

Annex VIII
Referred to in Chapter 7
Specific Commitments for the Movement of Natural Persons

Appendices 1 and 2 to this Annex are specific commitments of Japan and Switzerland, respectively, referred to in Article 65.

Appendix 1
Specific Commitments of Japan

Japan may require a natural person of Switzerland seeking entry and temporary stay under the terms and conditions set out in each Section of this Appendix to obtain an appropriate visa or its equivalent prior to entry.

Section 1
Short-Term Business Visitors

Entry and temporary stay for a period of 90 days, which may be extended, shall be granted to a natural person of Switzerland who stays in Japan without acquiring remuneration from within Japan and without engaging in making direct sales to the general public or in supplying services himself or herself, for the purposes of participating in business contacts including negotiations for the sale of goods or services, or other similar activities including those to prepare for establishing commercial presence in Japan.

Section 2
Intra-Corporate Transferees

1. Entry and temporary stay for a period of one or three years, which may be extended, shall be granted to a natural person of Switzerland who:

- (a) has been employed by a public or private organisation that supplies services or invests in the Area of Japan, for a period of not less than one year immediately preceding the date of his application for the entry and temporary stay in Japan;
- (b) is being transferred to its branch or representative office in Japan, or a public or private organisation constituted or organised in Japan owned or controlled

by or affiliated with the aforementioned public or private organisation; and

(c) engages in one of the following activities during his temporary stay in Japan:

(i) activities to direct a branch or representative office as its head;

(ii) activities to direct a public or private organisation as its board member or auditor;

(iii) activities to direct one or more departments of a public or private organisation;

(iv) activities which require technology or knowledge at an advanced level pertinent to physical sciences, engineering or other natural sciences, recognised under the status of residence of "Engineer" provided for in the Immigration Control and Refugee Recognition Act of Japan (Cabinet Order No. 319 of 1951); or

(v) activities which require knowledge at an advanced level pertinent to human sciences, including jurisprudence, economics, business management and accounting, or which require ideas and sensitivity based on culture of a country other than Japan, recognised under the status of residence of "Specialist in Humanities/International Services" provided for in the Immigration Control and Refugee Recognition Act of Japan.

Note: For the purposes of this Appendix, a public or private organisation is "affiliated" with another public or private organisation when the latter can significantly affect the decision making of the former on the finance

and business policy.

2. Activities which require technology or knowledge at an advanced level pertinent to natural or human sciences referred to in subparagraph 1(c) (iv) or (v) mean activities in which the natural person may not be able to engage without the application of specialised technology or knowledge of natural or human sciences acquired by him or her, in principle, by completing college education (i.e. bachelor's degree) or higher education.

Section 3 Investors

Entry and temporary stay for a period of one or three years, which may be extended, shall be granted to a natural person of Switzerland who engages in one of the following activities during his temporary stay in Japan:

- (a) activities to invest in business in the Area of Japan and manage such business;
- (b) activities to manage business in the Area of Japan on behalf of a person other than that of Japan who has invested in such business; or
- (c) conduct of business in the Area of Japan in which a person other than that of Japan has invested.

Section 4 Natural Persons of Switzerland Who Engage in Professional Services

Entry and temporary stay for a period of one or three years, which may be extended, shall be granted to a natural person of Switzerland who is a legal, accounting or taxation service supplier qualified under the law of Japan and who engages in one of the following activities during his or her temporary stay in Japan:

- (a) legal services supplied by a lawyer qualified as "Bengoshi" under the law of Japan;
- (b) legal advisory services on law of jurisdiction where the service supplier is a qualified lawyer on condition that the service supplier is qualified as "Gaikoku-Ho-Jimu-Bengoshi" under the law of Japan;
- (c) legal services supplied by a patent attorney qualified as "Benrishi" under the law of Japan;
- (d) legal services supplied by a maritime procedure agent qualified as "Kaijidairishi" under the law of Japan;
- (e) accounting, auditing and bookkeeping services supplied by an accountant qualified as "Koninkaikeishi" under the law of Japan; or
- (f) taxation services supplied by a tax accountant qualified as "Zeirishi" under the law of Japan.

Section 5

Natural Persons of Switzerland Who Engage in Business Activities, Which Require Technology or Knowledge at an Advanced Level on the Basis of a Personal Contract with a Public or Private Organisation in Japan.

1. Entry and temporary stay for a period of one or three years, which may be extended, shall be granted to a natural person of Switzerland who engages in one of the following business activities of supplying services, during his temporary stay in Japan on the basis of a personal contract with a public or private organisation in Japan:

- (a) activities which require technology or knowledge at an advanced level pertinent to physical sciences, engineering or other natural sciences under the status of residence of "Engineer" provided for in the

Immigration Control and Refugee Recognition Act of Japan; or

- (b) activities which require knowledge at an advanced level pertinent to human sciences, including jurisprudence, economics, business management and accounting, or which require ideas and sensitivity based on culture of a country other than Japan, under the status of residence of "Specialist in Humanities / International Services" provided for in the Immigration Control and Refugee Recognition Act of Japan.

Note: Activities set out in these subparagraphs include those of supplying:

- Accounting review services
- Architectural services, related scientific and technical consulting services, technical testing and analysis services
- Auditing services
- Business tax planning and consulting services
- Business tax preparation and review services
- Engineering services (including those related to installing /maintenance services) for machinery and industrial equipment
- Engineering services related to aircrafts (including those related to maintenance and repair services of aircrafts)
- Financial advisory services
- Management consulting services
- Research and development services
- Software consulting services

2. Activities which require technology or knowledge at an advanced level pertinent to natural or human sciences referred to in paragraph 1 mean activities in which the natural person may not be able to engage without the application of specialised technology or knowledge of natural or human sciences acquired

by him or her, in principle, by completing college education (i.e. bachelor's degree) or higher education.