SECTION D

Entry and temporary stay of natural persons

ARTICLE 8.20

General provisions and scope

1. This Section reflects the strengthened trade relationship between the Parties as well as the desire of the Parties to facilitate entry and temporary stay of natural persons for business purposes on a reciprocal basis, and to ensure transparency of the process.

2. This Section applies to measures by a Party affecting the entry into that Party by natural persons of the other Party, who are business visitors for establishment purposes, intra-corporate transferees, investors, contractual service suppliers, independent professionals and short-term business visitors, and to measures affecting their business activities during their temporary stay in the former Party.

3. To the extent that commitments are not undertaken in this Section, all requirements provided for in the laws and regulations of a Party regarding the entry and temporary stay shall continue to apply, including regulations concerning the length of stay.

4. Notwithstanding the provisions of this Section, all requirements provided for in the laws and regulations of a Party regarding work and social security measures shall continue to apply, including regulations concerning minimum wages and collective wage agreements.

5. Commitments on the entry and temporary stay of natural persons for business purposes do not apply in cases where the intent or effect of the entry and temporary stay is to interfere with or otherwise affect the outcome of any labour or management dispute or negotiation, or the employment of any natural person who is involved in that dispute.

ARTICLE 8.21

Definitions

For the purposes of this Section:

(a) "business visitors for establishment purposes" means natural persons of a Party working in a senior position who are responsible for setting up an enterprise, do not offer nor provide services, do not engage in any economic activity other than what is required for establishment purposes and do not receive remuneration within the other Party;

(b) "contractual service suppliers" means:

(i) in respect of the entry and temporary stay in the United Kingdom, natural persons employed by a juridical person of Japan which is itself not an agency for placement and supply services of personnel and is not acting through such an agency, has not established in the territory of the United Kingdom and has concluded a *bona fide* contract to supply services to a final consumer in the United Kingdom, requiring the presence on a temporary basis of its employees in the United Kingdom in order to fulfil the contract to supply services;[1] and

(ii) in respect of the entry and temporary stay in Japan, natural persons of the United Kingdom who are employees of a juridical person of the United Kingdom that has not established in Japan provided that the following requirements are satisfied:

(A) a service contract between a juridical person of Japan and a juridical person of the United Kingdom that has not established in Japan has been concluded;

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[1] The contract to supply services referred to in subparagraph (b)(i) shall comply with the requirements of the laws and regulations that apply in the place where the contract is executed.