

Request for Declaration Concerning the Applicability of "Specific Categories"
for compliance with Article 25, Paragraphs 1 and 2
of the Foreign Exchange and Foreign Trade Act (FEFTA)

May 1, 2022

National Institute of
Advanced Industrial Science and Technology (AIST)

AIST is obliged to properly implement security export controls in accordance with the Foreign Exchange and Foreign Trade Act (FEFTA). Such instances include the export of goods and/or technologies overseas, or the transfer of technologies either to non-residents or to residents under the influence of a foreign country (individuals who fall under specific categories), as part of your research activities.

In accordance with the provisions of FEFTA, export control procedures are required for individuals who are not under instructions of corporations (students, professor emeriti, JSPS Research Fellowship for Young Researchers, etc.) who fall under any or all of the Specific Categories.

The purpose of Export Control Form 8 is to investigate the Specific Category Applicability of individuals who are not under instructions of corporations and are participating in activities involving AIST, and to prepare for export controls pertaining to said individuals in advance.

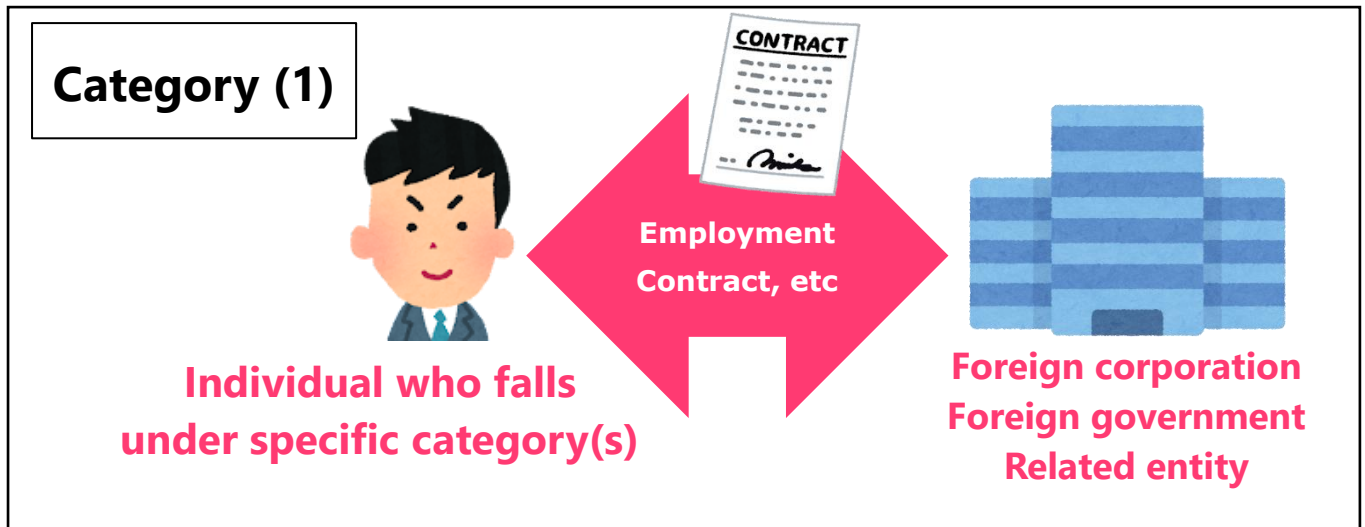
As such, please complete and submit Export Control Form 8 "Declaration Concerning the Applicability of Specific Categories for Compliance with Article 25, Paragraphs 1 and 2 of the Foreign Exchange and Foreign Trade Act (FEFTA)," and indicate whether individuals who are not under instructions of corporations and are participating in activities involving AIST fall under specific categories (categories (1), (2) and/or (3)).

