

Offender Rehabilitation Services Act

(Act No. 86 of May 8, 1995)

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Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is, by providing for the fundamental matters related to offender rehabilitation services, to ensure the appropriate administration of offender rehabilitation services, promote their sound growth and development and, in conjunction with the Offender Rehabilitation Act (Act No. 88 of 2007) and other Acts related to offender rehabilitation, help offenders and juvenile delinquents improve and rehabilitate themselves as law-abiding members of society, and thereby contribute to the improvement of individual and public welfare.

(Definitions)

Article 2 (1) The term "offender rehabilitation services" as used in this Act means continuous aid services, temporary aid services, and liaison and assistance services.

(2) The term "continuous aid services" as used in this Act means the services rendered to persons falling under any of the following items that are in genuine need of aid for improvement and rehabilitation, by placing them in offender rehabilitation facilities and providing aid necessary for their improvement and rehabilitation, such as offering accommodation and helping

them obtain education and training, medical care or employment, providing them with vocational guidance, teaching them the life skills necessary to adapt themselves to life in society, and helping them improve or adjust their living conditions:

- (i) a person that has been placed on probation;
 - (ii) a person that has served the sentence of imprisonment with or without work or penal detention, or has been exempted from execution thereof, or for whom execution thereof has been stayed;
 - (iii) a person that has been granted suspension of execution of the whole of the sentence of imprisonment with or without work and that has been released from the physical restraints imposed through criminal procedures (any person falling under item (i) is excluded; the same applies in the following item and item (v));
 - (iv) a person that has been granted suspension of execution of part of the sentence of imprisonment with or without work and is in the period of suspension;
 - (v) a person that has been subject to a fine or petty fine and has been released from physical restraint imposed through criminal procedures;
 - (vi) a person that has been discharged or provisionally released from a workhouse;
 - (vii) a person that has been released from physical restraint imposed through criminal procedures upon receiving a ruling not to institute prosecution as prosecution is found unnecessary;
 - (viii) a person that has been discharged or released on parole from a juvenile training school (any person falling under item (i) is excluded; the same applies in the following item);
 - (ix) a person that has been discharged or released on parole from a women's guidance home;
 - (x) a person for whom execution of the cooperative punishment set forth in Article 16, paragraph (1), item (i) or (ii) of the Act on the Transnational Transfer of Sentenced Persons (Act No. 66 of 2002) has been completed or a person that has become no longer subject to execution of the sentence pursuant to the provisions of Article 25, paragraph (2) of the same Act, or for whom execution of the sentence has been stayed pursuant to the provisions of Article 480 or 482 of the Code of Criminal Procedure (Act No. 131 of 1948) as applied pursuant to the provisions of Article 21 of the Act on the Transnational Transfer of Sentenced Persons.
- (3) The term "temporary aid services" as used in this Act means services to provide persons prescribed in the preceding paragraph with assistance necessary for their improvement and rehabilitation such as helping them find accommodation or obtain medical care or employment, providing them with or

lending them money and goods, and providing them with counseling services on their lifestyle (excluding services rendered as continuous aid services).

- (4) The term "liaison and assistance services" as used in this Act means services to provide social education, liaison, coordination, or support in relation to continuous aid services, temporary aid services, or other services aimed at aiding the improvement and rehabilitation of the persons listed in the items of paragraph (2).
- (5) The term "aided person" as used in this Act means a person subject to continuous aid services or temporary aid services.
- (6) The term "corporation for offender rehabilitation" as used in this Act means a corporation incorporated pursuant to the provisions of this Act with the objective of conducting offender rehabilitation services.
- (7) The term "offender rehabilitation facilities" as used in the Act means, among the facilities which provide aid necessary for the improvement and rehabilitation of aided persons, those which have a building(s) and equipment for the purpose of providing accommodation for aided persons.

(Measures by the National Government)

- Article 3 (1) Taking the view that offender rehabilitation services are to fulfill an important role in the smooth and effective enforcement of probation, urgent aftercare of discharged offenders and other services for their improvement and rehabilitation, which are to be rendered under the responsibility of the national government, the national government is to take measures to ensure the appropriate administration of offender rehabilitation services and to promote sound growth and development thereof.
- (2) Taking the view that offender rehabilitation services are to help the improvement and rehabilitation of offenders and juvenile delinquents, thereby contributing to preventing crime, achieving a greater level of safety in the community and the welfare of the public, a local government may offer necessary cooperation to offender rehabilitation services within its area.
 - (3) A person that conducts offender rehabilitation services must pay due respect to the human rights of the aided persons, in rendering those services, while maintaining seamless coordination among measures for their improvement and rehabilitation implemented by the national government, and other related policies concerning social welfare, medical treatment, health, and labor, and implement original concepts and schemes suited to the relevant region and make an effort to obtain the understanding and cooperation of local residents.

