1. This Schedule sets out, pursuant to paragraph 1 of Article 108, the reservations taken by Japan with respect to existing measures that do not conform with obligations imposed by:

   (a) Article 104;
   (b) Article 105;
   (c) Article 106; or
   (d) Article 107.

2. Each reservation in this Schedule sets out the following elements:

   (a) “Sector” refers to the general sector in which the reservation is taken;
   (b) “Sub-Sector” refers to the specific sector in which the reservation is taken;
   (c) “Industry Classification” refers, where applicable, and only for transparency purposes, to the activity covered by the reservation according to domestic or international industry classification codes;
   (d) “Type of Reservation” specifies the obligations referred to in paragraph 1 for which the reservation is taken;
   (e) “Level of Government” indicates the level of government maintaining the measure for which the reservation is taken;
“Measures” identifies the existing laws, regulations or other measures for which the reservation is taken. A measure cited in the “Measures” element:

(i) means the measure as amended, continued or renewed as of the date of entry into force of this Agreement; and

(ii) includes any subordinate measure adopted or maintained under the authority of and consistent with the measure; and

“Description” sets out, with regard to the obligations referred to in paragraph 1, the non-conforming aspects of the existing measures for which the reservation is taken.

3. In the interpretation of a reservation, all elements of the reservation shall be considered. A reservation shall be interpreted in the light of the relevant provisions of Chapter 7 against which the reservation is taken, and the “Measures” element shall prevail over all other elements.

4. With respect to Financial Services:

(a) For prudential reasons within the context of paragraph 1 of Article 8 of Annex 7, Japan shall not be prevented from taking measures such as non-discriminatory limitations on juridical forms of a commercial presence. For the same reasons, Japan shall not be prevented from applying non-discriminatory limitations concerning admission to the market of new financial services which shall be consistent with regulatory framework aimed at achieving such prudential objectives. In this context, securities firms are allowed to deal in securities defined in the relevant laws of Japan, and banks are not allowed to deal in those securities unless allowed in accordance with those laws.

(b) Services supplied in the Area of Peru to the service consumer in Japan without any active marketing from the service supplier are considered as services supplied under subparagraph 1(d)(ii) of Article 102.
5. Laws and regulations with regard to spectrum availability affecting obligations under Article 106 are not included in this Schedule, taking into account the Attachment 6 of Guidelines for the Scheduling of Specific Commitments (WTO Document S/L/92, dated 28 March 2001).

6. For the purposes of this Part, “JSIC” means Japan Standard Industrial Classification set out by the Statistics Bureau, Ministry of Internal Affairs and Communications, and revised on 6 November 2007.
1 Sector: Automobile Maintenance Business

Sub-Sector: Motor Vehicle Disassembling Repair Business

Industry Classification: JSIC 89 Automobile maintenance services

Type of Reservation: Market Access (Article 106)
Local Presence (Article 107)

Level of Government: Central Government

Measures: Road Vehicle Law (Law No. 185 of 1951), Chapter 6

Description: A person who intends to conduct motor vehicle disassembling repair businesses is required to establish a workplace in Japan and to obtain an approval of the Director-General of the District Transport Bureau having jurisdiction over the district where the workplace is located.
Sector: Business Services

Sub-Sector:

Industry Classification: JSIC 9111 Employment services
JSIC 9121 Worker dispatching services

Type of Reservation: Market Access (Article 106)
Local Presence (Article 107)

Level of Government: Central Government

Measures:
Employment Security Law (Law No. 141 of 1947), Chapters 3 and 3-3
Port Labor Law (Law No. 40 of 1988), Chapter 4
Mariner’s Employment Security Law (Law No. 130 of 1948), Chapter 3
Law Concerning the Improvement of Employment of Construction Workers (Law No. 33 of 1976), Chapters 5 and 6

Description:
A person who intends to supply the following services for enterprises in Japan is required to have an establishment in Japan and to obtain permission from, or to submit notification to, the competent authority, as applicable:

(a) private job placement services including fee-charging job placement services for construction workers; or

(b) stevedore dispatching services, mariner dispatching services and work opportunities securing services for construction workers.

Labor supply services may be supplied only by a labor union which has obtained permission from the competent authority pursuant to Employment Security Law.
Sector: Collection Agency Services

Sub-Sector:

Industry Classification: JSIC 6619 Miscellaneous financial auxiliaries

JSIC 7299 Professional services, n.e.c.

