



TORII LEGAL OFFICE INTERNATIONAL LAW SECTION



PRIVATE EMPLOYMENT/COMMERCIAL ACTIVITY RESTRICTIONS AND APPROVAL PROCEDURES

If you are a Soldier, US Civilian employee, or a Family Member with the Army in Japan and you want to engage in private employment (sometimes referred to as “off-duty” employment) or private commercial activity (such as a home business) please be aware that in accordance with United States Forces Japan (USFJ) and US Army Japan (USARJ) regulations you are required to obtain command approval before engaging in such activity. Additionally, certain types of employment are prohibited.

RESTRICTIONS. Pursuant to USFJ Instruction 36-1001 and USARJ Regulation 600-50 the following types of commercial activity and private employment are strictly prohibited:

- Interferes with or is incompatible with official duties.
- Detrimental to the best interests of the United States, contrary to the high standards required of US Forces personnel, or injurious to the dignity and stature of the United States.
- Prostitution, pornography, gambling, manufacture or trafficking of weapons, illegal drugs, black marketing, or any other service or commodity that may violate US or Japanese laws or otherwise bring discredit upon the US or its Armed Forces.
- Operation or management or employment in Japanese liquor stores, bars, nightclubs, or other Japanese establishments in which the sale or service of alcoholic beverages to the Japanese public is the exclusive or primary purpose.
- Operation or management or employment in any establishment known or suspected to be associated in any way with organized crime.
- Appear on or in Japanese television and radio programs, commercial advertisements, stage plays, or motion pictures, or make recordings or engage in other public entertainment without specific approval by the Commander (see below for approval authority).
- Appear before the Japanese public in any activity that could be characterized as lewd or otherwise calculated to appeal to the basal instincts of the audience, or any activity that may be offensive to the Japanese public.
- Commercial resale of real estate, stocks, bonds, insurance, securities, and/or mutual funds shares unless licensed to engage in such activity by an appropriate authority of a state or territory of the United States or the District of Columbia. Such activity must also comply with the laws of Japan.

-Public performances wearing the military uniform and/or making reference to your service affiliation, rank, and organization in any manner (unless the activity is sponsored by an organization of the US Forces).

-Using US government materials, facilities, services, or activities to support private employment or commercial activity.

APPROVAL PROCESS. For US Army personnel and their Family Members on Okinawa (with the exception of Japan Engineering District) the approval authority is the U.S. Army Garrison-Okinawa (USAG-O) Commander located on Torii Station. Application to engage in the proposed private employment or commercial activity should be made through the Soldier's or US civilian employee's chain of command. Applications should be made using USAG-O Form 46-R, Application and Approval for Private Employment/Commercial Activity. For commercial activities (**home businesses**) in military family quarters, approval must first be obtained from the Kadena Air Base Family Housing Office and the documentation of this approval must be provided when making application to the USAG-O Commander.

For private employment, the completed application should be submitted to the Administrative and International Law Section, Office of the Staff Judge Advocate, Torii Station (652-4782). For home based businesses the complete application should be submitted to Torii MWR office (652-5378). The application will be forwarded for a legal review and to the Garrison Commander for an approval/disapproval decision.

EXCEPTION: Language Instruction. Approval is not required for language instruction; however, a Notice of Intent to conduct language instruction must be submitted. USAG-O Form 47-R, Notification of Intent to Teach Language in Japan, can be used to accomplish the notification. This notice should be submitted to the Administrative and International Law Section, Office of the Staff Judge Advocate, Torii Station.

USAG-O Forms 46-R and 47-R can be found in the USAGO folder under Okinawa Forms on the FormFlowForms drive on your government computer or on the Office of the Staff Judge Advocate website under International Law section, Private Employment:

<https://home.army.mil/okinawa/index.php/about/Garrison/legal-office/international-law>

Questions can be directed to the International Law legal assistant at DSN 652-4782.