

※Provisional Translation (英語版仮訳)

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Note: In case of dispute over translation, Japanese text shall prevail.

(当文書は仮訳であり、正文は日本語です。)

RIETI Regulations Regarding the Protection and Management of Confidential Datasets

RIETI Regulation No. 36, July 2, 2007

Amended on April 1, 2008 (RIETI No. 16 dated March 31, 2008)

Amended on May 17, 2010 (RIETI No. 9 dated May 14, 2010)

Amended on December 1, 2010 (RIETI No. 6 dated December 1, 2010)

Amended on May 18, 2016 (RIETI No. 12 dated May 10, 2016)

Amended on March 3, 2017 (RIETI No. 2 dated February 8, 2017)

Amended on May 19, 2017 (RIETI No. 6 dated May 15, 2017)

Amended on June 28, 2019 (RIETI No. 11 dated June 24, 2019)

Amended on December 25, 2019 (RIETI No. 1 dated December 24, 2019)

Chapter 1 General Provisions

(Purpose)

Article 1 The Regulations Regarding the Protection and Management of Confidential Datasets (hereinafter the "Regulations") shall set forth procedures for the appropriate management of Confidential Datasets (defined in Article 2, Clause 2) in order to protect the rights and interests of the individuals who provided the data and to ensure the credibility of the Research Institute of Economy, Trade and Industry (hereinafter "RIETI"), while at the same time facilitate appropriate and smooth research and administrative activities at RIETI.

(Definition)

Article 2 In the Regulations, the meaning of the terms listed below are as defined in their respective clauses below.

1) "Data" shall refer to records of characters, numbers, figures, and other information created by electronic, magnetic or other method unable to be read or interpreted directly using human perception (hereinafter "Electromagnetic Method") and provided for use in information processing by computers or other information devices (hereinafter "Information Devices").

2) “Information Processing by Information Devices” shall refer to the input, accumulation, editing, modification, correction, updating, search, deletion, output or other similar processing of Data conducted using personal computers (hereinafter “PC”) or other Information Devices.

3) “Datasets” shall refer to a collection of characters, numbers, figures and other information organized to enable search, tabulation, or modification functions by means of their Information Processing by Information Devices.

2. In the Regulations, the term “Confidential Datasets” shall refer to: (1) datasets provided by non-RIETI sources for use by RIETI on the condition that RIETI administers them with extremely stringent measures to protect their confidentiality and other datasets that have been provided by non-RIETI sources and designated as requiring special confidentiality protection by the RIETI Confidential Datasets Management Committee as stipulated under Article 14 of the Regulations (hereinafter collectively “Borrowed Confidential Datasets”); and (2) sets of data on corporations, establishments, and individuals collected within RIETI’s research projects for research purposes (hereinafter “Developed Confidential Datasets”).

3. In the Regulations, the term “Documentation Submitted to the Provider” shall refer to the documentation submitted by RIETI to the provider (hereinafter “Provider”) of a Borrowed Confidential Dataset upon borrowing the dataset. Such documentation includes, but is not limited to, the contract concluded with the Provider and other relevant documents attached thereto in association with the use of the dataset. Such documentation shall list the purposes of and conditions for using the dataset, such as the location(s) of use, etc.

4. In the Regulations, “Terms and Conditions for Use of Confidential Datasets” shall refer to the documentation listing the conditions of use for the Confidential Datasets, such as the purpose and location(s) of use.

Chapter 2 Management System and Other Relevant Matters

(Applications for Use by Project Leaders or External Applicants)

Article 3 In order to control the administration of the Confidential Datasets within RIETI as defined in Article 2, Clause 2, a Confidential Datasets Control Manager shall be appointed, and the RIETI Director of Research shall serve this role.

2. If a research project of RIETI requires the use of Confidential Datasets, the project leader shall appoint a Confidential Datasets Manager and name the users of such Confidential Datasets (hereinafter the users whose names are listed in the application form shall be the “Listed Users”). The Confidential Datasets Manager to be appointed shall be from among the participants of the project or the project leader may name himself/herself as the Confidential Datasets Manager; thereafter the project leader shall

apply for the use of such datasets to the Confidential Datasets Control Manager using Form 1-1 attached hereto.

3. In the case that the Confidential Datasets Manager in the foregoing clause is replaced, the project leader shall submit a completed Form 1-2 as a notification to the Confidential Datasets Control Manager that a new Confidential Datasets Manager has been appointed.

