

The Mipro Guide to Starting a Business in Japan

～Obtaining Authorization～

外国人のための起業ガイドブック
(許認可編)



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1. Starting a Business and Obtaining Authorization

Some businesses can be started freely, while some others cannot be started without taking prior procedures at a government administration office. Therefore, when starting a business, you are requested to check whether authorization for the business should be obtained.

1

How to do a search on whether authorization for the business needs to be obtained

(1) Research on the Internet.

Perform a search using key words such as a business type, product name and name of service, and look for websites of related government administration offices and websites of experts such as Administrative Scriveners. Those websites may provide information on whether authorization is required for the business.

Example of key word search: cosmetics authorization Tokyo

(2) Take advantage of free consultation services.

Each prefecture and municipal government, the Chamber of Commerce and Industry, the Organization for Small & Medium Enterprises and Regional Innovation, JAPAN and many other organizations that support small and medium enterprises provide free consultation services for business startups. It is also helpful to take advantage of those free consultation services.

(3) Consult with those who have already started a business in the same business category.

One useful method is to ask a person who has already been conducting a business in the same business category whether it is necessary to obtain authorization or not. Although you need to separately check whether the information is accurate, you may be able to obtain other useful information that serves as a reference concerning the business.

2

Learning the procedures and conditions for obtaining authorization

If you find that authorization is required for your desired business, look into authorization conditions, procedures, application methods, etc.

(1) Relevant government administration office

Websites of government administration offices may provide application guidelines describing the overview of authorization and procedures for obtaining authorization, as well as application forms in PDF or other downloadable formats. Information provided by government administration offices is the most reliable and therefore we recommend that you make preparations for obtaining authorization based on such information.

Once you have collected information on authorization, contact the consultation desk at the relevant government administration office before starting a business. If you only search websites and other information sources by yourself, you could have some unclear points and inaccurate information, which can be solved or corrected by contacting the consultation desk. In addition, you can obtain necessary application forms and detailed information such as application methods.

Note that in making an application for authorization, you may be virtually required to contact the consultation desk at a relevant government administration office before starting a business.

(2) Public-interest organizations and experts

Although information publicized by government administration offices is most accurate and reliable, there are cases where it contains difficult explanations and incomprehensible technical terms. In such cases, it is recommended to refer to websites operated by public-interest organizations and groups that support business startups and experts such as Administrative Scriveners and, in some cases, to contact their consultation desk in person.

3

Making preparations for the business and obtaining authorization

To start a business, you need to make preparations such as securing business funds, meeting requirements for establishing a company, and securing human resources. You can start a business smoothly by making business preparations after understanding requirements for authorization you have looked into.

(1) Personnel requirements for obtaining authorization

- i. Specified licensed persons
Persons who have national certification, persons who have attended a training program or workshop, persons who have work experience, etc.
- ii. No disqualification cause applies
An applicant is not an adult ward of the state, a person who has filed for bankruptcy, a person related to anti-social forces, etc.

(2) Financial requirements for obtaining authorization

- i. A person who actually conducts a business has funds
Net assets and balance of bank account of the company (a bank statement is required in some cases).
- ii. Specified amounts are paid
Application handling fees, registration and license tax, deposit money, enrollment fees for becoming a member of a group, and membership fees

(3) Temporal requirements for obtaining authorization

- i. An application may require a reservation and it may take several weeks to make an application.
- ii. Some types of authorization are given on the day of application or several days after application, while it may take several months after application to obtain other types of authorization.

(4) Geographical requirements for obtaining authorization

- i. Some areas are called "use districts (yoto chiiki)" where the use of land is restricted, and some limitations may be placed on your business activities.
- ii. Some business is not permitted, if there is a kindergarten or school nearby.

(5) Business establishment requirements for obtaining authorization

Conditions for obtaining authorization, including a minimum area size of business establishment and a business office's room plan for protecting privacy, may be imposed.

As they say, "people," "things" and "money" are required to start a business, and these are also important when obtaining authorization. Proceed with business preparations after collecting adequate information.

2. Travel Business

Authorization for various types of travel business, which is explained on the following pages, is summarized in the table below.

Figure 1.

Categories of travel business	Administrative agency in charge of registration (party to which an application is submitted)	Scope of services *1				Requirements for registration			
		Planned tour		Order-made (custom)	Travel arrangements	Business security money *2 (yen)	Reference assets *3 (yen)	Appointment of a certified travel service supervisor	
		Operator-organized (package)							
		Overseas	Domestic						
Travel Operator	Class 1	Commissioner of the Japan Tourism Agency	○	○	○	○	70 million (14 million)	30 million	Required
	Class 2	Prefectural governor who has jurisdiction over the location of the principal place of business	×	○	○	○	11 million (2.2 million)	7 million	Required
	Class 3	Prefectural governor who has jurisdiction over the location of the principal place of business	×	△ (Neighboring municipalities, etc.)	○	○	3 million (600,000)	30 million	Required
	Regional	Prefectural governor who has jurisdiction over the location of the principal place of business	×	△ (Neighboring municipalities, etc.)	△ (Neighboring municipalities, etc.)	△ (Neighboring municipalities, etc.)	150,000 (30,000)	1 million	Required
Travel agency	Prefectural governor who has jurisdiction over the location of the principal place of business	Services entrusted by travel operators				Not required	-	Required	

*1 Scope of services

Operator-organized tour: a travel operator prepares a travel plan beforehand and solicits travelers (example: package tour)
 Order-made tour: a travel operator prepares a travel plan at the request of a traveler (example: school trip)
 Travel arrangements: a travel operator arranges for accommodation facilities, railway and other tickets, and other services
 Execution, on behalf of another company, of a contract for an operator-organized tour implemented by such company:
 a contract for an operator-organized tour implemented by another company is executed on behalf of such company.

*2 If the applicant is a member of an association of travel agents, the applicant pays a share of security deposit for compensation (which constitutes one fifth of business security money) instead of depositing business security money (the amount in parentheses indicates the amount of share of security deposit for compensation). In addition, the amounts listed are for cases where the annual turnover is less than 200 million yen, and as the amount of turnover increases, the amount to be deposited also increases.

*3 In registering a travel business, administrative agencies check that the applicant has a financial basis necessary for conducting the business.

[What is an association of travel agents?]

An organization that has been designated by the Commissioner of the Japan Tourism Agency in accordance with the provisions of Chapter 3 of the Travel Agency Act and conducts the following operations.

- Resolution of complaints about travel services or land operations
- Provision of training to persons who engage in travel services or land operations
- With regard to payables to a traveler that arise from transactions related to travel services between such traveler and a travel operator which is a guaranteed employee of the association or a travel agency that belongs to the travel operator, repayment of such payables
- Provision of instructions to travel operators, etc. or land operators
- Ensuring fair transactions related to travel services and land operations or conducting investigations, research and public relations activities to ensure sound development of such transactions

Currently, there are two designated organizations.

The Japan Association of Travel Agents, a general incorporated association

<https://www.jata-net.or.jp/>

All Nippon Travel Agents Association, a general incorporated association

<http://www.anta.or.jp/>

Japan Tourism Agency: Travel Agency Act

<http://www.mlit.go.jp/kankocho/shisaku/sangyou/ryokogyoho.html>

<http://www.mlit.go.jp/kankocho/en/shisaku/sangyou/index.html>

2-1. Class 1 Travel Operator

1 Overview of services provided

What is Class 1 Travel Operator?

Class 1 Travel Operator refers to a registered travel operator in which all travel contracts, such as overseas and domestic operator-organized tours, order-made tours, travel arrangements and conclusion on behalf of another company of contracts for operator-organized tours implemented by such company, can be handled.

2 Name of authorization

Registration of Class 1 Travel Operator

3 Governing law

Travel Agency Act

4 Criteria for authorization

(1) Party to which an application is submitted

Commissioner of the Japan Tourism Agency (Planning and Tourism Department, District Transport Bureau, which has jurisdiction over the location of the principal place of business; in the case of Okinawa Prefecture, Planning Office, Transport Department, Okinawa General Bureau)

The Japan Association of Travel Agents, a general incorporated association: Administrative Agencies in Charge of Registration

<http://www.jata-net.or.jp/membership/industry/list/1.html>

(2) Application documents

- i. Registration application form
- ii. Articles of incorporation or articles of endowment
- iii. Certificate of registered items
- iv. Written pledge stating that no cause for disqualification of officers applies
- v. Business plan for travel services
- vi. Copy of a contract concerning issuance of airline tickets (if there is any such contract)
- vii. Copy of a contract with an overseas land operator, etc. (if there is any such contract)
- viii. Overview of organization for travel services
- ix. Balance sheets and P&L statements for recent fiscal years
- x. Audit certificate, if an applicant received a financial audit conducted by a certified public accountant or auditing firm; In other cases, a copy of a tax return, etc.
- xi. An enrollment confirmation document issued by an association of travel agents, if an applicant joins an association of travel agents and becomes a full member (guaranteed employee) of the association* immediately after registration

*A "guaranteed employee" refers to a travel company that is a full member of an association of travel agents.
- xii. List of appointed certified travel service supervisors

Travel service supervisor certificates for such supervisors appointed

Resumes of appointed certified travel service supervisors

2-1. Class 1 Travel Operator

(3) Screening period

Standard processing period: 60 days

(4) Handling fee

Registration and license tax: 90,000 yen

Other than the above, deposit of business security money or payment of a share of security deposit for compensation

(5) Personnel requirements

- Appointment of at least one "certified travel service supervisor " for each business office
 - Business office that handles overseas travel
 - A person who has passed the Examination for Certified General Travel Service Supervisor
 - Business office that handles domestic travel only
 - A person who has passed the Examination for Certified General Travel Service Supervisor or the Examination for Certified Domestic Travel Service Supervisor

- Causes for rejection of registration
 - i. A person whose registration as a travel operator or travel agency is revoked in accordance with Article 19 of the Travel Agency Act or whose registration as a land operator is revoked in accordance with Article 37 of the Travel Agency Act and for whom five years have not yet passed since the date of the revocation.
 - ii. A person who was sentenced to imprisonment or a heavier penalty or was sentenced to a fine for violation of the Travel Agency Act and for whom five years have not yet passed since the day on which the person finished serving the sentence or ceased to be subject to its enforcement
 - iii. Organized crime group member, etc.
 - iv. A person who acted unjustly in relation to travel services or land operations within five years before an application
 - v. A minor whose capacity to act in relation to business operations is not the same as that of an adult and whose statutory agent falls under any of (i) to (iv) above
 - vi. A person who is an adult ward of the state or under conservatorship or who has been subjected to a ruling for the commencement of bankruptcy proceedings and has not been reinstated
 - vii. A corporation whose officer(s) falls under any of (i) to (iv) and (vi) above
 - viii. A person whose business activities are controlled by an organized crime group member, etc.
 - ix. A person who is not deemed to surely appoint a certified travel service supervisor for each business office in accordance with Article 11-2 of the Travel Agency Act
 - x. A person who intends to operate a travel business but has no financial basis that meets criteria that are deemed necessary for conducting such business and are established by an Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism

The Japan Association of Travel Agents, a general incorporated association: Overview of Travel Business Systems

<http://www.jata-net.or.jp/membership/industry/notification/application/1.html>

(6) Financial requirements (asset requirements)

- i. Minimum business security money
 - 70 million yen or a share of security deposit for compensation that amounts to 14 million yen
- ii. Reference assets
 - 30 million yen
 - Reference asset calculation method
 - Calculated based on finalized financial statements for the fiscal year immediately prior to the application

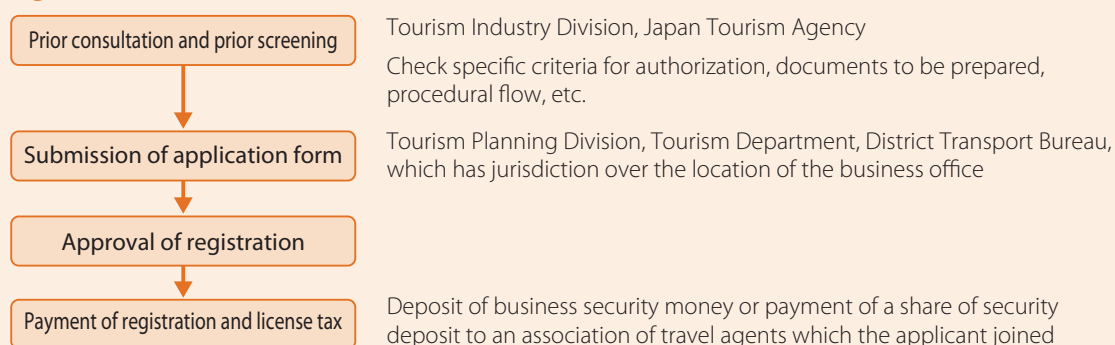
Reference asset amount
= $\{(Total\ amount\ of\ assets) - (Initial\ expenses\ and\ other\ deferred\ assets) - (Goodwill) - (Doubtful\ accounts)\} - (Total\ amount\ of\ liabilities)$
- (required business security money or share of security deposit for compensation)

5 Effective period of authorization

Five years

6 Procedural flow

Figure 2.



7 Relevant government administration office

Minister of Land, Infrastructure, Transport and Tourism

8 Reference URL

Japan Tourism Agency, Ministry of Land, Infrastructure, Transport and Tourism
<http://www.mlit.go.jp/kankocho/shisaku/sangyou/ryokogyoho.html>
<https://www.mlit.go.jp/kankocho/en/shisaku/sangyou/ryokogyoho.html>

The Japan Association of Travel Agents, a general incorporated association
<https://www.jata-net.or.jp/>
<https://www.jata-net.or.jp/english/index.htm>

All Nippon Travel Agents Association, a general incorporated association
<http://www.anta.or.jp/>

9 Reference URL for application forms

Application forms can be purchased on the website of the Japan Association of Travel Agents, a general incorporated association
<http://www.jata-net.or.jp/membership/purchase/hanpu.html>

2-2. Class 2, Class 3 and Regional Travel Operator

1 Overview of services provided

i. What is Class 2 Travel Operator?

Class 2 Travel Operator refers to the registered travel operator in which overseas operator-organized tours cannot be implemented, but domestic operator-organized tours, overseas and domestic order-made tours, and overseas and domestic travel arrangements can be implemented and contracts for operator-organized tours implemented by another company can be concluded on behalf of such company.

ii. What is Class 3 Travel Operator?

Class 3 Travel Operator refers to the registered travel operator in which overseas operator-organized tours cannot be implemented, but operator-organized tours in the location of a business office and municipalities adjacent to such location, overseas and domestic order-made tours, and overseas and domestic travel arrangements can be implemented and contracts for operator-organized tours implemented by another company can be concluded on behalf of such company.

iii. What is Regional Travel Operator?

Regional Travel Operator refers to the registered travel operator in which operator-organized tours in the location of a business office and municipalities adjacent to such location, order-made tours and travel arrangements can be implemented and contracts for operator-organized tours implemented by another company can be concluded on behalf of such company.

2 Name of authorization

Registration of Class 2 Travel Operator
Registration of Class 3 Travel Operator
Registration of Regional Travel Operator

3 Governing law

Travel Agency Act

4 Criteria for authorization

(1) Party to which an application is submitted

Prefectural governor who has jurisdiction over the location of the principal place of business
(In the case of Tokyo, Travel Business Desk, Promotion Section, Tourism Division, Bureau of Industrial and Labor Affairs, Tokyo Metropolitan Government)

(2) Application documents

- i. Registration application form
- ii. Articles of incorporation or articles of endowment **[in the case of a corporation]**
- iii. Certificate of registered items **[in the case of a corporation]**

- iv. Written pledge stating that no cause for disqualification of officers applies [in the case of a corporation]
- v. Written pledge of the business operator [in the case of an individual]
- vi. Certificate of residence of the business operator [in the case of an individual]
- vii. Business plan for travel services
- viii. Overview of organization for travel services
- ix. Copies of the most recent "corporate income tax return" and attached documents [in the case of a corporation]
- x. Record of property [in the case of an individual]
- xi. List of appointed certified travel service supervisors
- xii. Documents that attest to the right to use a business office(s)
- xiii. A document that describes a system for responding to accidents
- xiv. Standard travel contract

(3) Screening period

Standard processing period: 30 to 40 days

(4) Handling fee

90,000 yen

(5) Personnel requirements

- Appointment of at least one "certified travel service supervisor" for each business office
 - Business office that handles overseas travel
 - A person who has passed the Examination for Certified General Travel Service Supervisor
 - Business office that handles domestic travel only
 - A person who has passed the Examination for Certified General Travel Service Supervisor or the Examination for Certified Domestic Travel Service Supervisor
- Causes for rejection of registration
 - i. A person whose registration as a travel operator or travel agency is revoked in accordance with Article 19 of the Travel Agency Act or whose registration as a land operator is revoked in accordance with Article 37 of the Travel Agency Act and for whom five years have not yet passed since the date of the revocation.
 - ii. A person who was sentenced to imprisonment or a heavier penalty or was sentenced to a fine for violation of the Travel Agency Act and for whom five years have not yet passed since the day on which the person finished serving the sentence or ceased to be subject to its enforcement
 - iii. Organized crime group member, etc.
 - iv. A person who acted unjustly in relation to travel services or land operations within five years before an application
 - v. A minor whose capacity to act in relation to business operations is not the same as that of an adult and whose statutory agent falls under any of (i) to (iv) above
 - vi. A person who is an adult ward of the state or under conservatorship or who has been subjected to a ruling for the commencement of bankruptcy proceedings and has not been reinstated
 - vii. A corporation whose officer(s) falls under any of (i) to (iv) and (vi) above
 - viii. A person whose business activities are controlled by an organized crime group member, etc.
 - ix. A person who is not deemed to surely appoint a "certified travel service supervisor" for each business office in accordance with Article 11-2 of the Travel Agency Act

2-2. Class 2, Class 3 and Regional Travel Operator

- x. A person who intends to operate a travel business and who has no financial basis that meets criteria that are deemed necessary for conducting such business and established by an Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism

Travel Business Desk, Promotion Section, Tourism Division, Bureau of Industrial and Labor Affairs, Tokyo Metropolitan Government: To those who intend to apply for new registration of travel business <http://www.sangyo-rodo.metro.tokyo.jp/sinsei/tourism/59c3a086a95884cd2cae30e844fe0a65.pdf>

(6) Financial requirements (asset requirements)

Category	Minimum business security money (Share of security deposit for compensation)	Reference assets
Class 2 Travel Operator	11 million yen (2.2 million yen)	7 million yen
Class 3 Travel Operator	3 million yen (600,000 yen)	3 million yen
Regional Travel Operator	150,000 yen (30,000 yen)	1 million yen

Reference asset calculation method (Calculation is made based on finalized financial statements for the fiscal year immediately prior to the application)

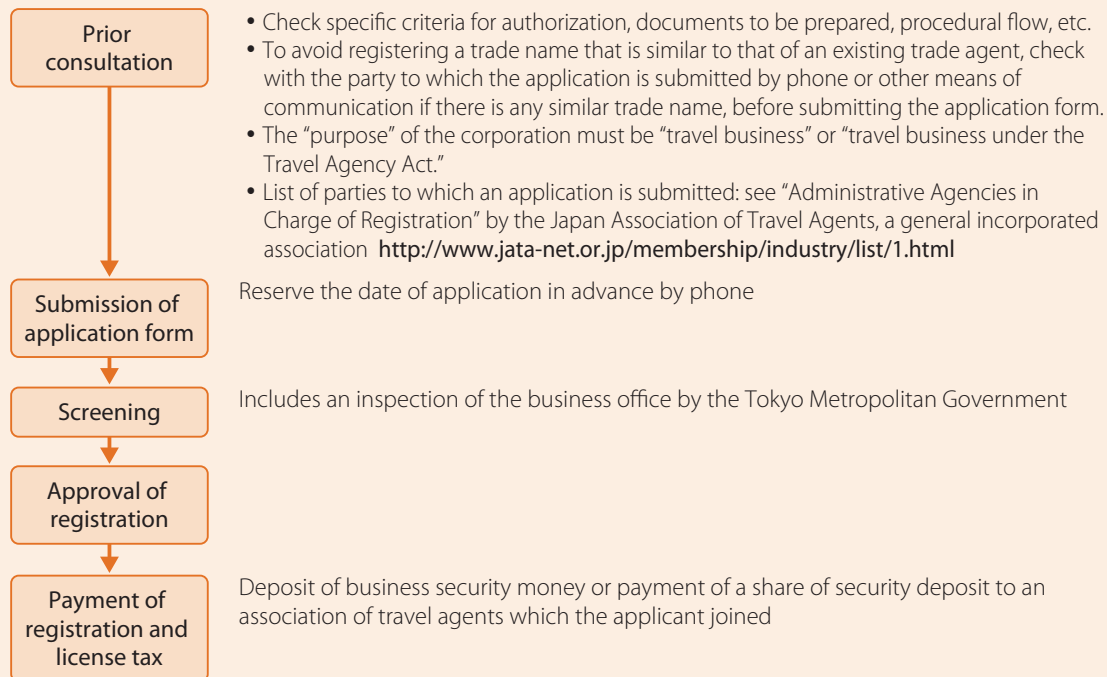
Reference asset amount
= {(Total amount of assets) - (Initial expenses and other deferred assets) - (Goodwill)
- (Doubtful accounts)} - (Total amount of liabilities)
- (required business security money or share of security deposit for compensation)

5 Effective period of authorization

Five years

6 Procedural flow (in the case of Tokyo)

Figure 3.



7 Relevant government administration office

Prefectural governor who has jurisdiction over the principal place of business

8 Reference URL

Japan Tourism Agency, Ministry of Land, Infrastructure, Transport and Tourism

<http://www.mlit.go.jp/kankocho/shisaku/sangyou/ryokogyoho.html>

<https://www.mlit.go.jp/kankocho/en/shisaku/sangyou/ryokogyoho.html>

Bureau of Industrial and Labor Affairs, Tokyo Metropolitan Government

<http://www.sangyo-rodo.metro.tokyo.jp/sinsei/tourism/ryokotsuyaku/ryokotouroku/>

9 Reference URL for application forms

Bureau of Industrial and Labor Affairs, Tokyo Metropolitan Government: application and procedures

List of application forms for new registration of travel business

<http://www.sangyo-rodo.metro.tokyo.jp/sinsei/tourism/06f9ca1c8293ec4034811a07beb4f07d.pdf>

The Bureau of Industrial and Labor Affairs, Tokyo Metropolitan Government

<http://www.sangyo-rodo.metro.tokyo.jp/sinsei/tourism/ryokotsuyaku/ryokotouroku/>

2-3. Travel agency

1 Overview of services provided

What is a travel agency?

Travel agency refers to the registered travel operator in which travel services entrusted by a travel operator to which such agency belongs can be provided. Such agency can sell tour products of another company on behalf of such company. A business operator who conducts travel business in the scope of work in a business representative service contract with a travel operator is deemed as a travel agency.

However, such agency cannot organize a tour in-house. In addition, such agency cannot act on behalf of two or more travel operators.

2 Name of authorization

Registration of travel agency

3 Governing law

Travel Agency Act

4 Criteria for authorization

(1) Party to which an application is submitted

Prefectural governor who has jurisdiction over the location of the principal place of business
(In the case of Tokyo, Travel Business Desk, Promotion Section, Tourism Division, Bureau of Industrial and Labor Affairs)

(2) Application documents

- i. Registration application form
- ii. Articles of incorporation or articles of endowment **【in the case of a corporation】**
- iii. Certificate of registered items **【in the case of a corporation】**
- iv. Written pledge stating that no cause for disqualification of officers applies **【in the case of a corporation】**
- v. Written pledge of the business operator **【in the case of an individual】**
- vi. Certificate of residence of the business operator **【in the case of an individual】**
- vii. Business plan for travel services
- viii. Overview of organization for travel services
- ix. List of appointed certified travel service supervisors
- x. Documents that attest to the right to use a business office(s)
- xi. Service contract for a travel agent's business representative (copy)

(3) Screening period

Standard processing period: 30 to 40 days

(4) Handling fee

15,000 yen

(5) Personnel requirements

- Appointment of at least one "certified travel service supervisor" for each business office
 - Business office that handles overseas travel
A person who has passed the Examination for Certified General Travel Service Supervisor
 - Business office that handles domestic travel only
A person who has passed the Examination for Certified General Travel Service Supervisor or the Examination for Certified Domestic Travel Service Supervisor

- Causes for rejection of registration
 - i. A person whose registration as a travel operator or travel agency is revoked in accordance with Article 19 of the Travel Agency Act or whose registration as a land operator is revoked in accordance with Article 37 of the Travel Agency Act and for whom five years have not yet passed since the date of the revocation.
 - ii. A person who was sentenced to imprisonment or a heavier penalty or was sentenced to a fine for violation of the Travel Agency Act and for whom five years have not yet passed since the day on which the person finished serving the sentence or ceased to be subject to its enforcement
 - iii. Organized crime group member, etc.
 - iv. A person who acted unjustly in relation to travel services or land operations within five years before an application
 - v. A minor whose capacity to act in relation to business operations is not the same as that of an adult and whose statutory agent falls under any of (i) to (iv) above
 - vi. A person who is an adult ward of the state or under conservatorship or who has been subjected to a ruling for the commencement of bankruptcy proceedings and has not been reinstated
 - vii. A corporation whose officer(s) falls under any of (i) to (iv) and (vi) above
 - viii. A person whose business activities are controlled by an organized crime group member, etc.
 - ix. A person who is not deemed to surely appoint a "certified travel service supervisor" for each business office in accordance with Article 11-2 of the Travel Agency Act
 - x. A person who intends to operate a travel business and who intend to act on behalf of two or more travel operators

Travel Business Desk, Promotion Section, Tourism Division, Bureau of Industrial and Labor Affairs, Tokyo Metropolitan Government: To those who intend to apply for new registration as a travel agent's business representative

http://www.sangyo-rodo.metro.tokyo.jp/sinsei/tourism/98c89250be2d9cf3d7b922173c6c7fea_1.pdf

(6) Financial requirements (asset requirements)

Not applicable

5 Expiration date of authorization

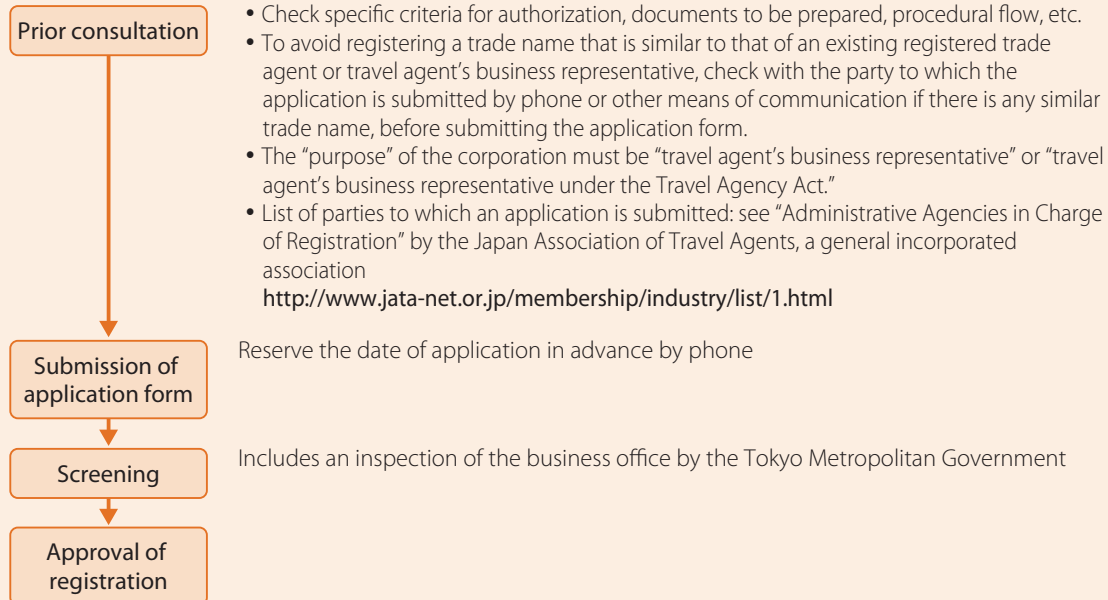
No expiration date is set.

However, the registration ceases to be effective due to the following reasons:

- i. When a contract where the travel agency provides travel services for a travel operator to which such agency belongs ceases to be effective; or
- ii. When registration of a travel operator to which such agency belongs is revoked.

6 Procedural flow (in the case of Tokyo)

Figure 4.



7 Relevant government administration office

Prefectural governor who has jurisdiction over the principal place of business

8 Reference URL

Bureau of Industrial and Labor Affairs, Tokyo Metropolitan Government
<http://www.sangyo-rodo.metro.tokyo.jp/sinsei/tourism/ryokotsuyaku/ryokotouroku/>

9 Reference URL for application forms

Bureau of Industrial and Labor Affairs, Tokyo Metropolitan Government: application and procedures
<http://www.sangyo-rodo.metro.tokyo.jp/sinsei/tourism/970f61c8dccc60bd8794288ff73bfe43.pdf>

Application forms

Bureau of Industrial and Labor Affairs, Tokyo Metropolitan Government
<http://www.sangyo-rodo.metro.tokyo.jp/sinsei/tourism/ryokotsuyaku/ryokotouroku/>

2-4. Land operation business

1 Overview of services provided

What is land operation business?

Land operation business is required to be registered when on behalf of a travel business operator (including travel business operators who reside outside Japan and abide by overseas laws and regulations), in exchange for a reward, a person conducts activities (excluding those specified in the Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism as activities that are unlikely to pose a problem in terms of ensuring fairness of transactions, safety of trips and convenience of travelers), such as concluding a contract with a provider of transportation and other services or services related to transportation, etc. to travelers, and acting as a mediator or agent between such travel business operator and such provider.

Land operator: As a result of a revision to the Travel Agency Act, you need to be registered as a land operator by a relevant prefectural governor to conduct land operations* in Japan on or after January 4, 2018,

*"Land operations" are activities that are conducted at the request of a travel agent (including overseas travel agents) in exchange for a reward and are shown as follows:

- Arranging for transportation (railway, bus, etc.) or accommodation (hotel, inn, etc.);
- Arranging for a paid guide (other than a National Government Licensed Guide Interpreter and a Local Government Licensed Guide Interpreter);
- Arranging for sales of goods at a tax-free store;
- Appointing at least one "land operation supervisor" for each business office;
- Delivering a document at the time of signing a contract; and others

Japan Tourism Agency, Ministry of Land, Infrastructure, Transport and Tourism: Overview of a land operator registration system (leaflet)

<http://www.mlit.go.jp/common/001226273.pdf>

2 Name of authorization

Registration of land operation business

3 Governing law

Travel Agency Act

4 Criteria for authorization

(1) Party to which an application is submitted: Prefectural governor who has jurisdiction over the location of the principal place of business

(In the case of Tokyo, Travel BusinessDesk, Promotion Section, Tourism Division, Bureau of Industrial and Labor Affairs)

2-4. Land operation business

(2) Application documents

- i. Registration application form
- ii. Articles of incorporation or articles of endowment **[in the case of a corporation]**
- iii. Certificate of registered items **[in the case of a corporation]**
- iv. Written pledge stating that no cause for disqualification of officers applies **[in the case of a corporation]**
- v. Written pledge of the business operator **[in the case of an individual]**
- vi. Certificate of residence of the business operator **[in the case of an individual]**
- vii. Business plan for land operation services
- viii. Overview of organization for land operation services
- ix. List of appointed land operation supervisors
- x. Documents that attest to the right to use a business office(s)
- xi. A document that describes a system for responding to accidents

(3) Screening period

Standard processing period: 30 to 40 days

(4) Handling fee

15,000 yen

(5) Personnel requirements

- Appointment of at least one "land operation supervisor" for each business office
A person who has passed the Examination for Certified General Travel Service Supervisor or the Examination for Certified Domestic Travel Service Supervisor or completed a training course for land operation supervisors
- Causes for rejection of registration
 - i. A person whose registration as a travel operator or travel agency is revoked in accordance with Article 19 of the Travel Agency Act or whose registration as a land operator is revoked in accordance with Article 37 of the Travel Agency Act and for whom five years have not yet passed since the date of the revocation.
 - ii. A person who was sentenced to imprisonment or a heavier penalty or was sentenced to a fine for violation of the Travel Agency Act and for whom five years have not yet passed since the day on which the person finished serving the sentence or ceased to be subject to its enforcement
 - iii. Organized crime group member, etc.
 - iv. A person who acted unjustly in relation to travel services or land operations within five years before an application
 - v. A minor whose capacity to act in relation to business operations is not the same as that of an adult and whose statutory agent falls under any of (i) to (iv) above and (vii)
 - vi. A person who is an adult ward of the state or under conservatorship or who has been subjected to a ruling for the commencement of bankruptcy proceedings and has not been reinstated
 - vii. A corporation whose officer(s) falls under any of (i) to (iv) and (vi) above
 - viii. A person whose business activities are controlled by an organized crime group member, etc.
 - ix. A person who is not deemed to appoint a "land operation supervisor" for each business office in accordance with Article 28 of the Travel Agency Act

Travel Business Desk, Promotion Section, Tourism Division, Bureau of Industrial and Labor Affairs, Tokyo Metropolitan Government: To those who intend to apply for new registration as a land operator <http://www.sangyo-rodo.metro.tokyo.jp/sinsei/tourism/d9b67b555a2c2e2cd0de2c817aeaf9a1.pdf>

(6) Financial requirements (asset requirements)

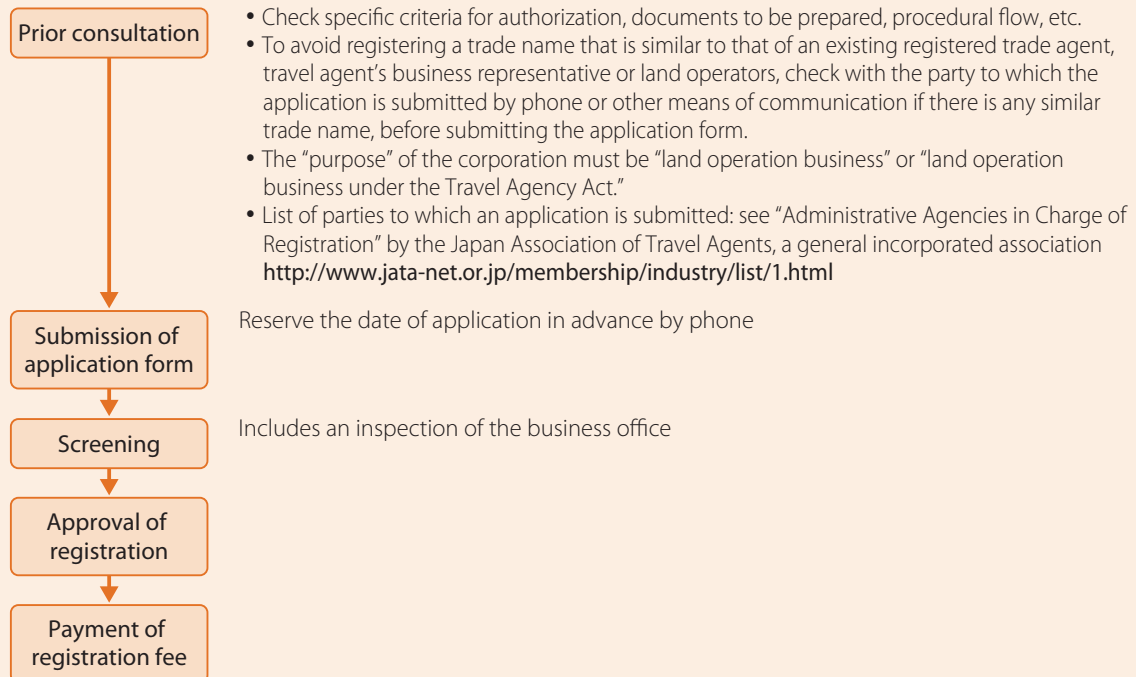
Not applicable

5 Expiration date of authorization

No expiration date is set.