Type of Reservation: Market Access (Article 106)

Local Presence (Article 107)

Level of Government: Central Government

Measures: Special Measures Law Concerning Credit Management and Collection Business (Law No. 126 of 1998), Articles 3 and 4

Attorney Law (Law No. 205 of 1949), Articles 72 and 73

Description: A person who intends to supply collection agency services which constitute the practice of law in respect of legal cases is required to be qualified as an attorney at law under the laws and regulations of Japan ("Bengoshi"), a legal professional corporation under the laws and regulations of Japan ("Bengoshi-hojin") or an enterprise established under the Special Measures Law Concerning Credit Management and Collection Business, and to establish an office in Japan.

No person may take over and recover other person’s credits as business except an enterprise established under the Special Measures Law Concerning Credit Management and Collection Business that handles credits pursuant to provisions of that Law.
4 Sector: Construction

Sub-Sector:

Industry Classification: JSIC 06 Construction work, general, including public and private construction work

JSIC 07 Construction work by specialist contractor, except equipment installation work

JSIC 08 Equipment installation work

Type of Reservation: Market Access (Article 106)

Local Presence (Article 107)

Level of Government: Central Government

Measures: Construction Business Law (Law No. 100 of 1949), Chapter 2

Law Concerning Recycling of Construction Materials (Law No. 104 of 2000), Chapter 5

Description: 1. A person who intends to conduct construction business is required to establish a place of business in Japan and to obtain permission from the Minister of Land, Infrastructure, Transport and Tourism or from the prefectural governor having jurisdiction over the district where the place of business is located.

2. A person who intends to conduct demolition work business is required to establish a place of business in Japan and to be registered with the prefectural governor having jurisdiction over the district where the place of business is located.
5 Sector: Distribution Services

Sub-Sector: Wholesale Trade Services, Retailing Services, Commission Agents’ Services, Related to Alcoholic Beverages

Industry Classification: 
JSIC 5222 Liquors
JSIC 5851 Liquor stores

Type of Reservation: Market Access (Article 106)

Level of Government: Central Government

Measures: Liquor Tax Law (Law No. 6 of 1953), Articles 9, 10 and 11

Description: The number of licenses conferred to service suppliers in this sub-sector may be limited.
6  Sector:  Distribution Services
Sub-Sector:  Wholesale Trade Services Supplied at Public Wholesale Market

Industry Classification:  JSIC 521 Agricultural, animal and poultry farm and aquatic products

Type of Reservation:  Market Access (Article 106)
Level of Government:  Central Government

Measures:  Wholesale Market Law (Law No.35 of 1971), Articles 15, 17 and 33

Description:  The number of licenses conferred to wholesale trade service suppliers at public wholesale markets may be limited.
Sector: Education, Learning Support
Sub-Sector: Higher Educational Services
Industry Classification: JSIC 816 Institution of higher education
Type of Reservation: Market Access (Article 106)
Local Presence (Article 107)
Level of Government: Central Government
Measures: Fundamental Law of Education (Law No. 120 of 2006), Article 6
School Education Law (Law No. 26 of 1947), Article 2
Private School Law (Law No. 270 of 1949), Article 3
Description: Higher educational services supplied as formal education in Japan must be supplied by formal education institutions. Formal education institutions must be established by school juridical persons.

“Formal education institutions” means elementary schools, lower secondary schools, secondary schools, upper secondary schools, universities, junior colleges, colleges of technology, special support schools and kindergartens.

“School juridical person” means a non-profit juridical person established for the purposes of supplying educational services under the law of Japan.
8  Sector: Financial Services

Sub-Sector: Insurance and Insurance-Related Services

Industry Classification: JSIC 672 Non-life insurance institutions

JSIC 6742 Non-life insurance agents and brokers

Type of Reservation: Market Access (Article 106)

Local Presence (Article 107)

Level of Government: Central Government

Measures: Insurance Business Law (Law No. 105 of 1995), Articles 185, 186, 275, 276, 277, 286 and 287


Ministerial Ordinance for Enforcement of Insurance Business Law (Ministerial Ordinance of the Ministry of Finance No.5 of 1996), Articles 116 and 212-6

Description: Commercial presence is in principle required for insurance contracts on the following items and any liability arising therefrom:

(a) goods being transported within Japan; and

(b) ships of Japanese registration which are not used for international maritime transport.
Sector: Manufacturing
Sub-Sector: Shipbuilding and Repairing, and Marine Engines
Industry Classification: JSIC 3131Shipbuilding and repairing
Type of Reservation: Market Access (Article 106)
Level of Government: Central Government
Measures: Shipbuilding Law (Law No. 129 of 1950), Articles 2, 3 and 3-2
Description: A person who intends to establish or extend docks, which can be used to manufacture or repair vessels beyond a fixed scale, is required to obtain permission from the Minister of Land, Infrastructure, Transport and Tourism. The issuance of a license is subject to the requirements of an economic needs test.
Matters Related to the Nationality of a Ship

Market Access (Article 106)

Central Government

Ship Law (Law No. 46 of 1899), Article 1

Nationality requirement applies to the supply of international maritime transport services (including services of passenger transportation and freight transportation) through establishment of a registered company operating a fleet flying the flag of Japan.

