



## Security Export Control Handbook

Security Export Control is one of the important means for maintaining international peace and security. It is to protect from providing those such as developers of weapons of mass destruction or terrorists with weapons or items of high diversion risk for military use.

This handbook briefly describes matters to which university staff and students must pay attention under Security Export Control in case that they take out a specific freight such as laboratory instruments etc. to outside of Japan or offer a specific technology to foreign person and/or entity.

# 1. The content of Export Control

1) In case that we take out a specific freight to outside of Japan or offer a specific technology to foreign person and/or entity, certain control on such action is imposed by Foreign Exchange and Foreign Trade Act in Japan (the “Foreign Exchange Law”). The control consists of List Control, which describes specific items for judgement, and Catch-all Control, which describes end-use/end-user for judgement. Subject of control and controlled area according to the two types of Control are shown in Fig.1.

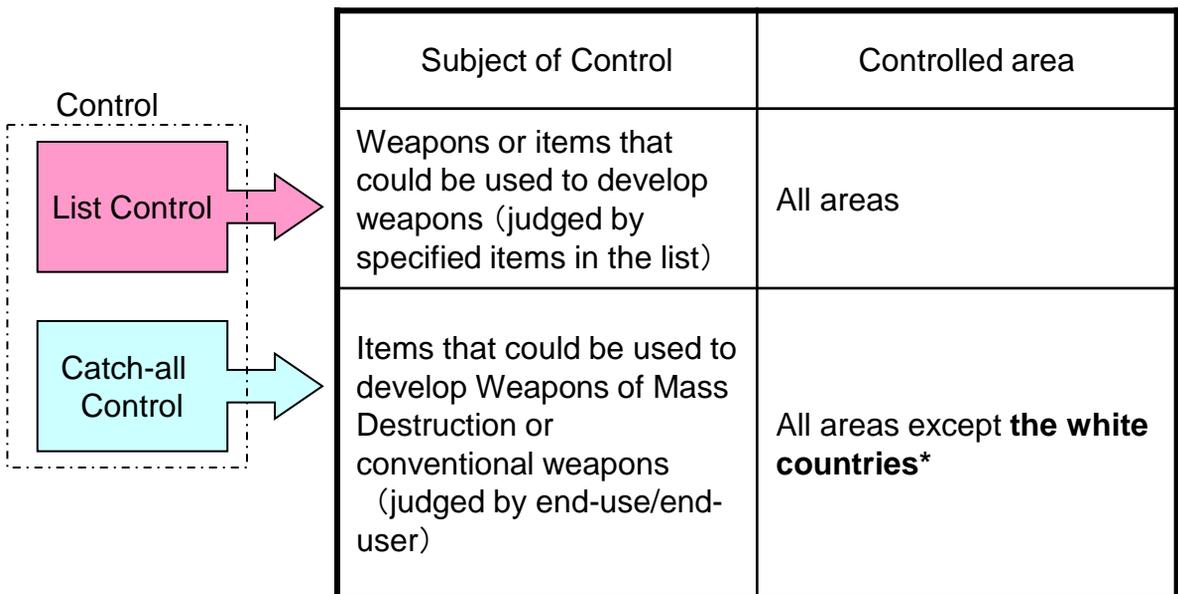


Fig.1: The contents of Control

\*the white countries : 27 countries are designated as ones with strictly acting export administration.

- Argentina, Australia, Austria, Belgium, Canada, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, South Korea, Luxembourg, the Netherlands, New Zealand, Norway, Poland, Portugal, Spain, Sweden, Switzerland, the United Kingdom, the United States, Bulgaria

- 2) In case that a specific freight is to be exported or a specific technology is to be provided, the license issued by the Ministry of Economy, Trade and Industry (the “METI”) is required.
- 3) According to the steps shown in Fig.2, Kanazawa University decides whether or not such license is necessary, with support of both the supervisor of export control and the consultants in the relevant research field, who are appointed from respective divisions, in order to reduce the burden of whoever applies for a license.

Step 1 (Faculty member who is to export a specific freight and/or technology information)

- 1) In case listed in the next page, you must consult with the check list for export control.
- 2) If you find any article of concern in the checking list, you must contact export control supervisor of O-FSI.



Step 2 (Supervisor of export control of Kanazawa University)

The supervisor makes the first judgment as to whether or not an application for a license to METI is required.



