4　Sector:　Heat Supply

Sub-Sector:

Industry Classification:　JSIC 3511　Heat supply

Obligations Concerned:　National Treatment (Article 2)

Measures:　Foreign Exchange and Foreign Trade Law (Law No. 228 of 1949), Article 27

Cabinet Order on Foreign Direct Investment (Cabinet Order No. 261 of 1980), Article 3

Description:　The prior notification requirement under the Foreign Exchange and Foreign Trade Law applies to foreign investors who intend to make investments in the heat supply industry in Japan.

5　Sector:　Information and Communications

Sub-Sector:　Telecommunications

Industry Classification:　JSIC 3700　Head offices primarily engaged in managerial operations

JSIC 3711　Regional telecommunications, except wired broadcast telephones

JSIC 3731　Services incidental to telecommunications

Obligations Concerned:　National Treatment (Article 2)

Prohibition of Performance Requirements (Article 6)

Measures:　Law concerning Nippon Telegraph and Telephone Corporation, etc. (Law No. 85 of 1984), Articles 6 and 10

Description:　1.　Nippon Telegraph and Telephone Corporation may not enter the name and address in its register of shareholders if the aggregate of the ratio of the voting rights directly and/or indirectly held by the persons set forth in subparagraphs (a) through (c) reaches or exceeds one-third:

(a)　a natural person who does not have Japanese nationality;

(b)　a foreign government or its representative; and

(c)　a foreign legal person or a foreign entity.

2.　Any natural person who does not have Japanese nationality may not assume the office of member of the board of directors or auditor of Nippon Telegraph and Telephone Corporation, Nippon Telegraph and Telephone East Corporation and Nippon Telegraph and Telephone West Corporation.

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