The following pages contain explanations for each specific category. Please read carefully prior to completing the declaration form. If you have any questions, or are unable to make a decision, please contact:

ABCI application reception staffs

E-mail : application@abci.ai

Category (1) Individuals who are under an employment contract with a foreign corporation or a foreign government

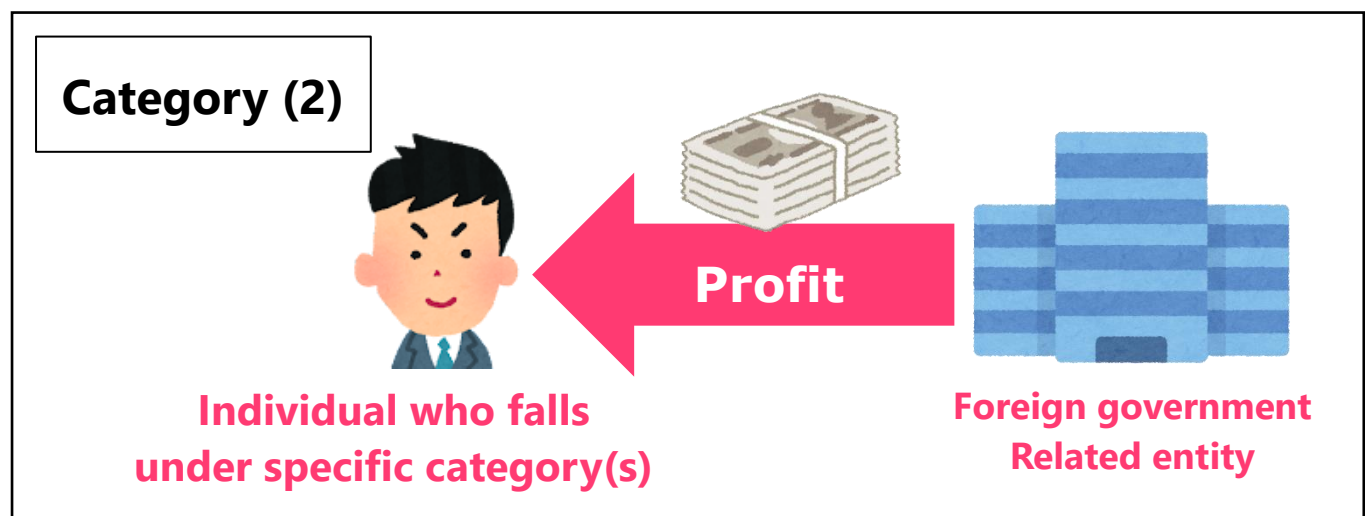


【Examples】 Those who are:

- Employed by a foreign organization (i.e. company, university, research institute, governmental office, etc.).
- Under contract (employment, delegation, service) with foreign organizations
- A board member of foreign organization(s).

(Note) Foreign-affiliated corporations in Japan are not considered part of a foreign organization.