6 Procedural flow (in the case of Tokyo)

Figure 5.



7 Relevant government administration office

Prefectural governor who has jurisdiction over the principal place of business

8 Reference URL

Bureau of Industrial and Labor Affairs, Tokyo Metropolitan Government
<http://www.sangyo-rodo.metro.tokyo.jp/sinsei/tourism/ryokotsuyaku/ryokotouroku/>

9 Reference URL for application forms

Bureau of Industrial and Labor Affairs, Tokyo Metropolitan Government
http://www.sangyo-rodo.metro.tokyo.jp/sinsei/tourism/d5f21a516b61be8063016324bc48cef5_1.pdf

Application forms
 Bureau of Industrial and Labor Affairs, Tokyo Metropolitan Government
<http://www.sangyo-rodo.metro.tokyo.jp/sinsei/tourism/ryokotsuyaku/ryokotouroku/>

3. Hotel Business and Private Lodging Business

Differences in obtaining authorization between travel business and, private lodging business which are explained on the following pages, are summarized in the table below.

Figure 6.

Comparison of private lodging business with other businesses based on laws and systems

	Hotel Business Act	Private Lodging Business Act (New Private Lodging Act)	National Strategic Special Zone Act
Authorization, etc.	Permission	Notification	Certification
Business activities in an exclusive district for residential use	Not allowed	Allowed (There are cases where restrictions are imposed under an ordinance.)	Allowed (There are cases where a local government that gives a certification imposes restrictions.)
Restriction on the number of business days	No restriction imposed	The annual number of days of provision of services is not more than 180 days. (Restrictions on a period of conducting business can be imposed under an ordinance.)	It is required to stay for two or more nights. (The minimum number of days is set under an ordinance but the maximum number of annual business days is not set.)
Enforcement area	Nationwide	Nationwide	Only in special zones

Public Relations Office, Government of Japan
<https://www.gov-online.go.jp/useful/article/201805/2.html>

3-1. Hotel business

1 Overview of services provided

What is a hotel business?

A hotel business is defined as a "business that provides accommodation to people in exchange for accommodation fees." "Accommodation" as used herein refers to use of facilities by use of bedding. In other words, a hotel business means "providing accommodation to people," and leasing an apartment, room, etc. that is used as the main home is classified as a room rental business or house rental business, not as a hotel business. In addition, a hotel business is required to "receive accommodation fees" and if accommodation fees are not collected, the Hotel Business Act is not applicable.

Hotel business types are divided into the "business of operating an inn or hotel," the "business of operating a common lodging house," and the "business of operating a boarding house."

i. Business of operating an inn or hotel

A business that provides accommodation to people in exchange for accommodation fees and uses facilities other than common lodging houses and boarding houses.

ii. Business of operating a common lodging house

Accommodation facilities where one guest room is shared by many people. One guest room is offered for shared use by many people, as exemplified by Japanese capsule hotels and mountain cottages.

iii. Business of operating a boarding house

Accommodation facilities for which accommodation fees are received in units of one month or a longer period.

2 Name of authorization

Hotel business permit

3 Governing law

The Hotel Business Act

4 Criteria for authorization

Authorization criteria for each business type varies according to the floor area size of guest rooms, structure of the entrance and front desk, and a difference in facilities.

(1) Party to which an application is submitted

Chief of the public health center that has jurisdiction over the location of the hotel, etc.

(2) Application documents

- i. Application for hotel business permit (overview of facilities, buildings and equipment)

3-1. Hotel business

- ii. Application form (whether the applicant falls under any item under Paragraph 2 of Article 3 of the Hotel Business Act (personnel requirements such as the applicant being not an adult ward of the state, a person related to an organized crime group, etc.))
- iii. Nearby layout (showing houses, roads, schools, etc. that are located within a 300-meter radius)
- iv. Building layout, plan view for each floor, front view, side view, electrical equipment layout plan and wiring diagram, and ventilation equipment layout plan and system diagram
- v. Certificate of registered items and articles of incorporation if the business owner is a corporation

[Documents, etc. required after completion of facilities]

Copy of inspection completion certificate under the Building Standards Act (checking against the original certificate)

(3) Screening period

No information is published.

(4) Handling fee

Business of operating an inn or hotel: 23,900 yen

Business of operating a common lodging house or boarding house: 13,200 yen

(In the case of Toshima Ward, Tokyo. Handling fees vary depending on local governments.)

(5) Personnel requirements

(Causes for disqualification)

- i. An adult ward of the state or a person under conservatorship
- ii. A person who has been subjected to a ruling for the commencement of bankruptcy proceedings and has not been reinstated
- iii. A person who was sentenced to imprisonment or a heavier penalty or was sentenced to a fine or a lighter penalty for violation of a disposition based on the Hotel Business Act and for whom three years have not yet passed since the day on which the person finished serving the sentence or ceased to be subject to its enforcement
- iv. A person whose permit is revoked in accordance with Article 8 of the Act and for whom three years have not yet passed since the date of the revocation
- v. A person who is an organized crime group member defined under Article 2, Item 6 of the Act on Prevention of Unjust Acts by Organized Crime Group Members or for whom five years have not yet passed since the date on which the person ceased to be an organized crime group member defined under the same item
- vi. A minor whose capacity to act in relation to business operations is not the same as that of an adult and whose statutory agent (if the statutory agent is a corporation, its officers are included) falls under any of the preceding items
- vii. A corporation whose officer conducting its business falls under any of (i) to (v) above
- viii. A person whose business activities are controlled by an organized crime group member, etc.

(6) Financial requirements

No regulations are provided.

(7) Locational requirements

If a location where a facility related to a permit application is in an area within roughly 100 meters of the grounds of an institution listed below, and if it is found that the innocent institutional environment of the relevant institution may be significantly marred, the permit is not granted in some cases.

- A school (excluding universities) prescribed in Article 1 of the School Education Act and an authorized child care center with combined preschool and daycare facilities prescribed in Article 2, Paragraph 7 of the Act on Advancement of Comprehensive Service Related to Education, Child Care, etc. of

Preschool Children

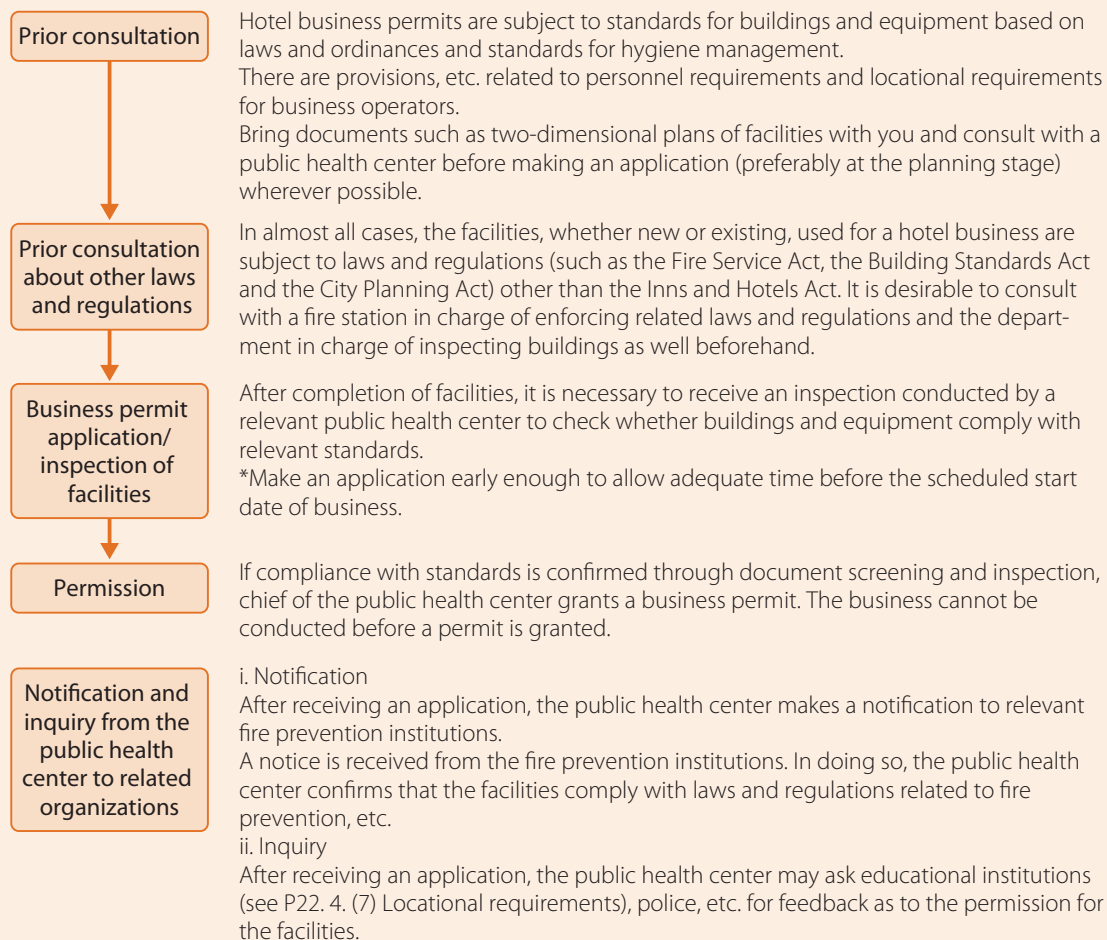
- A child care institution (excluding authorized child care centers with combined preschool and daycare facilities) prescribed in Article 7, Paragraph 1 of the Child Welfare Act
- An institution that is connected with the social education prescribed in Article 2 of the Social Education Act
- An institution that is equivalent to an education program of a miscellaneous category school prescribed in Article 134, Paragraph 1 of the School Education Act.
- A library prescribed in Article 2, Paragraph 1 of the Library Act
- A museum, community center, park, sports facility or other similar facilities that are offered primarily for use by children or for use by many children and are prescribed in local government regulations.

5 Effective period of authorization

No expiration date is set.

6 Procedural flow (in the case where the Bureau of Social Welfare and Public Health, Tokyo Metropolitan Government has relevant jurisdiction)

Figure 7.



7 Relevant government administration office

Prefectures, cities where a public health center is established (such as an ordinance-designated city, core city, etc.) and the 23 Wards of Tokyo

8 Reference URL

Ministry of Health, Labour and Welfare: Overview of the Hotel Business Act
<https://www.mhlw.go.jp/bunya/kenkou/seikatsu-eisei04/03.html>

Bureau of Social Welfare and Public Health, Tokyo Metropolitan Government
<https://www.fukushihoken.metro.tokyo.lg.jp/smph/nisitama/soudan/ryokan.html>

Itabashi Ward, Tokyo: Procedures for starting a hotel business
http://www.city.itabashi.tokyo.jp/c_kurashi/073/073424.html

9 URL for application forms

Bureau of Social Welfare and Public Health, Tokyo Metropolitan Government
<https://www.fukushihoken.metro.tokyo.lg.jp/smph/nisitama/soudan/ryokan.html>

3-2. Private lodging business(Minpaku)

1 Overview of services provided

What is a Private lodging?

This refers to a person who conducts a private lodging business after making a notification. A private lodging business is a business where a person other than those who receive a permit under the Hotel Business Act receives lodging fees and allow people to lodge in his/her residence and the number of days when people lodge does not exceed 180 days a year.

"Residences" where the private lodging business can be conducted must be equipped with a kitchen, bathroom, toilet and washing facility. In addition, the place of residence must be actually used as the main home of a person, a resident for such place must be recruited, and the place must be offered for residential use by its owner, lessee or sub-lessee.

Note that some local governments have established ordinances (limiting the implementation of a private lodging business) related to the Private Lodging Business Act and their own rules.

Reference A person who intends to conduct a private lodging business needs to be registered by the Minister of Land, Infrastructure, Transport and Tourism.

A person who intends to conduct a private lodging mediation business needs to be registered by the Commissioner of the Japan Tourism Agency.

2 Name of authorization

Private lodging business

3 Governing law

Private Lodging Business Act

4 Criteria for authorization

(1) Party to which an application (notification) is submitted

Prefectural governor

A city where a public health center is established (such as an ordinance-designated city, core city, etc.) and any of the 23 Wards of Tokyo can perform supervision (including receipt of notifications) and handle clerical work for establishing ordinances in place of a prefecture.

(2) Application documents

Matters to be notified

- i. Trade name, organizational or personal name, address
- ii. Names of officers **[in the case of a corporation]**
- iii. Name and address of a statutory agent **[in the case of a minor]**
(If the statutory agent is a corporation, the trade name or organizational name, address and names of its officers)
- iv. Location of the residence

3-2. Private lodging business(Minpaku)

- v. If a business office or any other office is established, its name and address
- vi. Date of birth and gender **[in the case of an individual]**
- vii. Dates of birth and genders of officers **[in the case of a corporation]**
- viii. Date of birth and gender of a statutory agent **[in the case of a minor]**
(If the statutory agent is a corporation, the dates of birth and genders of its officers)
- ix. Corporate number **[in the case of a corporation]**
- x. In the case of a certified private lodging administrator, the date of registration and the registration number
- xi. Contact information
- xii. Real estate number of the residence
- xiii. Building type listed in Article 2 of the Enforcement Regulation of the Private Lodging Business Act
- xiv. Whether the building is a single-family house, tenement, apartment or dormitory
- xv. Size of the residence
- xvi. If the owner of the residence is not absent while a person is allowed to lodge there, describe such fact.
- xvii. In the case of a lessee, describe the fact that the lessor has given approval to a sublease for the purpose of conducting a private lodging business.
- xviii. In the case of a sub-lessee, describe the fact that the lessor and the sub-lessor have given approval to a sublease for the purpose of conducting a private lodging business.
- xix. In the case of a building subject to unit ownership, the management rules do not prohibit a private lodging business.
- xx. If the management rules do not set out matters regarding a private lodging business, the management association has no intention of prohibiting such business.