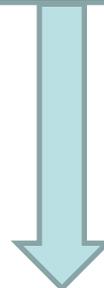
Step 3 (Senior supervisor of export control of Kanazawa University)

The supervisor reports his/her judgement to the senior export control supervisor. The senior export supervisor makes the second (final) judgement.



Step 4 (Chief supervisor of export control of Kanazawa University)

Decision on important matters.



Step 5 (University Corporate Relations Division)

Notification of the final judgment of the University to the applicant.

Fig.2: The flow of internal process

## **2. Cases with which you should consult with “the checking list for export control”**

If you think that your case may fall in one of the categories 1)-6) below, which are “application categories” of “the Internal application,” it is necessary to judge whether internal application is required.

1) Offering one of the followings, i.e., lecture, disclosure of information, meeting, accepting visit, to a foreign resident, a foreigner living in Japan for less than six months, a foreign diplomat.

Examples

- Providing a specific technology information stored on a memory device (Compact Disc, USB memory, etc.).
- Presentation to a person from foreign country.
- Instruction of the use of an apparatus convertible into weapons of mass destruction development.

2) Offering one of the followings, i.e., lecture, disclosure of information, meeting, accepting visit, to a person who may potentially export the technology to the countries of Appended Table 4 of Export Trade Control Order※.

(※ Iran, Iraq, North Korea, as of November 30<sup>th</sup>, 2015)

If you provide a specific technology to a permanent resident or a person who is certified as a refugee, there is no necessity to check the list.

3) Providing technical document, drawing, data and/or program to engineers and/or researchers in foreign countries by Fax, e-mail or postal mail.

4) Freight (including items for exhibition) to a foreign country

5) Entering into a joint research agreement with a foreign organization (university, research organization, company)

6) Providing a specific technology and/or freight inside of Japan that are suspected to be exported in future.

It is not necessary to get license to take a notebook PC for an overseas visit.

## Cf. Residents/non-residents

It is necessary to make judgement whether a license of Minister of METI, is required for offering of item or technology to someone who is regarded legally as non-resident according to Fig. 3. It is noted that even a Japanese person may be regarded as non-resident.

Fig.3: Residents/Non-residents according to legal aspects

	Residents	Non-Residents
In case of Japanese	Resident in Japan	<ul style="list-style-type: none"> <li>• Japanese in a foreign country for the purpose of working at a company based in foreign country.</li> <li>• Japanese staying in a foreign country for more than two years.</li> </ul>
In case of foreigner	<ul style="list-style-type: none"> <li>• Person to work in Japan</li> <li>• Person staying for more than 6 months after the entry to Japan</li> </ul>	<ul style="list-style-type: none"> <li>• Resident abroad</li> <li>• Person staying for less than 6 months after the entry to Japan</li> </ul>

## 3. Exceptions

Application for license is exempted in the following cases.

- 1) Providing technologies available to non-specific persons through academic journals, opened patent information, minutes of public symposiums, etc.
- 2) Enabling non-specific persons to obtain or read technologies by delivering manuscripts of conference presentations or handouts of exhibitions or by articles to journals, etc.
- 3) Providing technologies in the field of basic science research.  
→Joint research activities concerning developing products are not included herein.
- 4) Providing technologies just enough to apply for or register intellectual property rights.
- 5) Providing technologies already publicly opened to non-specific persons through newspapers, books, journals, etc.

#### **4. As regards foreign trainees/students**

University staff must pay attention when accepting foreign trainees/students for education and/or research;

1) Within 6 months after entry into Japan

Under Foreign Exchange Law, foreign trainees/students are regarded as “Non-residents” for the first 6 months. Accordingly, in case that university staff provide them with technical information under control, university staff must apply for an export license with METI.

2) After 6 months stay in Japan

- Under Foreign Exchange Law, foreign trainees/students are regarded as “residents” after 6 months. Thus, since they themselves need to obey Foreign Exchange Law, they are prohibited from transmitting obtained controlled information by e-mail or faxing to foreign countries without license.
- University staff are to guide them to obey Foreign Exchange Law.

#### **5. Procedures needed at Kanazawa university**

In case that university staff and students plan to take out freight to foreign countries or to provide non-Residents with technical information, contact the following division;

Intellectual Property Section,  
Division of University Corporate Relations,  
Kanazawa University

[E-mail:titeki@adm.kanazawa-u.ac.jp](mailto:titeki@adm.kanazawa-u.ac.jp)