4. Persons who intend to conduct research outside RIETI using Developed Confidential Datasets (including those whose period of participation in a research project of RIETI has expired)(hereinafter “External Applicants”)) shall complete Form 1-3 to name a Confidential Datasets Manager and users of such Developed Confidential Datasets (hereinafter the users whose names are listed in the application form shall be the “Listed External Users”). The Confidential Datasets Manager and users to be named shall be from among the participants of the research or the External Applicant may name himself/herself. The External Applicants shall submit the application to the Confidential Datasets Control Manager. Along with the application, the applicants shall attach a brief description of their research plans and the research institute to which they are affiliated. Furthermore, in the case of a change of the Confidential Datasets Manager, the External Applicants must submit a notification to the Confidential Datasets Control Manager, using Form 1-4 attached hereto.

5. The Confidential Datasets Control Manager shall examine the applications within one month after the receipt of such application, according to Clauses 2 and 4, and report the results to the Chairman.

6. The criteria for the examination under the previous clause shall be determined separately by the Chairman.

(Changes to Application Contents)

Article 3-2 In the case that a user is to be added to or the location(s) of use changed in Form 1-1 submitted under Clause 2 of the foregoing article, the project leader shall submit a completed Form 1-5 as a notification of the changes to the Confidential Datasets Control Manager.

2. In the case that a user is to be added to or the location(s) of use changed in Form 1-3 submitted under Clause 4 of the foregoing article, the External Applicant shall submit a completed Form 1-6 as a notification of the changes to the Confidential Datasets Control Manager.

3. In the case that a minor change, such as a change of job title or contact information, is to be made to the contents of the forms submitted under Clauses 2 and 4 of the foregoing article or to the contents of the notification of the changes submitted under Clauses 1 and 2 of this article, the applicants shall report such changes to the Confidential Datasets Control Manager by email or other appropriate method.

(Management Responsibilities of the Confidential Datasets Control Manager, Confidential Datasets

Manager, Listed Users and Listed External Users)

Article 4 In order to protect the confidentiality of the Confidential Datasets, the Confidential Datasets Control Manager, the Confidential Datasets Manager, the Listed Users and the Listed External Users shall appropriately manage the datasets to ensure the following:

- 1) The Confidential Datasets are not removed from (including transmissions) their specifically designated work rooms;
- 2) The Confidential Datasets and any data arising from the modification or editing thereof are not copied without permission.
- 3) In the case that any copies are made, all copies and any misprinted paper shall be collected and completely destroyed;
- 4) The locking and storing of keys to the storage room shall be checked;
- 5) No one other than the Listed Users and Listed External Users shall use the Confidential Datasets; and
- 6) In the case that the Confidential Datasets require online authentication, no one other than the Listed Users shall use the authentication keys.

(Setting the Conditions for Use)

Article 5 In the case that the contents of the application form under Article 3, Clauses 2 and 4 and under Article 3-2, Clauses 1 and 2 are acknowledged as appropriate, the Chairman of RIETI shall authorize and issue Form 2 "Terms and Conditions for Use of Confidential Datasets," which stipulates the following matters with regard to the use of Confidential Datasets, and shall authorize distribution of the form to the Confidential Datasets Manager:

- 1) Name of the Confidential Datasets
- 2) User Name(s)
- 3) Purpose of Use
- 4) Period of Use
- 5) Location of Use
- 6) Method of Use
- 7) Other

Chapter 3 Management of Confidential Datasets

(Receipt of Confidential Datasets)

Article 6 Borrowed Confidential Datasets supplied by Providers shall be received by the Confidential Datasets Control Manager.

2. Upon receiving the Borrowed Confidential Datasets, the Confidential Datasets Control Manager may issue the “Confidential Datasets Receipt” with his or her signature if the issuance of such a receipt is required by the Provider.

(Storage of the Confidential Datasets)

Article 7 In the case the Provider has recorded the contents of the Borrowed Confidential Datasets using digital recording media such as CDs or DVDs and supplies the information in such forms, the Confidential Datasets Control Manager shall manage such items by storing them in the specifically designated repository. Such repository shall be unlocked only by the Confidential Datasets Control Manager.

