



Security Export Control Handbook

Security export control is one of means for maintaining international peace and security and is to protect from providing developers of weapons of mass destruction or terrorists with things or technologies with high risk of diversion for military use.

This booklet provides a brief overview that faculty, staff, and students must take care when sending or bringing controlled goods (such as laboratory equipment) out of the country or providing technologies to foreign nationals, such as international students.

1.The content of Export Control

- 1) When you take out a controlled freight outside Japan or provide controlled technologies to a **"Non-Residents"** or a **"Specific Categories"**(see p.5), certain control on such acts are imposed by Foreign Exchange and Foreign Trade Act in Japan (the "Foreign Exchange Law"). The regulation contains **List Control**, which controls specifies items in the list, and **Catch-all Control**, which is controls based on end-use and end-user. Control subject and controlled area of both Control are explained in Fig.1.

	Control subject	Controlled area
List Control	Regulates weapons or items which could be used to develop weapons depending on specified items in the List	All areas including Group A countries*
Catch-all Control	Regulates products not subject to the List Control that may be used for the development of weapons of mass destruction or conventional destructive weapons, depending on end-use and end-user	All areas except the Group A countries*

Fig.1:The contents of Control

*) the Group A : 27 countries

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

2) In case a controlled freight are exported or controlled technologies is provided to non-resident people, the license allowed by the Ministry of Economy, Trade and Industry (the “METI”) is required.

3) Kanazawa University decide to submit the application to the Ministry of Economy, Trade and Industry (METI) or not according to the procedure shown in Fig. 2. The Supervisor of export control who is a faculty member of FSSI(Frontier Science and Social Co-creation Initiative) is available for consultation with the applicant. If you have any questions, please contact us.

Step 1 (Faculty member who export a controlled freight and/or technologies information)

1) In case listed in the next page, you must check the check list for export control.
2) If you find yes for any article in the checking list, please contact export control supervisor in FSSI.



Step 2 (Supervisor of export control in Kanazawa University)

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



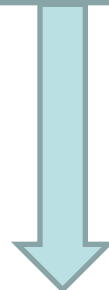
Step 3 (Senior supervisor of export control in Kanazawa University)

The supervisor report his judgement to the senior export control supervisor. The senior export supervisor makes the second (final) judgement.



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

Decision on important matters.



Step 5 (Division of University Corporate Relation)

Notification of University's final judgment to the applicant.

Fig.2:The flow of internal proceeding

2. Cases you should check “the checking list for export control”

1) Offering (lecturing, disclosing information, meeting) controlled technologies to non-residents (a foreign resident, a foreigner who lives in Japan less than six months, a foreign diplomat).

Examples

- Providing controlled technologies information recorded on a memory device (Compact Disc, USB flash drive).
- Presentation for a person from foreign country.
- Presentation at a closed meeting in a foreign country
- Guidance on the use of technology and equipment that could be used to develop weapons of mass destruction.

2) Acceptance of foreign students and foreign researchers who have a high probability of taking controlled technology outside Japan, even if more than 6 months have passed since their arrival in Japan. In particular, please consult with us when accepting people who may be taking technology to countries of concern※1 or UN arms embargoed countries※2.

※1 : North Korea, Iran, Iraq (as of May 2021)

※2 Afghanistan, Central Africa, Iraq, Democratic Republic of the Congo, Lebanon, Libya, North Korea, Somalia, South Sudan, Sudan (as of May 2021) .

As soon as possible a prospective student first submits his/her curriculum vitae and a written statement of desired research theme to the faculty member, we will ask to provide this document the Supervisor of export control via the departmental office in charge.

3) Sending documents, drawings, data or computer programs to a foreign country via telecommunications lines or by postal mail.

4) Supply of goods to a foreign country (including transportation of goods to a foreign country for the purpose of presentation or exhibition)

5) Conclusion of a collaborative research agreement with a university, research institution or enterprise in a foreign country.

6) Provision of technologies or goods in Japan in circumstances where they will plainly be exported or transferred to a foreign country


It is permission-free to take a notebook PC for an overseas visit.

Column: Residents/Non-residents

	Residents	Non-Residents
In case of Japanese	<ul style="list-style-type: none"> • Resident in Japan • Person working at diplomatic missions abroad. 	<ul style="list-style-type: none"> • Resident abroad leaving Japan for the purpose of working at offices in foreign country. • Resident abroad leaving Japan for the purpose of staying in a foreign country for more than two years. • Person who have temporarily returned to Japan and have stayed for less than 6 months.
In case of foreigner	<ul style="list-style-type: none"> • Person to work for office located in Japan • Person staying for more than 6 months since coming to Japan 	<ul style="list-style-type: none"> • Resident abroad • Person on official duty for a foreign government or international organization • Diplomats, consular staff, and employees of foreign country • Person who have been in Japan for 6 months or less

Column: Specified Categories and Deemed Export Controls

As of May 2022, “Residents” under the strong influence of foreign governments, foreign corporations, etc. are defined as “Specified Categories”, and the provision of goods and technology to those falling under “Specified Categories” is “deemed export” and requires the same control as the provision to non-residents.




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

Category 1

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.




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

Category 2

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.



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

Category 3

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

From Ministry of Economy, Trade and Industry data

3.For foreign trainees/students

University staffs must pay an attention to the following items when university accepts foreign students;

- 1) Within 6 months since coming to Japan
Under Foreign Exchange Law, foreign students are treated as “Non-residents” during 6 months. Accordingly, in case university staffs provide them with controlled technical information, university staffs should apply for an export license with METI.
- 2) After 6 months since coming to Japan
Foreign students are treated as "Residents", and if they don't belong to “Specific Categories”, they can be provided regulated technology. However, they must comply with the Foreign Exchange and Foreign Trade Law. They shall not e-mail or fax regulated technical information to their home countries or bring it back home. Please consider this point when planning your education and research program.

4. "deemed export" controls

The provision of goods and technology to the “Specific Categories“ person will be subject to the same regulations as those for non-residents. In accordance with the guidance of the Ministry of Economy, Trade and Industry (METI) and the Ministry of Education, Culture, Sports, Science and Technology (MEXT), the University is taking the following measures.

- 1) New hires, including Japanese nationals, after May 2022
After being hired, the applicant will be required to submit a letter of confirmation regarding the the specific category.
- 2) Prior confirmation before accepting international students
The applicability to the Specific Categories will be determined based on the materials submitted by the foreign student. If we cannot clearly determined, the applicant will be treated as a non-Specific Categories person.

5.Exception

- 1) Providing technologies available to non-specific person by academic journals, opened patent information, minutes of public symposiums, etc.
- 2) Enabling non-specific person to obtain or read technologies by delivering manuscripts of conference presentations or handouts of exhibitions or by contributing articles to magazines, etc.
- 3) Providing technologies in the field of basic science research.
→ Technologies that can be used for the design and manufacture of specific products is not included in basic science..
- 4) Providing technologies just enough to apply or register Intellectual property rights.
- 5) Providing technologies already known to non-specific person through newspapers, books, magazines, etc.

6.Procedure needed at Kanazawa university

If you are planning to take out a controlled freight or provide technical information to a non-resident, please contact us as soon as possible.

Social Co-creation Promotion Department, Industry-
University Collaboration Support Division,
Kanazawa University

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

If university staffs and its students have some question regarding security export control, please contact us.

Legal & Intellectual Property Strategy Group,
Frontier Science and Social Co-creation Initiative,
Kanazawa University

[E-mail: houmu-chizai@ml.kanazawa-u.ac.jp](mailto:houmu-chizai@ml.kanazawa-u.ac.jp)