Chapter II Corporation for Offender Rehabilitation

Section 1 General Rules

(Restriction on Use of the Name)

Article 4 It is prohibited for any person other than a corporation for offender rehabilitation to use the words "corporation for offender rehabilitation" in its name.

(Assets)

Article 5 A corporation for offender rehabilitation must have assets necessary for conducting offender rehabilitation services.

(Principles of Operations)

Article 5-2 In order to ensure certain, effective, and adequate rendition of offender rehabilitation services, a corporation for offender rehabilitation must endeavor of its own accord to improve its services, such as those for the treatment of aided persons, and strengthen its financial base and ensure transparency in its operations.

(Public Benefit Services and Profit-making Business)

Article 6 (1) A corporation for offender rehabilitation may engage in services intended for public benefit (hereinafter referred to as "public benefit services") or conduct business intending to allocate its profits to offender rehabilitation services or to public benefit services (limited to those specified by Ministry of Justice Order as contributing to the improvement and rehabilitation of offenders and juvenile delinquents or the prevention of crime; the same applies in Article 42, item (ii)) (hereinafter referred to as "profit-making business") provided that those services or business do not hinder its offender rehabilitation services.

(2) The accounting for the public benefit services or the profit-making business must be separated, respectively, from the accounting for offender rehabilitation services conducted by a corporation for offender rehabilitation and be managed as a special account.

(Address)

Article 7 The address of a corporation for offender rehabilitation is to be the place where its principal office is located.

(Registration)

Article 8 (1) A corporation for offender rehabilitation must be registered pursuant to the provisions of Cabinet Order.

(2) The particulars which are to be registered pursuant to the provisions of the preceding paragraph may not be asserted against a third party until after they are duly registered.

(Application Mutatis Mutandis of the Act on General Incorporated Associations and General Incorporated Foundations)

Article 9 The provisions of Article 78 of the Act on General Incorporated Associations and General Incorporated Foundations (Act No. 48 of 2006) apply mutatis mutandis to corporations for offender rehabilitation.

Section 2 Incorporation

(Approval for Incorporation)

Article 10 A person that intends to incorporate a corporation for offender rehabilitation must submit a written application and articles of incorporation to the Minister of Justice and obtain the Minister's approval for incorporation pursuant to the provisions of Ministry of Justice Order.

(Articles of Incorporation)

Article 11 (1) The articles of incorporation of a corporation for offender rehabilitation must include the following items:

- (i) purpose;
- (ii) name;
- (iii) type of offender rehabilitation services;
- (iv) location of the office;
- (v) particulars concerning the officers;
- (vi) particulars concerning meetings;
- (vii) particulars concerning assets;
- (viii) particulars concerning accounting;
- (ix) if the corporation intends to establish a board of councilors, particulars concerning the board;
- (x) if the corporation intends to engage in any public benefit services, particulars concerning its type;
- (xi) if the corporation intends to conduct a profit-making business, particulars concerning its type;
- (xii) particulars concerning dissolution;
- (xiii) particulars concerning amendment of the articles of incorporation;
- (xiv) means of giving a public notice.

(2) The officers at the time of incorporation must be prescribed in the articles of incorporation.

(3) When including a provision concerning the holder of rights over the residual assets in the particulars listed in paragraph (1), item (xii), the relevant person must be chosen from among the persons that engage in continuous aid services under the approval referred to in Article 45, or the corporations for offender

rehabilitation which engage in temporary aid services or liaison and assistance services by filing the notification referred to in Article 47-2.

(Criteria for Approval)

Article 12 If the Minister of Justice finds that the application for approval referred to in Article 10 conforms with the following items respectively, the Minister must grant approval:

- (i) that the procedure for incorporation and the contents of the written application and articles of incorporation conform to the provisions of laws and regulations;
- (ii) that there are no false statements in the written application and articles of incorporation;
- (iii) that the assets of the corporation for offender rehabilitation pertaining to the submitted application satisfy the requirements under Article 5;
- (iv) that it is deemed certain that the business will be administered appropriately.

