

Chapter 7 Movement of Natural Persons

Article 62 Scope

1. This Chapter shall apply to measures affecting the movement of natural persons of a Party who enter and stay temporarily in the other Party.
2. This Chapter shall not apply to measures affecting natural persons of a Party seeking access to the employment market of the other Party, nor shall it apply to measures regarding nationality or citizenship, residence or employment on a permanent basis.
3. This Chapter shall not prevent a Party from applying measures to regulate the entry of natural persons of the other Party into, or their temporary stay in, the former Party, including measures necessary to protect the integrity of, and to ensure the orderly movement of natural persons across, its borders, provided that such measures are not applied in such a manner as to nullify or impair the benefits accruing to the other Party under the terms of the specific commitments set out in Annex VIII.

Note: The sole fact of requiring a visa for natural persons of a certain nationality and not for those of others shall not be regarded as nullifying or impairing benefits under the terms of the specific commitments.

Article 63 General Principles

1. This Chapter reflects the preferential trading relationship between the Parties, the desire of the Parties to facilitate the movement of natural persons on a mutually beneficial basis and to establish transparent criteria and procedures for the movement of natural persons, and the need to ensure border security and to protect the domestic labour force and permanent employment in either Party.
2. Each Party shall apply its measures relating to the provisions of this Chapter in accordance with paragraph 1, and, in particular, shall apply such measures expeditiously so as to avoid unduly impairing or delaying trade in goods or services or conduct of investment activities under this Agreement.

Article 64
Definitions

For the purposes of this Chapter, "natural person of a Party" means a natural person who, under the legislation of the Party, is:

- (a) in respect of Japan, a national of Japan; or
- (b) in respect of Switzerland,
 - (i) a national of Switzerland; or
 - (ii) a permanent resident who is a service supplier in the Area of Switzerland.

Article 65
Grant of Entry and Temporary Stay

1. Each Party shall grant entry and temporary stay to natural persons of the other Party in accordance with this Chapter and relevant laws and regulations of the former Party, and subject to the terms of the specific commitments set out in Annex VIII.
2. Each Party shall ensure that fees charged by its competent authorities for processing application for entry and temporary stay of natural persons of the other Party for business purposes are charged having regard to the administrative costs involved.

Article 66
Provision of Information

1. Each Party shall make publicly available information with respect to natural persons covered by its specific commitments set out in Annex VIII, including information necessary for an effective application for the grant of entry into, and temporary stay and work in, that Party. Such information shall be kept updated.
2. The information referred to in paragraph 1 shall include a description of, in particular:

(a) in respect of Japan:

with respect to all the statuses of residence that are relevant to the grant of entry into, and temporary stay and work in, Japan for natural persons of Switzerland covered in Japan's specific commitments in Annex VIII:

- (i) visas and certificates of eligibility;
- (ii) requirements and procedures for application for, and issuance of, visas and certificates of eligibility, including information on documentation required, conditions to be met and method of application; and
- (iii) requirements and procedures for application for, and grant of, renewal of period of temporary stay; or

(b) in respect of Switzerland:

with respect to the grant of entry into, and temporary stay and work in, Switzerland for natural persons of Japan covered in Switzerland's specific commitments in Annex VIII:

- (i) all categories of visas and work permits;
- (ii) requirements and procedures for application for, and issuance of, visas and work permits, including information on documentation required, conditions to be met and method of application; and
- (iii) requirements and procedures for application for, and grant of, renewal of temporary stay and work permits.

3. Each Party shall provide the other Party with details of relevant publications or websites where information referred to in paragraph 2 is made available.

4. If the implementation of paragraph 1 proves to be impracticable for a Party, that Party shall provide the information referred to in paragraph 2, as well as any subsequent change therein, directly to the other Party. In addition, that Party shall indicate the contact details of its authority where persons of the other Party may obtain the information referred to in paragraph 2.

5. Each Party shall, to the extent possible, upon request by the other Party, make available to the other Party statistical data regarding the grant of entry into and temporary stay in the former Party for natural persons of the other Party under this Chapter.

Article 67 Expeditious Application Procedures

1. The competent authorities of each Party shall process without delay applications for the grant of entry and temporary stay or, where applicable, work permits or certificates of eligibility submitted for natural persons of the other Party, including applications for renewal thereof.
2. If the competent authorities of a Party require additional information from the applicant in order to process the application, they shall endeavour to notify the applicant without undue delay.
3. Upon request by the applicant, the competent authorities of a Party shall endeavour to provide, without undue delay, information concerning the status of the application.
4. After a decision has been taken, the competent authorities of a Party shall endeavour to notify without undue delay the applicant for entry and temporary stay or, where applicable, work permit or certificate of eligibility, of the outcome of the application. The notification shall include the period of stay and any other conditions.

Article 68 Measures Pursuant to Immigration Laws and Regulations

Except for this Chapter and Chapters 1, 14 and 16, nothing in this Agreement shall impose any obligation on either Party regarding measures pursuant to immigration laws and regulations.

Article 69 General and Security Exceptions

For the purposes of this Chapter, Articles 55 and 56 shall apply *mutatis mutandis*.