

Ordinance for Enforcement of the Act on the Japan Overseas Infrastructure Investment Corporation for Transport & Urban Development

(Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism No. 64 of July 7, 2014)

Pursuant to the provisions of Article 2, paragraph (1), item (ii) of the Act on Japan Overseas Infrastructure Investment Corporation for Transport & Urban Development (Act No. 24 of 2014) and of paragraph (2), item (i), (a) and (b) and item (ii) of that Act; Article 19, paragraphs (8) and (9) of that Act; and Article 20, paragraph (2), item (ii) of that Act, and in order to bring that Act into force, this Ordinance for Enforcement of the Act on the Japan Overseas Infrastructure Investment Corporation for Transport & Urban Development is hereby enacted as follows.

(Facilities Relating to Transportation Pertaining to Transportation Works)

Article 1 The reference in Article 2, paragraph (1), item (ii) of the Act on the Japan Overseas Infrastructure Investment Corporation for Transportation & Urban Development (hereinafter referred to as "the Act") to transportation-related facilities prescribed by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism means:

- (i) railway facilities;
- (ii) roads;
- (iii) parking lots;
- (iv) transportation terminals;
- (v) ports and harbors;
- (vi) floating structures used on bodies of water (limited to structures used for transportation);
- (vii) airports;
- (viii) facilities for railway car, ship, or airplane maintenance; and
- (ix) warehouses (limited to those connected with the distribution of goods).

(Public Facilities Linked to Urban Development Works)

Article 2 The reference in Article 2, paragraph (2), item (i), (a) of the Act to public facilities prescribed by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism means:

- (i) roads;
- (ii) parks, green spaces, and public squares;
- (iii) sewage lines;

- (iv) rivers;
- (v) canals;
- (vi) waterways;
- (vii) facilities to prevent damage from flooding, sand storms, or the tides; and
- (viii) waterways and basins, protective facilities, and mooring facilities in ports and harbors.

(Size of the Area Where Urban Development Works Are Carried Out)

Article 3 The reference in Article 2, paragraph (2), item (i), (b) of the Act to the scale specified by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism means approximately 5,000 square meters.

(Facilities that Contribute to Enhancing the Functions of Urban Areas)

Article 4 The reference in Article 2, paragraph (2), item (i) of the Act to facilities which Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism specifies means:

- (i) parks; and
- (ii) sewage lines.

(Minutes)

Article 5 (1) The preparation of minutes under Article 19, paragraph (8) of the Act is as prescribed in this Article.

(2) Minutes must be prepared as a paper document or as an electronic or magnetic record (meaning an electronic or magnetic record as prescribed in Article 19, paragraph (9) of the Act; the same applies hereinafter).

(3) Minutes must contain the following information:

- (i) the date, time, and place that the meeting of the Committee on Overseas Infrastructure in Transport & Urban Development (referred to as a "committee meeting" hereinafter in this paragraph) was held (this includes the form of attendance of any committee member or company auditor who attended the committee meeting without being present at that location);
- (ii) a summary of the proceedings and the outcome of the committee meeting;
- (iii) the name of any committee member who has a special interest in a matter that requires a resolution; and
- (iv) an outline of the substance of any opinion that a person has stated in the committee meeting pursuant to the provisions of Article 19, paragraph (6) of the Act.

(Measure in Lieu of Signing Paper Documents or Affixing Names and Seals Thereto)

Article 6 The reference in Article 19, paragraph (9) of the Act to a measure

specified by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism means the affixation of an electronic signature (meaning an electronic signature as prescribed in Article 2, paragraph (1) of the Act on Electronic Signatures and Authentication Services (Act No. 102 of 2000)).

(Means of Showing the Information Recorded in an Electronic or Magnetic Record)

Article 7 The reference in Article 20, paragraph (2), item (ii) of the Act to a means prescribed by Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism means any means that causes the information recorded in the relevant electronic or magnetic record to appear on a piece of paper or on the screen of an output device.

(Special Provisions on Keeping and Inspection of Minutes Prepared as Paper Documents)

Article 8 (1) If the minutes referred to in Article 19, paragraph (8) of the Act are prepared as a paper document, the Japan Overseas Infrastructure Investment Corporation for Transport & Urban Development (hereinafter referred to as "JOIN") may keep those minutes on file as an electronic or magnetic record that it creates using a scanner (or any equivalent imaging device) to scan the information given in the paper document, and which it keeps in a file on a computer that it uses or in a file on a magnetic disk, CD-ROM, or other object with an equivalent means of reliably storing fixed sets of data.

(2) JOIN may allow persons to inspect or copy a piece of paper or the screen of an output device showing the data recorded in an electronic or magnetic record that is kept on file pursuant to the provisions of the preceding paragraph, at its head office.

(Proof of Identity)

Article 9 The proof of identity carried by an official conducting an on-site inspection pursuant to the provisions of Article 39, paragraph (1) or (2) of the Act is to be based on the appended form.

Supplementary Provisions

(Effective Date)

Article 1 This Ministerial Ordinance comes into force as of the day on which the Act comes into effect (July 17, 2014).

(Review of How the Act Is Being Enforced)

Article 2 In conducting the review under the provisions of Article 4 of the

Supplementary Provisions of the Act, the Minister of Land, Infrastructure, Transport and Tourism is to review how the Act is being enforced in light of the provisions of Article 37 of the Act and as prescribed separately, as well as reviewing the necessity of having JOIN continue its operations, the suitability of its organization, and other matters of a general nature with regard to its organization and operations, and is to take the necessary measures based on the results of this review.

Appended Form (Related to Article 9)
(Omitted)