2. In the case that the Provider supplies the contents of the Borrowed Confidential Datasets in electronic format, such electronic information shall be stored in a folder that is only accessible by the Confidential Datasets Control Manager or specific persons designated by the Confidential Datasets Control Manager.

3. In the case that the Provider supplies the contents of the Confidential Datasets in the form of online information through the use of an authentication key system, such authentication keys shall be managed by the Confidential Datasets Control Manager or the Confidential Datasets Manager appointed by the Confidential Datasets Control Manager.

(Handing Over Confidential Datasets)

Article 8 The Confidential Datasets Control Manager shall not hand over the Confidential Datasets to anyone other than the Listed Users or the Listed External Users.

2. The Confidential Datasets Control Manager shall hand over the Confidential Datasets to the Listed Users or the Listed External Users by any of the following methods:

- 1) Physically hand over or send by postal mail or courier service the actual recording media such as CDs or DVDs;
- 2) Record the Confidential Datasets in media such as CDs or DVDs and physically hand them over or send them by postal mail or courier service;
- 3) Physically hand over the PC storing such Confidential Datasets;
- 4) Create copies of such datasets within the PC used by the Listed Users or Listed External Users; and
- 5) Provide the online authentication key for accessing the Confidential Datasets.

Prior to handing over the datasets, the Confidential Datasets Control Manager shall confirm that security software is installed and that no file-sharing software is installed on the PC used by the Listed Users and

the Listed External Users.

3. In the case that the Confidential Datasets are copied with the approval of the Provider, the Confidential Datasets Control Manager shall check the number of such copies.

4. Prior to handing over the Confidential Datasets to the Listed Users and the Listed External Users, the Confidential Datasets Control Manager shall notify such Users of the Terms and Conditions for Use of Confidential Datasets (and send copies of the Documentation Submitted to the Provider to the Confidential Datasets Manager in the case of Borrowed Confidential Datasets) and collect the relevant form, either the Agreement Form for Use of Confidential Datasets (for Borrowed Confidential Datasets) (Form 3-1) or the Agreement Form for Use of Confidential Datasets (for Developed Confidential Datasets) (Form 3-2), from the Listed Users; or Form 3-2 from the Listed External Users.

5. In order to explicitly list the conditions for using the Borrowed Confidential Datasets as set forth by the Provider, the Confidential Datasets Control Manager may add, modify, delete, or otherwise amend the terms and conditions in Form 3-1 in accordance with the conditions stipulated by the provider. The Confidential Datasets Control Manager may also add, modify, delete or otherwise amend the wording of Form 3-2 in order to ensure compliance with requirements for the use of Developed Confidential Datasets presented to questionnaire respondents when questionnaire research is conducted, or for other reasons as necessary.

6. In the case that Listed Users enter into a direct contract for using the Borrowed Confidential Datasets with the Provider and/or directly submit to the Provider an appropriate agreement form adhering to the required terms and conditions and other relevant laws when applicable, the Confidential Datasets Control Manager may exempt such Listed Users from the usual requirement of providing to RIETI Form 3-1 referred to in Clause 4 hereof. In lieu of such filing with RIETI, the Confidential Datasets Control Manager shall collect from the Listed Users a copy of the direct contract and/or agreement form(s) submitted to the Provider.

(Delegation of Tasks)

Article 9 The Confidential Datasets Control Manager may delegate tasks or portions thereof under Article 6, Article 7, Article 8, and Article 11 Clause 4 to RIETI employees specifically appointed by the Confidential Datasets Control Manager.

(Duties of the Listed Users and the Listed External Users)

Article 10 Listed Users and Listed External Users shall comply with the contents of the Agreement Form for Use of Confidential Datasets (for Borrowed Confidential Datasets) or the

Agreement Form for Use of Confidential Datasets (for Developed Confidential Datasets) (hereinafter simply referred to as "Agreement Form(s)" unless distinction is necessary) stipulated under Article 8, Clause 4 (in the case of Clause 6, the contract along with any other agreement form submitted to the Provider as stipulated in the clause) and use the Confidential Datasets according to the conditions listed in the Terms and Conditions for Use of Confidential Datasets (and the Documentation Submitted to the Provider in the case of Borrowed Confidential Datasets).

2. Listed Users shall create a record of receiving, using, managing, disposing of, or returning the Confidential Datasets according to the stipulations of the Terms and Conditions for Use of Confidential Datasets (and the Documentation Submitted to the Provider in the case of Borrowed Confidential Datasets).

