Chapter 7
Movement of Natural Persons

Article 73
General Principles

1. This Chapter reflects the preferential trading relationship between the Parties, the mutual desire of the Parties to facilitate entry and temporary stay of natural persons on a comparable basis and to establish transparent criteria and procedures for entry and temporary stay, and the need to ensure border security in each 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 expeditiously those measures so as to avoid unduly impairing or delaying trade in goods or services or investment activities under this Agreement.

Article 74
Scope

1. This Chapter shall apply to measures affecting the movement of natural persons of a Party who enter the other Party and fall under one of the categories referred to in Annex 7.

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, or 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 those measures necessary to protect the territorial integrity and to ensure the orderly movement of natural persons across its borders, provided that such measures are not applied in such a manner so as to nullify or impair the benefits accruing to the other Party under the terms of specific commitments.

Note: The sole fact of requiring a visa for natural persons of the other Party and not for those of non-Parties shall not be regarded as nullifying or impairing benefits under specific commitments set out in Annex 7.

Article 75
Definition

For the purposes of this Chapter, the term "natural persons of a Party" means natural persons who under the law of the Party:

(a) in respect of India, are citizens of India; and

(b) in respect of Japan, are nationals of Japan.

Article 76
Specific Commitments

1. Each Party shall grant entry and temporary stay to natural persons of the other Party in accordance with this Chapter including the terms and conditions for each category set out in Annex 7, provided that the natural persons comply with the immigration laws and regulations applicable to entry and temporary stay which are not inconsistent with the provisions of this Chapter.

2. Neither Party shall impose or maintain any limitations on the total number of visas to be granted in the Parties to natural persons of the other Party under paragraph 1, unless otherwise specified in Annex 7.

Article 77
Regulatory Transparency

1. Each Party shall maintain or establish appropriate mechanisms to respond to inquiries from interested persons of the other Party regarding regulations affecting entry and temporary stay of natural persons of the other Party. Such inquiries may include those on special difficulties which natural persons of the other Party encounter in the process of seeking entry into and temporary stay in the former Party.