

Annex 8  
referred to in Chapter 9

Specific Commitments for Entry and Temporary Stay  
of Nationals for Business Purposes

Part 1  
Specific Commitments of Japan

Section 1  
Short-term Business Visitors

1. Entry and temporary stay for a period not exceeding 90 days, which may be extended, shall be granted to nationals for business purposes of Peru who will stay in Japan, without acquiring remuneration from within Japan and without engaging in making direct sales to the general public or in supplying services themselves, for the purposes of participating in business contacts including negotiations for the sale of goods or services, or other similar activities including those to prepare for establishing investments in the Area of Japan.

2. Entry and temporary stay referred to in paragraph 1 shall be granted to nationals for business purposes of Peru, without requiring the nationals to obtain an authorization to work, provided that the nationals comply with the immigration laws and regulations of Japan applicable to entry and temporary stay which are not inconsistent with the provisions of Chapter 9, on presentation of necessary documents for immigration examination including:

- (a) proof of nationality of Peru;
- (b) documentation demonstrating that the nationals will be engaged in the business activities specified in paragraph 1; and
- (c) evidence demonstrating that the nationals are not seeking to enter in the domestic employment market.

3. Japan shall provide that nationals for business purposes of Peru referred to in paragraph 1 may satisfy the requirements of subparagraph 2(c) by demonstrating that:

- (a) the source of remuneration for the proposed business activity is outside Japan; and
- (b) the principal place of business and the actual place of accrual of profits, predominantly, remain outside Japan.

4. Japan may accept an oral declaration as to the principal place of business and the actual place of accrual of profits. Where Japan requires further proof, it shall normally consider a letter from the employer or the representing organization attesting to these matters as sufficient proof.

5. Japan shall not:

- (a) as a condition for entry and temporary stay under paragraph 1, require prior approval procedures or other procedures of similar effect; or
- (b) impose or maintain any quantitative restriction relating to entry and temporary stay under paragraph 1.

## Section 2 Intra-corporate Transferees

1. Entry and temporary stay for a period of one or three years, which may be extended, shall be granted to nationals for business purposes of Peru who:

- (a) have been employed by an enterprise that supplies services or invests in the Area of Japan for a period not less than one year immediately preceding the date of their application for the entry and temporary stay in Japan;

- (b) are being transferred to the branch or representative office of the enterprise referred to in subparagraph (a) in Japan or another enterprise constituted or organized in Japan owned or controlled by, or affiliated with, the enterprise referred to in subparagraph (a); and
- (c) will be engaged in one of the following activities during their temporary stay in Japan:
  - (i) activities to direct the branch or representative office of the enterprise referred to in subparagraph (a) as its head;
  - (ii) activities to direct the enterprise referred to in subparagraph (b) as its board member or auditor;
  - (iii) activities to direct one or more departments of the enterprise referred to in subparagraph (b);
  - (iv) activities which require technology or knowledge at an advanced level pertinent to physical sciences, engineering or other natural sciences, recognized under the status of residence of "Engineer" provided for in the Immigration Control and Refugee Recognition Act of Japan (Cabinet Order No. 319 of 1951); or
  - (v) activities which require knowledge at an advanced level pertinent to human sciences, including jurisprudence, economics, business management and accounting, or which require ideas and sensitivity based on culture of a country other than Japan, recognized under the status of residence of "Specialist in Humanities/International Services" provided for in the Immigration Control and Refugee Recognition Act of Japan.

Note: For the purposes of this paragraph, an enterprise is "affiliated" with another enterprise if the latter can significantly affect the decision making of the former on finance and business policy.

2. Activities which require technology or knowledge at an advanced level pertinent to natural or human sciences referred to in subparagraph 1(c)(iv) or 1(c)(v) mean activities in which the nationals referred to in paragraph 1 may not be able to be engaged without the application of specialized technology or knowledge of natural or human sciences acquired by them, in principle, by completing college education (i.e. bachelor's degree) or higher education, or by having been engaged in the activities for at least 10 years.

3. Japan shall not impose or maintain any quantitative restriction relating to entry and temporary stay under paragraph 1.

### Section 3 Investors

1. Entry and temporary stay for a period of one or three years, which may be extended, shall be granted to nationals for business purposes of Peru who will be engaged in one of the following activities during their temporary stay in Japan:

- (a) activities to invest in business in the Area of Japan and manage such business;
- (b) activities to manage business in the Area of Japan on behalf of a person other than that of Japan who has invested in such business; or
- (c) conduct of business in the Area of Japan in which a person other than that of Japan has invested.

Note: The term "business" referred to in this Section includes Peruvian restaurants and cuisine services.