Attached documents submitted at the time of notification

[In the case of an individual]

- i. Certificate of registered information on guardianship, etc. stating to the effect that the applicant does not fall under the category of an adult ward of the state or a person under conservatorship
- ii. Certificate issued by a mayor of municipality stating to the effect that the applicant does not fall under the category of a person who is deemed as an adult ward of the state or a person under conservatorship or who has been subjected to a ruling for the commencement of bankruptcy proceedings and has not been reinstated
- iii. If the applicant is a minor and if his/her statutory agent is a corporation, a certificate of registered items of that corporation
- iv. A written pledge stating that no disqualification cause applies
- v. Certificate of registered items on the residence
- vi. If the residence is a "building for which a resident is being recruited," an advertisement for recruiting a resident, and other documents attesting to such fact
- vii. If the residence is a "building offered for residential use by its owner, lessee or sub-lessee from time to time," a document attesting to such fact
- viii. Drawing of the residence (location of each piece of equipment, floor plan, entrance, number of stories, floor spaces of the living room, lodging room and portion offered for use by lodgers)
- ix. In the case of a lessee, a document certifying that the lessor has given approval
- x. In the case of a sub-lessee, a document certifying that the lessor and the sub-lessor have given approval
- xi. In the case of a building subject to unit ownership, a copy of the rules
- xii. If the management rules do not set out matters regarding the operation of a private lodging business, a document certifying that the management association has no intention of prohibiting such business
- xiii. If the business operations are outsourced, copies of documents delivered by the management company

[In the case of a corporation]

- i. Articles of incorporation or articles of endowment
- ii. Certificate of registered items
- iii. Certificate of registered information on guardianship, etc. stating to the effect that the officer(s) does not fall under the category of an adult ward of the state or a person under conservatorship
- iv. Certificate issued by a mayor of municipality stating to the effect that the officer(s) does not fall under the category of a person who is deemed as an adult ward of the state or a person under conservatorship or who has been subjected to a ruling for the commencement of bankruptcy proceedings and has not been reinstated
- v. Certificate of registered items of the residence
- vi. If the residence is a "building for which a resident is being recruited," an advertisement for recruiting a resident, and other documents attesting to such fact
- vii. If the residence is a "building offered for residential use by its owner, lessee or sub-lessee from time to time," a document attesting to such fact
- viii. Drawing of the residence (location of each piece of equipment, floor plan, entrance, number of stories, floor spaces of the living room, lodging room and portion offered for use by lodgers)
- ix. In the case of a lessee, a document certifying that the lessor has given approval
- x. In the case of a sub-lessee, a document certifying that the lessor and the sub-lessor have given approval
- xi. In the case of a building subject to unit ownership, a copy of the rules
- xii. If the management rules do not set out matters regarding the operation of a private lodging business, a document certifying that the management association has no intention of prohibiting such business
- xiii. If the business operations are outsourced, copies of documents delivered by the management company
- xiv. A written pledge stating that no disqualification cause applies

(3) Screening period

Not applicable

(4) Handling fee

Not applicable

(5) Personnel requirements (Causes for disqualification)

- i. An adult ward of the state or a person under conservatorship
- ii. A person who has been subjected to a ruling for the commencement of bankruptcy proceedings and has not been reinstated
- iii. A person who was ordered to discontinue his/her private lodging business and for whom three years have not yet passed since the date of issuance of the order
- iv. A person who was sentenced to imprisonment or a heavier penalty or was sentenced to a fine in accordance with the Private Lodging Business Act or the Hotel Business Act and for whom three years have not yet passed since the day on which the person finished serving the sentence or ceased to be subject to its enforcement
- v. A person who is an organized crime group member defined under Article 2, Item 6 of the Act on the Prevention of Unjust Acts by Organized Crime Group Members or for whom five years have not yet passed since the date on which the person ceased to be an organized crime group member defined under the same item
- vi. A minor whose capacity to act in relation to business operations is not the same as that of an adult and whose statutory agent falls under any of (i) to (v) above
- vii. A corporation whose officer(s) falls under any of (i) to (v) above
- viii. A person whose business activities are controlled by an organized crime group member, etc.

(6) Financial requirements (asset requirements)

Not applicable

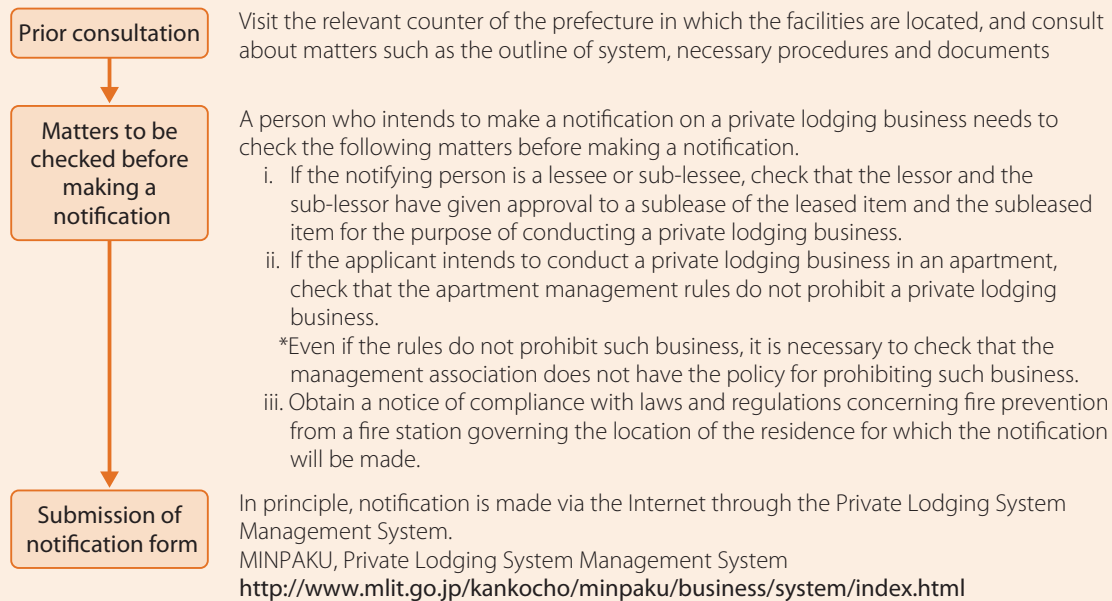
3-2. Private lodging business(Minpaku)

5 Effective period of authorization

No expiration date is set.

6 Procedural flow

Figure 8.



7 Relevant government administration office

Prefectures, cities where a public health center is established (such as an ordinance-designated city, core city, etc.) and the 23 Wards of Tokyo

8 Reference URL

Portal Website for Private Lodging "minpaku"
<http://www.mlit.go.jp/kankocho/minpaku/index.html>
http://www.mlit.go.jp/kankocho/minpaku/index_en.html

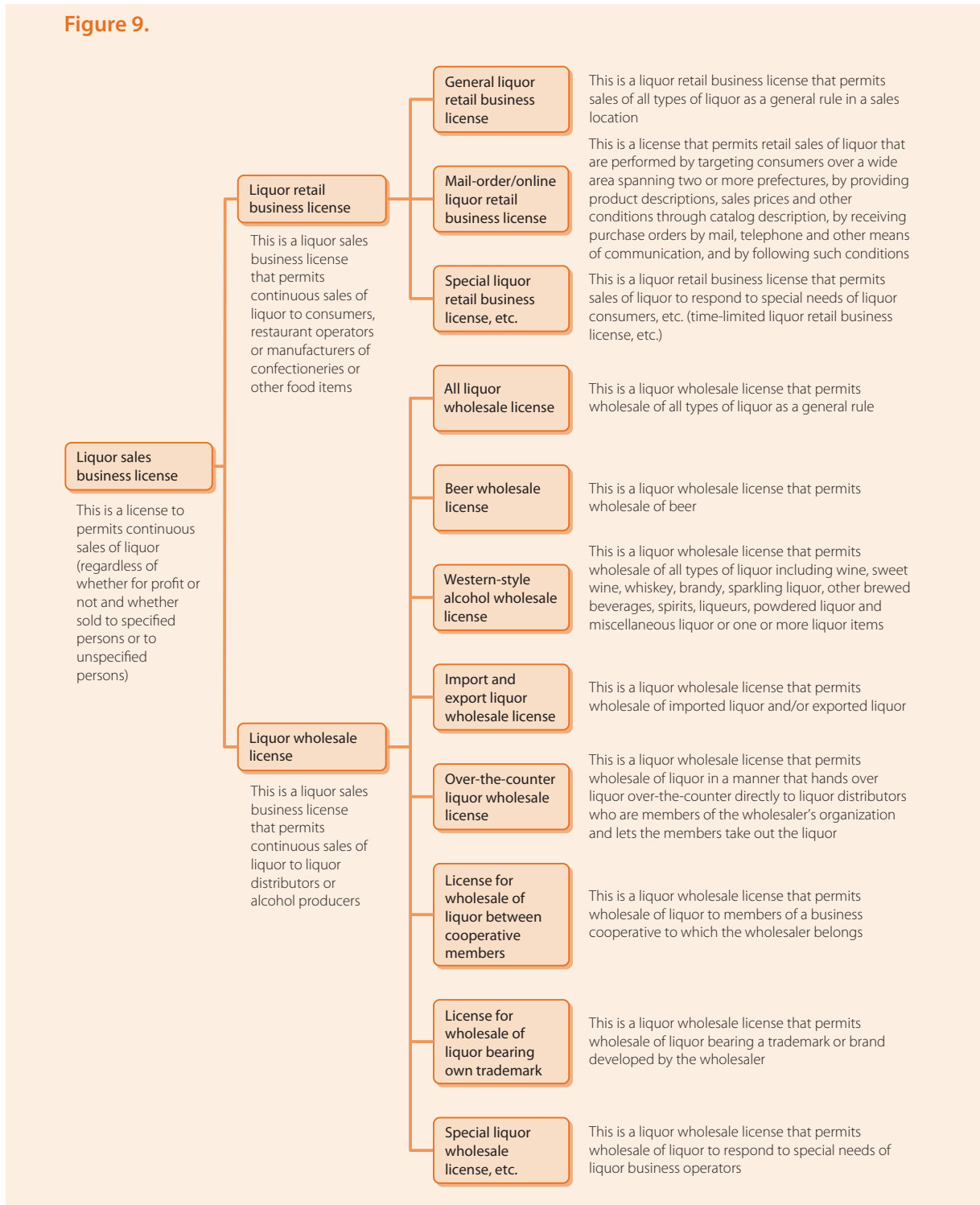
9 URL for application forms

Toshima Ward, Tokyo: Information on the Private Lodging Business
<http://www.city.toshima.lg.jp/214/kurashi/ese/kankyoese/minpaku.html>

4. Liquor Sales Business

Categories and types of the liquor sales business license, which are explained on the following pages, are summarized in the table below. Main categories and types are described on the following page.

Figure 9.



The National Tax Agency website providing information relating to sales business licenses
<https://www.nta.go.jp/taxes/sake/qa/03b/01.pdf>

4-1. General liquor retail business

1 Overview of services provided

What is a general liquor retail business?

This refers to a business to sell of all types of liquor as a general rule in a sales location to consumers and hospitality business owners, etc. that deal in liquor in a bar, restaurant, etc.

2 Name of authorization

General liquor retail business license

3 Governing law

Liquor Tax Act

4 Criteria for authorization

(1) Party to which an application is submitted

Tax office that has jurisdiction over a sales location for which the applicant intends to obtain a sales business license

(2) Application documents

- i. Liquor sales business license application form
- ii. Sales business license application form "Condition of the sales location site"
- iii. Sales business license application form "Layout plan of the building, etc."
- iv. Sales business license application form "General outline of the business"
- v. Sales business license application form "Income and expenditure forecast"
- vi. Sales business license application form "Amounts of funds required and procurement method"
- vii. Plan for initiatives related to the sales business license application form "Liquor sales and management method"
- viii. Checklist for a mail-order/online liquor retail business license application form
- ix. Written pledge for requirements for liquor sales business license (for a mail-order/online liquor retail business license application)
- x. Copies of a certificate of registered items of the corporation and its articles of incorporation
- xi. Copy of a certificate of residence
- xii. Copy of a contract, etc.
- xiii. Certificate of registered items of land and buildings
- xiv. Financial statements for the past three fiscal years
- xv. Certificate of tax payment issued by a prefecture and municipality
- xvi. Other documents that can be used as a reference
 - (a) Resume of the applicant (In the case of a corporation, resumes of its officers)
 - (b) Document, etc. that explains liquors to be sold
 - (c) Catalog, etc. that clearly shows labels used for mail-order/online liquor sales

(3) Screening period

Standard processing period: within two months

(4) Handling fee

Registration and license tax: 30,000 yen per license

(5) Personnel requirements (related to Items 1 to 8 of Article 10 of the Liquor Tax Act)

- i. The applicant has not received a disposition of revocation of a liquor production license or liquor sales business license or a license under the Alcohol Business Act.
- ii. If a corporation received a disposition of revocation of a liquor production license or liquor sales business license or a license under the Alcohol Business Act, and if the applicant was an executive officer of that corporation within the year prior to the date when the cause for the revocation occurred, three years have passed since the date when the corporation received the disposition of revocation.
- iii. The applicant has not received a disposition for failure to pay national tax or local tax within two years prior to license application.
- iv. If the applicant has been sentenced to a fine for violation of laws and regulations related to national tax or local tax or has been issued a notice, three years have passed since the day on which the applicant finished serving the sentence or obeyed to the notice.
- v. If the applicant has been sentenced to a fine under the Minor Drinking Prohibition Act, the Act on Control and Improvement of Amusement Business, etc. (limited to sections relating to provision of liquor to minors), the Act on Prevention of Unjust Acts by Organized Crime Group Members, Penal Code (crimes of injury, incitement of injury, assault, unlawful assembly with weapons, intimidation or breach of trust) or the Act on Punishment of Violence and Other Acts, three years have passed since the day on which the applicant finished serving the sentence or ceased to be subject to its enforcement.
- vi. If the applicant has been sentenced to imprisonment or a heavier penalty, three years have passed since the day on which the applicant finished serving the sentence or ceased to be subject to its enforcement.

(6) Financial requirements (asset requirements)

There is no financial requirements based on specific amounts.

However, there is "(7) Management foundation requirement" indicated below.

(7) Management foundation requirements (related to Item 10 of Article 10 of the Liquor Tax Act)

The applicant is not someone who has filed for bankruptcy and has not been reinstated or the applicant's management foundation is not deemed weak.

More specifically, judgment is made based on whether the applicant (if the applicant is a corporation, its officers (limited to ones with representation authority) or its main capital investors are included) is someone who does not fall under items a)-g) below and whether the applicant fulfill conditions in items h) and i) below.

- a) Persons who have delinquent payments of national or local taxes
- b) Persons who have experienced a suspension of bank transactions within the year prior to making the application
- c) The loss brought forward on the balance sheet based on the final settlement of accounts of the last fiscal year exceeds the amount of capital, etc.
- d) A loss of more than 20% of capital, etc. has been incurred each fiscal year for the past three fiscal years
- e) Persons who have violated a law or regulation related to liquor taxes and have received a notification disposition but have not carried them out, or have been prosecuted
- f) The relevant sales place is in violation of the Building Standards Act, City Planning Act, Cropland Act, Act on the Improvement of Urban Distribution Centers or other acts or ordinances of the local government, and has received orders for closure or relocation.
- g) It is clear that there is little possibility for the establishment of a proper management system for the sale of liquor at the relevant liquor retail sales location.

4-1. General liquor retail business

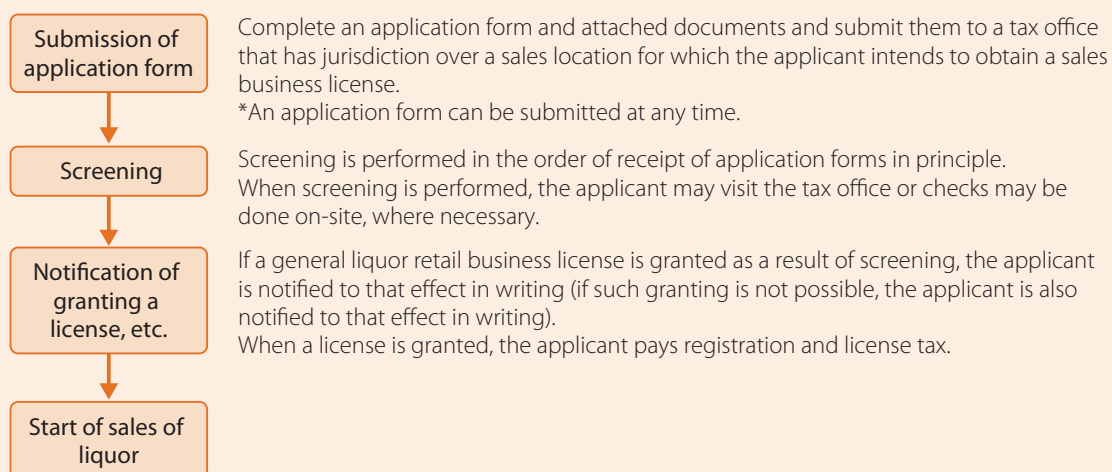
- h) The applicant is a person or a corporation organized by persons who are recognized as having sufficient knowledge and ability to manage a liquor retail business properly, based on experience.
- i) The applicant has the required funds, sales facilities and equipment for selling liquor continuously, or has the required funds and is recognized as surely acquiring sales facilities and equipment before the license is granted.

5 Effective period of authorization

No expiration date is set.

6 Procedural flow

Figure 10.



7 Relevant government administration office

National Tax Agency

8 Reference URL

National Tax Agency: Information on Liquor
<http://www.nta.go.jp/taxes/sake/index.htm>

JETRO: Guidebook for Export to Japan (Food Articles) 2011
https://www.jetro.go.jp/ext_images/en/reports/market/pdf/guidebook_food_alcoholic_beverages_rev.pdf

9 Application forms

National Tax Agency: Guide for General Liquor Retail Business License Application
<http://www.nta.go.jp/taxes/sake/menkyo/tebiki/01.pdf>

4-2. Mail-order/online liquor retail business

1 Overview of services provided

What is a mail-order/online liquor retail business?

