

May 1, 2022

(For Faculty members)

Re: Security Export Control and Submission of Letter of Self-Declaration (Request)

Recent years have seen more and more international academic exchanges and research activities including international personal exchanges and joint research between Japanese and overseas universities and research institutions. To prevent technology leakage that can lead to an unintentional involvement in a development of weapons of mass destruction or similar activities, this university carries out proper control of goods and technologies in accordance with the Foreign Exchange and Foreign Trade Act (FEFTA).

The FEFTA regulates that one must apply for approval from the Minister of Economy, Trade and Industry (METI) in advance when one supplies to the outside sensitive technologies, goods or information that can be used for military purposes and are therefore controlled in accordance with the Act. Failure to apply for approval for an act that requires an application for approval would result in penalties etc.

Further, based on the amendment to the Act of May 1, 2022, when a university newly employs a faculty member, the university is obligated to check whether or not the employment may be applicable to a technology transfer as shown in "4. About Falling under the Categories" below by means of self-declaration by the employee.

In this connection, please submit a Letter of Self-Declaration by filling in the form attached herewith. We will appreciate your kind understanding of the above-described objective.

Please also note that it will be necessary from now on to submit the "Advance Verification Sheet" in accordance with "3. Export Control Procedures of Yokohama City University" below when you supply to the outside any technology, goods or information to which the export control may apply or when you accept a student with foreign nationality. (Please see the Security Export Control Website of the University for details.



The Letter of Self-Declaration should be submitted to the Human Resources Division.

For inquiries about the Security Export Control,
contact the staff in charge of Intellectual Property
and Contracting Section of the Research and
Industry-Academia Collaboration Division
E-mail export_c@yokohama-cu.ac.jp

1. What is the Security Export Control?

This is an international framework for preventing any object that could be used for military purposes, including weapons as well as microorganisms as material for biological weapons and high-performance machine tools, from being transferred to those who may carry out acts of concern, such as developers or manufacturers of weapons of mass destruction and terrorist groups.

In Japan, export control is enforced based on the Foreign Exchange and Foreign Trade Act (FEFTA). One must obtain a license from the Minister of Economy, Trade and Industry in advance for a transfer of technology or an export of goods that are subject to the control as described below.

List Control

- Weapons
- High-performance general-purpose goods and technologies that can be used as a weapon or a part thereof
- High-performance general-purpose goods and technologies that can be used for a development or similar activity relating to a weapon.

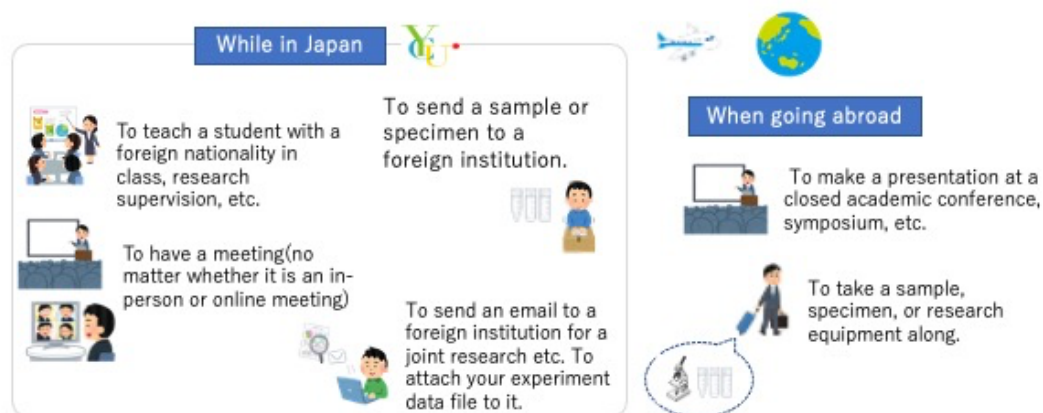
Catch-all Control

- With regard to goods and technologies other than listed on the left, in the case where the end-use or end-user (counterpart) of which raises a concern about weapon development

Caution!

