

Compliance with Japanese Law

Important Things to Know / Severe Restrictions under Japanese Law

General Counsel Office



- 1. Drug Restrictions in Japan**
- 2. Driving in Japan**
- 3. Carrying Weapons**
- 4. Criminal Procedure in Japan / Deportation**



Restricted Drugs in Japan

- Please be aware that some legal drugs in some countries may be **ILLEGAL** under Japanese Law (e.g. Cannabis, Prescribed Drugs).
- Once accused, it will lead to detention and indictment (subject to trial) even if it is for the first time.



Drug Restrictions in Japan (Excerpt)

Drugs	Behavior	Penalty	
Cannabis:	Possession, Transfer or Receipt without license	Non-Commercial	Up to 5 years in Prison
		Commercial	Up to 7 years in Prison + Fine up to JPY 2,000,000
	Cultivation, Export/Import without license	Non-Commercial	Up to 7 years in Prison
		Commercial	Up to 10 years in Prison + Fine up to JPY 3,000,000
Stimulants (Amphetamine, Methamphetamine, etc.)	Use, Possession, Transfer or Receipt	Non-Commercial	Up to 10 years in Prison
		Commercial	Up to 20 years in Prison + Fine up to JPY 5,000,000
	Import, Export or Production	Non-Commercial	1 or more years (up to 20 years) in Prison
		Commercial	3 or more years (up to 20 years) and up to lifetime in Prison + Fine up to JPY 10,000,000

Narcotic (Heroin, Cocaine, LSD, MDMA, Magic Mushroom etc.) and other Illicit Drugs...

One night rest is not enough!

Do you know about hangover?

Rough standards for **1 Unit** of Alcohol in each beverage.

1 Unit of Beer = 500ml at 5% alcohol content

1 Unit of Japanese rice wine = 180ml at 15% alcohol content

1 Unit of Whisky = 60ml (2 shots) at 43% alcohol content

1 Unit of Wine = 200ml (2 small glasses) at 12% alcohol content

1 Unit of Chu-hi = 350ml at 7% alcohol content

1 Unit of Awamori = 100ml at 25% alcohol content



Chu-hi=350ml
1 Unit



Awamori=100ml
1 Unit



Beer=500ml
1 Unit



It takes about 4 hours
to break down **1 Unit** of Alcohol.

If you drink 3 Units of alcohol

8 hours sleep break down **2**
only 2 Units of alcohol



8 hours sleep
Alcohol breaks
down little by little.

Driving while intoxicated

- Revocation of license (3years disqualification)

Driving under the influence of alcohol

- 90 days suspension

- Revocation of license (2years disqualification)



In consideration of your next day work,
drink the appropriate amount capable
for the alcohol to break down during
your sleep hours.



Which means that alcohol still
remains in your system
in the morning

Driving Under the Influence

DO NOT DRINK AND DRIVE !
A bicycle is regarded as a car!

Driver's Alcohol Level	Party		Penalty (License)	Penalty (Criminal)
Driving Under Influence (DUI) 0.15mg or more / 1 Lt breath	Driver	0.15mg or more and Less than 0.25mg	Driver's License suspension for 90 days	Up to 3 years in Prison or Fine up to JPY 500,000
		0.25mg or more	Driving Privilege Revoked	
	Provider of the Car	(Driver) 0.15mg or more and Less than 0.25mg		
		(Driver) 0.25mg or more		
	Provider of Alcohol/ Passenger	(Driver) 0.15mg or more and Less than 0.25mg		Up to 2 years in Prison or Fine up to JPY 300,000
		(Driver) 0.25mg or more		
Driving While Intoxicated (DWI)	Driver	Driving While Intoxicated (DWI)	Driving Privilege Revoked	Up to 5 years in Prison or Fine up to JPY 1,000,000
	Provider of the Car	(Driver) Driving While Intoxicated (DWI)		
	Provider of Alcohol/ Passenger	(Driver) Driving While Intoxicated (DWI)		Up to 3 years in Prison or Fine up to JPY 500,000

➤ When an accident resulting a death or injury of person is caused by driving under influence of alcohol, drugs etc.

Death: Up to 20 years in Prison

Injury: Up to 15 years in Prison

Phone Use While Driving (Effective as of Decemer 1, 2019)

Phone use while driving (holding/using a cell phone)

- Fines in the amount of or less than JPY 50,000 ⇒ **Prison time of or less than 6 months, or Fines in the amount of or less than JPY 100,000** – Higher penalty
- License Penalty Points 1point ⇒ **3 points**
- Traffic Fines **tripled** (for standard sized cars, from JPY 6,000 to JPY 18,000)



Traffic accidents while using/holding a cell phone

- Prison time of or less than three months or Fine in the amount of or less than JPY 50,000 ⇒ **Prison time of or less than one year or Fines in the amount of or less than JPY 300,000** – Higher penalty
- License Penalty Points 2 points ⇒ **6 points – Immediate suspension**



Carrying Weapons

Knives

Carrying Knives without any **justifiable grounds** is subject to penalty.

⇒ Justifiable Grounds ? When it is considered to be appropriate to carry knives.

i.e) You've purchased a knife, wrapped, and are on your way back home. ✓

You are a mountain climber and carrying a knife while climbing/camping. ✓

(The knife should not be ready to be used while carrying. The knife needs to be in a case while you are carrying it.)

⇒ **NOT justifiable ?**

i.e) You carry a knife in case you need self-defense, etc. ✗

You walk around /carry a knife without any purpose, cause it's cool. ✗



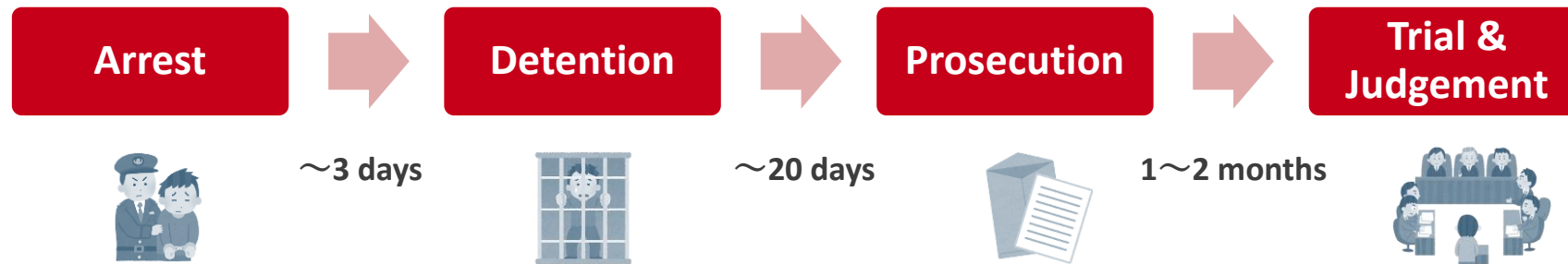
Blade Length	Penalty
6 cm or more	Up to 2 years in Prison or Fine up to JPY 300,000
Less than 6 cm	May be subject to under custody or petty fine Minor Offences Act

Guns

Possessing/carrying most kind of guns without a proper authorization is prohibited.



Criminal Procedure in Japan /Deportation



Detention in police station >> detention center.

Forcefully deported after the judgement (even without imprisonment), if

- (a) his/her visa expires before the judgment; and/or
- (b) he/she is convicted of a drug-related crime and the judgment is finalized.

***Note that a person with a history of guilty judgment regarding a drug-related crime may be refused to reenter in Japan.**

Legal Consultations and Hotlines

Ombuds Office

Dr. Jeff Wickens

jeff@oist-ombuds.jp

Ms. Zohar Granot Mayer

zohar.granotmayer@oist.jp

Respectful Workplace and Anti-Harassment (RWAH) Hotline

Vicki Beyer, Esq.

050-5236-2375

oistmediators@yahoo.co.jp

Misconduct Report Hotline

Yuki Nakamura, Esq.