“Nationality requirement” means that the ship must be owned by a Japanese national, or a company established under the law of Japan, of which all the representatives and not less than two-thirds of the executives administering the affairs are Japanese nationals.
11 Sector: Measuring Services

Sub-Sector:

Industry Classification: JSIC 7441 Commodity inspection services
JSIC 745 Surveyor certification

Type of Reservation: Market Access (Article 106)
Local Presence (Article 107)

Level of Government: Central Government

Measures:
Measurement Law (Law No. 51 of 1992), Chapters 3, 5, 6 and 8
Regulations on Measurement Law
(Ministerial Ordinance of the Ministry of International Trade and Industry No. 69 of 1993)
Ministerial Ordinance for Designated Inspection Body, Designated Verification Body, Designated Measurement Certification Inspection Body and Specified Measurement Certification Accreditation Body
(Ministerial Ordinance of the Ministry of International Trade and Industry No. 72 of 1993)

Description:
1. A person who intends to supply services of conducting the periodic inspection of specified measuring instruments is required to establish a legal person in Japan and to be designated by the prefectural governor having jurisdiction over the district where the person intends to conduct such inspection, or by the mayor of a designated city or the chief of a designated ward or village in case the place where the person intends to conduct such inspection is located within the district of such designated city, ward or village.
2. A person who intends to supply services of conducting the verification of specified measuring instruments is required to establish a legal person in Japan and to be designated by the Minister of Economy, Trade and Industry.

3. A person who intends to conduct measurement certification business, including specified measurement certification business, is required to have an establishment in Japan and to be registered with the prefectural governor having jurisdiction over the district where the establishment is located.

4. A person who intends to supply services of conducting the inspection of specified measuring instruments used for the measurement certification is required to establish a legal person in Japan and to be designated by the prefectural governor having jurisdiction over the district where the person intends to conduct such inspection.

5. A person who intends to supply services of conducting the accreditation for a person engaged in specified measurement certification business is required to establish a legal person in Japan and to be designated by the Minister of Economy, Trade and Industry.

6. A person who intends to supply services of conducting the calibration of measuring instruments is required to establish a legal person in Japan and to be designated by the Minister of Economy, Trade and Industry.
12 Sector: Medical, Health Care and Welfare

Sub-Sector:

Industry Classification: JSIC 8599 Miscellaneous social insurance, social welfare and care services

Type of reservation: Market Access (Article 106)
Local Presence (Article 107)

Level of Government: Central Government

Measures: Law Concerning Collection of Labor Insurance Premium (Law No. 84 of 1969), Chapter 4

Enforcement Regulations for the Law Concerning Collection of Labor Insurance Premium (Ministerial Ordinance of the Ministry of Labour No. 8 of 1972)

Description: Only an association of business proprietors or a federation of such associations approved by the Minister of Health, Labour and Welfare under the laws and regulations of Japan may conduct labor insurance businesses entrusted by business proprietors. An association which intends to conduct such labor insurance businesses under the laws and regulations of Japan is required to establish an office in Japan and to obtain the approval of the Minister of Health, Labour and Welfare.
13 Sector: Mining
Sub-Sector: Services Incidental to Mining

Industry Classification: JSIC 05 Mining and quarrying of stone and gravel

Type of Reservation: National Treatment (Article 104)
Market Access (Article 106)
Local Presence (Article 107)

Level of Government: Central Government

Measures: Mining Law (Law No. 289 of 1950), Chapters 2 and 3

Description: Only a Japanese national or a juridical person established under the law of Japan may have mining rights or mining lease rights.
14 Sector: Professional Services

Sub-Sector: 

Industry Classification: JSIC 7211 Lawyers’ offices

Type of Reservation: Market Access (Article 106)
Local Presence (Article 107)

Level of Government: Central Government

Measures: Attorney Law (Law No. 205 of 1949), Chapters 3, 4, 4-2, 5 and 9

Description: A natural person who intends to supply legal services is required to be qualified as an attorney at law under the laws and regulations of Japan (“Bengoshi”) and to establish an office within the district of the local bar association to which the natural person belongs.