This is a business that can conduct retail sales of liquor by mail-order or online.^{*1} A liquor sales business license for each sales location is required to be obtained from the director of the tax office that has jurisdiction over the sales location in accordance with the Liquor Tax Act. For example, even if the head office has obtained a sales business license, if a branch office intends to sell liquor, the branch office needs to obtain a new sales business license from the director of the tax office that has jurisdiction over the location of the branch office. Note that the holder of a "mail-order/online liquor retail business license" neither conducts retail sales of liquor at the store^{*2} nor conducts retail sales only to consumers, etc. in one prefecture.

***1 Sales by mail-order or online:** sales that are performed by targeting consumers over a wide area spanning two or more prefectures, by providing product descriptions, sales prices and other conditions over the Internet or through catalog description, by receiving purchase orders by mail, telephone and other means of communication, and by following such conditions

***2 Retail sales at the store:** sales by receiving purchase orders for liquor at the store or by handing over liquor at the store

2 Name of authorization

Mail-order/online liquor retail business license

3 Governing law

Liquor Tax Act

4 Criteria for authorization

(1) Party to which an application is submitted

Tax office that has jurisdiction over a sales location for which the applicant intends to obtain a sales business license

(2) List of documents submitted

- i. Liquor sales business license application form
- ii. Sales business license application form "Condition of the sales location site"
- iii. Sales business license application form "Layout plan of the building, etc."
- iv. Sales business license application form "General outline of the business"
- v. Sales business license application form "Income and expenditure forecast"
- vi. Sales business license application form "Amounts of funds required and procurement method"
- vii. Plan for initiatives related to the sales business license application form "Liquor sales and management method"

4-2. Mail-order/online liquor retail business

- viii. Checklist for a mail-order/online liquor retail business license application form
- ix. Written pledge for requirements for liquor sales business license (for a mail-order/online liquor retail business license application)
- x. Copies of a certificate of registered items of the corporation and its articles of incorporation
- xi. Copy of a certificate of residence
- xii. Copy of a contract, etc.
- xiii. Certificate of registered items on land and buildings
- xiv. Financial statements for the past three fiscal years
- xv. Certificate of tax payment issued by a prefecture and municipality
- xvi. Other documents that can be used as a reference
 - (a) Resume of the applicant (in the case of a corporation, resumes of its officers)
 - (b) Document, etc. that explains liquor to be sold
 - (c) Catalog, etc. that clearly shows labels used for mail-order/online liquor sales

(3) Screening period

Standard processing period: within two months

(4) Handling fee

Registration and license tax: 30,000 yen per license

(5) Personnel requirements (related to Items 1 to 8 of Article 10 of the Liquor Tax Act)

- i. The applicant has not received a disposition of revocation of a liquor production license or liquor sales business license or a license under the Alcohol Business Act.
- ii. If a corporation received a disposition of revocation of a liquor production license or liquor sales business license or a license under the Alcohol Business Act, and if the applicant was an executive officer of that corporation within the year prior to the date when the cause for the revocation occurred, three years have passed since the date when the corporation received the disposition of revocation.
- iii. The applicant has not received a disposition for failure to pay national tax or local tax within two years prior to license application.
- iv. If the applicant has been sentenced to a fine for violation of laws and regulations related to national tax or local tax or has been issued a notice, three years have passed since the day on which the applicant finished serving the sentence or obeyed to the notice.
- v. If the applicant has been sentenced to a fine under the Minor Drinking Prohibition Act, the Act on Control and Improvement of Amusement Business, etc. (limited to sections relating to provision of liquor to minors), the Act on Prevention of Unjust Acts by Organized Crime Group Members, Penal Code (crimes of injury, incitement of injury, assault, unlawful assembly with weapons, intimidation or breach of trust) or the Act on Punishment of Violence and Other Acts, three years have passed since the day on which the applicant finished serving the sentence or ceased to be subject to its enforcement.
- vi. If the applicant has been sentenced to imprisonment or a heavier penalty, three years have passed since the day on which the applicant finished serving the sentence or ceased to be subject to its enforcement.

(6) Financial requirements (asset requirements)

There is no financial requirements based on specific amounts. However, there is "(7) Management foundation requirement" indicated below.

(7) Management foundation requirements (related to Item 10 of Article 10 of the Liquor Tax Act)

The applicant is not someone who has filed for bankruptcy and has not been reinstated or the applicant's

management foundation is not deemed weak.

More specifically, judgment is made based on whether the applicant (if the applicant is a corporation, its officers (limited to ones with representation authority) or its main capital investors are included) is someone who does not fall under items a)-g) below and whether the applicant fulfill conditions in items h) to j) below.

- a) Persons who have delinquent payments of national or local taxes
- b) Persons who have experienced a suspension of bank transactions within the year prior to making the application
- c) The loss brought forward on the balance sheet based on the final settlement of accounts of the last fiscal year exceeds the amount of capital, etc.
- d) A loss of more than 20% of capital, etc. has been incurred each fiscal year for the past three fiscal years
- e) Persons who have violated a law or regulation related to liquor taxes and have received a notification disposition but have not carried them out, or have been prosecuted
- f) The relevant sales place is in violation of the Building Standards Act, City Planning Act, Cropland Act, Act on the Improvement of Urban Distribution Centers or other acts or ordinances of the local government, and has received orders for closure or relocation.
- g) It is clear that there is little possibility for the establishment of a proper management system for the sale of liquor at the relevant liquor retail sales location.

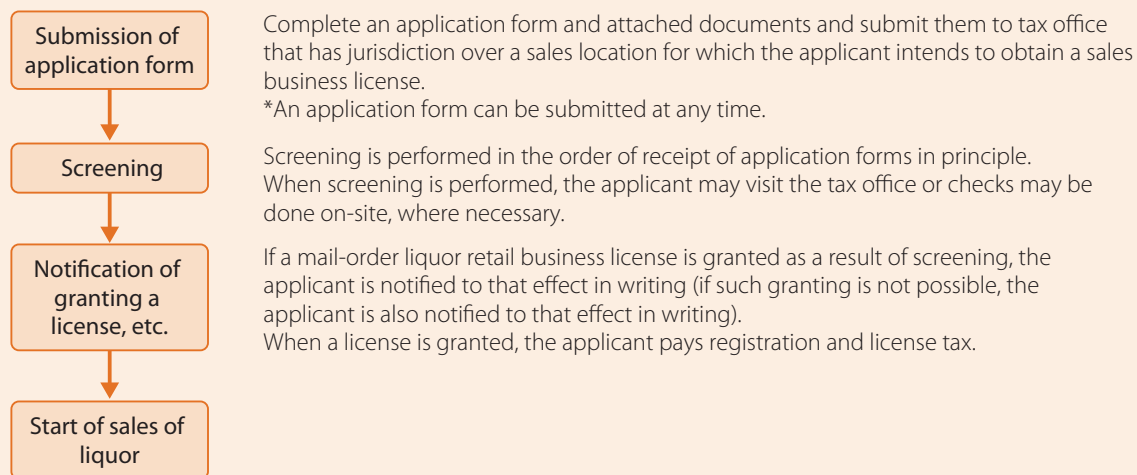
- h) The applicant is a person or a corporation organized by persons who are recognized as having sufficient knowledge, management ability and sales ability to properly conduct mail-order/online sales of liquor, based on experience.
- i) The applicant has the required funds, etc. to conduct mail-order/online sales of liquor according to a sales method compliant to regulations that protect consumers under the Act on Specified Commercial Transactions, and satisfies labeling standards regarding the prohibition of underage drinking or assures the prospect of compliance with this regulation.
- j) It is recognized that the applicant will take measures to confirm that people who purchase liquor are not underage.

5 Effective period of authorization

No expiration date is set.

6 Procedural flow

Figure 11.



7 Relevant government administration office

National Tax Agency

8 Reference URL

National Tax Agency: Information on Liquor
<http://www.nta.go.jp/taxes/sake/index.htm>

9 Application forms

National Tax Agency: Guide for Mail-order/Online Liquor Retail Business License Application
<http://www.nta.go.jp/taxes/sake/menkyo/tebiki/8285.pdf>

4-3. Liquor wholesale business

1 Overview of services provided

What is a liquor wholesale?

This refers to a business to sell liquor continuously to liquor distributors or alcohol producers. Note that liquor wholesale licenses are further divided into the following categories depending on the scope of liquor sold or the sales method.

- i. All liquor wholesale license
- ii. Beer wholesale license
- iii. Western-style alcohol wholesale license
- iv. Import and export liquor wholesale license
- v. Over-the-counter liquor wholesale license
- vi. License for wholesale of liquor between cooperative members
- vii. License for wholesale of liquor bearing own trademark
- viii. Special liquor wholesale license

Among the items i to viii above, for "all liquor wholesale license" and "beer wholesale license," the number of licenses that can be granted for each licensing year is calculated for each district that is established for adjusting regional supply and demand (hereinafter a "wholesale district"), with one prefecture established as one district unit, and measures are taken such as granting licenses within the number of licenses that can be granted. More specifically, regarding applications, etc. submitted within a certain application period, the order of screening is determined by conducting a public lottery, screening is performed according to such order, and measures are taken such as granting licenses within the number of licenses that can be granted.

The following are applications, etc. related to all liquor wholesale license and beer wholesale license, which are subject to a public lottery.

- (1) License application for a new sales location
- (2) Application for permission for relocation of a sales location from a different prefecture (wholesale district)
- (3) Request for relaxing (clearing) conditions*

*Relaxing (clearing) conditions: This means relaxing (clearing) conditions for a liquor sales business license that has already been granted. For example, there are cases where a liquor retailer who has a liquor sales place on which the license condition of "limiting sales to retail sales excluding mail-order/online sales" is imposed wishes to wholesale all liquor (or beer) in such sales place.

On the other hand, for liquor sales business licenses other than "all liquor wholesale license" and "beer wholesale license," a public lottery is not conducted as a general rule. Instead, screening is performed according to the order of receipt of applications, etc. and measures are taken such as granting licenses.

2 Name of authorization

Liquor wholesale license

3 Governing law

Liquor Tax Act

4 Criteria for authorization

(1) Party to which an application is submitted

Tax office that has jurisdiction over a sales location for which the applicant intends to obtain a license, etc.

(2) Application documents

(a) List of documents submitted at the time of application

- i. Liquor sales business license application form
- ii. Sales business license application form "Condition of the sales location site"
- iii. Sales business license application form "Layout plan of the building, etc."
- iv. Copies of a certificate of registered items of the corporation and its articles of incorporation
- v. Copy of a certificate of residence
- vi. Checklist for a license application form

(b) List of documents submitted at the time of screening

- i. Sales business license application form "General outline of the business"
- ii. Sales business license application form "Income and expenditure forecast"
- iii. Sales business license application form "Amounts of funds required and procurement method"
- iv. Written pledge for requirements for liquor sales business license
- v. Resume of the applicant (in the case of a corporation, resumes of its officers)
- vi. Copy of a contract, etc. concerning the sales location
- vii. Certificate of local tax payment
- viii. Financial statements for the past three fiscal years
- ix. Certificate of registered items of land and buildings
- x. Checklist for a license application form

(3) Screening period

Standard processing period: within two months after the start of screening

(4) Handling fee

Registration and license tax: 90,000 yen per license,
60,000 yen in the case of request for relaxing (clearing) conditions

(5) Personnel requirements (related to Items 1 to 8 of Article 10 of the Liquor Tax Act)

- i. If the applicant received a disposition of revocation of a liquor production license or liquor sales business license or a license under the Alcohol Business Act, three years have passed since the date on which the applicant received the disposition of revocation.
- ii. If a corporation received a disposition of revocation of a liquor production license or liquor sales business license or a license under the Alcohol Business Act, and if the applicant was an executive officer of that corporation within the year prior to the date when the cause for the revocation occurred, three years have passed since the date when the corporation received the disposition of revocation.
- iii. The applicant has not received a disposition for failure to pay national tax or local tax within two years prior to license application.

- iv. If the applicant has been sentenced to a fine for violation of laws and regulations related to national tax or local tax or has been issued a notice, three years have passed since the day on which the applicant finished serving the sentence or obeyed to the notice.
- v. If the applicant has been sentenced to a fine under the Minor Drinking Prohibition Act, the Act on Control and Improvement of Amusement Business, etc. (limited to sections relating to provision of liquor to minors), the Act on Prevention of Unjust Acts by Organized Crime Group Members, Penal Code (crimes of injury, incitement of injury, assault, unlawful assembly with weapons, intimidation or breach of trust) or the Act on Punishment of Violence and Other Acts, three years have passed since the day on which the applicant finished serving the sentence or ceased to be subject to its enforcement.
- vi. If the applicant has been sentenced to imprisonment or a heavier penalty, three years have passed since the day on which the applicant finished serving the sentence or ceased to be subject to its enforcement.

(6) Financial requirements (asset requirements)

There is no financial requirements based on specific amounts. However, there is "(7) Management foundation requirement" indicated below.

(7) Management foundation requirements (related to Item 10 of Article 10 of the Liquor Tax Act)

The applicant is not someone who has been subjected to a ruling for the commencement of bankruptcy proceedings and has not been reinstated or the applicant's management foundation is not deemed weak.

More specifically, judgment is made based on whether the applicant (if the applicant is a corporation, its officers (limited to ones with representation authority) or its main capital investors are included) is someone who does not fall under items a)-f) below and whether the applicant fulfill conditions in items g) to i) below.

- a) Persons who have delinquent payments of national or local taxes
- b) Persons who have experienced a suspension of bank transactions within the year prior to making the application
- c) The loss brought forward on the balance sheet based on the final settlement of accounts of the last fiscal year exceeds the amount of capital, etc.
- d) A loss of more than 20% of capital, etc. has been incurred each fiscal year for the past three fiscal years
- e) Persons who have violated a law or regulation related to liquor taxes and have received a notification disposition but have not carried them out, or have been prosecuted
- f) The relevant sales place is in violation of the Building Standards Act, City Planning Act, Cropland Act, Act on the Improvement of Urban Distribution Centers or other acts and regulations or ordinances of the local government, and has received orders for closure or relocation.
- g) The applicant is a person or a corporation organized by persons who are recognized as having sufficient knowledge and ability to manage a liquor wholesale business properly, based on experience.
- h) The applicant has the required funds, sales facilities and equipment for selling liquor continuously, or has the required funds and is recognized as surely acquiring sales facilities and equipment before the license is granted.
- i) The predicted annual average sales amount (wholesale reference amount) in the relevant sales location is at least 100kl for an application, etc. for all liquor wholesale license and at least 50kl for an application, etc. for beer wholesale license.

(8) Locational requirements

- i. The relevant sales location is not the same location as a liquor production plant for which a production license has been obtained, other liquor selling places for which a sales business license has been obtained, a bar, restaurant, etc.
- ii. Operations at the relevant sales location is clearly separate from the operations of other business entities, in terms of its layout, the employment or non-employment of exclusive sales personnel, independent payment system, and sales activities.

4-3. Liquor wholesale business

(9) Supply/demand adjustment requirement (related to Item 11 of Article 10 of the Liquor Tax Act)

With regard to all liquor wholesale license and beer wholesale license, a wholesale district is established for adjusting the supply and demand of the number of sales locations and the amount of all liquor consumed for the respective license types. One prefecture is established as one district unit.

As for the number of licenses that can be granted in each wholesale district (prefecture), a public notice is posted on the bulletin board, etc. of each tax office within the wholesale district on September 1 each year (if this date is Saturday or Sunday, the next Monday).