(Supplement to the Articles of Incorporation)

Article 13 If a person intends to incorporate a corporation for offender rehabilitation, and dies before designating the particulars listed in Article 11, paragraph (1), items (ii) to (xiv), the Minister of Justice must designate those particulars, at the request of an interested party or by its own authority.

(Timing of Incorporation)

Article 14 The incorporation of a corporation for offender rehabilitation is established upon registration of the incorporation at the location of its principal office.

(Preparation and Keeping of an Inventory of Assets)

Article 14-2 A corporation for offender rehabilitation must prepare an inventory of its assets at the time of its incorporation, and keep the inventory at its principal office at all times.

(Application Mutatis Mutandis of the Act on General Incorporated Associations and General Incorporated Foundations)

Article 15 The provisions of Articles 158 and 164 of the Act on General Incorporated Associations and General Incorporated Foundations apply mutatis mutandis to the incorporation of a corporation for offender rehabilitation.

Section 3 Administration

(Officers)

Article 16 (1) A corporation for offender rehabilitation must appoint five or more directors and two or more auditors as its officers.

(2) One of the directors is to be the president pursuant to the provisions of the articles of incorporation.

(Duties of the President and the Directors)

Article 17 (1) The president represents the corporation for offender rehabilitation and presides over its business.

(2) Directors, pursuant to the provisions of the articles of incorporation, assist the president in the management of the business of the corporation for offender rehabilitation, represent the president if the president is unable to perform the duties, and perform the president's duties if the office of the president is vacant.

(Business Decisions)

Article 18 If the articles of incorporation do not specifically prescribe otherwise, the business of a corporation for offender rehabilitation is decided by a majority of the directors.

(Delegation of Authority of the President)

Article 18-2 The president may delegate the authority for a specific act to another person, unless it is prohibited in the articles of incorporation.

(Provisional Director)

Article 18-3 If there is a vacancy in the office of a director and damage is likely to occur due to an administrative delay in business affairs, the Minister of Justice must appoint a provisional director, at the request of an interested party or by its own authority.

(Duties of the Auditors)

Article 19 Auditors perform the following duties:

- (i) inspect the status of the directors' execution of business;
- (ii) audit the status of the assets of the corporation for offender rehabilitation;
- (iii) if the inspection or auditing pursuant to the provisions of the preceding two items reveals a wrongful act concerning the business or assets of the corporation for offender rehabilitation or a material fact in violation of laws, regulations, or the articles of incorporation, report it to the Minister of Justice (or to the board of councilors, if it has been established);
- (iv) request that the president convene a meeting of the board of councilors, if

it is necessary for making a report as set forth in the preceding item;
(v) state an opinion to the president concerning the status of the directors' execution of business or the assets of the corporation for offender rehabilitation.

(Prohibition of Concurrent Holding of Positions by an Auditor)

Article 20 An auditor must not concurrently hold the positions of director, counselor, or employee of the relevant corporation for offender rehabilitation.

(Disqualification as an Officer)

Article 21 A person falling under any of the following items cannot become an officer of a corporation for offender rehabilitation:

- (i) an adult ward or a person under curatorship;
- (ii) a bankrupt person whose rights have not been restored;
- (iii) a person that has been sentenced to punishment for violating any provisions of this Act and for whom five years have not yet passed since the day on which execution of the sentence was completed, or since the person became no longer subject to execution of the sentence;
- (iv) except for a person falling under the preceding item, a person that has been sentenced to imprisonment or more severe punishment and for whom five years have not yet passed since the day on which execution of the sentence was completed, or since the person became no longer subject to execution of the sentence;
- (v) a person that was an officer of a corporation for offender rehabilitation at the time of its dissolution ordered pursuant to the provisions of Article 43, and for whom five years have not yet passed since the order was issued.

(Exclusion of the Officers' Relatives)

Article 22 With regard to each of the officers, each individual officer and that officer's spouse or relatives within the third degree of kinship together must not account for more than one-third of the total number of officers.

(Filling of an Officer Vacancy)

Article 23 If the offices of more than one-third of the fixed number of directors or auditors become vacant, the vacancy must be filled without delay.

(Officers' Term of Office)

Article 24 The term of office for an officer is prescribed in the articles of incorporation, with a limit of three years.

(Restriction on the Right to Represent)

Article 25 In any matter in which there is a conflict of interest between a corporation for offender rehabilitation and its president, the president does not have the right to represent the corporation. In this case, an auditor represents the corporation for offender rehabilitation.

(Board of Councilors)

Article 26 (1) A corporation for offender rehabilitation may have a board of councilors.