An enterprise which intends to supply legal services is required to establish a legal professional corporation under the laws and regulations of Japan ("Bengoshi-Hojin").
15 Sector: Professional Services

Sub-Sector:

Industry Classification: JSIC 7211 Lawyers’ offices

Type of Reservation: Market Access (Article 106)

Local Presence (Article 107)

Level of Government: Central Government

Measures: Law on Special Measures Concerning the Handling of Legal Services by Foreign Lawyers (Law No. 66 of 1986), Chapters 2 and 4

Description: A natural person who intends to supply legal advisory services concerning foreign laws is required to be qualified as a registered foreign lawyer under the laws and regulations of Japan (“Gaikoku-Ho-Jimu-Bengoshi”) and to establish an office within the district of the local bar association to which the natural person belongs.

A registered foreign lawyer under the laws and regulations of Japan is required to stay in Japan for not less than 180 days per year.
Sector: Professional Services

Sub-Sector:

Industry Classification: JSIC 7212 Patent attorneys’ offices

Type of Reservation:
- Market Access (Article 106)
- Local Presence (Article 107)

Level of Government: Central Government

Measures: Patent Attorney Law (Law No. 49 of 2000), Chapters 3, 6 and 8

Description: A natural person who intends to supply patent attorney services is required to be qualified as a patent attorney under the laws and regulations of Japan (“Benrishi”).

An enterprise which intends to supply patent attorney services is required to establish a patent business corporation under the laws and regulations of Japan (“Tokkyo-Gyoumu-Hojin”).
<table>
<thead>
<tr>
<th>Sector:</th>
<th>Professional Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sub-Sector:</td>
<td></td>
</tr>
<tr>
<td>Industry Classification:</td>
<td>JSIC 7221 Notaries public’s and judicial scriveners’ offices</td>
</tr>
<tr>
<td>Type of Reservation:</td>
<td>National Treatment (Article 104)</td>
</tr>
<tr>
<td></td>
<td>Market Access (Article 106)</td>
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<tr>
<td></td>
<td>Local Presence (Article 107)</td>
</tr>
<tr>
<td>Level of Government:</td>
<td>Central Government</td>
</tr>
<tr>
<td>Measures:</td>
<td>Notary Law (Law No. 53 of 1908), Chapters 2 and 3</td>
</tr>
<tr>
<td>Description:</td>
<td>Only a Japanese national may be appointed as a notary in Japan.</td>
</tr>
<tr>
<td></td>
<td>The notary is required to establish an office in the place designated by the Minister of Justice.</td>
</tr>
</tbody>
</table>
18 Sector: Professional Services

Sub-Sector:

Industry Classification: JSIC 7221 Notaries public’s and judicial scriveners’ offices

Type of Reservation: Market Access (Article 106)  
Local Presence (Article 107)

Level of Government: Central Government

Measures: Judicial Scrivener Law (Law No. 197 of 1950), Chapters 3, 4, 5, 7 and 10

Description: A natural person who intends to supply judicial scrivener services is required to be qualified as a judicial scrivener under the laws and regulations of Japan (“Shiho-Shoshi”) and to establish an office within the district of the judicial scrivener association to which the natural person belongs.

An enterprise which intends to supply judicial scrivener services is required to establish a judicial scrivener corporation under the laws and regulations of Japan (“Shiho-Shoshi-Hojin”).
19 Sector: Professional Services

Sub-Sector:

Industry Classification: JSIC 7241 Certified public accountants' offices

Type of Reservation: Market Access (Article 106)
Local Presence (Article 107)

Level of Government: Central Government

Measures: Certified Public Accountant Law (Law No. 103 of 1948), Chapters 3, 5-2 and 7

Description: A natural person who intends to supply certified public accountants services is required to be qualified as a certified public accountant under the laws and regulations of Japan ("Koninkaikeishi").

An enterprise which intends to supply certified public accountants services is required to establish an audit corporation under the laws and regulations of Japan("Kansa-Hojin").
Sector: Professional Services

Sub-Sector:

Industry Classification: JSIC 7242 Auditors’ offices

Type of Reservation: Market Access (Article 106)
Local Presence (Article 107)

Level of Government: Central Government

Measures: Certified Public Tax Accountant Law (Law No. 237 of 1951), Chapters 3, 4, 5-2, 6 and 7

Enforcement Regulation on Certified Public Tax Accountant Law (Ministerial Ordinance of the Ministry of Finance No. 55 of 1951)

Description: A natural person who intends to supply certified public tax accountant services is required to be qualified as a certified public tax accountant under the laws and regulations of Japan (“Zeirishi”) and to establish an office within the district of certified public tax accountant association to which the natural person belongs.