050-5236-8385

oisthotline12345@yahoo.co.jp

Private Matters

OIST External Legal Advisor

Mr. Keisuke Ishii

Personal issues: marriage, divorce, child custody, private lease, purchase agreement, automobile accident, etc.

General Counsel Office

OIST Business Legal Issues

Matsushita General Counsel

■ OIST Policy/Affairs

- Conflict /Disputes issues
- Risk Management

■ Contracts and Other Legal Consultation (Matsushita and Tamura)

(President Office, Compliance, HR, Graduate School, FAO, Research Support, IT, University Community Services, and TDIC)

Tamura Legal Counsel

■ Contracts and Other Legal Consultation

(Procurement, BFM and Office of the Provost)

Gosin Paralegal/Executive Assistant keiko.gosin@oist.jp

■ MTA

■ Consultation, Kessai, and other administrative matters



Mandatory Training

- GCO: Japanese Law (FY2023)
- OHS: Basics of Health and Safety (FY2023)



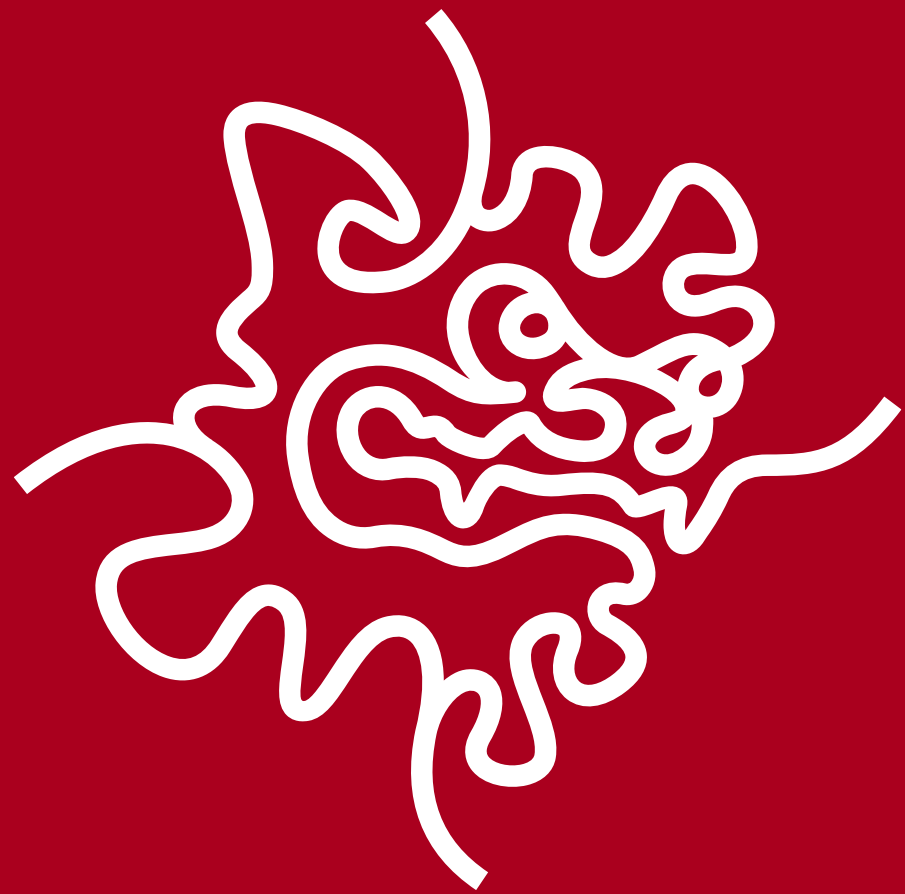
Information

■ Private Legal Consultation Available

- OIST's Legal Advisor, Mr. Keisuke Ishii, Attorney at law
 - Twice a month, 30 minute free legal advice
- Pro bono Services from city, village, etc.
 - Usually 30 minute free legal advice
- Lawyer Referral Service of Okinawa Bar Association
 - Fee based service

■ In-house Issues

- General Counsel, Masa Matsushita, Esq.
- Legal Counsel, Yusuke Tamura, Esq.



Thank you!