The National Tax Agency: Information on All Liquor Wholesale License and Beer Wholesale License
http://www.nta.go.jp/taxes/sake/menkyo/sake_beer/index.htm

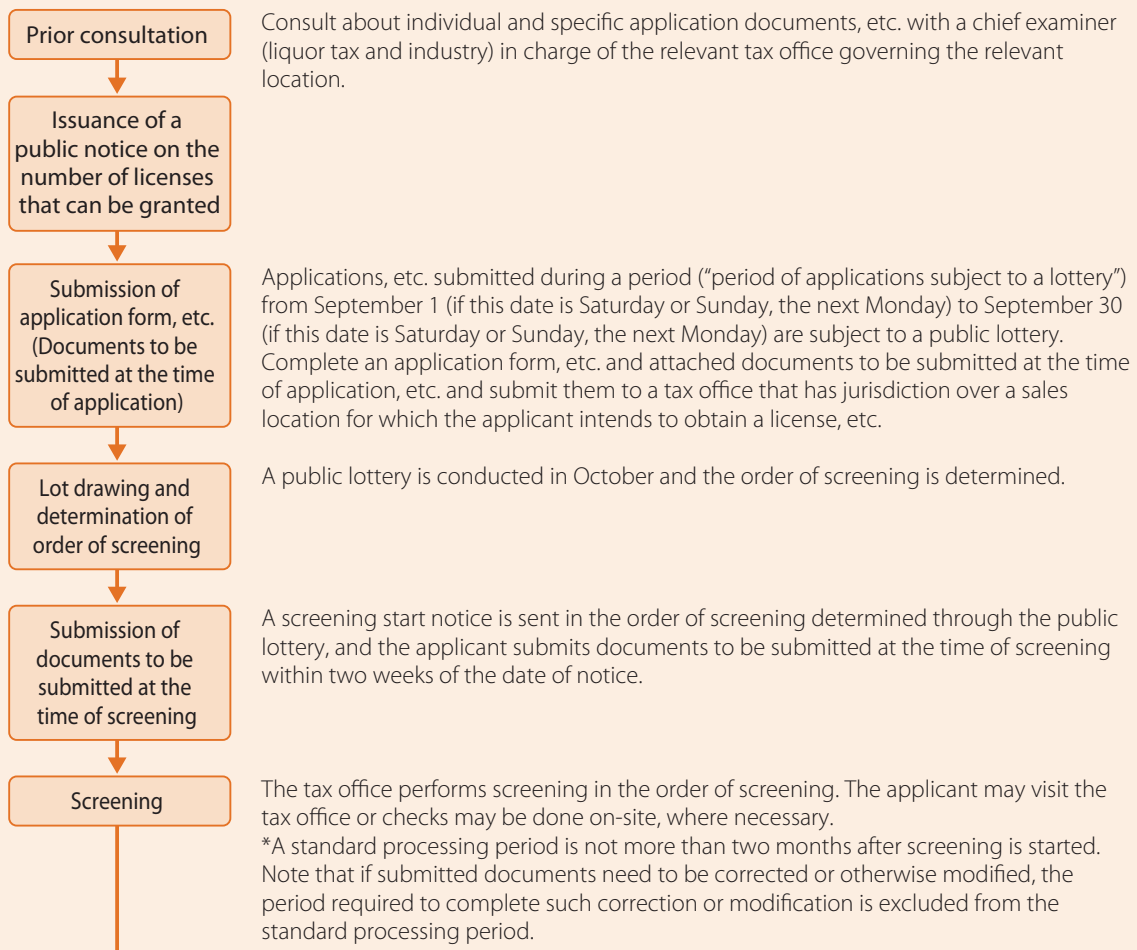
5 Effective period of authorization

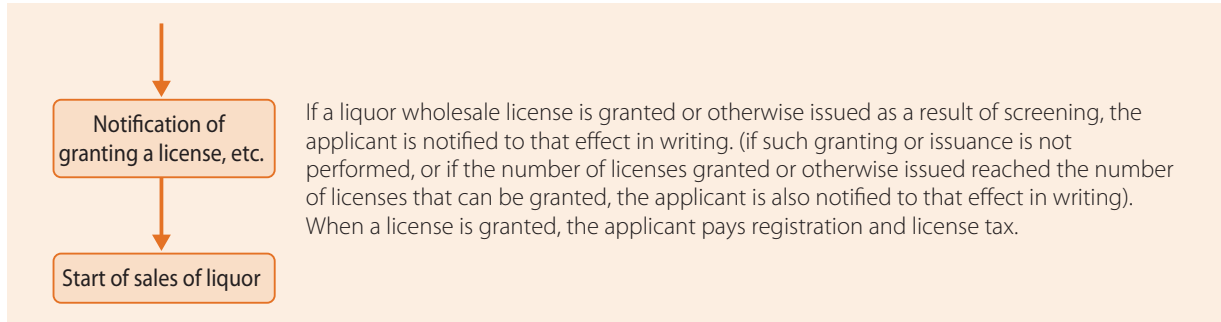
No expiration date is set.

6 Procedural flow

*For liquor sales business licenses other than all liquor wholesale license and beer wholesale license, a public lottery is not conducted as a general rule, and screening is performed according to the order of receipt of applications, etc.

Figure 12.





7 Relevant government administration office

National Tax Agency

8 Reference URL

National Tax Agency: Information on Liquors
<http://www.nta.go.jp/taxes/sake/index.htm>

9 Application forms

National Tax Agency: Guide for Liquor Wholesale License Application
<http://www.nta.go.jp/taxes/sake/menkyo/tebiki/oroshiuri/pdf/01.pdf>

5. Eating and Drinking Establishment Business

1 Overview of services provided

What is an eating and drinking establishment business?

This refers to a business to offer foods and drinks to customers in a restaurant, etc. Regardless of the size of the establishment and how many times foods and drinks are provided, a business permit may need to be obtained from a relevant public health center.

2 Name of authorization

Business permit for eating and drinking establishments

3 Governing law

Food Sanitation Act, ordinances of each local government

4 Criteria for authorization

(1) Party to which an application is submitted

Public health center that has jurisdiction over the location of the facility

(2) Application documents

- i. Application form for a business permit
- ii. Outline and layout plan of the business facility
- iii. Certificate of registered items [in the case of a corporation]
- iv. Water quality inspection report (only if storage tank or well water is used)
- v. Certification of the Food Hygiene Supervisor (such as a Food Hygiene Supervisor's pocket-ledger)

(3) Screening period

Check the screening period by contacting the public health center that has jurisdiction over the location of the facility.

(4) Handling fee

Eating and drinking establishment business: 18,300 yen

(The above amount is applicable to Toshima Ward, Tokyo. Handling fees vary depending on local governments.)

(5) Personnel requirements

To manage and operate facilities in a sanitary manner, a Food Hygiene Supervisor must be appointed for each facility.

[Persons who can be a Food Hygiene Supervisor]

- i. Persons who have completed a Food Hygiene Supervisor training program
- ii. Nutritionist

- iii. Chef
- iv. Confectionery hygienist
- v. Health supervisor prescribed in the Slaughterhouse Act
- vi. Work health supervisor prescribed in the Slaughterhouse Act
- vii. Health administrator for handling poultry
- viii. Ship's cook
- ix. Persons with qualifications as a food hygiene supervisor or food hygiene inspector

(6) Financial requirements (asset requirements)

No regulations are provided.

(7) Facility standards

To obtain a business permit, facility standards need to be met.

Facility standards are divided into common standards that must be met in all sectors of food-related businesses (excluding automatic vending machines) and specific standards that must be met by restaurant business operators.

When preparing a business plan, confirm the facility standards with the relevant public health center.

Bureau of Social Welfare and Public Health, Tokyo Metropolitan Government: Navigation for Starting a Food Business: Facility Standards (General Business)

<https://www.fukushihoken.metro.tokyo.lg.jp/shokuhin/eigyounavi/flow/regulation/>

5 Effective period of authorization

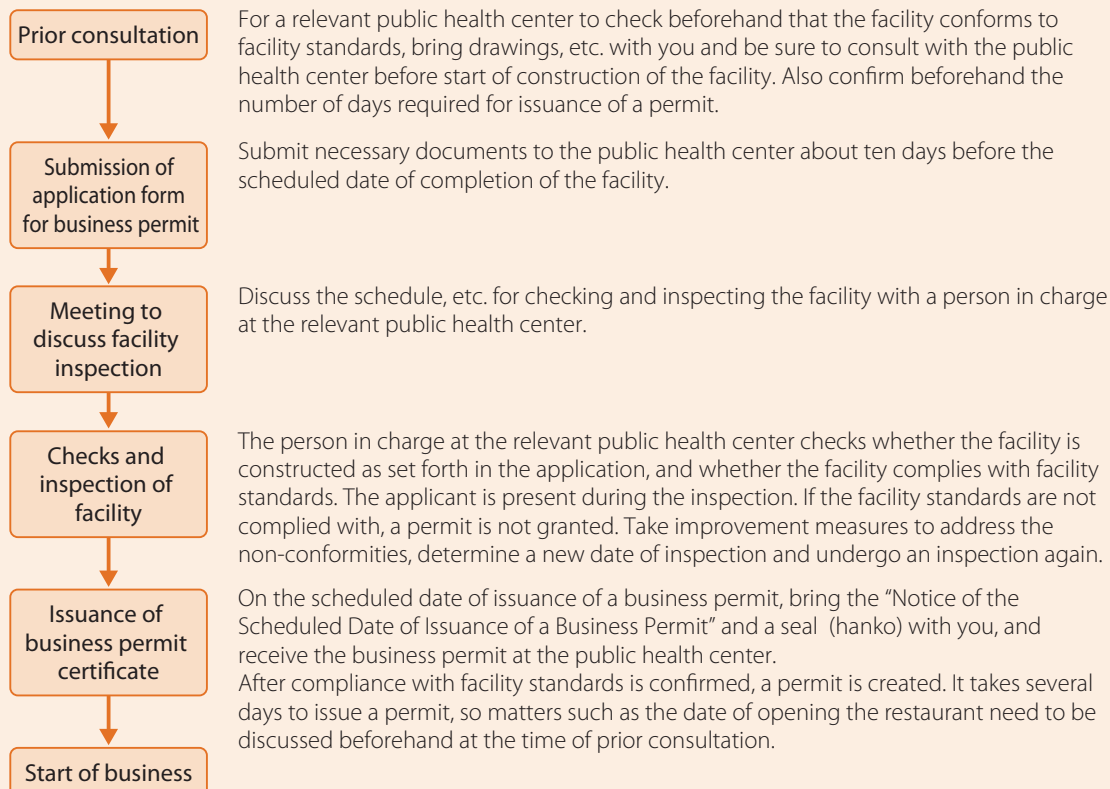
Five to eight years

(As for the maximum period for business permits, after setting out preferable material properties and structural properties from the viewpoint of food sanitation with regard to 12 items for buildings and equipment of the facility, an effective period is determined according to the number of items complied with. For details, contact the relevant public health center.)

5. Eating and Drinking Establishment Business

6 Procedural flow

Figure 13.



7 Relevant government administration office

Public health center that has jurisdiction over the location of the facility

Bureau of Social Welfare and Public Health, Tokyo Metropolitan Government (in the case of Tokyo)

8 Reference URL

Bureau of Social Welfare and Public Health, Tokyo Metropolitan Government: Navigation for Starting a Food Business

<https://www.fukushihoken.metro.tokyo.lg.jp/shokuhin/eigyounavi/>

Bureau of Social Welfare and Public Health, Tokyo Metropolitan Government: To those who start a new food-related business - Application Guide for Food-related Business Permits -

<https://www.fukushihoken.metro.tokyo.lg.jp/shokuhin/kyoka/files/tebiki.pdf>

9 URL for application forms

Bureau of Social Welfare and Public Health, Tokyo Metropolitan Government: List of application and notification forms for business permits and notifications (restaurant business, start of a food service business, etc.)

<https://www.fukushihoken.metro.tokyo.lg.jp/smph/nisitama/shokuhin/eigyokyoka.html>

6. Manpower Agency Business

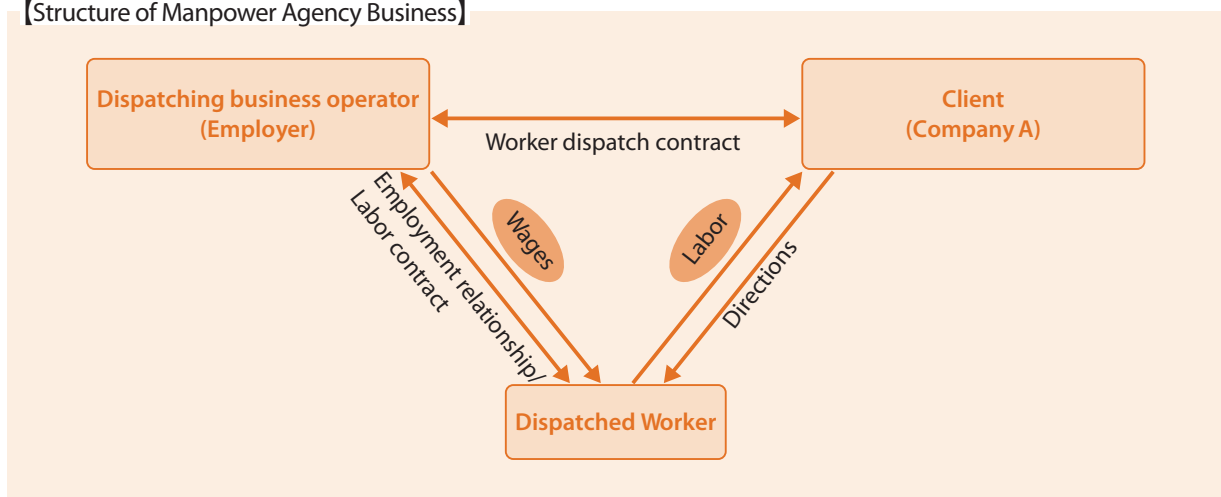
1 Overview of services provided

What is a manpower agency business?

This refers to a business conducted by a dispatching business operator on a regular basis where it has a worker it employs engage in work for a client under the direction of the client. All businesses that fit into this definition are subject to the Worker Dispatching Act. However, a manpower agency business cannot be conducted for the following operations (Article 4 of the Act).

- i. Port transport work (There are some exceptions.)
- ii. Construction work
- iii. Security work
- iv. Medical care-related work in a hospital, etc. (There are some exceptions.)

[Structure of Manpower Agency Business]



2 Name of authorization

Manpower agency business permit

3 Governing law

Worker Dispatching Act

4 Criteria for authorization

(1) Party to which an application is submitted

An application is made to the Minister of Health, Labour and Welfare via a relevant prefectural Labour Bureau that has jurisdiction over the principal place of business

6. Manpower Agency Business

(2) Application documents

- i. Three copies of a manpower agency business permit application form (one original, two copies)
- ii. Three copies of a manpower agency business plan (one original, two copies)
- iii. Two copies of each attached document listed in the table below (one original, one copy)

In the case of a corporation	In the case of an individual
<ul style="list-style-type: none"> ○ Articles of incorporation or articles of endowment ○ Certificate of registered items ○ Copy of a certificate of residence of an officer and his/her resume ○ Balance sheets, P&L statements and statements of changes in net assets for recent fiscal years ○ Copies of corporate income tax returns for recent fiscal years ○ Certificate of corporate income tax payment 	<ul style="list-style-type: none"> ○ Copy of a certificate of residence (stating the place of the registered domicile and not stating the individual number under the provisions of the My Number Act) and a resume ○ Copies of income tax returns (with a receipt seal of the relevant tax office in the place of tax payment) for recent tax payment periods ○ Certificate of tax payment ○ Balance sheets and P&L statements ○ Certificate of registered items of real estate and certificate of appraised amount of fixed asset tax ○ Bank statement (dated as of the end of the tax payment period)
<p>Common to a corporation and an individual</p> <ul style="list-style-type: none"> ○ Documents that attest to the right to use the place of business ○ Copy of the relevant sections of work regulations and labor contracts that are indicated below <ul style="list-style-type: none"> - Section that sets out that time spent attending an education and training session shall be treated as work time and corresponding wages shall be paid - Document attesting to the fact that an indefinite term dispatched worker is not dismissed only because of the termination of the temporary worker placement contract. - In addition, a document attesting to the fact that a fixed-term dispatched worker is not dismissed only because of the termination of the worker dispatch contract, if his/her labor contract remains effective when the worker dispatch contract comes to an end - Documents such as a copy of the relevant sections of work regulations or labor contracts that stipulate matters related to the termination of a worker dispatch contract, matters related to changes and matters related to dismissal - Section that sets out that with regard to a person who is an indefinite-term or fixed term dispatched worker and whose worker dispatch contract terminates within the term of his/her labor contract, if the employer requires such person to take leave due to reasons attributable to the employer, such as because the next company to which the person is dispatched cannot be found, the employer shall pay the person an allowance under Article 26 of the Labor Standards Act ○ Clerical guide, manual, etc. for introducing a dispatched worker to a company to be supplied with labor of temporary personnel with career development of the dispatched worker in mind, or a copy of the relevant section of the summary thereof ○ Copy of a certificate of residence (stating the place of the registered domicile and not stating the individual number under the provisions of the My Number Act) and a resume of the manager at the dispatching business operator as well as a copy of a certificate of attendance at a training program for supervisor at dispatching business operators (such certificate needs to contain the date of attendance that falls within three years before the date of receipt of the permit application) ○ Regulations for proper management of personal information 	

(3) Screening period

Two to three months

(4) Handling fee

- i. Handling fee (revenue stamp)
120,000 yen + 55,000 yen × (Number of places of business engaging in manpower agency business -1)
- ii. Registration and license tax
90,000 yen per permit

(5) Personnel requirements

- i. The manager(s) at the dispatching business operator is required to attend a training program for supervisors at dispatching business operators
- ii. Causes for disqualification
Business operators that fall under any of the conditions described on the linked pages below cannot obtain a manpower agency business permit. Visit the following URLs to check the details of the conditions.
Ministry of Health, Labour and Welfare: To Conduct a Manpower Agency Business Properly - Procedural Manual for Obtaining and Renewing Permits
<https://www.mhlw.go.jp/stf/seisakunitsuite/bunya/0000099161.html>
Causes for disqualification (in PDF format)
<https://www.mhlw.go.jp/file/06-Seisakujouhou-11600000-Shokugyouanteikyoku/0000133883.pdf>

(6) Financial requirements (asset requirements)

- i. The reference asset amount is equal to or more than the amount obtained by multiplying 20 million yen by the number of places of business at which the business operator (plans to) conduct a manpower agency business.
- ii. The reference asset amount calculated in i. above is equal to or more than one seventh of the total amount of liabilities.
- iii. The amount of cash and bank deposits possessed in the name of the business operator for use as business funds is equal to or more than the amount obtained by multiplying 15 million yen by the number of places of business at which the business operator (plans to) conduct a manpower agency business.
- iv. As for the financial requirements mentioned above, there are transitional measures* to give consideration to small dispatching business operators.
*Financial basis of small and medium-sized business operators that employ ten or less dispatched workers on a regular basis (measures taken for the time being)
As measures taken from September 30, 2015 for the time being, judgment criteria for financial basis of small and medium-sized business operators that has only one place of business (including not only the place of business where a manpower agency business is conducted but also a place or facility where workers of a relevant business operator work) and employ ten or less dispatched workers on a regular basis shall be as follows.
 - i. The reference asset amount is equal to or more than 10 million yen.
 - ii. The reference asset amount calculated in i. above is equal to or more than one seventh of the total amount of liabilities.
 - iii. The amount of cash and bank deposits possessed in the name of the business operator for use as business funds is equal to or more than 8 million yen.