An enterprise which intends to supply certified public tax accountant services is required to establish a certified public tax accountant corporation under the laws and regulations of Japan (“Zeirishi-Hojin”).
21 Sector: Professional Services

Sub-Sector:

Industry Classification: JSIC 7231 Administrative scriveners’ offices

JSIC 7294 Certified real estate appraisers

JSIC 7299 Professional services, n.e.c.

JSIC 7421 Architectural design services

Type of Reservation: Market Access (Article 106)

Local Presence (Article 107)

Level of Government: Central Government

Measures: Architect and/or Building Engineer Law (Law No. 202 of 1950), Chapters 1, 2 and 6

Description: An architect and/or building engineer, qualified as such under the laws and regulations of Japan (“Kenchikushi”), or a person employing such an architect and/or building engineer, who intends to conduct business of design, superintendence of construction work, administrative work related to construction work contracts, supervision of building construction work, survey and evaluation of buildings, and representation in procedure under the laws and regulations concerning construction, upon request from others for remuneration, is required to establish an office in Japan.
22 Sector: Professional Services

Sub-Sector:

Industry Classification: JSIC 7251 Certified social insurance and labor consultants’ offices

Type of Reservation: Market Access (Article 106)

Local Presence (Article 107)

Level of Government: Central Government

Measures: Certified Social Insurance and Labor Consultant Law (Law No. 89 of 1968), Chapters 2-2, 4-2, 4-3 and 5

Description: A natural person who intends to supply social insurance and labor consultant services is required to be qualified as a certified social insurance and labor consultant under the laws and regulations of Japan ("Shakai-Hoken-Romushi") and to establish an office in Japan.

An enterprise which intends to supply social insurance and labor consultant services is required to establish a certified social insurance and labor consultant corporation under the laws and regulations of Japan ("Shakai-Hoken-Romushi-Hojin").
23 Sector: Professional Services

Sub-Sector:

Industry Classification: JSIC 7231 Administrative scriveners’ offices

Type of Reservation: Market Access (Article 106)
Local Presence (Article 107)

Level of Government: Central Government

Measures: Administrative Scrivener Law (Law No. 4 of 1951), Chapters 3, 4, 5 and 8

Description: A natural person who intends to supply administrative scrivener services is required to be qualified as an administrative scrivener under the laws and regulations of Japan (“Gyousei-Shoshi”) and to establish an office within the district of the administrative scrivener association to which the natural person belongs.

An enterprise which intends to supply administrative scrivener services is required to establish an administrative scrivener corporation under the laws and regulations of Japan (“Gyousei-Shoshi-Hojin”).
Sector: Professional Services

Industry Classification: JSIC 7299 Professional services, n.e.c.

Type of Reservation: Market Access (Article 106)

Level of Government: Central Government

Measures: Maritime Procedure Agents Law (Law No. 32 of 1951), Article 17

Description: Maritime procedure agent services must be supplied by a natural person who is qualified as a maritime procedure agent under the laws and regulations of Japan ("Kaijidairishi").
### Industry Classification: JSIC 7222 Land and house surveyors’ offices

<table>
<thead>
<tr>
<th>Measures</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land and House Surveyor Law (Law No. 228 of 1950), Chapters 3, 4, 5, 7 and 10</td>
<td>A natural person who intends to supply land and house surveyor services is required to be qualified as a land and house surveyor under the laws and regulations of Japan (“Tochi-Kaoku-Chosashi”) and to establish an office within the district of the land and house surveyor association to which the natural person belongs.</td>
</tr>
</tbody>
</table>

An enterprise which intends to supply land and house surveyor services is required to establish a land and house surveyor corporation under the laws and regulations of Japan (“Tochi-Kaoku-Chosashi-Hojin”).
26 Sector: Real Estate

Sub-Sector: 

Industry Classification:
- JSIC 6811 Sales agents of buildings and houses
- JSIC 6812 Land subdividers and developers
- JSIC 6821 Real estate agents and brokers
- JSIC 6941 Real estate managers

Type of Reservation:
- Market Access (Article 106)
- Local Presence (Article 107)

Level of Government: Central Government

Measures:
- Building Lots and Buildings Transaction Business Law (Law No. 176 of 1952), Chapter 2
- Real Estate Syndication Law (Law No. 77 of 1994), Chapter 2
- Law Concerning Improving Management of Condominiums (Law No. 149 of 2000), Chapter 3

Description:
1. A person who intends to conduct building lots and buildings transaction business is required to establish an office in Japan and to obtain license from the Minister of Land, Infrastructure, Transport and Tourism or from the prefectural governor having jurisdiction over the district where the office is located.

