

Regulations for Enforcement of the Act on National Strategic Special Zones Related to Ministry of Justice

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

Pursuant to the provisions of Article 40 of the Act on National Strategic Special Zones (Act No. 107 of 2013), the provisions of Article 18, item (i) of the 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 the Immigration Control and Refugee Recognition Act (Cabinet Order No. 319 of 1951), Regulations for Enforcement of the Act on National Strategic Special Zones Related to Ministry of Justice are established as follows.

(Terms)

Article 1 The terms used in this Ministerial Order have the same meanings of the terms used in the Act on National Strategic Special Zones (Act No. 107 of 2013), the Order for Enforcement of the Act on National Strategic Special Zones (Cabinet Order No. 99 of 2014), the Immigration Control and Refugee Recognition Act (Cabinet Order No. 319 of 1951; referred to below as "Immigration Control Act"), and the 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 Under Article 22, Item (i) of Order for Enforcement of Act on National Strategic Special Zones)

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

- (i) the type and details of their business;
- (ii) the region where their business is to be operated;
- (iii) the date and place of establishment of their offices;
- (iv) a concrete plan until the business starts;
- (v) the amount of funds needed for conducting entrepreneurial activities and the method of their procurement;
- (vi) if the applicant establishes a corporation, the name, address, nationality,

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

(Confirmation by the Relevant Local Government)

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

(Responsibility of the Relevant Local Government)

- Article 4 The relevant local government is to continue to take the measures stated in the following items for six months after the landing of the relevant foreign national for whom the government has issued a certificate of confirmation of the entrepreneurial activities:
- (i) secure a system to provide consultation relating to the entrepreneurial activities;
 - (ii) confirm the progress of the entrepreneurial activity plan on a regular basis and take appropriate measures in order to ensure that the entrepreneurial activities of the foreign national can be conducted smoothly and reliably; and
 - (iii) take appropriate measures to ensure that the foreign national can return to their home country if it is no longer viable to continue the entrepreneurial activities.

(Period of Stay)

Article 5 Notwithstanding the provisions of Article 3 of the Regulations for Enforcement of the Immigration Control Act, the period of stay is six months if the status of residence of "Business Manager" is granted for a foreign national who has submitted an application under Article 6, paragraph (2) of the Immigration Control Act upon submitting a certificate of eligibility issued based on an application under 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 to Be Submitted with an Application for Issuance of a Certificate of Eligibility)

Article 6 When submitting an application under 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 Regulations for Enforcement of the Immigration Control Act, an applicant must submit a photograph (taken within three months before the date of the application and which satisfies the requirements specified in Appended Table III (2) of the Regulations for Enforcement of the Immigration Control Act, and with the applicant's name written on its back side), and a copy of their entrepreneurial activity plan submitted pursuant to the provisions of Article 2, a copy of a valid certificate for confirmation of the entrepreneurial activities, and other materials for reference.

(Agent to Submit an Application for Issuance of a Certificate of Eligibility)

Article 7 The person prescribed by Ministry of Justice Order under Article 7-2, paragraph (2) of the Immigration Control Act in case of an application under paragraph (1) of that Article subject to the provisions of Article 16-6, paragraph (1) of the Act on National Strategic Special Zones is to be a person 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 staff member of an office in Japan for the business which is to be managed by the foreign national submitting the application or a person who has been entrusted with establishing that office (if it is a corporation, its staff member);
- (ii) an official of the relevant local government which has confirmed the entrepreneurial activities included in the application.