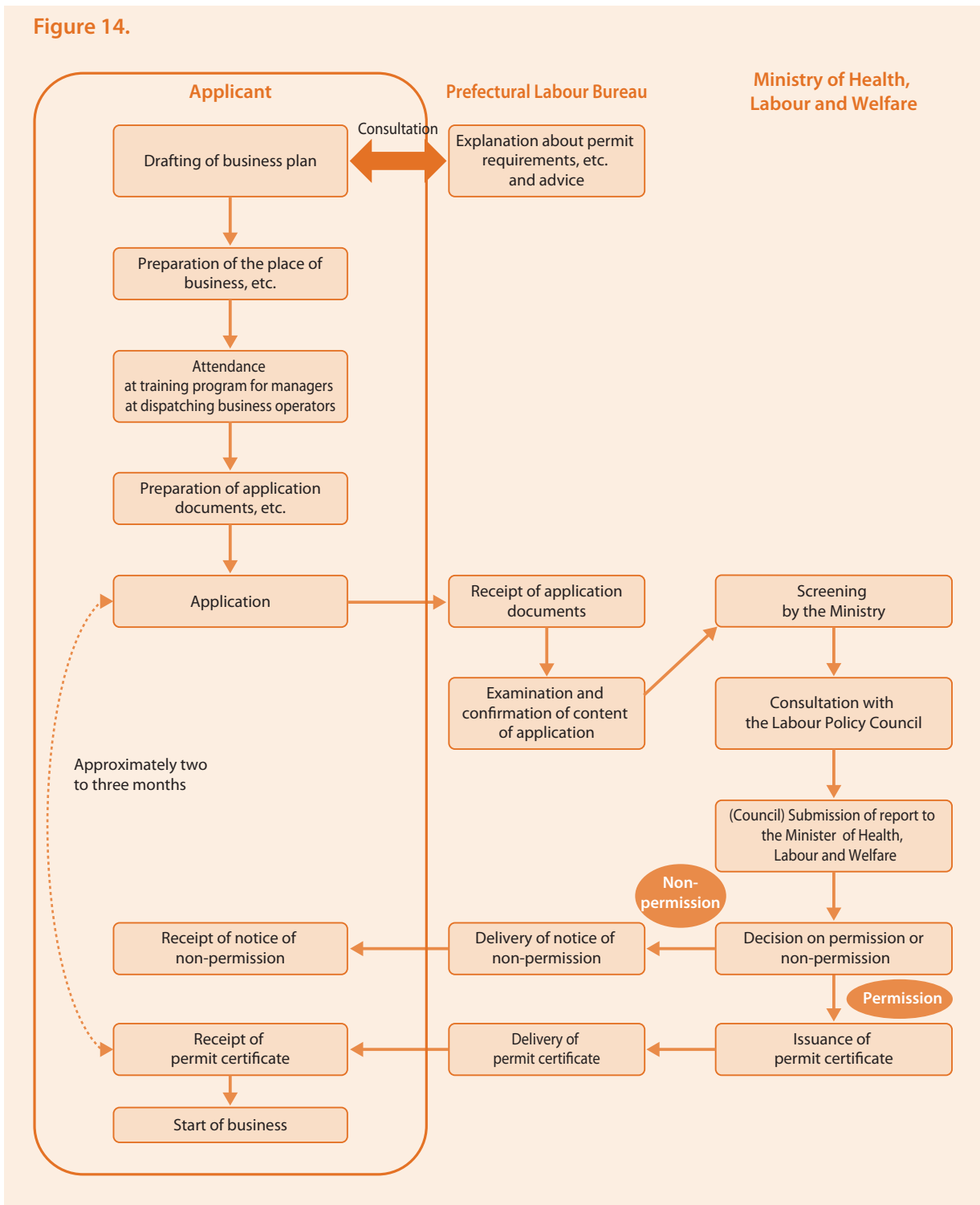
5 Effective period of permit

New permit: three years

Renewed permit: five years

6 Procedural flow

Figure 14.



Ministry of Health, Labour and Welfare
<https://www.mhlw.go.jp/file/06-Seisakujouhou-11600000-Shokugyouanteikyoku/0000133884.pdf>

7 Relevant government administration office

Ministry of Health, Labour and Welfare, Prefectural Labour Bureau

8 Reference URL

Ministry of Health, Labour and Welfare: Manpower agency business, employment referral service business
https://www.mhlw.go.jp/stf/seisakunitsuite/bunya/koyou_koyou_haken_shoukai/index.html

Ministry of Health, Labour and Welfare: Employment security
<https://www.mhlw.go.jp/english/policy/employ-labour/employment-security/index.html>

9 Application forms

Ministry of Health, Labour and Welfare: To Conduct a Manpower Agency Business Properly—Procedural Manual for Obtaining and Renewing Permits
<https://www.mhlw.go.jp/stf/seisakunitsuite/bunya/0000099161.html>

7. Fee-charging Employment Referral Service Business

1 Overview of services provided

What is a fee-charging employment referral service business?

This is an employment referral service business that introduces job seekers to employment, whether for profit or not, by receiving handling fees, remuneration or other considerations. With regard to employment other than employment that is not allowed to be introduced to job seekers in accordance with Article 32-11 of the Employment Security Act (hereinafter the "Act") (specifically, this refers to any employment in which they perform port transport work and any employment in which they perform construction work), a fee-charging employment referral service business can be conducted after obtaining a permit from the Minister of Health, Labour and Welfare under Article 30, Paragraph 1 of the Act.

Employment referral is defined in Article 4, Paragraph 1 of the Act as meaning "receiving i offers for posting job offerings and ii offers for registering as a job seeker and iii extending mediation services to establish iv employment relationships between job offerers and job seekers." Terms as used in this definition have the following meanings.

i Offers for posting job offerings

This means asking others to provide labor for the job offerer in exchange for a reward

ii Offers for registering as a job seeker

This means seeking a job to receive a reward by providing one's own labor

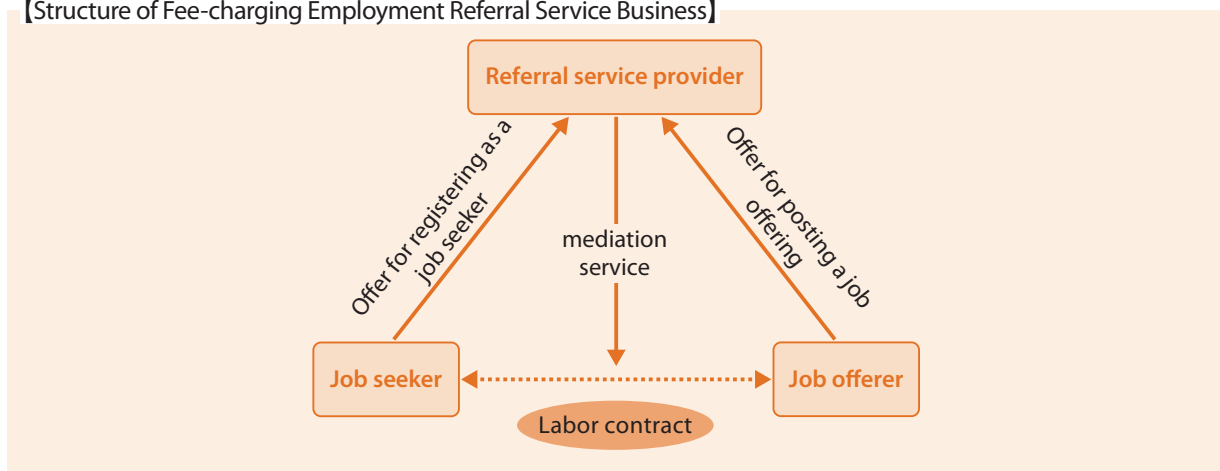
iii Extending mediation services

This means making arrangements as a third party and going between a job offerer and a job seeker to smoothly establish an employment relationship between them

iv Employment relationship

This means a legal employer-subordinate relationship arising between an employer that uses labor by paying a reward and an employee that provides labor

【Structure of Fee-charging Employment Referral Service Business】



Reference An employment referral service business is divided into two types: a fee-charging employment referral service business and a free-of-charge employment referral service business, and there is a difference in criteria for granting permits between the two types.

Free-of-charge employment referral service business: This is an employment referral service business that refers job seekers to employment, whether for profit or not, without receiving handling fees, remuneration or other consideration, irrespective of the name given to it.

2 Name of authorization

Fee-charging employment referral service business permit

3 Governing law

Employment Security Act

4 Criteria for permits

(1) Party to which an application is submitted

An application is made to the Minister of Health, Labour and Welfare via a relevant prefectural Labour Bureau that has jurisdiction over the address (if the applicant is a corporation, its principal place of business) of the applicant

(2) Application documents

- a. Application form for fee-charging employment referral service business permit (one original, two copies)
- b. Fee-charging employment referral service business plan (one original, two copies)
- c. Fee notification form for notification procedure (one original, two copies)

Attached documents

- i. Documents related to a corporation **【in the case of corporation】**
 - Articles of incorporation or articles of endowment
 - Certificate of registered items of the corporation
- ii. Documents related to the representative, officers and employment referral service supervisors
 - Copy of a certificate of residence
 - Resume
 - Copy of a certificate of attendance at a training program for employment referral service supervisors (this applies only to employment referral service supervisors)
- iii. Documents related to assets and funds
 - Balance sheets and P&L statements for recent fiscal years
 - Documents attesting to the amount of assets possessed, such as bank statements for deposits and savings
 - (If the amount of reference assets that is calculated based on a balance sheet is evidenced by a certificate of tax payment and a tax return, bank statements and other documents are not necessary)
 - Bank statements attesting to the amount of funds possessed (If the amount of business funds that is calculated based on a balance sheet is evidenced by a certificate of tax payment and a tax return, bank statements and other documents are not necessary.)
 - Copies of tax returns for recent fiscal years
 - Copies of certificates of corporate income tax or income tax payment for recent fiscal years
 - Statements of shareholder's equity for recent fiscal years **【in the case of corporation】**
- iv. Documents related to proper management of personal information
 - Regulations for proper management of personal information and maintenance of confidentiality
- v. Documents related to management of services
 - Regulations for management of services
- vi. Documents related to facilities at the place of business
 - Certificate of registered items of buildings (if the applicant owns a building)

7. Fee-charging Employment Referral Service Business

- Building lease contract or lease contract for use of a building (if a building is rented)
- vii. Documents related to handling fees
 - Schedule of handling fees (if a fee notification form for notification procedure is submitted)
- viii. Documents related to a country where there exists a party to which a job seeker is introduced (if a job seeker is introduced to overseas employment)
 - Related laws and regulations of such country and the Japanese translation thereof
 - Document attesting to the fact that in a country where there exists a party to which a job seeker is introduced, the business operator's activities for cross-border employment referral services are permitted and, if such document is written in a foreign language, the Japanese translation thereof
- ix. Documents related to an agent organization
 - Contract that sets out a division of duties between an agent organization and the business operator and other documents relating to business management and the Japanese translations thereof *Only the portion that clarifies the division of duties.
 - Document attesting to the fact that in a country where there exists a party to which a job seeker is introduced, the agent organization's activities are permitted and the Japanese translation thereof

(3) Screening period

Two to three months

(4) Handling fee

- i. Handling fee
50,000 yen + 18,000 yen × (Number of places of business engaging in employment referral service business -1)
- ii. Registration and license tax
90,000 yen per permit

(5) Personnel requirements

- i. Employment referral service supervisor(s) is required to attend a training program for employment referral service supervisors
- ii. Causes for disqualification
Business operators that fall under any of the conditions described on the linked page below cannot obtain a fee-charging employment referral service business permit. Visit the following URL to check the details of the conditions.
Causes for disqualification Article 32 of the Employment Security Act
https://elaws.e-gov.go.jp/search/elawsSearch/elaws_search/lsg0100/
<https://www.e-gov.go.jp/en/>

(6) Financial requirements (asset requirements)

- i. The reference asset amount is equal to or more than the amount obtained by multiplying 5 million yen by the number of places of business at which the applicant (plans to) conduct a fee-charging employment referral service business.

Total reference asset amount > 5 million yen × Number of places of business at which the applicant (plans to) conduct a fee-charging employment referral service business

- ii. The amount of cash, bank deposits and savings possessed in the name of the applicant for use as business funds is equal to or more than the amount obtained by (i) deducting one from the number of places of business at which the applicant (plans to) conduct a fee-charging employment referral service business, (ii) multiplying the result by 600,000 yen and (iii) adding the product to 1.5 million yen.

Amount of cash, bank deposits and savings > 1.5 million yen + (Number of places of business engaging in fee-charging employment referral service business -1) × 600,000 yen

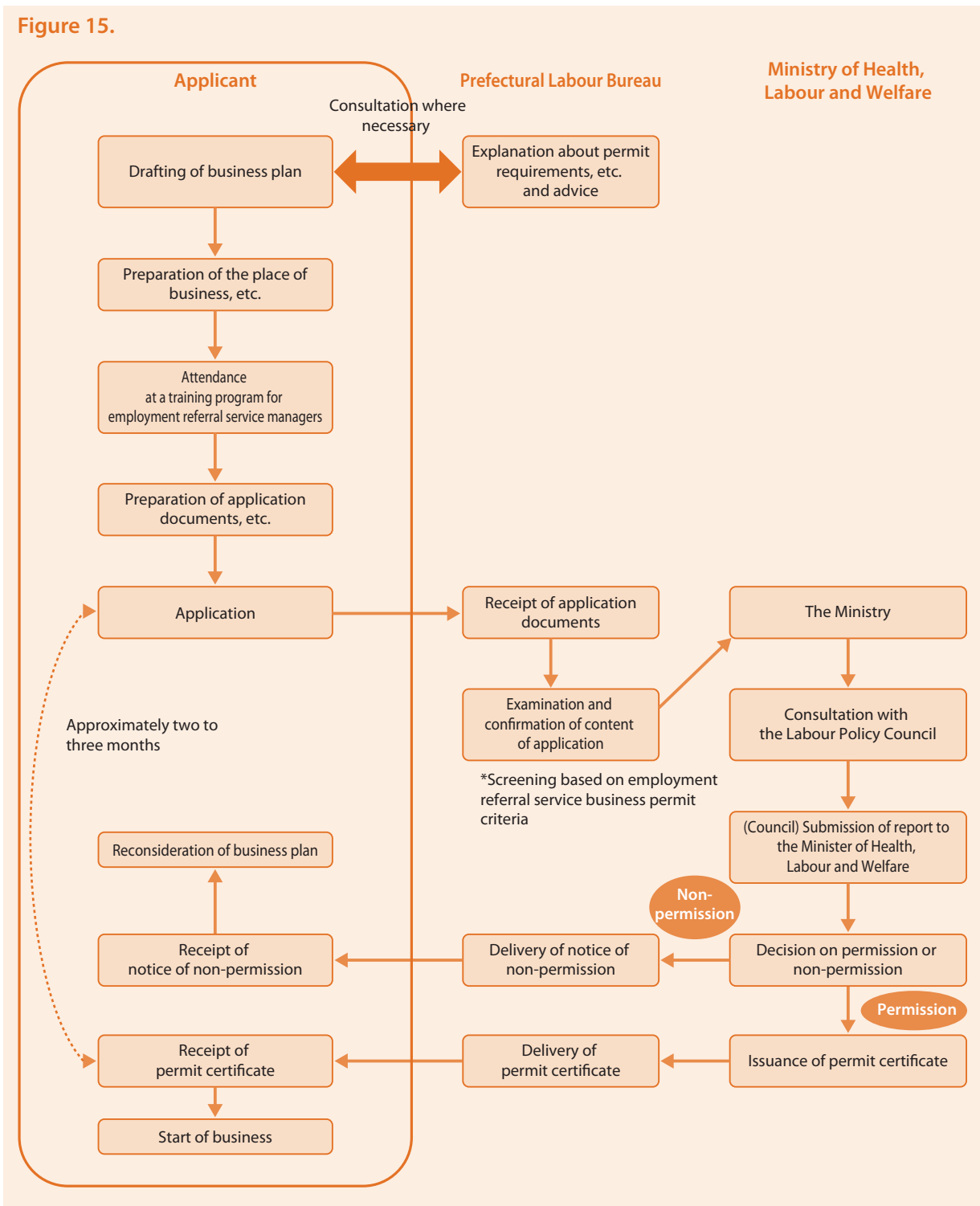
5 Effective period of authorization

New permit: three years

Renewed permit: five years

6 Procedural flow

Figure 15.



