

# **Announcement for students**

## **Regulations of controls on technology transfer to maintain the international peace and security**

**November 2021**

**Trade Control Department**

**The Ministry of Economy, Trade and Industry (METI)**

This material focuses on the announcement that the application of Regulations on technology transfer controls to maintain the international peace and security will change on May first 2022. Please see the references shown on the page three of this material to know the holistic information about Japan's export control systems based on the Foreign Exchange and Foreign Trade Law.

## **Announcement: The application of regulations of controls on technology transfer to maintain the international peace and security will change**

- From May 1<sup>st</sup> 2022, the application of regulations to prevent transferring of sensitive technologies from Japan to maintain the international peace and security will change.
- The university to which you belong will be obliged to obtain the export licenses from METI before transferring certain technologies to its students, in case the recipient students fall under the cases shown in the next page.

### **Please understand the following**

- **When the university to which you belong knows that you might fall under the cases in the next page, the university might be required to obtain a license from METI before transferring the controlled technologies to you. As a result, the university might take longer time to provide for the controlled technologies than usual .**
- **In case the issuance of the license is denied by METI from the reasons for national security, the university might not provide for the controlled technology.**
- **Please be noted that the university controls the technology transfer as the compliance with the regulations, and the university does not intend to treat you neither unfairly nor disadvantageously.**

※ “technology transfer” in this material means a transfer of technology, from the university to students through teaching, lecturing, meeting and the development and operation of equipment, which is critical for maintaining the international peace and security.

# The cases which the university might be required to obtain a license from METI

- If you fall under the cases, the university might take longer time to provide for the controlled technologies than usual. Typically, the application for export licenses in these cases would be examined carefully; however the fact that you fall under these cases does not mean you are regarded suspicious in terms of national security.

## ① a student under the control of a foreign government, corporation or university by **contract**

example1: a student who is a member of laboratory in a university and also is employed by a foreign company✳.

example2: a student of a university who runs for a foreign venture business✳.

✳a "foreign company" or a "foreign business" does not include Japanese company owned by a foreign company

## ② a student under the control of foreign government by **economic interests**

example1: a student who receives a large amount of scholarship from a foreign government

example2: a student who is the member of a state-sponsored recruiting program, and receiving a large amount of grants\*\* or living expenses from a foreign government.

\*\* the exception are applied when grants are given in the name of a university or laboratory.

## ③ a student under **instructions** of a foreign government

example: a student who acts in Japan under instructions or requests of a foreign government.

# Contact

- If there are questions regarding this announcement, please contact to the export control section of your university, or to the following contact of METI.
- If you need further information, you can also see the following references.

## **Contact of METI:**

Security Export Control Administration Division: [minashi-QA@meti.go.jp](mailto:minashi-QA@meti.go.jp)

## References of the regulations on technology transfer controls to maintain the international peace and security

- The introduction of the export control regulations of Japan  
<https://www.meti.go.jp/policy/anpo/guidance.html>
- Guidance for the Control of Sensitive Technologies for Security Export for Academic and Research Institutions (3rd Edition) ※4<sup>th</sup> Edition will be released soon.  
<https://www.meti.go.jp/policy/anpo/daigaku.html>

## References for this announcement

- Clarification of "Deemed Export" Controls
- Questions and Answers on Clarification of "Deemed Export" Controls
- "Notification for Transactions or Acts of Transferring Technology Requiring Permission pursuant to Article 25 (1) of the Foreign Exchange and Foreign Trade Act and Article 17 (2) of the Foreign Exchange Order"

You can find the materials above from “参考資料” of the web site for Security Export Control in Japan.

<https://www.meti.go.jp/policy/anpo/anpo07.html>