3. Each Listed User and Listed External User must comply with requests from RIETI to report to the Confidential Datasets Control Manager during the period of use of the Confidential Datasets the status of the use and management of such datasets.

4. Notwithstanding the foregoing paragraph, RIETI may exempt certain Listed Users and Listed External Users from the reporting requirement when it is deemed both necessary and appropriate. In such a case, these Listed Users and Listed External Users will be so notified by RIETI.

(Returning Confidential Datasets)

Article 11 Within the period of use and upon completion of the research for which the Confidential Datasets had been obtained, all Confidential Datasets must be returned to the Confidential Datasets Control Manager or disposed of by the Listed Users and the Listed External Users (this shall include termination of use in the case of the Confidential Datasets being online information). In the case that any copies of the Confidential Datasets were created during the process of using such datasets, Listed Users and Listed External Users shall also destroy all such copies. Each Listed User and Listed External User must notify RIETI of the treatment of the Confidential Datasets upon completion of the research or at a point requested by RIETI, using Form 4-1 or Form 4-2 as appropriate. In the case of returning such datasets to RIETI, either Form 4-1 or Form 4-2 should be attached to the datasets.

2. Listed Users may return the Borrowed Confidential Datasets and their copies directly to the Provider upon such request by the Provider.

3. In the case described in the foregoing clause, upon the return of the Borrowed Confidential Datasets to the Provider, the Listed Users may request a written receipt indicating the return of such datasets and containing the signature of a staff member in charge at the Provider's office.

4. At the Provider's request, the Confidential Datasets Control Manager will have the authority to submit to the Provider a confidential datasets disposal report containing his or her signature after confirming that the Borrowed Confidential Datasets and all their copies have been completely destroyed.

(Reporting of Research Outcomes)

Article 11-2 Project leaders shall report their research outcomes using Form 4-3 when the outcomes of the research for which the Confidential Datasets were used become available or when their submission is requested by RIETI.

2. External Applicants shall report their research outcomes using Form 4-4 when the outcomes of the research for which the Confidential Datasets were used become available. External Applicants that receive notification from RIETI stating their exemption from submitting Form 4-4 may report the research outcomes in a way other than Form 4-4 such as emails.

3. The research outcomes in Clause 1 and 2 of this article shall be reported to the Confidential Datasets Control Manager by email or other appropriate methods along with the reporting on the contents of treatment under Clause 1 of the foregoing article. The outcomes shall include the titles of any papers to be published (tentative titles if undecided), author name(s), a summary of the research outcomes, and the approximate date(s) of publication.

Chapter 4 Measures for Ensuring Security

(Reporting Problems and Taking Measures to Prevent their Recurrence)

Article 12 Any individual who becomes aware of information leakage or any other problem that may compromise the security of Confidential Datasets shall promptly report such incident to the Confidential Datasets Control Manager.

2. The Confidential Datasets Control Manager shall take necessary measures to minimize the damage caused by such problems and rectify the situation.

3. The Confidential Datasets Control Manager shall investigate the circumstances under which the problem(s) occurred and any resulting damage, and report the results to the Vice President of RIETI. However, in the case that the problem appears to be of a particularly serious nature, the Confidential Datasets Control Manager shall immediately report the problem(s) to the Vice President, without waiting for the results of investigation.

4. Upon receiving any reporting under the provisions of the previous clause, the Vice President shall promptly report the nature, circumstances, and resulting damage to the Chairman.

5. The Confidential Datasets Control Manager shall analyze the factors that contributed to the occurrence of the problem and take measures necessary to prevent the recurrence of such a problem.

(Disclosure of Incidents and Other Relevant Matters)

Article 13 In the event of information leakage or any other incident that may compromise the security of Confidential Datasets, the Chairman of RIETI shall take measures necessary for the affected individuals and disclose the relevant facts and preventative measures according to the nature and impact of the incident in question.

Chapter 5 Carrying Out Audits and Inspections

(Auditing and Management Committee)

Article 14 The Confidential Datasets Control Manager shall audit the management of Confidential Datasets as needed and report the results of such audits to the RIETI Confidential Datasets Management Committee (hereinafter the “Management Committee”).