7 Relevant government administration office

Ministry of Health, Labour and Welfare
Prefectural Labour Bureau

8 Reference URL

Ministry of Health, Labour and Welfare: Manpower agency business, employment referral service business
https://www.mhlw.go.jp/stf/seisakunitsuite/bunya/koyou_koyou_haken-shoukai/index.html

9 URL for application forms

Ministry of Health, Labour and Welfare: Employment Referral Service Business Pamphlet—Procedural Manual for Obtaining and Renewing Permits
<https://www.mhlw.go.jp/stf/seisakunitsuite/bunya/0000116946.html>

8. Cosmetics Marketing Business, Cosmetics Manufacture Business

1 Overview of services provided

What is a cosmetics marketing business?

This refers to a business to manufacture cosmetics (including requesting others to manufacture with a contract and excluding manufacturing under contract with others) or to sell, rent out, or provide imported pharmaceutical products (excluding active pharmaceutical ingredients), quasi - pharmaceutical products, cosmetics or medical devices.

What is a cosmetics manufacture business?

This refers to a business to manufacture products under contract with a person who has a cosmetics marketing business permit.

Permit types	Overview
Marketing business permit	This is a permit to ship products to the market and with this permit, you cannot perform manufacturing (including packaging, labeling and storing before determination of whether the products may be shipped to the market). A marketing business operator is ultimately responsible for products and is required to collect, analyze and evaluate information on product quality and safety and take necessary measures.
Manufacture business permit	This is a permit to manufacture products (including packaging, labeling and storing products before determination of whether the products may be shipped to the market) and with this permit, you cannot ship products to the market. Manufactured products can be sold and given only to marketing business operators or manufacture business operators.

"Cosmetics" refers to items which are intended to be used on the human body by rubbing, sprinkling or other similar means, aiming to clean, beautify and increase the attractiveness, alter the appearance or to keep the skin or hair in good condition, and which have mild effects on the human body (Article 2, Paragraph 3 of the Pharmaceutical and Medical Device Act).

2 Name of authorization

Cosmetics marketing business permit
Cosmetics manufacture business permit

3 Governing law

Act on Securing Quality, Efficacy and Safety of Products Including Pharmaceuticals and Medical Devices

4 Criteria for authorization

(1) Party to which an application is submitted

Pharmaceutical affairs division of the prefecture
(In the case of Tokyo, Tokyo Metropolitan Institute of Public Health)

(2) Application documents

1. Cosmetics marketing business
 - i. Application form for a permit
 - ii. Certificate of registered items
 - iii. Operation allocation chart
 - iv. Medical certificate of the officer in charge of operations (medical certificate stating that the said officer is not chemically dependent)
 - v. Organizational chart
 - vi. Copy of the general marketing supervisor's employment contract, or a document attesting to the employment relationship
 - vii. Proof of the qualifications of the general marketing supervisor
 - viii. Document on frameworks related to quality control (GQP framework chart)
 - ix. Document on frameworks related to post-marketing safety management (GVP framework chart)
 - x. Layout plan
 - xi. Two-dimensional plan of the office
 - xii. Drawing of storage facility
 - xiii. Information map for the office

2. Cosmetics manufacture business
 - i. Application form for a permit
 - ii. Certificate of registered items
 - iii. Operation allocation chart
 - iv. Medical certificate or prima facie proof with regard to the officer in charge of operations
 - v. Copy of the supervising technician's employment contract, or a document attesting to the employment relationship
 - vi. Proof of the qualifications of the supervising technician
 - vii. List of outlines of buildings and equipment
 - viii. List of production equipment and tools
 - ix. List of testing and inspection tools
 - x. Summary of use of other testing and inspection agencies, etc. and a copy of a contract or a certificate of use
 - xi. Layout plan of the manufacturing plant
 - xii. Two-dimensional plan of the manufacturing plant
 - xiii. List of items to be manufactured and a document on the manufacturing process for one representative item
 - xiv. Information map for the manufacturing plant

(3) Screening period

35 days excluding closed days (standard processing period of the Tokyo Metropolitan Government)

(4) Handling fee (in the case of the Tokyo Metropolitan Government)

Cosmetics marketing business: 57,400 yen

Cosmetics manufacture business (category: packaging, labeling and storing): 32,800 yen

Cosmetics manufacture business (category: general): 39,000 yen

(5) Personnel requirements

- Cosmetics marketing business: General marketing supervisor
- Cosmetics manufacture business: Supervising technician

Requirements for general marketing supervisor and supervising technicians

- a. Pharmacist

8. Cosmetics Marketing Business, Cosmetics Manufacture Business

- b. A person who has completed a special course in pharmaceutical sciences or chemistry at a junior high school under the old education system, a high school, or school of equal level or higher
- c. A person who has completed a subject related to pharmaceutical sciences or chemistry at a junior high school under the old education system, a high school, or school of equal level or higher, and has three or more years of experience in operations related to quality control or post-marketing safety control
- d. A person who has been recognized as having knowledge and experience of equal level or higher than listed above, by the Minister of Health, Labour and Welfare

● Causes for disqualification

As set forth in Article 5, Item 3 of the Pharmaceutical and Medical Device Act
Tokyo Metropolitan Institute of Public Health: 5. Review for obtaining a permit
http://www.tokyo-eiken.go.jp/k_yakuji/i-sinsa/cosmetics/kentou/

(6) Financial requirements (asset requirements)

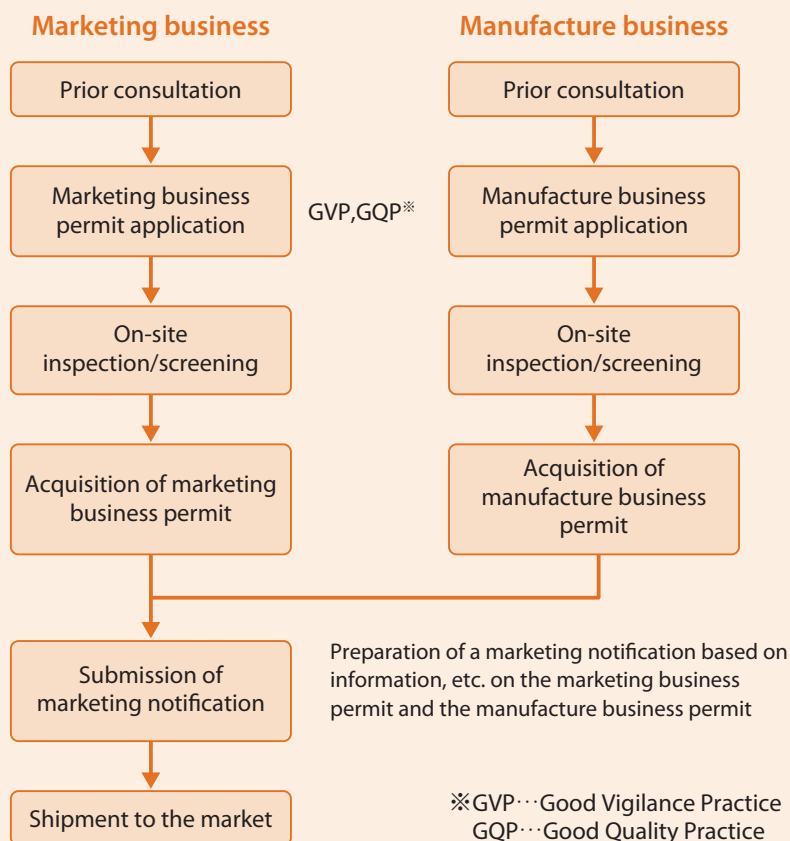
No regulations are provided.

5 Effective period of authorization

No expiration date is set.

6 Procedural flow

Figure 16.



7 Relevant government administration office

Pharmaceutical affairs division of the prefecture

8 Reference URL

Tokyo Metropolitan Institute of Public Health: Screening of Medical, Quasi-pharmaceutical, Cosmetic, and Regenerative medical Products

http://www.tokyo-eiken.go.jp/k_yakuji/i-sinsa/

9 URL for application forms

Tokyo Metropolitan Institute of Public Health: 6. Permit application

http://www.tokyo-eiken.go.jp/k_yakuji/i-sinsa/cosmetics/shinsei/

9. Secondhand Articles Dealer

1 Overview of services provided

What is a secondhand articles dealer?

This refers to a person who conducts business operations for "purchase and sale," "exchange," "purchase and sale under entrustment" and "exchange under entrustment" with respect to secondhand articles and "secondhand articles" refers to goods that have been used once, goods that are new but have been traded for use or those goods that have been cared for.

【Examples of cases where a secondhand articles dealer's license is required】

- A secondhand article is purchased and sold.
- A secondhand article is purchased, repaired or otherwise modified, and sold.
- A secondhand article is purchased and its usable parts, etc. are sold.
- A secondhand article that is not purchased is sold, and then a fee for the transaction is received (sale under entrustment).
- A secondhand article is exchanged with another item.
- A secondhand article is purchased and rented out.
- A secondhand article that is purchased in Japan is exported abroad for sale.
- Any of the above activities is conducted on the Internet.

2 Name of authorization

Secondhand articles dealer's license

3 Governing law

Secondhand Articles Dealer Act

4 Criteria for authorization

(1) Party to which an application is submitted

Police station that has jurisdiction over the location of the business office

(2) Application documents

Secondhand articles dealer's license application form

Attached documents in the case where the license applicant is an individual

- i. Certificate of residence
- ii. Identification certificate
- iii. Certificate of non-registration
- iv. Career summary
- v. Written pledge
- vi. Copy of a lease contract for the business office (if it is not the applicant's own building or house)

- vii. Copy of a lease contract for a parking lot or any other storage site (if an automobile, etc. is purchased)
- viii. Copies of materials received from an Internet service provider, etc. (if notification of the URL is made)

Attached documents in the case where the license applicant is a corporation

- i. Certificate of registered items of the corporation
- ii. Articles of incorporation of the corporation
- iii. Certificate of residence (for all officers whose rank is equal to or higher than a corporate auditor, and for managers of the business office)
- iv. Identification certificate (for all officers whose rank is equal to or higher than a corporate auditor, and for managers of the business office)
- v. Certificate of non-registration (for all officers whose rank is equal to or higher than a corporate auditor, and for managers of the business office)
- vi. Career summary (for all officers whose rank is equal to or higher than a corporate auditor, and for managers of the business office)
- vii. Written pledge (for all officers whose rank is equal to or higher than a corporate auditor, and for managers of the business office)
- viii. Copy of a lease contract for the business office (if it is not the applicant's own building or house)
- ix. Copy of a lease contract for a parking lot or any other storage site (if an automobile, etc. is purchased)
- x. Copies of materials received from an Internet service provider, etc. (if notification of the URL is made)

*All of the above documents need to contain the date of issuance or creation that falls within three months before the date of application

(3) Screening period

Within 40 days from the date of application (excluding closed days)
(In the case of the Tokyo Metropolitan Police Department)

(4) Handling fee

19,000 yen
(in the case of the Tokyo Metropolitan Police Department)

(5) Personnel requirements

- One manager must be appointed for each business office.

- Causes for disqualification

Business operators that fall under any of the following items cannot obtain a secondhand articles dealer's license.

1. An adult ward of the state, a person under conservatorship or a person who has been subjected to a ruling for the commencement of bankruptcy proceedings and has not been reinstated
2. Offender
 - i. A person who has been sentenced to imprisonment or a heavier penalty, regardless of the type of offense (including a violation of the Road Traffic Act)
This includes those who are on probation.
A person for whom five years have not yet passed since the day on which he/she finished serving a sentence
 - ii. A person who ceased to be subject to enforcement of a sentence
A person whose sentence was reduced due to pardon and for whom five years have not yet passed since he/she finished serving the reduced sentence
A person for whom five years have not yet passed since, due to pardon, he/she was exempted

9. Secondhand Articles Dealer

from serving a sentence

A person whose sentence became final and binding but who did not serve the sentence and for whom five years have not yet passed since the statute of limitations expired

iii. A person who has been sentenced to a fine

A person for whom five years have not yet passed since his/her sentence of fine for any offense involving unauthorized business activities, illegal acquisition of a license, name lending or non-compliance with a business suspension order became final and binding in accordance with the Secondhand Dealer Act

A person for whom five years have not yet passed since his/her sentence of a fine for any offense involving theft, breach of trust, embezzlement of a lost article, acquisition of stolen property for compensation, etc. became final and binding in accordance with the Penal Code

If a period of suspension of execution of the sentence progresses without rescission, the sentence loses effect. Therefore, a license application can be made on or after the day following the expiration of the period.

3. A person for whom five years have not yet passed since the day on which the person ceased to be an organized crime group member or an organized crime group; a person who is a member of a criminal organization other than organized crime groups and may commit a violent unlawful act, etc. concertedly or regularly (a person who committed a violent unlawful act in the past ten years); and a person for whom three years have not yet passed since he/she received an order or instruction from the National Public Safety Commission in accordance with the Act on Prevention of Unjust Acts by Organized Crime Group Members
If a person who has obtained a license falls under any of the above categories, the license is to be revoked.
4. A person with no fixed residence
5. A person for whom five years have not yet passed since his/her secondhand articles dealer's license was revoked in accordance with Article 24, Paragraph 1 of the Secondhand Articles Dealer Act
If a person whose license was revoked is a corporation, this includes its officers at the time of revocation.
6. A person who, in accordance with Article 24, Paragraph 1 of the Secondhand Articles Act, returned his/her license during a period from the date of a public notice on matters such as the date of the hearing pertaining to rescission of permission through to the date on which revocation and other matters were decided and for whom five years have not yet passed since the date of such return
7. A minor whose capacity to act in relation to business operations is not the same as that of an adult
If such a minor is married or if he/she is an heir of a secondhand articles dealer and no disqualification cause applies to his/her statutory agent, the minor can make an application.
8. A person for whom there are reasonable grounds to believe that he/she will not appoint a manager responsible for ensuring proper operations for each business office or each secondhand article market
This applies to cases such as where a person to whom a cause for disqualification applies is appointed as manager.
9. An applicant (corporation) for whom any of its officers falls under any of items 1 to 5 above

Tokyo Metropolitan Police Department, An explanation about the Secondhand Articles Dealer Act, Cases where a license cannot be obtained (Article 4 of the Secondhand Articles Dealer Act)
<https://www.keishicho.metro.tokyo.jp/tetsuzuki/kobutsu/kaisetsu/kaisetsu.html#cmse>

(6) Financial requirements (asset requirements)

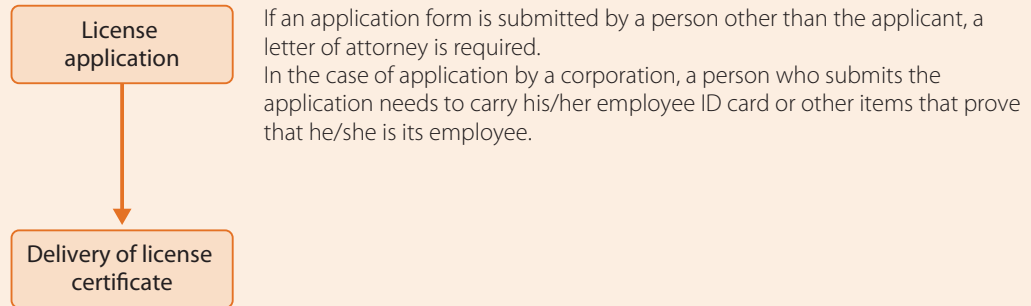
No regulations are provided.

5 Effective period of authorization

No expiration date is set.

6 Procedural flow

Figure 17.



7 Relevant government administration office

Prefectural Public Safety Commission

8 Reference URL

Tokyo Metropolitan Police Department: Secondhand articles business
<https://www.keishicho.metro.tokyo.jp/tetsuzuki/kobutsu/index.html>

9 URL for application forms

Tokyo Metropolitan Police Department: Secondhand articles dealer's license application
<https://www.keishicho.metro.tokyo.jp/tetsuzuki/kobutsu/tetsuzuki/kyoka.html>

Tokyo Metropolitan Police Department: List of application and notification forms
https://www.keishicho.metro.tokyo.jp/tetsuzuki/kobutsu/youshiki/shinsei_kobutsui.html



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