

Security Export Control

What is “Security Export Control”?

For maintaining both national and international peace and security, the Japanese Government strictly regulates military-sensitive goods and technologies including those that can be converted to military use. The Foreign Exchange and Foreign Trade Act (hereinafter “the Law”) prohibits exporters or suppliers, including universities, from exporting any goods and supplying any technology controlled by the list of regulations and/or catch-all regulations without a Government license. Any export/supply of controlled goods or technologies without a license constitutes a crime with legal penalties applied not only to individual(s) but also to the university involved. All individual members of Kobe University (including students) must check whether their actions are appropriate in regards to the Law. (e.g. whether Government permission is required for the exportation or carrying of materials or equipment to foreign countries, or the supply of technologies (services) to “Non-residents” or “Residents belonging to a specific category” as designated by the Law (see the following).)

To ensure compliance with the Law while promoting globalization in research and education, Kobe University has established the “Kobe University Security Export Control Rule” (hereinafter “Security Export Control Rule”).

Who is an exporter or a supplier?

“Resident” or “Non-resident” as denoted by the Law does not depend on nationality but is defined as follows. “Resident” refers to an individual residing in Japan for more than 6 months. “Non-resident” is an individual living abroad for more than 2 years, or going to foreign offices for the purpose of work, or visiting a foreign country with the intention of staying there for more than 2 years. A “Resident belonging to a specific category” is a person to which one of the following definitions apply;

- (1) Person connected to a foreign government, corporation or university by employment contract etc.
- (2) Person who profits economically from a foreign government or organization,
or
- (3) Person acting in Japan under the instruction of a foreign government.

International students should be aware that their classification changes to “Resident” (or “Resident belonging to a specific category” for some international students) after 6 months living in Japan.

The Law controls both export of goods and supplying (services) by “Residents” and “Non-residents”. Exports of goods to foreign countries and supplying of technologies (services) to “Non-residents” and “Residents belonging to a specific category” are subject to regulation under the Law. Any such supplying of technology (services), whether it is conducted in Japan or overseas, is regulated by the Law.

What should students do?

All students are requested to consult with their advising professors or similar prior to exporting goods or supplying technologies (services) to “Non-residents” and “Residents belonging to a specific category” in relation to their activities at Kobe University. The professor will check such actions against the pre-check list of the Security Export Control Rule. Based on the results of this check, the Security Export Control Office will examine whether or not the actions are legal where necessary.

The Security Export Control Rule is included in the Rules and Regulations specified in the Oath that students of Kobe University sign.

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