2. A person who intends to conduct real estate syndication business is required to establish an office in Japan and to obtain permission from the competent Minister or from the prefectural governor having jurisdiction over the district where the office is located.
3. A person who intends to conduct condominiums management business is required to establish an office in Japan, and to be registered in the list maintained by the Ministry of Land, Infrastructure, Transport and Tourism.
Sector: Real Estate Appraisal Services

Sub-Sector:

Industry Classification: JSIC 7294 Certified real estate appraisers

Type of Reservation: Market Access (Article 106)

Level of Government: Central Government

Measures: Law Concerning the Appraisal of Real Estate (Law No. 152 of 1963), Chapter 3

Description: A person who intends to supply real estate appraisal services is required to establish an office in Japan and to be registered in the list maintained by the Ministry of Land, Infrastructure, Transport and Tourism or the prefecture having jurisdiction over the district where the office is located.
28 Sector: Seafarers

Sub-Sector:

Industry Classification: JSIC 031 Marine fisheries
JSIC 451 Oceangoing transport
JSIC 452 Coastwise transport

Type of Reservation: National Treatment (Article 104)
Market Access (Article 106)

Level of Government: Central Government

Measures: Mariners Law (Law No. 100 of 1947), Chapter 4

Official Notification of the Director General of Seafarers Department, Maritime Technology and Safety Bureau of the Ministry of Transport, No. 115, 1990

Official Notification of the Director General of Seafarers Department, Maritime Technology and Safety Bureau of the Ministry of Transport, No. 327, 1990


Description: Foreign nationals employed by Japanese enterprises except for the seafarers referred to in the relevant official notifications may not work on the vessels flying the Japanese flag.
Sector: Services Related to Occupational Safety and Health

Sub-Sector:

Industry Classification: JSIC 7299 Professional services, n.e.c.
JSIC 7441 Commodity inspection services
JSIC 7452 Environmental surveying certification
JSIC 8222 Vocational guidance centers

Type of Reservation: Market Access (Article 106)
Local Presence (Article 107)

Level of Government: Central Government

Measures: Industrial Safety and Health Law (Law No. 57 of 1972), Chapters 5 and 8
Ministerial Ordinance for Registration and Designation related to Industrial Safety and Health Law and Orders based on the Law (Ministerial Ordinance of the Ministry of Labour No. 44 of 1972)
Working Environment Measurement Law (Law No. 28 of 1975), Chapters 2 and 3
Enforcement Regulation of the Working Environment Measurement Law (Ministerial Ordinance of the Ministry of Labour No. 20 of 1975)
Description: A person who intends to supply inspection or verification services for working machines, skill training course and other related services in connection with occupational safety and health, or working environment measurement services is required to be resident or to establish an office in Japan and to be registered with the Minister of Health, Labour and Welfare or Director-General of the Prefectural Labour Bureau.
Sector: Surveying Services

Sub-Sector:

Industry Classification: JSIC 7422 Surveying services

Type of Reservation: Market Access (Article 106)
Local Presence (Article 107)

Level of Government: Central Government

Measures: Survey Law (Law No. 188 of 1949), Chapter 6

Description: A person who intends to supply surveying services is required to establish a place of business in Japan and to be registered with the Minister of Land, Infrastructure, Transport and Tourism.
31 Sector: Transport

Sub-Sector: Air Transport

Industry Classification: JSIC 4600 Head offices primarily engaged in managerial operations

JSIC 4621 Aircraft service, except air transport

Type of Reservation: National Treatment (Article 104)

Market Access (Article 106)

Level of Government: Central Government

Measures: Civil Aeronautics Law (Law No. 231 of 1952), Chapters 7 and 8

Description: 1. Permission of the Minister of Land, Infrastructure, Transport and Tourism for conducting aerial work business is not granted to the following natural persons or entities applying for the permission:

   (a) a natural person who does not have Japanese nationality;

   (b) a foreign country, or a foreign public entity or its equivalent;

   (c) a legal person or other entity constituted under the laws and regulations of any foreign country; and
(d) a legal person represented by the natural persons or entities referred to in subparagraph (a), (b) or (c); a legal person of which more than one third of the members of the board of directors are composed of the natural persons or entities referred to in subparagraph (a), (b) or (c); or a legal person of which more than one third of the voting rights are held by the natural persons or entities referred to in subparagraph (a), (b) or (c).

