

# **Regulations for Enforcement of the Act on National Strategic Special Zones Related to Ministry of Justice (Tentative translation)**

(Ministry of Justice Order No. 40 of August 31, 2015)

Based on the provisions of Article 40 of Act on National Strategic Special Zones (Act No. 107 of 2013), the provisions of Article 18, item (i) of Order for the Enforcement of the Act on National Strategic Special Zones (Cabinet Order No. 99 of 2014), and the provisions of Article 2-2, paragraph (3) and Article 7-2 of Immigration Control and Refugee Recognition Act (Cabinet Order No. 309 of 1951), Regulations for Enforcement of the Act on National Strategic Special Zones Related to Ministry of Justice is established as follows.

(Terms)

Article 1 The terms used in this Ministerial Order are governed by meanings of the terms used in Act on National Strategic Special Zones (Act No. 107 of 2013), Order for Enforcement of the Act on National Strategic Special Zones (Cabinet Order No. 99 of 2014), Immigration Control and Refugee Recognition Act (Cabinet Order No. 309 of 1951; referred to below as "Immigration Control Act".) and Regulations for Enforcement of the Immigration Control and Refugee Recognition Act (Ministry of Justice Order No. 54 of 1981; referred to below as "Regulations for Enforcement of the Immigration Control Act".).

(Application for Confirmation of Article 22, Item (i) of Order for Enforcement of Act on National Strategic Special Zones)

Article 2 (1) A foreign national who seeks confirmation of Article 22, item (i) of Order for Enforcement of the Act on National Strategic Special Zones (referred to below as "confirmation of entrepreneurial activities") must create entrepreneurial activities plan that states the following matters, submit the plan to relevant local government, and apply for confirmation of entrepreneurial activities:

- (i) type and contents of business;
- (ii) region to operate business;
- (iii) date and place of establishment of the office;
- (iv) concrete plan until starting business
- (v) amount of funds required for conducting entrepreneurial activities and procurement method thereof;
- (vi) name, address, nationality, and working style of a person to assume position as an officer if they establish corporation;

- (vii) matters regarding the scale of business operation prescribed in Article 22, item (i), (c) of Order for Enforcement of the Act on National Strategic Special Zones; and
  - (viii) other matters regarding business plan.
- (2) The applicant must attach the following documents to the plan of entrepreneurial activities referred to the preceding paragraph:
- (i) process chart of the entrepreneurial activities;
  - (ii) resume of the applicant;
  - (iii) a document proving the applicant's residence for six months after their landing; and
  - (iv) other documents for reference.

(Confirmation by Relevant Local Government)

- Article 3 (1) The relevant local government that accepts an application referred to in the preceding Article is to confirm the entrepreneurial activities after consulting persons well versed in business operations, if it finds the plan falling under all of the matters of Article 22, item (i), (a) through (d) of Order for Enforcement of the Act on National Strategic Special Zones.
- (2) The relevant local government is to issue a certificate for confirmation of the entrepreneurial activities for a foreign national who has applied when it confirms the entrepreneurial activities.
- (3) The validity of a certificate, referred to in the preceding paragraph, for confirmation of the entrepreneurial activities is three months from the date of issuance.

(Responsibility of Relevant Local Government)

- Article 4 The relevant local government is to take measures stated in the following for six month after their landing with regard to a foreign national for whom the government has issued a certificate for confirmation of the entrepreneurial activities:
- (i) Securing the system to respond to consultation relating to the entrepreneurial activities;
  - (ii) Confirming the progress of the plan of entrepreneurial activities on a regular basis, and taking appropriate measures in order that the plan of entrepreneurial activities of the foreign national can be conducted smoothly and surely; and
  - (iii) Taking appropriate measures to secure the foreign national's returning to their home country if it becomes difficult to continue the entrepreneurial activities.

(Period of Stay)

Article 5 The period of stay is six months notwithstanding the provisions of Article 3 of the Regulation for Enforcement of the Immigration Control Act if the status of residence of "Business Manager" is decided for a foreign national who has submitted an application of Article 6, paragraph (2) of the Immigration Control Act by submitting a certificate of eligibility issued by an application of Article 7-2, paragraph (1) of the Immigration Control Act subject to the provisions of Article 16-6, paragraph (1) of the Act on National Strategic Special Zones.

(Materials Submitted Concerning an Application for Issuance of a Certificate of Eligibility)

Article 6 Upon an application of Article 7-2, paragraph (1) of the Immigration Control Act subject to the provisions of Article 16-6, paragraph (1) of the Act on National Strategic Special Zones, notwithstanding the provisions of Article 6-2, paragraph (2) of the Regulation for Enforcement of the Immigration Control Act, an applicant must submit a photograph (which has been taken within three months before the date of an application, while satisfying the requirements specified in Appended Table III (2) of the Immigration Control Act, with entry of the applicant's name on its backside), and a copy of their plan of the entrepreneurial activities submitted pursuant to the provisions of Article 2, a copy of valid certificate for confirmation of the entrepreneurial activities and other materials for reference.

(Agent Concerning to Application for Issuance of a Certificate of Eligibility)

Article 7 A person prescribed by Ministry of Justice Order of Article 7-2, paragraph (2) of the Immigration Control Act in case of an application of paragraph (1) of that Article subject to the provisions of Article 16-6, paragraph (1) of the Act on National Strategic Special Zones is the one stated in the following items, notwithstanding the provisions of Article 6-2 paragraph (3) of the Regulations for Enforcement of the Immigration Control Act;

(i) a person who is a staff member of an office in Japan for the business which a foreign national who applies for that is to manage or has been entrusted with the establishment of the office (if it is a corporation, its staff member); and

(ii) an official of the relevant local government which has confirmed the entrepreneurial activities regarding to the application.