2. The Management Committee shall be comprised of the following members:

- 1) Chairman
- 2) Vice Chairman
- 3) President
- 4) Vice President
- 5) Director of Administration
- 6) Other persons appointed by the Chairman

3. The Chairman shall serve as Chair of the Management Committee and may delegate this position to the Vice President.

4. The Management Committee shall be convened by the Chairman at the request of the Confidential Datasets Control Manager or according to the members’ professional judgment.

5. The Management Committee shall receive the reports under Clause 1 hereof and specify the measures of confidentiality protection under Article 2, Clause 2.

(Inspection)

Article 15 The Confidential Datasets Manager shall, as needed, inspect the recording media, processing routes, storage methods, and other relevant matters of the Confidential Datasets for which they have management responsibility, and if deemed necessary, report the results of such inspections to the Datasets Management Control Manager.

(Evaluation and Review)

Article 16 The Confidential Datasets Control Manager shall evaluate the measures for appropriately managing the Confidential Datasets on the basis of the results of audits or inspections and, if deemed necessary, suggest proposals, such as the review of these measures, to the Management Committee.

2. The Management Committee shall examine the proposals referred to in the previous clause, and the Chairman shall take necessary measures based on the results of the examination.

Chapter 6 Miscellaneous Provisions

(Other Applicable Provisions)

Article 17 In cases where any portion or all of the Confidential Datasets is subject to the Statistics Act (of Japan) and/or any other laws and regulations, as is the case for micro-datasets of fundamental statistics under the Statistics Act, such laws and regulations shall apply in addition to the Regulations.

2. With regard to the treatment of Developed Confidential Datasets, the Regulations and the RIETI Regulations Regarding the Treatment of Developed Confidential Datasets (effective July 17, 2002 Regulation No. 26) shall be applicable.

3. For Borrowed Confidential Datasets for which a contract on the handling of datasets has been exchanged with a private entity, the provisions of such contract shall apply along with those of the Regulations.

(Staff in Charge)

Article 18 The staff in RIETI's Quantitative Analysis and Database Section shall be responsible for the tasks in Article 5 and Article 13 and the administrative tasks of the Management Committee.

Supplementary Provision (RIETI No. 4 dated July 2, 2007)

These regulations shall become effective on July 2, 2007.

Supplementary Provision (RIETI No. 16 dated March 31, 2008)

These regulations as amended shall become effective on April 1, 2008)

Supplementary Provision (RIETI No. 9 dated May 14, 2010)

These regulations as amended shall become effective on May 17, 2010)

Supplementary Provision (RIETI No. 6 dated December 1, 2010)

These regulations as amended shall become effective on December 1, 2010)

Supplementary Provision (RIETI No. 12 dated May 10, 2016)

These regulations as amended shall become effective on May 18, 2016)

Supplementary Provision (RIETI No. 2 dated February 8, 2017)

These regulations as amended shall become effective on March 3, 2017)

Supplementary Provision (RIETI No. 6 dated May 15, 2017)

These regulations as amended shall become effective on May 15, 2017)

Supplementary Provision (RIETI No. 11 dated June 24, 2019)

These regulations as amended shall become effective on July 1, 2019)

Supplementary Provision (RIETI No. 1 dated December 24, 2019)

These regulations as amended shall become effective on January 1, 2020)

Form 1-1 (Related to Article 3, Clause 2)

Application Form for Use of Confidential Datasets

(For use by RIETI users)

To: Confidential Datasets Control Manager

Signature: _____

Name of Project Leader (Print): _____

Date: _____

I hereby apply for permission to use Confidential Datasets for the research project stated below, and notify the designation of a Confidential Datasets Manager and users¹ from among the participants of the project as follows:

Name of the Research Project:

Project Leader's name, affiliation, title, and contact details:

Name of the Confidential Datasets for which the Project Leader is seeking permission:

Confidential Datasets Manager's² name, affiliation, title, and contact details:

Users' names, affiliations, titles, and contact details:

¹ The Confidential Datasets Manager and users whose names are listed in this application form (called "Listed Users") shall be obliged to appropriately manage the Confidential Datasets according to Article 4 of the RIETI Regulations Regarding the Protection and Management of Confidential Datasets.

² The Confidential Datasets Manager is the Project Leader or may be appointed from among the participants of the project.

Purposes of use:

Period of use³:

Location of use⁴:

Method of use⁵:

³ Use beyond the stated period (in the case that the project leader is a faculty fellow, the duration of the research assignment contract) shall not be permitted. To extend the period of use, a new application for use must be submitted.