(2) The board of councilors is to consist of a greater number of councilors than the fixed number of directors.

(3) Meetings of the board of councilors are to be convened by the president.

(4) The board of councilors may state its opinions to officers, give advice in response to consultations from officers, or request that officers make reports in relation to the status of business or the assets of the corporation for offender rehabilitation or of officers' execution of business.

(5) Amendments of the articles of incorporation, the disposition of important assets, mergers, dissolution, and other important particulars concerning the business of the corporation for offender rehabilitation may be prescribed in the articles of incorporation as matters requiring a resolution by the board of councilors.

(Amendments of the Articles of Incorporation)

Article 27 (1) Amendments of the articles of incorporation (except for those pertaining to the particulars specified by Ministry of Justice Order) do not come into effect unless they are approved by the Minister of Justice.

(2) The provisions of Article 12 apply mutatis mutandis to the approval set forth in the preceding paragraph.

(3) If a corporation for offender rehabilitation amends its articles of incorporation pertaining to the particulars specified by Ministry of Justice Order as referred to in paragraph (1), it must notify the Minister of Justice of that fact without delay.

(Fiscal Year)

Article 28 The fiscal year of a corporation for offender rehabilitation begins on April 1 each year and ends on March 31 of the following year.

(Keeping of an Inventory of Assets)

Article 29 (1) A corporation for offender rehabilitation must prepare a business report, inventory of assets, balance sheet, and income and expenditure statement (or for profit-making business, a statement of profits and losses) within two months after the end of each fiscal year, and keep them in its

- principal office, pursuant to the provisions of Ministry of Justice Order.
- (2) The president must submit the documents set forth in the preceding paragraph to the auditors.
- (3) A corporation for offender rehabilitation must submit the documents referred to in paragraph (1) for inspection whenever so requested.

Article 30 Deleted

Section 4 Dissolution and Mergers

(Causes of Dissolution)

- Article 31 (1) A corporation for offender rehabilitation is dissolved on the following grounds:
- (i) on the consent of two-thirds or more of the directors, and in addition, on the resolution of the board of councilors when required in the articles of incorporation;
 - (ii) the occurrence of grounds for dissolution prescribed in the articles of incorporation;
 - (iii) the impossibility of achieving its business purpose;
 - (iv) a merger;
 - (v) an order for commencement of bankruptcy proceedings;
 - (vi) a dissolution order under the provisions of Article 43.
- (2) Dissolution on the grounds listed in item (i) of the preceding paragraph does not come into effect unless it is approved by the Minister of Justice, and dissolution on the grounds listed in item (iii) of the same paragraph does not come into effect unless it is certified by the Minister of Justice.
- (3) If a corporation for offender rehabilitation is dissolved on grounds listed in paragraph (1), item (ii) or (v), the liquidator must notify the Minister of Justice of that fact without delay.

(Commencement of Bankruptcy Proceedings for a Corporation for Offender Rehabilitation)

- Article 31-2 (1) If a corporation for offender rehabilitation becomes unable to pay its debts in full out of its assets, the court issues a ruling to commence bankruptcy proceedings, upon a petition filed by the president or a creditor or by the court's own authority.
- (2) In the case prescribed in the preceding paragraph, the president must immediately file a petition for the commencement of bankruptcy proceedings.

(Capacity of a Corporation for Offender Rehabilitation under Liquidation Proceedings)

Article 31-3 A dissolved corporation for offender rehabilitation is deemed to continue to exist for the purpose of liquidation until the completion of the liquidation.

(Liquidator)

Article 31-4 If a corporation for offender rehabilitation is dissolved, its president assumes the office of the liquidator except in case of dissolution by a ruling for the commencement of bankruptcy proceedings; provided, however, that this does not apply when otherwise prescribed in the articles of incorporation.

(Appointment of a Liquidator by the Court)

Article 31-5 If no liquidator is identified pursuant to the provisions of the preceding Article, or if damage is likely to occur due to a vacancy in the position of the liquidator, the court may appoint a liquidator at the request of an interested party or a public prosecutor or by the court's own authority.

(Dismissal of a Liquidator)

Article 31-6 If there are material grounds, the court may dismiss a liquidator at the request of an interested party or a public prosecutor or by the court's own authority.

(Notification by a Liquidator)

Article 31-7 A liquidator that has assumed office during the course of the liquidation must report the name and address to the Minister of Justice.

(Duties and Authority of a Liquidator)

Article 31-8 (1) The duties of a liquidator are as follows:

- (i) conclusion of outstanding business;
- (ii) collection of claims and performance of obligations;
- (iii) delivery of residual assets.

(2) A liquidator may perform any and all acts necessary to perform the duties listed in the items of the preceding paragraph.

(Request for Filing Claims)

Article 31-9 (1) Within two months from the day on which a liquidator assumes office, the liquidator must request the relevant creditors, by giving a public notice on at least three occasions, to file their claims within a specified period of time. In this case, the specified period must not be less than two months.

(2) The public notice set forth in the preceding paragraph must carry a supplementary note to the effect that if any creditor fails to file the relevant claim within the specified period, that claim is excluded from the liquidation

proceedings; provided, however, that a liquidator may not exclude a known creditor.

- (3) A liquidator must request each of the known creditors to file their claims individually.
- (4) The public notice set forth in paragraph (1) is to be given by publication in an official gazette.

(Filing of Claims after Expiration of the Specified Period)

Article 31-10 A creditor that files a claim after the expiration of the period referred to in paragraph (1) of the preceding Article is entitled to file the claim only against the assets which have not been returned to the holder of the rights after all debts of the corporation for offender rehabilitation have been fully paid.

(Commencement of Bankruptcy Proceedings for a Corporation for Offender Rehabilitation under Liquidation Proceedings)

- Article 31-11 (1) If it has become clear in the course of liquidation that the assets of the relevant corporation for offender rehabilitation are not sufficient to fully pay its debts, a liquidator must immediately file a petition for the commencement of bankruptcy proceedings and give a public notice of that fact.
- (2) If a corporation for offender rehabilitation under liquidation proceedings is subject to an order for commencement of bankruptcy proceedings, and the administration of the relevant proceedings is transferred to a bankruptcy trustee, the liquidator is deemed to have completed the relevant duties.
 - (3) In the case prescribed in the preceding paragraph, if the corporation for offender rehabilitation under liquidation proceedings has already paid any money to its creditors, or has delivered any assets to the right holder, the bankruptcy trustee may retrieve the money or assets.
 - (4) The public notice pursuant to the provisions of paragraph (1) is to be given by publication in an official gazette.

(Ownership of Residual Assets)

- Article 32 (1) Except in case of dissolution by a merger and a ruling for the commencement of bankruptcy proceedings, the rights over residual assets of a dissolved corporation for offender rehabilitation are held by the person that is to hold them pursuant to the provisions of the articles of incorporation, as of the time of notifying the Minister of Justice of the completion of liquidation.
- (2) If the articles of incorporation lack provisions concerning the holder of rights over the residual assets, or there is no person to hold the rights over the residual assets as prescribed in the articles of incorporation, a liquidator may, upon the approval of the Minister of Justice, transfer those assets to a person

that engages in continuous aid services under the approval referred to in Article 45 or to a corporation for offender rehabilitation which engages in temporary aid services or liaison and assistance services by filing the notification referred to in Article 47-2.

- (3) Rights over assets which are not disposed of pursuant to the provisions of the preceding two paragraphs are held by the national treasury.

(Supervision by the Court)

Article 32-2 (1) Dissolution and liquidation of corporations for offender rehabilitation is subject to the supervision of the court.

- (2) The court may, by its own authority, conduct any inspection which may be necessary for the supervision set forth in the preceding paragraph.

- (3) The court supervising dissolution and liquidation of a corporation for offender rehabilitation may seek opinions of, or commission an investigation by, the government agency supervising the business of the relevant corporation for offender rehabilitation.

- (4) The government agency prescribed in the preceding paragraph may state its opinions to the court prescribed in the same paragraph.

(Notification of Completion of Liquidation)

Article 32-3 When liquidation has been completed, a liquidator must notify the Minister of Justice of that fact.

(Jurisdiction over Cases Concerning Supervision of Dissolution and Liquidation)

Article 32-4 Cases concerning the supervision of liquidators and of dissolution and liquidation of corporations for offender rehabilitation are subject to the jurisdiction of the district court with jurisdiction over the area where the principal office of the relevant corporation for offender rehabilitation is located.

(Restriction on Appeals)

Article 32-5 No appeal may be entered against a judicial decision on the appointment of liquidators.

(Remuneration for Court-Appointed Liquidators)

Article 32-6 If the court appoints a liquidator pursuant to the provisions of Article 31-5, the court may decide the amount of remuneration that the relevant corporation for offender rehabilitation pays to the liquidator. In this case, the court must hear statements from the liquidator and the auditors.

Article 32-7 Deleted

(Appointment of an Inspector)

Article 32-8 (1) The court may appoint an inspector in order to have necessary investigations carried out for supervising dissolution and liquidation of a corporation for offender rehabilitation.

(2) The provisions of Article 32-5 and Article 32-6 apply mutatis mutandis when the court appoints an inspector pursuant to the provisions of the preceding paragraph. In this case, the term "liquidator and the auditors" in the same Article is deemed to be replaced with "corporation for offender rehabilitation and the inspector".

(Mergers)

Article 33 A corporation for offender rehabilitation may merge with another corporation for offender rehabilitation.

(Merger Procedures)

Article 34 (1) A merger of corporations for offender rehabilitation must be preceded by the consent of two-thirds or more of the directors, and in addition, by a resolution of the board of councilors, if required in the articles of incorporation.

(2) A merger does not come into effect unless it is approved by the Minister of Justice.

(3) The provisions of Article 12 apply mutatis mutandis to the approval set forth in the preceding paragraph.

Article 35 (1) If the approval under paragraph (2) of the preceding Article is granted, the relevant corporation for offender rehabilitation must prepare an inventory of assets and a balance sheet pursuant to the provisions of Ministry of Justice Order within two weeks from the date of approval, and keep them in its principal office.

(2) The corporation for offender rehabilitation must give a public notice to its creditors within the period set forth in the preceding paragraph to the effect that any objection they may have to the merger is to be filed within a specified period of time, and must individually notify each known creditor to that effect. In this case, the specified period must not be less than two months.

Article 36 (1) If a creditor fails to file the objection within the specified period referred to in paragraph (2) of the preceding Article, that creditor is deemed to have approved the merger.

(2) If a creditor files an objection, the relevant corporation for offender rehabilitation must make payment or provide equivalent security to that

creditor, or entrust equivalent assets to a trust company or a financial institution engaged in trust business for the purpose of having the creditor receive payment; provided, however, that this does not apply if the merger is unlikely to be detrimental to that creditor.

Article 37 If a corporation for offender rehabilitation is to be incorporated through a merger, the preparation of the articles of incorporation and other work concerning the incorporation thereof must be performed through the concerted action of the persons that are appointed by each of the relevant corporations for offender rehabilitation respectively.

(Effects of Mergers)

Article 38 A corporation for offender rehabilitation which continues to exist after a merger or is incorporated through a merger succeeds to the rights and obligations of the corporation for offender rehabilitation which has ceased to exist due to the merger (including the rights and obligations held by that corporation for offender rehabilitation in relation to its services, under the approval or other dispositions of an administrative agency).

(Timing of Mergers)

Article 39 A merger of corporations for offender rehabilitation comes into effect after being registered at the area where the principal office of the corporation for offender rehabilitation which continues to exist after the merger or is incorporated through the merger, is located.

Article 40 Deleted

Section 5 Supervision

(Order for Improvement)

Article 41 (1) If the Minister of Justice finds that a corporation for offender rehabilitation has violated laws, regulations, or a disposition rendered by an administrative agency pursuant to laws and regulations, or the articles of incorporation, or finds that the administration of the corporation significantly lacks appropriateness, the Minister may order the corporation for offender rehabilitation to take any necessary measures within a fixed period of time.

(2) If the corporation for offender rehabilitation does not comply with the order set forth in the preceding paragraph, the Minister of Justice may order the corporation for offender rehabilitation to suspend the whole or part of its business for a fixed period of time, or may recommend the removal of an officer.

(3) If the Minister of Justice intends to recommend the removal of an officer

pursuant to the provisions of the preceding paragraph, the Minister must give the corporation for offender rehabilitation an opportunity to give an explanation before an official designated by the Minister. In this case, the Minister of Justice must give a written notice to the corporation for offender rehabilitation in advance to inform the date, time and venue for giving the explanation, and the cause for the recommendation.

- (4) A corporation for offender rehabilitation that receives the notice set forth in the preceding paragraph may have a representative appear and submit evidence in its favor.
- (5) The official that hears the explanation pursuant to the provisions of paragraph (3) must make a record of the hearing, and a written report stating the official's opinion concerning whether the recommendation is necessary or not, and submit these documents to the Minister of Justice.

(Suspension of Public Benefit Services or Profit-making Business)

Article 42 If the Minister of Justice finds grounds falling under any of the following items concerning a corporation for offender rehabilitation which engages in public benefit services or conducts profit-making business pursuant to the provisions of Article 6, paragraph (1), the Minister may order the corporation for offender rehabilitation to suspend its services or business for a fixed period within the limit of one year:

- (i) the corporation for offender rehabilitation engages in services other than those prescribed in its articles of incorporation;
- (ii) the corporation for offender rehabilitation uses the profits brought about by its profit-making business for a purpose other than its own offender rehabilitation services or public benefit services;
- (iii) the continuation of the public benefit services or profit-making business hinders the offender rehabilitation services conducted by the corporation for offender rehabilitation.

(Dissolution Order)

Article 43 If a corporation for offender rehabilitation violates laws, regulations, or a disposition rendered by an administrative agency pursuant to laws and regulations, or the articles of incorporation, and the objectives of the supervision cannot be met by any other means, or the corporation for offender rehabilitation does not conduct its intended services for one year or longer without justifiable grounds, the Minister of Justice may order its dissolution.

(Report and Inspection)

Article 44 (1) The Minister of Justice may require a corporation for offender rehabilitation to report on the status of its business or assets, or send an

official of the Ministry of Justice to enter the offices or other facilities of the corporation for offender rehabilitation in order to inspect the status of its business or assets, books, documents, or other items, within the limit necessary for the enforcement of this Act.

- (2) The official that enters the premises for inspection pursuant to the provisions of the preceding paragraph must carry an identification card and show it to the relevant parties.
- (3) The authority to enter the premises for inspection under paragraph (1) must not be construed as being granted for the purpose of criminal investigation.

Chapter III Offender Rehabilitation Services

Section 1 Operation of Services

(Approval of Continuous Aid Services)

Article 45 A person, other than the national and local governments, that intends to engage in continuous aid services must submit a written application stating the following particulars to the Minister of Justice and obtain the Minister's approval pursuant to the provisions of Ministry of Justice Order:

- (i) name;
- (ii) location of the office;
- (iii) nature of the continuous aid services;
- (iv) the way aided persons are treated;
- (v) scale and structure of offender rehabilitation facilities and the authority to use them;
- (vi) the names and personal histories of executive personnel that are to be engaged in practical business affairs;
- (vii) for persons other than a corporation for offender rehabilitation, beyond the particulars listed in the preceding items, the articles of incorporation and other basic stipulations, accounting policies, the status of assets, and also the name, personal history and status of assets of the person in charge of operations.

(Criteria for Approval)

Article 46 (1) If the Minister of Justice finds that the application for approval referred to in the preceding Article satisfies each of the following items, the Minister must grant approval:

- (i) the way aided persons are treated conforms to the standards set forth in Article 49-2;
- (ii) the scale and structure of offender rehabilitation facilities conform to the criteria specified by Ministry of Justice Order;
- (iii) the executive personnel that are to be engaged in practical business affairs

- possess the qualifications or experience specified by Ministry of Justice Order, and the enthusiasm and ability to treat aided persons;
- (iv) A person that intends to conduct employment placement business on that person's own accord has obtained permission to conduct employment placement business pursuant to the provisions of the Employment Security Act (Act No. 141 of 1947);
 - (v) for persons other than a corporation for offender rehabilitation, beyond what is listed in the preceding items, the organization for operations and the accounting policies are identical or equivalent to those of a general incorporated association or general incorporated foundation, the financial basis for engaging in the services is secure, and the person responsible for operations has the trust of the public.
- (2) In granting the approval set forth in the preceding paragraph, the Minister of Justice may attach conditions that the Minister finds necessary for ensuring the appropriate administration of the continuous aid services.

(Alteration in Particulars Pertaining to Approval and Discontinuance of Services)

- Article 47 (1) If a person that has been granted the approval under Article 45 intends to alter any particular listed in the items of the same Article (except for the particulars specified by Ministry of Justice Order), the person must obtain the approval of the Minister of Justice.
- (2) The provisions of the preceding Article apply mutatis mutandis to the approval set forth in the preceding paragraph.
- (3) If an approved services operator (meaning a person that engages in continuous aid services under the approval referred to in Article 45; the same applies hereinafter) intends to discontinue its services, the operator must make clear the reasons therefor, the measures to be taken for aided persons and the way in which the assets are to be disposed of, in advance, and must obtain the approval of the Minister of Justice with regard to the time of the discontinuance of the services.

