Essential personnel transferred to Switzerland within a specific enterprise of Japan and defined under subparagraphs (a) and (b) who are employees of that enterprise operating in a non-services sector in Switzerland through a branch, subsidiary or affiliate established in Switzerland, and who have been beforehand employees of their enterprise outside Switzerland for a period of not less than one year immediately preceding their application for admission.

(a) Executives and senior managers
Natural persons who primarily direct the enterprise or one of its departments and who receive only general supervision or direction from high-level executives, the board of directors or the stockholders of the enterprise, to the exclusion of natural persons who directly perform tasks related to the actual production process of the enterprise.

(b) Specialists
Highly qualified natural persons who, within an enterprise, are essential for the production process by reason of their knowledge at an advanced level of expertise in the field of production, research equipment, techniques or management of the enterprise.

3. Other essential personnel moving to Switzerland

(a) Short-term business visitors responsible for establishing a commercial presence
Natural persons who are employees of an enterprise not having commercial presence in Switzerland and who have been beforehand employees of that enterprise outside Switzerland for a period of not less than one year immediately preceding their application for admission, and who fulfil the conditions of subparagraph 2 (a), and who are entering Switzerland for the purpose of establishing a commercial presence of that enterprise in Switzerland.

(b) Salespersons
Natural persons employed or mandated by an enterprise and who stay temporarily in Switzerland in order to conclude a contract for the sale of goods on behalf of the enterprise, which employs them or has mandated them. Such salespersons may not sell goods directly to the general public.

Article VI
General Provisions, Conditions and Limitations for Entry and Temporary Stay

1. Notwithstanding any provisions of Chapter 7, the commitments for entry and temporary stay of persons defined in paragraphs 2 and 3 of Article V of this Appendix shall be in accordance with and subject to the relevant legislation of Switzerland, in particular the Federal Law on Foreigners (LEtr, RS 142.20) and any of its subordinate acts.

2. For essential personnel as defined in paragraph 2 of Article V of this Appendix, the period of stay is limited to three years, which may be extended to a maximum of five years. For other essential personnel as defined in paragraph 3 of Article V of this Appendix, the period of stay is limited to 90 days within one year; if an authorisation for such a period of stay is renewed for the following year, the applicant must stay abroad at least two months between the two consecutive periods of stay in Switzerland.

3. The numerical ceiling provided for under Swiss Law shall no longer be applied to natural persons of Japan in the categories defined in paragraphs 2 and 3 of Article V of this Appendix.

4. For the purposes of this Section, the provisions of Articles 53, 58 and 60 shall apply, *mutatis mutandis*.