⁴ Please include the identification codes, numbers, etc. of the PCs and other devices to be used

⁵ Please clearly specify the form in which the data are to be used (paper, CDs, DVDs, etc.) and whether or not the data are to be made available online.

Form 1-2 (Related to Article 3, Clause 3)

Notification of Change of Confidential Datasets Manager

(For use by RIETI users)

To: Confidential Datasets Control Manager

Signature: _____

Name of Project Leader (Print): _____

Date: _____

I hereby notify a change of the Confidential Datasets Manager¹ as follows:

Name of the Research Project:

Project Leader's name, affiliation, title, and contact details:

Name of the Confidential Datasets being used:

Previous Confidential Datasets Manager's name, affiliation, title, and contact details:

New Confidential Datasets Manager's name, affiliation, title, and contact details:

¹ The Confidential Datasets Manager shall be obliged to appropriately manage the Confidential Datasets according to Article 4 of the RIETI Regulations Regarding the Protection and Management of Confidential Datasets.

Form 1-3 (Related to Article 3, Clause 4)

Application Form for Use of Confidential Datasets

(For use by External Applicants)

To: Confidential Datasets Control Manager, RIETI

Signature: _____

Name of External Applicant (Print): _____

Date: _____

I hereby apply for permission to use Confidential Datasets in your possession for the research stated below, and notify the designation of a Confidential Datasets Manager and users¹ from among the participants of the research as follows:

Name of the Research²:

External Applicant's name, affiliation³, title, and contact details:

Name of the Confidential Datasets for which the External Applicant is seeking permission:

Confidential Datasets Manager's⁴ name, affiliation, title, and contact details:

¹ The Confidential Datasets Manager and users whose names are listed in this application form (called "Listed External Users") shall be obliged to appropriately manage the Confidential Datasets according to Article 4 of the RIETI Regulations Regarding the Protection and Management of Confidential Datasets.

² Please attach a brief summary of your research plan.

³ Please attach a brief description of the affiliated research institute.

⁴ Please appoint either yourself or one of the research participants.

Users' names, affiliations, titles, and contact details:

Purposes of use⁵:

Period of use:

Location of use⁶:

Method of use⁷:

⁵ Please also note why use of the Confidential Datasets is necessary in your research and the manner in which your results will be disclosed.

⁶ Please include the identification codes, numbers, etc. of the PCs and other devices to be used

⁷ Please clearly specify the form in which the data are to be used (paper, CDs, DVDs, etc.) and whether or not the data are to be made available online.

Form 1-4 (Related to Article 3, Clause 4)

Notification of Change of Confidential Datasets Manager

(For use by External Applicants)

To: Confidential Datasets Control Manager, RIETI

Signature: _____

Name of External Applicant (Print): _____

Date: _____

I hereby notify a change of the Confidential Datasets Manager¹ as follows:

Name of the Research:

External Applicant's name, affiliation, title, and contact details:

Name of the Confidential Datasets being used:

Previous Confidential Datasets Manager's name, affiliation, title, and contact details:

New Confidential Datasets Manager's name, affiliation, title, and contact details:

¹ The Confidential Datasets Manager shall be obliged to appropriately manage the Confidential Datasets according to Article 4 of the RIETI Regulations Regarding the Protection and Management of Confidential Datasets.

Form 1-5 (Related to Article 3-2, Clause 1)

Notification of Changes to Application for Use of Confidential Datasets

(For use by RIETI users)

To: Confidential Datasets Control Manager

Signature: _____

Name of Project Leader (Print): _____

Date: _____

I hereby provide the following notification regarding the occurrence of changes to the use of Confidential Datasets approved in [*corporate document No.*].

Name of the Research Project:

Project Leader's name, affiliation, title, and contact details:

Name of the Confidential Datasets being used:

Contents of the change(s):

- Additional user(s) Change of location of use

*Please tick the corresponding box.

Details of the change(s)

| New | Old |
|-----|-----|
| | |

Form 1-6 (Related to Article 3-2, Clause 2)

Notification of Changes to Application for Use of Confidential Datasets

(For use by External Applicants)

To: Confidential Datasets Control Manager, RIETI

Signature: _____

Name of External Applicant (Print): _____

(Date: _____)

I hereby provide the following notification regarding the occurrence of changes to the use of Confidential Datasets approved in [*corporate document No.*].

