


What is the “Specific Categories” ?


- The “Specific Categories” stands for the following categories 1 to 3. For the precise provisions, please refer to the “Notification for Technology Transfer” 1(3)(サ).
- Please be noted that **a person falling under the “Specific Categories” is not necessarily regarded as a person of concern from national security.**


 Category 1

Person under the control of a foreign government, corporation or university **by contract**

Case 1: Technology transfer to a professor at a Japanese university who is also hired by a foreign university (including employment under cross-appointment system)

Case 2: Technology transfer to a student of a Japanese university who is employed by a foreign corporation* *Foreign-affiliated corporation in Japan is not recognized as a foreign corporation.



 Category 2

Person substantially under the control of foreign government **by economic interests**

Case 1: Technology transfer to a student receiving a scholarship from a foreign government

Case 2: Technology transfer to a researcher, joining a state-sponsored recruiting program, and receiving a large amount of grants** or living expenses from a foreign government

** It does not fall under the “Specific Categories” when grants are given in the name of a university or laboratory.


 Category 3

Person acting in Japan under **instructions** of a foreign government

Case 1: Technology transfer to a student acting in Japan under instructions or requests of a foreign government

Requests for New Faculty and Staff Members in Universities and research institutes.

- Request : Cooperation with checking applicability of the “Specific Categories”
 - **You, regardless of nationality, are requested to confirm the applicability of the “Specific Categories” to your employer at the time of employment** if you might be in a position to access sensitive dual-use technology controlled under the FEFTA.
 - Please make a necessary report or notification in accordance with the rules of your organization for, such as, subsidiary business or receipt of money.
 - Please be noted that your organization requests a letter of confirmation for compliance with the regulations of the FEFTA, not for misuse of your personal information. Regardless of nationality, all persons, including Japanese, are requested to make confirmation, and it is not intended to discriminate foreign nationals.
- **What we would like you to understand**
 - When your organization considers that you might fall under the “Specific Categories,” your organization is required to obtain a license from the METI to transfer the controlled technologies to you.
 - **Please be noted that your organization might not be able to provide controlled technology immediately after your entry to obtain a license, and, in case of license denial from national security perspectives, your organization might not provide the controlled technology.**
 - Please be noted that your organization controls technology transfer as requirements under the FEFTA, and your organization does not intend to treat you neither unfairly nor disadvantageously.

Citation : “Request for Your Cooperation for Compliance with the Regulations of Deemed Export Controls”
 -by Trade Control Department, The Ministry of Economy, Trade and Industry (METI) The Government of Japan