In the event a person conducting aerial work business falls into a natural person or an entity referred to in subparagraphs (a) through (d), the permission will lose its effect. The conditions for the permission also apply to companies, such as holding companies, which have substantial control over the person conducting aerial work business.

2. A foreign aircraft may not be used for a flight between points within Japan.
1. An aircraft owned by any of the following natural persons or entities may not be registered in the national register:

(a) a natural person who does not have Japanese nationality;

(b) a foreign country, or a foreign public entity or its equivalent;

(c) a legal person or other entity constituted under the laws and regulations of any foreign country; and

(d) a legal person represented by the natural persons or entities referred to in subparagraph (a), (b) or (c); a legal person of which more than one third of the members of the board of directors are composed of the natural persons or entities referred to in subparagraph (a), (b) or (c); or a legal person of which more than one third of the voting rights are held by the natural persons or entities referred to in subparagraph (a), (b) or (c).

2. A foreign aircraft may not be registered in the national register.
<table>
<thead>
<tr>
<th>33</th>
<th>Sector:</th>
<th>Transport</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Sub-Sector:</td>
<td>Customs Brokerage</td>
</tr>
<tr>
<td></td>
<td>Industry Classification:</td>
<td>JSIC 4899 Services incidental to transport, n.e.c.</td>
</tr>
<tr>
<td></td>
<td>Type of Reservation:</td>
<td>Market Access (Article 106) Local Presence (Article 107)</td>
</tr>
<tr>
<td></td>
<td>Level of Government:</td>
<td>Central Government</td>
</tr>
<tr>
<td></td>
<td>Measures:</td>
<td>Customs Brokerage Law (Law No. 122 of 1967), Chapter 2</td>
</tr>
<tr>
<td></td>
<td>Description:</td>
<td>A person who intends to conduct customs brokerage business is required to have a place of business in Japan and to obtain permission of the Director-General of Customs having jurisdiction over the district where the person intends to conduct customs brokerage business.</td>
</tr>
</tbody>
</table>
34 Sector: Transport

Sub-Sector: Freight Forwarding Business (excluding freight forwarding business using air transportation)

Industry Classification: JSIC 4441 Collect-and-deliver freight transport

JSIC 4821 Deliver freight transport, except collect-and-deliver freight transport

Type of Reservation: National Treatment (Article 104)

Most-Favored-Nation Treatment (Article 105)

Market Access (Article 106)

Local Presence (Article 107)

Level of Government: Central Government

Measures:

Freight Forwarding Business Law (Law No. 82 of 1989), Chapters 2, 3 and 4

Enforcement Regulation of Freight Forwarding Business Law (Ministerial Ordinance of the Ministry of Transport No. 20 of 1990)

Description:

1. The following natural persons or entities are required to be registered with, or to obtain permission or approval of, the Minister of Land, Infrastructure, Transport and Tourism for conducting freight forwarding business using international shipping. Such registration shall be made, or such permission or approval shall be granted, on the basis of reciprocity:

(a) a natural person who does not have Japanese nationality;

(b) a foreign country, or a foreign public entity or its equivalent;
(c) a legal person or other entity constituted under the laws and regulations of any foreign country; and

(d) a legal person represented by the natural persons or entities referred to in subparagraph (a), (b) or (c); a legal person of which more than one third of the members of the board of directors are composed of the natural persons or entities referred to in subparagraph (a), (b) or (c); or a legal person of which more than one third of the voting rights are held by the natural persons or entities referred to in subparagraph (a), (b) or (c).

2. A person who intends to conduct freight forwarding business is required to establish an office in Japan, and to be registered with, or to obtain permission or approval of, the Minister of Land, Infrastructure, Transport and Tourism.
Sector: Transport
Sub-Sector: Road Transport

Industry Classification:
- JSIC 431 Common omnibus operators
- JSIC 432 Common taxicab operators
- JSIC 433 Contracted omnibus operators
- JSIC 4391 Motor passenger transport (particularly-contracted)
- JSIC 441 Common motor trucking
- JSIC 442 Motor trucking (particularly-contracted)
- JSIC 443 Mini-sized vehicle freight transport

Type of Reservation:
- Market Access (Article 106)
- Local Presence (Article 107)

Level of Government: Central Government

Measures:
- Road Transport Law (Law No. 183 of 1951), Chapter 2
- Trucking Business Law (Law No. 83 of 1989), Chapter 2

