

MEMORANDUM

BETWEEN THE

SWISS FEDERAL COUNCIL

AND THE

GOVERNMENT OF JAPAN

CONCERNING THE EXCHANGE OF YOUNG PROFESSIONALS

1. This Memorandum records the common recognition reached between the Swiss Federal Council and the Government of Japan concerning the exchange of young professionals who go to the other country for a limited period of time to take employment within the field of their previously acquired professional technology or knowledge, in the hope of familiarising themselves with business, professional and technical practices in the country and improving their linguistic knowledge. The young professionals will be granted a permit for a temporary stay to take employment within the field of their previously acquired professional technology or knowledge, notwithstanding the situation in the labour markets.

2. For the purposes of this Memorandum, a natural person who is eligible for this program will:

(a) be a Swiss or Japanese national who holds a valid Swiss or Japanese passport respectively;

(b) be under the age of 35;

(c)

() in the case of a Swiss national entering Japan be engaged in one of the following activities on the basis of a personal contract of employment with a public or private organization in Japan:

(aa) activities which require technology or knowledge at an advanced level pertinent to physical sciences engineering or other natural sciences, recognised under the status of residence of “Engineer”, whose scope is provided for in the Immigration Control and Refugee Recognition Act;

or

(bb) activities which require knowledge at an advanced level pertinent to human science, including jurisprudence, economics, business management and accounting, or which require ideas and sensitivity based on culture of a country other than Japan, recognised under the status of residence of “Specialist in Humanities/International Services”, whose scope is provided for in the Immigration Control and Refugee Recognition Act.

Activities which require technology or knowledge at an advanced level pertinent to natural or human sciences referred to in subparagraphs (aa) and (bb) mean activities in which the natural person may not be able to engage without the application of specialised technology or knowledge of natural or human sciences acquired by him/her, by completing college education (i.e. bachelor’s degree) or higher education, or by having been engaged in the activities for at least 10 years;

() in the case of a Japanese national entering Switzerland be engaged on the basis of a personal contract with a public or private employer in Switzerland and have acquired professional technology or knowledge comparable to a degree of the tertiary level (university, university of applied sciences, professional and higher specialist examinations, higher specialist schools).

3. For the purposes of this Memorandum, a young professional will:

(a) in the case of a Swiss national entering Japan be treated as a young professional for a period of one year, which may be extended up to two years. As a prerequisite for his/her stay as a young professional, the Swiss national needs to be granted a permit for temporary stay for a period of one or three years, which may be extended subject to normal entry control procedures and requirements (when he/she is granted a permit for temporary stay for one year, he/she will be treated as a young professional only for one year unless his/her period of stay is extended); and

(b) in the case of a Japanese national entering Switzerland be granted a permit for temporary stay for a period of one year, which may be extended up to 18 months, as a young professional. The authority decides on justified requests for changing the employer.

4. All relevant laws and regulations of the host country will be applied with respect to the remuneration and all other terms and conditions of employment of the young professionals. If the practice of that profession or trade in either country requires compliance with licensing or other requirements, the prospective organization and employer mentioned in paragraph 2.(c)(i) and (ii) will be required to provide evidence, before a permit is issued, to the authorities that the requirements have been met.

5. Young professionals should be adequately covered by workers compensation, accident and health insurance. It will be the responsibility of both the organization or employer mentioned in paragraph 2.(c)(i) or (ii) and the young professional to ensure that arrangements are made for adequate coverage.

6. A person wishing to participate in this exchange scheme will submit an application to that effect to the diplomatic mission of the intended host country in his/her home country . He/She will furnish with his/her application all relevant information, and in particular, state the name and address of his/her future organization or employer mentioned in paragraph 2.(c)(i) or (ii) as well as indicate the details of the proposed activities (such as a letter of employment or a working contract). Subject to normal entry control procedures and requirements in force at any time in the host country, a young professional who is approved to participate in the exchange scheme will be granted an appropriate status of residence.

7. The Federal Office for Migration, Switzerland, and the Ministry of Foreign Affairs, Japan, will coordinate this exchange scheme, having regard to this Memorandum, and to any procedural requirements notified from time to time by the respective governments.

8. The authorities of both governments will make every effort to see that the applications are dealt with in the briefest time possible. They will also endeavour to solve without delay, with the help of

other appropriate authorities, any difficulties which may arise in regard to the employment of young professionals.

9. The cooperation under this Memorandum will commence on the date of signature and will be kept for one year. Thereafter, it will continue year by year unless either government given 6 months' notice in writing to the other government of its intention to terminate the cooperation.

10. In the event of termination, authorisations already granted under this Memorandum will keep its value for their duration.

Signed in(Place)..... on(date)...., in the Japanese, German and English languages, all texts having equal values. In the event of any problem coming from divergence of texts, the English text will be referred to.

For the Swiss Federal Council:

For the Government of Japan: