

Order for Enforcement of the Act on the Deposit Transaction Agreements of Specified Commodities

(Cabinet Order No. 340 of November 11, 1986)

The Cabinet has enacted this Cabinet Order based on the provisions of Article 2, paragraphs (1) and (2), Article 4 and Article 10, paragraph (1) of the Act on the Deposit Transaction Agreements of Specified Commodities (Act No. 62 of 1986).

(Specified Commodities)

Article 1 (1) The goods specified by Cabinet Order in Article 2, paragraph (1), item (i) of the Act on the Deposit Transaction Agreements of Specified Commodities (hereinafter referred to as "the Act") means the goods described below (hereinafter referred to as "specified commodities"):

- (i) precious stones, semi-precious stones, pearls, precious metals (gold, silver, platinum and alloys thereof), ornamental furniture and accessories with these items;
- (ii) bonsai trees, potted flowers and other ornamental plants (excluding cut flowers and lopped branches);
- (iii) mammals or birds that are raised by people;
- (iv) vending machines and automatic service machines;
- (v) processed animals and plants (limited to those which are not for general eating or drinking) to be taken by people (excluding pharmaceuticals (which mean the pharmaceuticals described in Article 2, paragraph (1) of the Act on Ensuring Quality, Efficacy and Safety of Products Including Pharmaceuticals and Medical Devices (Act No. 145 of 1960))); and
- (vi) household therapeutic devices.

(2) The facility use rights specified by Cabinet Order in Article 2, paragraph (1), item (ii) of the Act means the rights described below (hereinafter referred to as "facility use rights"):

- (i) right to use a golf course;
- (ii) right to use a facility for mooring a yacht, a motorboat or a boat for sports or recreation; and
- (iii) right to use a facility for language learning.

(Those who are Specified by Cabinet Order in Article 2, Paragraph (2) of the Act)

Article 2 Those who are specified by Cabinet Order in Article 2, paragraph (2) of the Act means banks, the Shoko Chukin Bank, Ltd., the Norinchukin Bank, shinkin banks, the Federation of Shinkin Banks, labor banks, the Rokinren

Bank, credit cooperatives, the Federation of Cooperatives that conducts the business described in Article 9-9, item (i) of the Small and Medium-Sized Enterprise Cooperatives Act (Act No. 181 of 1949), the agricultural cooperatives and the Federation of Agricultural Cooperatives that conduct the business described in Article 10, paragraph (1), item (iii) of the Agricultural Co-operatives Act (Act No. 132 of 1947), the Japan Fisheries Cooperatives that conduct the business described in Article 11, paragraph (1), item (iv) of the Fishery Cooperative Act (Act No. 242 of 1948), the National Federation of JFs that conducts the business described in Article 87, paragraph (1), item (iv) of the Fishery Cooperative Act, the seafood processing cooperatives that conduct the business described in Article 93, paragraph (1), item (ii) of the Fishery Cooperative Act, Zensui Kakoren that conducts the business described in Article 97, paragraph (1), item (ii) of the Fishery Cooperative Act, the financial instruments business operators provided in Article 2, paragraph (9) of the Financial Instruments and Exchange Act (Act No. 25 of 1948) (limited to those who conduct Type I financial instruments business provided in Article 28, paragraph (1) of the Financial Instruments and Exchange Act) and the securities finance companies provided in Article 2, paragraph (30) of the Financial Instruments and Exchange Act.

(Important Matters that would Affect the Decision of a Customer or Depositor)

Article 3 (1) The matters specified by Cabinet Order in Article 4, paragraph (1) of the Act means as follows:

- (i) prices of specified commodities or facility use rights, and fluctuations thereof;
 - (ii) prices of goods provided in lieu of return of specified commodities or the facility use rights, and fluctuations thereof;
 - (iii) prices of goods and fluctuations thereof, in the case where the relevant goods are provided as economic benefits regarding the deposit of specified commodities or the management of facility use rights;
 - (iv) status of possession of specified commodities to be purchased for the purpose of deposit, etc. transaction agreements; and
 - (v) name, location, scale and name of owners of facilities related to facility use rights to be purchased for the purpose of deposit, etc. transaction agreements.
- (2) The matters specified by Cabinet Order in Article 4, paragraph (2) of the Act means those set forth in the items (i) through (iii) in the preceding paragraph.

(Collection of Reports)

Article 4 Pursuant to the provisions of Article 10, paragraph (1) of the Act, the Prime Minister may request deposit, etc. servicers or solicitors to report on the items set forth in the right-hand column of below table corresponding to the

categories set forth in the left-hand column of the same table.

Ddeposit, etc. Sservice rs	(i) items regarding the solicitation for the conclusion or renewal of deposit, etc. transaction agreements conducted by deposit, etc. servicers (including the solicitation for the purchase of the relevant specified commodities or facility use rights for the purpose of the relevant deposit, etc. transaction agreements; hereinafter the same applies)
	(ii) items regarding the solicitation for the conclusion or renewal of deposit, etc. transaction agreements conducted by solicitors under the instruction of the relevant deposit, etc. servicers
	(iii) items regarding the conclusion of deposit, etc. transaction agreements conducted by the relevant deposit, etc. servicers
	(iv) items regarding the contents and performance of deposit, etc. transaction agreements signed by the relevant deposit, etc. servicers
	(v) items regarding the cancellation of deposit, etc. transaction agreements signed by the relevant deposit, etc. servicers
	(vi) items regarding the documents that should be stored by the relevant deposit, etc. servicers in accordance with Article 6 of the Act, and the browsing thereof
Ssolicitors	items regarding the solicitation for the conclusion or renewal of deposit, etc. transaction agreements conducted by the relevant solicitors

(Authority not Delegated to the Secretary-General of the Consumer Affairs Agency)

Article 5 The authority specified by Cabinet Order in Article 13-2 of the Act means those under the provisions of Articles 11-2 and 13 of the Act (the authority under the same Article are limited to those related to the Minister of State).

Supplementary Provisions

This Cabinet Order comes into effect as of the date of the enforcement of the Act (November 22, 1986).

Supplementary Provisions [Cabinet Order No. 273 of August 4, 1987]

(Effective Date)

(1) This Cabinet Order comes into effect as of August 15, 1987.

(Transitional Measures)

(2) The provisions of Article 3, paragraph (2), Articles 8 and 9 of the Act on the

Deposit Transaction Agreements of Specified Commodities do not apply to the deposit, etc. transaction agreements for the rights mentioned in Article 1, paragraph (2), item (iii) of the amended Act that were concluded prior to the enforcement of this Cabinet Order.

Supplementary Provisions [Cabinet Order No. 242 of August 9, 1988]

This Cabinet Order comes into effect as of August 23, 1988.

Supplementary Provisions [Cabinet Order No. 254 of July 25, 1997]

(Effective Date)

(1) This Cabinet Order comes into effect as of August 4, 1997.

(Transitional Measures)

(2) The provisions of Article 3, paragraph (2), Articles 8 and 9 of the Act on the Deposit Transaction Agreements of Specified Commodities do not apply to the deposit, etc. transaction agreements for specified commodities mentioned in Article 1, paragraph (1), item (iii) of the amended Act that were concluded prior to the enforcement of this Cabinet Order.

**Supplementary Provisions [Cabinet Order No. 369 of November 20, 1998
Extract] [Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of December 1, 1998.

**Supplementary Provisions [Cabinet Order No. 483 of November 17, 2000
Extract] [Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect on the date of the enforcement of the Act on the Partial Revision of the Securities and Exchange Act and the Financial Futures Trading Act (December 1, 2000).

**Supplementary Provisions [Cabinet Order No. 286 of September 5, 2001
Extract] [Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of January 1, 2002.

**Supplementary Provisions [Cabinet Order No. 307 of October 2, 2002
Extract] [Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of January 1, 2003.

**Supplementary Provisions [Cabinet Order No. 363 of December 6, 2002
Extract] [Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of January 6, 2003.

(Transitional Measures Concerning Penal Provisions)

Article 6 Prior laws continue to govern the applicability of penal provisions to conduct that a person engages in before this Cabinet Order comes into effect.

**Supplementary Provisions [Cabinet Order No. 9 of January 30, 2004
Extract] [Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of April 1, 2004.

(Transitional Measures Concerning Penal Provisions)

Article 2 Prior laws continue to govern the applicability of penal provisions to conduct that a person engages in before this Cabinet Order comes into effect.

**Supplementary Provisions [Cabinet Order No. 233 of August 3, 2007
Extract] [Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of the date of the enforcement of the amended Act.

(Transitional Measures Concerning Penal Provisions)

Article 64 Prior laws continue to govern the applicability of penal provisions to conduct that a person engages in before the effective date, and to conduct that a person engages in after the effective date but which, pursuant to these Supplementary Provisions, is to continue to be governed by the laws previously in force.

Supplementary Provisions [Cabinet Order No. 180 of May 21, 2008

Extract] [Extract]

(Effective Date)

Article 1 This Cabinet Order comes into effect as of October 1, 2008.

(Transitional Measures Concerning Penal Provisions)

Article 4 Prior laws continue to govern the applicability of the penal provisions to conduct that a person engages in before this Cabinet Order comes into effect.

**Supplementary Provisions [Cabinet Order No. 217 of August 14, 2009
Extract] [Extract]**

(Effective Date)

(1) This Cabinet Order comes into effect as of the date of the enforcement of the Act for the Establishment of a Consumer Affairs Agency and Consumer Commission (September 1, 2009).

(Transitional Measures Concerning Penal Provisions)

(2) Prior laws continue to govern the applicability of penal provisions to conduct that a person engages in before this Cabinet Order comes into effect.

Supplementary Provisions [Cabinet Order No. 218 of July 19, 2013]

(Effective Date)

(1) This Cabinet Order comes into effect as of September 1, 2013.

(Transitional Measures)

(2) The provisions of Article 3, paragraph (2), Articles 8 and 9 of the Act on the Deposit, etc. Transaction Agreements of Specified Commodities, etc. do not apply to the deposit, etc. transaction agreements for specified commodities mentioned in Article 1, paragraph (1), items (iv) through (vi) of the amended Act that were concluded before the enforcement of this Cabinet Order.

**Supplementary Provisions [Cabinet Order No. 269 of July 30, 2014
Extract] [Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of the date of the enforcement of the amended Act (November 25, 2014).