Description:
1. A person who intends to conduct road passenger transport business or road freight transport business is required to establish a place of business in Japan and to obtain permission of the Minister of Land, Infrastructure, Transport and Tourism.
2. In respect of common taxicab operators business, the Minister of Land, Infrastructure, Transport and Tourism may not grant permission to a person who intends to conduct the business, and a person who conducts the business may not be allowed to modify the business plan of such business, in the area including a designated area where the Minister of Land, Infrastructure, Transport and Tourism designated as the “emergency supply/demand adjustment area”. The “emergency supply/demand adjustment area” is designated where the Minister of Land Infrastructure, Transport and Tourism considers that the capacity of common taxicab transportation business in that area significantly exceeds the volumes of traffic demand, and that it would be difficult to secure the safety of transportation and the benefits of passengers, if the capacity of transportation further increases.

3. In respect of common motor trucking business or motor trucking business (particularly-contracted), the Minister of Land, Infrastructure, Transport and Tourism may not grant permission to a person who intends to conduct the business, and a person who conducts the business may not be allowed to modify the business plan of such business, in the area including a designated area where the Minister of Land, Infrastructure, Transport and Tourism designated as the “emergency supply/demand adjustment area”. The “emergency supply/demand adjustment area” is designated where the Minister of Land, Infrastructure, Transport and Tourism considers that the capacity of common motor trucking business or motor trucking business(particularly-contracted) in that area has significantly exceeded the volumes of transportation demand to the extent that the operation of existing business would become difficult.
Sector: Transport
Sub-Sector: Services Incidental to Transport
Industry Classification: JSIC 4852 Fixed facilities for road transport
Type of Reservation: Market Access (Article 106)
Level of Government: Central Government
Measures: Road Transport Law (Law No. 183 of 1951), Chapter 4
Description: A person who intends to conduct motorway business is required to obtain license from the Minister of Land, Infrastructure, Transport and Tourism. The issuance of a license is subject to an economic needs test, such as whether the proposed motorway is appropriate in scale compared with the volume and nature of traffic demand in the proposed area.
<table>
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<th>Sector:</th>
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<td>Measures:</td>
<td>Pilotage Law (Law No. 121 of 1949), Chapters 2, 3 and 4</td>
</tr>
<tr>
<td>Description:</td>
<td>Only a Japanese national may become a pilot in Japan. Pilots directing ships in the same pilotage district are required to establish a pilot association for the pilotage district.</td>
</tr>
</tbody>
</table>
38 Sector: Transport

Sub-Sector: Water Transport

Industry Classification: JSIC 451 Oceangoing transport

Type of Reservation: National Treatment (Article 104)

Most-Favored-Nation Treatment (Article 105)

Market Access (Article 106)

Level of Government: Central Government

Measures: Law Concerning Special Measures against Unfavorable Treatment to Japanese Oceangoing Ship Operators by Foreign Government (Law No. 60 of 1977)

Description: Peruvian oceangoing ship operators maybe restricted or prohibited from entering ports in Japan or from loading and unloading cargoes in Japan in cases where Japanese oceangoing ship operators are prejudiced by Peru.
Sector: Transport
Sub-Sector: Water Transport

Industry Classification:

Type of Reservation: National Treatment (Article 104)
Most-Favored-Nation Treatment (Article 105)
Market Access (Article 106)

Level of Government: Central Government

Measures: Ship Law (Law No. 46 of 1899), Article 3

Description: Unless otherwise specified in laws and regulations of Japan or international agreements to which Japan is a party, ships not flying the Japanese flag are prohibited from entering ports in Japan which are not open to foreign commerce and from carrying cargoes or passengers between ports in Japan.
Sector: Vocational Skills Test

Sub-Sector:

Industry Classification:

Type of Reservation: Market Access (Article 106)

Local Presence (Article 107)

Level of Government: Central Government

Measures: Human Resources Development Promotion Law (Law No. 64 of 1969), Chapter 5

Description: An enterprise which intends to carry out the vocational skills test for workers is required to establish an office in Japan and to be designated by the Minister of Health, Labour and Welfare.
41  Sector: Wholesale and Retail Trade
    Sub-Sector: Livestock
    Industry Classification: JSIC 5219 Miscellaneous agricultural animal and poultry farm and aquatic products
    Type of Reservation: Local Presence (Article 107)
    Level of Government: Central Government
    Measures: Livestock Dealer Law (Law No. 208 of 1949), Article 3
    Description: A person who intends to conduct livestock trading business is required to be resident in Japan and to obtain a license from the prefectural governor having jurisdiction over the place of residence. For greater certainty, “livestock trading” means the trading or exchange of livestock, or the good offices for such trading or exchange.