の義務)

(Obligation of publication)

第八十一条 出版権者は、その出版権の目的である著作物につき次に掲げる義務を負う。
ただし、設定行為に別段の定めがある場合は、この限りでない。

Section 81 Unless otherwise provided by the act of establishment, the holder of the right of publication shall have the following obligations:

一 複製権者からその著作物を複製するために必要な原稿その他の原品又はこれに相当する物の引渡しを受けた日から六月以内に当該著作物を出版する義務

(i) the obligation to publish the work within six months of the date of receiving, from the holder of the right of reproduction, manuscripts or other originals or other equivalent items that are necessary for the reproduction of the work;
and

二 当該著作物を慣行に従い継続して出版する義務

(ii) the obligation to publish the work continuously in conformity with business practice.

(著作物の修正増減)

(Revision and/or additions or deletions of work)

第八十二条 著作者は、その著作物を出版権者があらためて複製する場合には、正当な範囲内において、その著作物に修正又は増減を加えることができる。

Section 82 (1) In the case of a new reproduction made by the holder of the right of publication, the author may, to the extent reasonable, make revisions, and additions or deletions, to his work.

2 出版権者は、その出版権の目的である著作物をあらためて複製しようとするときは、そのつど、あらかじめ著作者にその旨を通知しなければならない。

(2) Whenever the holder of the right of publication intends to make a new reproduction of the work with respect to which his right of publication has been established, the holder of the right of publication shall notify the author [of such work], in advance, of such intention.

(出版権の存続期間)

(Duration of the right of publication)

第八十三条 出版権の存続期間は、設定行為で定めるところによる。

Section 83 (1) The duration of the right of publication shall be as stipulated by the act of establishment [of said right of publication].

2 出版権は、その存続期間につき設定行為に定めがないときは、その設定後最初の出版があつた日から三年を経過した日において消滅する。

(2) When the duration of the right of publication is not stipulated by the act of establishment [of said right of publication], the right of publication shall expire at the end of the three-year period following the day of first publication after the establishment of said right.

(出版権の消滅の請求)

(Right to terminate the right of publication)

第八十四条 出版権者が第八十一条第一号の義務に違反したときは、複製権者は、出版権者に通知してその出版権を消滅させることができる。

Section 84 (1) When the holder of the right of publication is in breach of his obligation under Section 81, item (i), the holder of the right of reproduction may terminate said right of publication by notice to the holder thereof.

2 出版権者が第八十一条第二号の義務に違反した場合において、複製権者が三月以上の期間を定めてその履行を催告したにもかかわらず、その期間内にその履行がされないときは、複製権者は、出版権者に通知してその出版権を消滅させることができる。

(2) When the holder of the right of publication is in breach of his obligation under Section 81, item (ii), the holder of right of reproduction may terminate said right of publication by notice to the holder thereof in the event that despite demand by the holder of the right of reproduction for the holder of the right of publication to perform [its said obligation] within a period established by the holder of the right of reproduction (which period must be three months or more), performance is not made within said period.

3 複製権者である著作者は、その著作物の内容が自己の確信に適合しなくなつたときは、その著作物の出版を廃絶するために、出版権者に通知してその出版権を消滅させることができる。ただし、当該廃絶により出版権者に通常生ずべき損害をあらかじめ賠償しない場合は、この限りでない。

(3) When the substance of a work has become incompatible with the views of the author who is also the holder of the right of reproduction, he may, by notice to the owner of the right of publication, terminate the right of publication in order to effect the permanent cessation of the publication of the work; provided, however, that the foregoing shall not apply unless said author compensates the holder of the right of publication, in advance, for any damages that ordinarily arise as a result of the permanent cessation of publication.

第八十五条 削除

Section 85 Deleted.