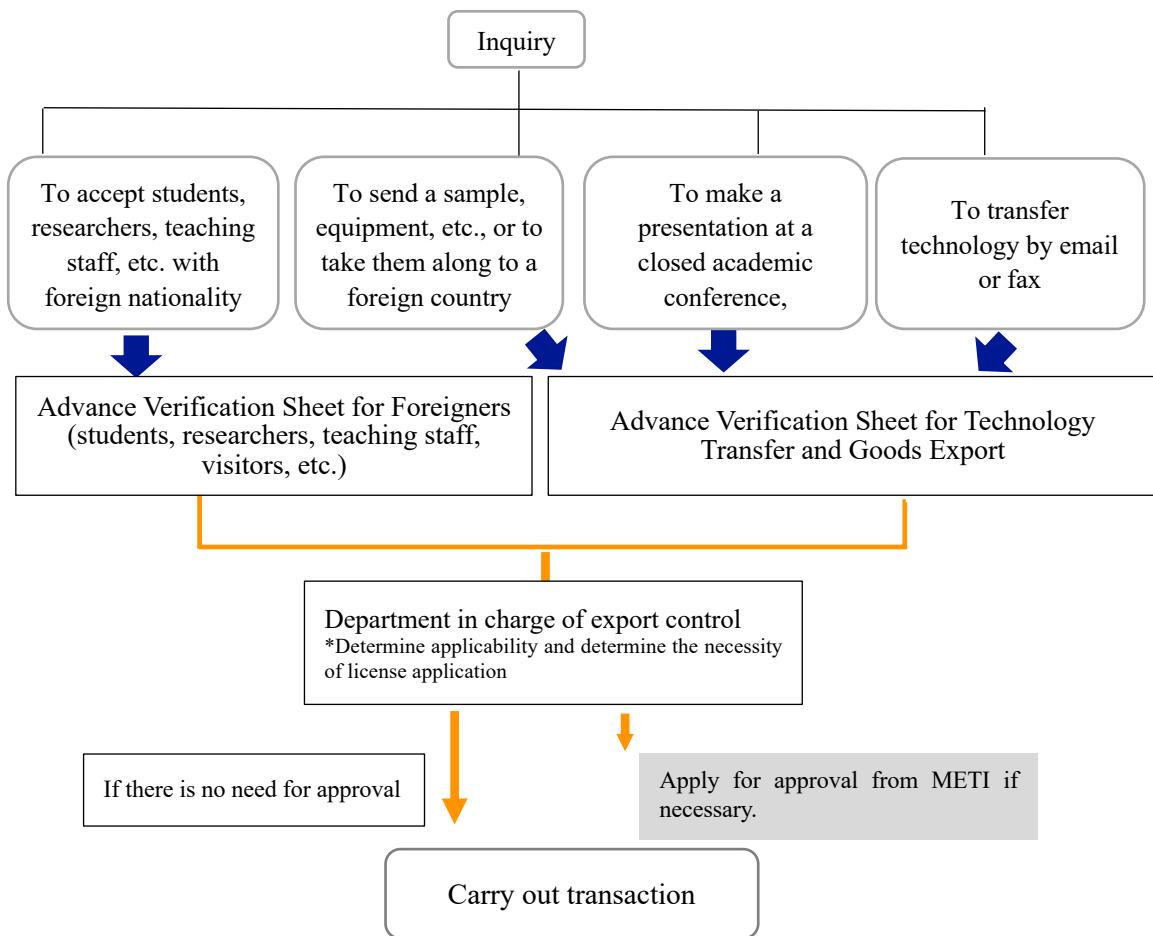
A person who has carelessly exported or transferred goods or technology without approval for which an export approval should have been obtained may be subject to criminal penalty (an imprisonment of up to 10 years or a fine of up to 30,000,000 yen in the case of an individual) and an administrative sanction (prohibition of export of goods and transfer of technology up to three years).

2. Cases of academic activities subject to the export control



※

3. Flowchart of the Export Control Procedure of Yokohama City University



4.About Falling under the Categories

The FEFTA provides that, from May 1, 2022, one must apply for approval from the Minister of Economy, Trade and Industry (METI) in advance when one transfers sensitive technologies that can be used for military purposes and are therefore controlled in accordance with the Act. This is not only applying when the transfer is made to a non-resident (a person who has been in Japan not more than six months), but also when it is made to a person categorized as being under a very strong influence of a non-resident (such a category will be referred to as a “Specific Category” hereafter).

About the Specific Categories

Category 1



Category 1

1. Being under the control of a foreign government etc. or legally bound to a foreign entity, etc. on the basis of a contract.

Examples:

- Holding posts concurrently at a Japanese and a foreign university (this includes cross-appointments)
- Working for a foreign company (not a foreign affiliated company)

Category 2



Category 2

2. Being substantially under the control of a foreign government etc. on the basis of economic interests

Examples:

- Receiving financial support for study abroad (a scholarship) from a foreign government
- Participating in a program of a foreign government for recruiting science and engineering human resources and personally receiving a large funding for research or living expenses.

Excerpt from the "Request for Cooperation by the Ministry of Economy, Trade and Industry: Clarification of the Control of 'Deemed Export', for Teaching Staff etc. of Universities and Research Institutions"(METI)