Name of the Research:

Project Leader's name, affiliation, title, and contact details:

Name of the Confidential Datasets being used:

Contents of the change(s):

Additional user(s) Change of location of use

*Please tick the corresponding box.

Details of the change(s)

| New | Old |
|-----|-----|
| | |

Terms and Conditions for Use of Confidential Datasets

To: <Name of Confidential Datasets Manager>

[Corporate document No.]

(Signature)

<Name of RIETI Chairman>

Chairman, Research Institute of Economy, Trade and Industry

(Date)

In accordance with Article 5, Clause 1 of the RIETI Regulations Regarding the Protection and Management of Confidential Datasets, the Research Institute of Economy, Trade and Industry (hereinafter "RIETI") shall hereby set forth terms and conditions for using the Confidential Datasets as follows:

1) Name of the Confidential Datasets

2) User(s):

(Specified based on the application filed by the applicant and approved by RIETI.)

3) Purpose of Use:

(Specified based on the application filed by the applicant and approved by RIETI.)

4) Period of Use:

(Specified based on the application filed by the applicant and approved by RIETI.)

5) Location of Use:

(Specified based on the application filed by the applicant and approved by RIETI.)

6) Method of Use:

(Specified based on the application filed by the applicant and approved by RIETI.)

7) Other Matters:

(Specified by RIETI as appropriate)

Agreement Form for Use of Confidential Datasets (For Borrowed Confidential Datasets)

To: <Name of RIETI Chairman>

Chairman, Research Institute of Economy, Trade and Industry

Signature: _____

Name of User (Print): _____

Title & Affiliation: _____

Date: _____

I hereby declare the following in relation to the use of [*the name of the datasets; corporate document No.*] (hereinafter the “Confidential Datasets”) borrowed by the Research Institute of Economy, Trade and Industry (hereinafter “RIETI”) from [*the name of the organization that owns the datasets*] (hereinafter the “Provider”):

1. I have read the RIETI Regulations Regarding the Protection and Management of Confidential Datasets and the Terms and Conditions of Use stipulated by RIETI under [*corporate document No.*]; fully understood their contents; and shall comply with all such terms and conditions as the user of such Confidential Datasets.
2. I shall handle the Confidential Datasets with utmost care to ensure their confidentiality and comply with the following matters:
 - 1) Only use the Confidential Datasets at the location(s) specified in the Terms and Conditions for Use of Confidential Datasets and will not remove them or the PC being used from such location(s) except when returning such datasets;
 - 2) In no way transfer or otherwise provide or leak to another party the Confidential Datasets or data arising from the modification or editing thereof.
 - 3) Return and/or dispose of the Confidential Datasets or data arising from the modification or editing thereof by the completion of the approved period of use.
 - 4) Accept inspections regarding the management of the Confidential Datasets conducted by the Provider or by RIETI at any time;

- 5) Promptly notify RIETI in the case of an accident or disaster in relation to the Confidential Datasets;
 - 6) The PC containing the Confidential Datasets has the latest firewall or other antivirus software installed. It does not have file-sharing software installed. Also, it will not be connected to a network while the Confidential Datasets are being used.
3. In the event that I violate 2. 1)–5) above, I shall abide by the following.
- Immediately comply with the request from RIETI to terminate use, return, and/or dispose of the Confidential Datasets, if asked. I shall also bear responsibility for compensating RIETI for any damages it incurs as a result of such violation.
4. Japanese laws and regulations shall apply to any disputes arising from and associated with such violation. The Tokyo District Court shall have exclusive jurisdiction of the first instance over such violation.
5. I shall create records of the receipt, use, management, destruction, and return of the Confidential Datasets and keep such records for a period of one year after the completion or termination of using the datasets, and shall cooperate in good faith with RIETI when it conducts audits or inspections.

Agreement Form for Use of Confidential Datasets (For Developed Confidential Datasets)

To: <Name of RIETI Chairman>

Chairman, Research Institute of Economy, Trade and Industry

Signature: _____

Name of User (Print): _____

Title & Affiliation: _____

Date: _____

I hereby declare the following in relation to the use of [*the name of the datasets; corporate document No.*] (hereinafter the “Confidential Datasets”) developed by the Research Institute of Economy, Trade and Industry (hereinafter “RIETI”).