2. Japan shall not impose or maintain any quantitative restriction relating to entry and temporary stay under paragraph 1.

Section 4  
Nationals for Business Purposes of Peru  
Who Engage in Professional Services

Entry and temporary stay for a period of one or three years, which may be extended, shall be granted to nationals for business purposes of Peru who are legal, accounting or taxation service suppliers qualified under the laws and regulations of Japan and who will be engaged in one of the following activities during their temporary stay in Japan:

- (a) legal services supplied by a lawyer qualified as "Bengoshi" under the laws and regulations of Japan;
- (b) legal advisory services on law of jurisdiction where the service supplier is a qualified lawyer on condition that the service supplier is qualified as "Gaikoku-Ho-Jimu-Bengoshi" under the laws and regulations of Japan;
- (c) legal services supplied by a patent attorney qualified as "Benrishi" under the laws and regulations of Japan;
- (d) legal services supplied by a maritime procedure agent qualified as "Kaijidairishi" under the laws and regulations of Japan;
- (e) accounting, auditing and bookkeeping services supplied by an accountant qualified as "Koninkaikeishi" under the laws and regulations of Japan; or
- (f) taxation services supplied by a tax accountant qualified as "Zeirishi" under the laws and regulations of Japan.

## Section 5

Nationals for Business Purposes of Peru Who Engage in Business Activities, Which Require Technology or Knowledge at an Advanced Level or Which Require Specialized Skills belonging to Particular Fields of Industry, on the Basis of a Personal Contract with a Public or Private Organization in Japan

1. Entry and temporary stay for a period of one or three years, which may be extended, shall be granted to nationals for business purposes of Peru who will be engaged in one of the following business activities of supplying services during their temporary stay in Japan on the basis of a personal contract, including employment contract, with a public or private organization in Japan:

- (a) activities which require technology or knowledge at an advanced level pertinent to physical sciences, engineering or other natural sciences under the status of residence of "Engineer" provided for in the Immigration Control and Refugee Recognition Act of Japan;
- (b) activities which require knowledge at an advanced level pertinent to human sciences, including jurisprudence, economics, business management and accounting, or which require ideas and sensitivity based on culture of a country other than Japan, under the status of residence of "Specialist in Humanities/International Services" provided for in the Immigration Control and Refugee Recognition Act of Japan; or
- (c) activities which require specialized skills relating to Peruvian cuisine under the status of residence of "Skilled Labor" provided for in the Immigration Control and Refugee Recognition Act of Japan, provided that the nationals for business purposes of Peru who:
  - (i) will be engaged in such activities satisfies the following requirements:

- (A) having work experience as Peruvian cook for at least five years, inclusive of the time spent at an educational institution to fulfill the requirements for obtaining a diploma issued by such institution on behalf of the Nation of Peru;
  - (B) having passed the Peruvian national examinations on Peruvian cuisine for licensing Peruvian cooks, which shall be those that are notified without undue delay from the Government of Japan to the Government of Peru when the Government of Peru notifies the Government of Japan that system of such examinations is established; and
  - (C) receiving or having received adequate remuneration as Peruvian cook in Peru in the one year period immediately preceding the date of application for the entry and temporary stay in Japan; or
- (ii) has work experience as Peruvian cook for at least seven years, and has obtained a diploma issued by an educational institution on behalf of the Nation of Peru after having studied to obtain the skills as Peruvian cook at the institution for at least three years.

Note 1: For the purposes of this subparagraph, the term "adequate remuneration" means the amount of remuneration or its equivalent in cash, which is more than the amount of the average wage of employees in all industries in Peru, which shall be calculated on an annual basis by the Japanese authorities, based on the latest available statistical data provided in the National Survey of Salaries and Wages published by the Ministry of Labor and Promotion of Employment of Peru.

Note 2: For reference purposes, "the amount of the average wage" referred to in Note 1 as of June 2007 is 2,128.00 Nuevos Soles.

Note 3: The provisions of subparagraph (ii) shall apply to the nationals of Peru until the examinations referred to in subparagraph (i) (B) are notified from the Government of Japan to the Government of Peru.

2. Activities which require technology or knowledge at an advanced level pertinent to natural or human sciences referred to in subparagraph 1(a) or 1(b) mean activities in which the nationals referred to in paragraph 1(a) or 1(b) may not be able to be engaged without the application of specialized technology or knowledge of natural or human sciences acquired by them, in principle, by completing college education (i.e. bachelor's degree) or higher education, or by having been engaged in the activities for at least 10 years, including the period of time spent for studying the subject pertaining to such technology or knowledge at an educational institution.