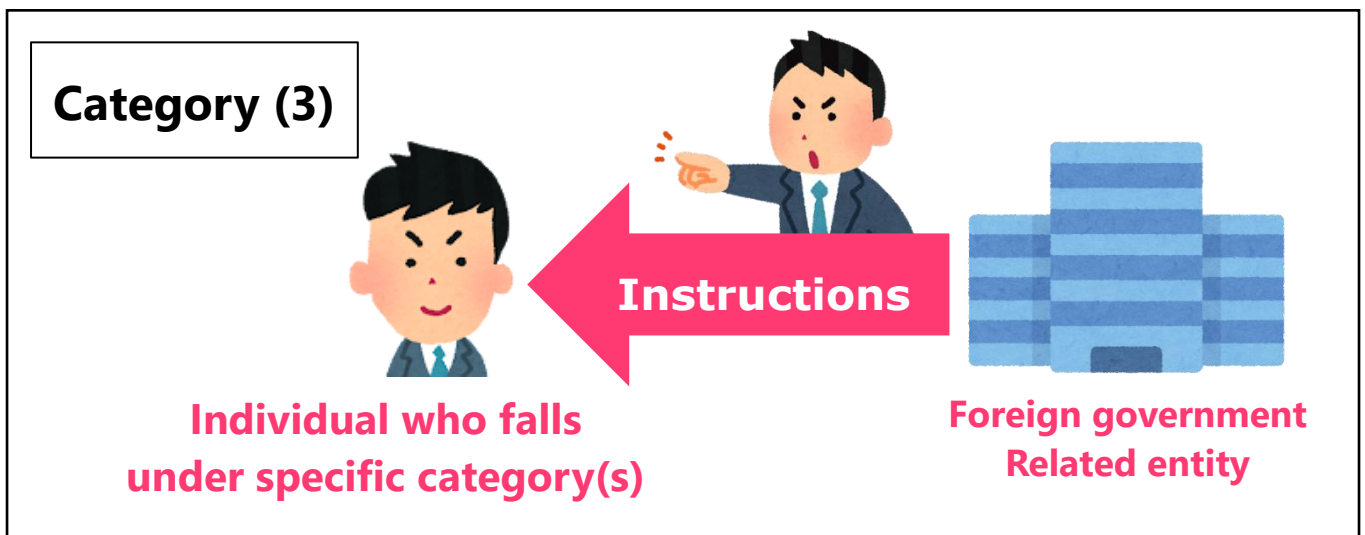
Category (2) Individuals who receive, or are guaranteed to receive, a profit equivalent to 25% or more of their annual income from a foreign government and/or related entities



【Examples】 Those who are:

- Currently receiving, or are guaranteed funding (for study, living and research activities, etc.) by a foreign government and/or related entities, directly to the individual.
 - Has in the past received a funding loan directly from a foreign government and/or related entities, whose repayment may be offset by future contributions made by the individual.
- (Note) Organizations equivalent to independent administrative agencies of Japan are considered part of foreign governments and related entities. If unsure about your applicability, please consult the Security Export Control Team.
- (Note) Alluded to herein concern only those given directly to individuals, and does not include funding given to organizations.

Category (3) Individuals who receive specific instructions or requests regarding their activities in Japan from a foreign government and/or related entities.



Important

- Those applying for AIST programs are required to submit a declaration form.
- The declaration is aimed at controlling the provision of technology in compliance with the FEFTA. Therefore, please provide accurate information on your declaration form.
- The purpose of the reference materials provided herewith is to further your corporation's understanding of the necessity for submitting the declaration form to the National Institute of Advanced Industrial Science and Technology, hereinafter referred to as "AIST." The documents are not intended to provide explanations regarding the interpretations of the laws and regulations pertaining to deemed export controls. Please examine and comply with the latest laws and regulations as stipulated by the Japanese government, and use your own judgment regarding the implementation of deemed export control procedures within your own

corporation in accordance with said laws and regulations.

Handling of personal information

Personal information obtained from the completed declaration forms shall be used solely for the following purposes, in order to properly implement security export controls in accordance with the Foreign Exchange and Foreign Trade Act (hereinafter referred to as "FEFTA"),

- The screening pursuant to FEFTA of individuals deemed to fall under specific categories (1), (2) and/or (3) of the Notification for Technology Transfer (hereinafter referred to as "applicable individuals").
- Managing the provision of technology to applicable individuals. In this case, the applicability status of individuals shall be shared with those responsible for managing the provision of technologies to applicable individuals. Those responsible for managing the provision of technologies to applicable individuals include persons outside of AIST (including collaborating partners of counterpart organizations). In case application to the Ministry of Economy, Trade and Industry (hereinafter referred to as "METI") for authorization under FEFTA is necessary, the applicability status of applicable individuals shall be shared with METI.
- Responses necessary for proper execution of operational activities within AIST. In particular, the legal determination of an individual's specific category applicability, confirmation of consistency with an individual's dual employment application, and the measures for cases wherein deemed export control is considered difficult. In such cases, the applicable individual's personal information may be disclosed to the relevant department(s) within AIST.
- Declaration forms shall be disposed of following the expiration of the retention period, in accordance with AIST's rules and regulations.