1. I have read the RIETI Regulations Regarding the Protection and Management of Confidential Datasets and the Terms and Conditions of Use stipulated by RIETI; fully understood their contents; and shall comply with all such terms and conditions as the user of such Confidential Datasets.

2. I shall handle the Confidential Datasets with utmost care to ensure their confidentiality and comply with the following matters:

- 1) Only use the Confidential Datasets at the location(s) specified in the Terms and Conditions for Use of Confidential Datasets and will not remove them or the PC being used from such location(s) except when returning such datasets;
- 2) In no way transfer or otherwise provide or leak to another party the Confidential Datasets or data arising from the modification or editing thereof.
- 3) Return and/or dispose of the Confidential Datasets or data arising from the modification or editing thereof by the completion of the approved period of use.
- 4) Accept inspections regarding the management of the Confidential Datasets conducted by RIETI at any time;
- 5) Promptly notify RIETI in the case that an accident or disaster in relation to the Confidential Datasets occurs; and

- 6) The PC containing the Confidential Datasets has the latest firewall or other antivirus software installed. It does not have file-sharing software installed. Also, it will not be connected to a network while the Confidential Datasets are being used.
3. In the event that I violate 2. 1)–5) above, I shall abide by the following.
 - Immediately comply with the request from RIETI to terminate use, return, and/or dispose of the Confidential Datasets, if asked. I shall also bear responsibility for compensating RIETI for any damages it incurs as a result of such violation.
4. Japanese laws and regulations shall apply to any disputes arising from and associated with such violation. The Tokyo District Court shall have exclusive jurisdiction of the first instance over such violation.
5. I shall create records of the receipt, use, management, destruction, and return of the Confidential Datasets and keep such records for a period of one year after the completion or termination of using the datasets, and shall cooperate in good faith when RIETI conducts audits or inspections.

Form 4-1 (Related to Article 10, Clause 3 and Article 11, Clause 1)

Form for Reporting the Status of Use of Confidential Datasets: Treatment of Datasets

(For use by RIETI users)

To: Confidential Datasets Control Manager

Signature: _____

Name of User (Print): _____

Date: _____

I hereby report the status of use (treatment) of the Confidential Datasets provided by RIETI as follows:

1. Name of the Research Project:

2. Name of the Confidential Datasets:

3. Treatment of the Confidential Datasets upon completion of use:

4. Person responsible for the above treatment:

5. Date of the above treatment:

Form 4-2 (Related to Article 10, Clause 3 and Article 11, Clause 1)

Form for Reporting the Status of Use of Confidential Datasets: Treatment of Datasets

(For use by External Applicants)

To: Confidential Datasets Control Manager, RIETI

Signature: _____

Name of User (Print): _____

Date: _____

I hereby report the status of use (treatment) of the Confidential Datasets provided by RIETI as follows:

1. Name of the Research:
2. Name of the Confidential Datasets:
3. Date when the Confidential Datasets were received:
4. Treatment of the Confidential Datasets upon completion of use:
5. Person responsible for the above treatment:
6. Date of the above treatment:

Form 4-3 (Related to Article 11-2, Clause 1)

Form for Reporting the Status of Use of Confidential Datasets: Research Outcomes

(For use by RIETI users)

To: Confidential Datasets Control Manager

Signature: _____

Name of Project Leader (Print): _____

Date: _____

I hereby report as follows the outcomes of research conducted using the Confidential Datasets provided by RIETI.

1. Name of the Research Project:

2. Name of the Confidential Datasets:

3. Title(s) of papers to be published (discussion papers)¹

¹ Please include the author name(s), a summary of the research outcomes, and the approximate date(s) of publication. In the case of multiple outcomes of research, please utilize the same format for all outcomes.

Form 4-4 (Related to Article 11-2, Clause 1)

Form for Reporting the Status of Use of Confidential Datasets: Research Outcomes

(For use by External Applicants)

To: Confidential Datasets Control Manager, RIETI Date:

Signature: _____

Name of External Applicant (Print): _____

(Date: _____

I hereby report as follows the outcomes of research conducted using the Confidential Datasets provided by RIETI.

1. Name of the Research:

2. Name of the Confidential Datasets:

3. Title(s) of papers to be published (discussion papers)¹

¹ Please include the author name(s), a summary of the research outcomes, and the approximate date(s) of publication. In the case of multiple outcomes of research, please utilize the same format for all outcomes.