(出版権の制限)

(Limitation on the right of publication)

第八十六条 第三十条第一項、第三十一条、第三十二条、第三十三条第一項（同条第四項において準用する場合を含む。）、第三十三条の二第一項、第三十四条第一項、第三十五条第一項、第三十六条第一項、第三十七条第一項、第三十九条第一項、第四十条第一項及び第二項、第四十一条から第四十二条の二まで、第四十六条並びに第四十七条の規定は、出版権の目的となつてゐる著作物の複製について準用する。この場合において、第三十五条第一項及び第四十二条第一項中「著作権者」とあるのは、「出版権者」と読み替えるものとする。

Section 86 (1) The provisions of Section 30, paragraph (1), Sections 31 and 32, Section 33, paragraph (1) (including where applied mutatis mutandis pursuant to the provision of paragraph (4) of the same Section), Section 33-2, paragraph (1), Section 34, paragraph (1), Section 35, paragraph (1), Section 36, paragraph (1), Section 37, paragraph (1), Section 39, paragraph (1), Section 40, paragraphs (1) and (2), Sections 41 to 42-2, and Section 46 and Section 47 shall apply mutatis mutandis to the reproduction of works with respect to which the right of publication has been established. In these cases, the term "the copyright holder" in Section 35, paragraph (1) and Section 42, paragraph (1) shall be deemed to be replaced with "the holder of the right of publication".

2 前項において準用する第三十条第一項、第三十一条第一号、第三十三条の二第一項、第三十五条第一項、第四十一条、第四十二条又は第四十二条の二に定める目的以外の目的のために、これらの規定の適用を受けて作成された著作物の複製物を頒布し、又は当該複製物によつて当該著作物を公衆に提示した者は、第八十条第一項の複製を行ったものとみなす。

(2) The person who, for purposes other than those provided for in Section 30, paragraph (1), Section 31, item (i), Section 33-2, paragraph (1), Section 35, paragraph (1), Section 41, 42 or 42-2, as applied mutatis mutandis pursuant to the preceding paragraph, distributes reproductions of a work which have been made by virtue of the application of said provisions or makes said work available to the public by distributing said reproductions, shall be deemed to have made reproductions as provided for in Section 80, paragraph (1).

(出版権の譲渡等)

(Transfer, etc. of the right of publication)

第八十七条 出版権は、複製権者の承諾を得た場合に限り、譲渡し、又は質権の目的とすることができる。

Section 87 The right of publication may be transferred or pledged only with the authorization of the holder of the right of reproduction.

(出版権の登録)

(Registration of the right of publication)

第八十八条 次に掲げる事項は、登録しなければ、第三者に対抗することができない。

Section 88 (1) Unless registered, the matters set forth in the following items may not be asserted against a third party:

一 出版権の設定、移転（相続その他の一般承継によるものを除く。次号において同じ。）、変更若しくは消滅（混同又は複製権の消滅によるものを除く。）又は処分の制限

(i) the establishment, transfer (other than by inheritance or other universal successions; the same shall apply in the next item), modification or termination (other than termination by reason of merger, or because of the termination of the right of reproduction), or a restriction on disposal of the right of publication;

二 出版権を目的とする質権の設定、移転、変更若しくは消滅（混同又は出版権若しくは担保する債権の消滅によるものを除く。）又は処分の制限

(ii) the establishment, transfer, modification or termination of a pledge on a right of publication (other than termination by reason of merger of the pledge, or because of the termination of the right of publication or the claim secured thereby), or a restriction on disposal of the pledge established on the right of publication.

2 第七十八条（第二項を除く。）の規定は、前項の登録について準用する。この場合において、同条第一項、第三項、第七項及び第八項中「著作権登録原簿」とあるのは、「出版権登録原簿」と読み替えるものとする。

(2) The provisions of Section 78 (except for paragraph (2) thereof) shall apply mutatis mutandis to the registration set forth in the preceding paragraph. In such case, the term "the copyright registry" in Section 78, paragraphs (1), (3), (7) and (8) shall be deemed to be replaced with "the registry of the right of publication".

以上