

Annex 5  
referred to in Chapter 7

Part 1  
Schedule of Japan

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;

- (f) "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
- (g) "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.

2 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.

3 Sector: Collection Agency Services

Sub-Sector:

Industry  
Classification: JSIC 6619Miscellaneous financial  
auxiliaries  
JSIC 7299Professional 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 521Agricultural, 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.

7 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

Cabinet Order for Enforcement of Insurance Business Law (Cabinet Order No. 425 of 1995), Articles 19 and 39-2

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.

9 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.

10 Sector: Matters Related to the Nationality of a Ship

Sub-Sector:

Industry Classification:

Type of Reservation: Market Access (Article 106)

Level of Government: Central Government

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

Description: 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.

16 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").

17 Sector: Professional Services

Sub-Sector:

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

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

Level of  
Government: Central Government

Measures: Notary Law (Law No. 53 of 1908),  
Chapters 2 and 3

Description: Only a Japanese national may be  
appointed as a notary in Japan.  
The notary is required to establish an  
office in the place designated by the  
Minister of Justice.

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").

20 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").

24 Sector: Professional Services

Sub-Sector:

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").

25 Sector: Professional Services

Sub-Sector:

Industry  
Classification: JSIC 7222 Land and house surveyors'  
offices

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

Level of  
Government: Central Government

Measures: Land and House Surveyor Law (Law No.  
228 of 1950), Chapters 3, 4, 5, 7 and  
10

Description: 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.

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.

27 Sector: Real Estate Appraisal Services

Sub-Sector:

Industry  
Classification: JSIC 7294 Certified real estate appraisers

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

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  
Official Notification of the Director  
General of Maritime Bureau of the  
Ministry of Land, Infrastructure and  
Transport, No. 153, 2004

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.

29 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.

30 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.

32 Sector: Transport

Sub-Sector: Air Transport (Registration of Aircraft in the National Register)

Industry Classification:

Type of Reservation: Market Access (Article 106)

Level of Government: Central Government

Measures: Civil Aeronautics Law (Law No. 231 of 1952), Chapter 2

Description: 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.

33 Sector: Transport

Sub-Sector: Customs Brokerage

Industry  
Classification: JSIC 4899 Services incidental to  
transport, n.e.c.

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

Level of  
Government: Central Government

Measures: Customs Brokerage Law (Law No. 122 of  
1967), Chapter 2

Description: 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.



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.

35 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.

36 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.

37 Sector: Transport

Sub-Sector: Services Incidental to Transport

Industry  
Classification:

Type of  
Reservation: National Treatment (Article 104)

Market Access (Article 106)

Local Presence (Article 107)

Level of  
Government: Central Government

Measures: Pilotage Law (Law No. 121 of 1949),  
Chapters 2, 3 and 4

Description: 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.

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.

39 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.



40 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.