(Notification of Temporary Aid Services and Liaison and Assistance Services)

Article 47-2 A person, other than the national and local governments, that intends to engage in temporary aid services or liaison and assistance services must notify the Minister of Justice of the following particulars, in advance, pursuant to the provisions of Ministry of Justice Order. The same applies if the person intends to alter any of the particulars for which the person has filed a notification or intends to discontinue the services:

- (i) name;
- (ii) location of the office;

- (iii) type and nature of the services;
- (iv) for a person other than a corporation for offender rehabilitation, beyond what is listed in the preceding items, the articles of incorporation and other basic stipulations, the accounting policies, the status of assets and also the name, personal history and the status of assets of the person responsible for operations.

(Offender Rehabilitation Services Conducted by a Local Government)

Article 48 (1) A local government may conduct offender rehabilitation services.

(2) If a local government intends to conduct continuous aid services, it must notify the Minister of Justice of the particulars listed in Article 45, items (i) to (vi), in advance. The same applies if it intends to alter any of the particulars for which it has filed a notification or intends to discontinue the services.

(3) If a local government starts temporary aid services or liaison and assistance services, it must notify the Minister of Justice of the particulars listed in Article 47-2, items (i) to (iii), without delay. The same applies if it alters any of the particulars for which it has filed a notification or discontinues the services.

(Provision of Aid)

Article 49 The aid in continuous aid services or temporary aid services is to be provided by commission from the director of a probation office pursuant to the provisions of the laws and regulations, or at the request of a aided person.

(Standards for Treatment in Offender Rehabilitation Facilities)

Article 49-2 The treatment of the aided persons in offender rehabilitation facilities must be carried out in accordance with the following standards:

- (i) due consideration is to be paid to the human rights of the aided persons;
- (ii) a treatment plan for the aided persons is to be made, the mental and physical state and changes in the living environment of the aided persons are to be reviewed constantly, and adequate aid that suits to the condition of the aided persons is to be provided;
- (iii) the aided persons are to be adequately guided so as to prompt them to reflect on their responsibility to be self-reliant and acquire the ability to adjust to life in society and, persons that have been placed on probation, in particular, are to be guided to abide by the conditions of the probation;
- (iv) other particulars specified by Ministry of Justice Order.

(Request for Cooperation)

Article 50 An approved services operator or a corporation for offender rehabilitation that engages in temporary aid services by filing a notification under Article 47-2 may make inquiries with and request cooperation from the

relevant local government, Public Employment Security Office, or other public or private organizations or agencies, if necessary for the treatment of aided persons, and may also provide employment placement services of its own account, if particularly necessary, pursuant to the provisions of the Employment Security Act.

Section 2 Supervision and Assistance for Services

(Report on Results of Services)

Article 51 An approved services operator must report the status of its accounts and the results of the services for the closed fiscal year to the Minister of Justice, within two months after the end of each fiscal year, pursuant to the provisions of Ministry of Justice Order.

(Keeping of Books)

Article 52 An approved services operator must keep the following books in its own office, make entries of the necessary particulars therein, and preserve them pursuant to the provisions of Ministry of Justice Order:

- (i) books describing the status of treatment of aided persons;
- (ii) name list of aided persons;
- (iii) ledger of money and goods in custody;
- (iv) accounting books;
- (v) books clarifying contributors and sums of donations.

(Compliance Order)

Article 53 If an approved services operator is found to have failed to conform to any of the items of Article 46, paragraph (1), the Minister of Justice may order the approved services operator to take the necessary measures to ensure conformity.

(Revocation of Approval)

Article 54 (1) If the Minister of Justice finds grounds falling under any of the following items concerning an approved services operator, the Minister may order the approved services operator to restrict or suspend its offender rehabilitation services for a fixed period within the limit of one year, or may revoke the approval under Article 45:

- (i) if the approved services operator violates any of the conditions attached under Article 46, paragraph (2) or Article 60, paragraph (2);
- (ii) if the approved services operator violates the provisions of Article 47, paragraph (1);
- (iii) if the approved services operator fails to make a report under Article 51 or

- makes a false report;
- (iv) if, the approved services operator fails to keep, make entries in, or preserve the books or makes a false entry therein, in violation of the provisions of Article 52;
- (v) if the approved services operator violates an order under the preceding Article;
- (vi) if the approved services operator fails to make a report under paragraph (1) of the following Article, makes a false report, or rejects, hinders or evades the inspection under the same paragraph.
- (2) The provisions of the preceding paragraph apply if an approved services operator, other than a corporation for offender rehabilitation, improperly attempts to gain profits in relation to offender rehabilitation services.
- (3) The provisions of paragraph (1) apply if an executive officer such as the representative of an approved services operator (including a person stipulated as the representative or administrator of an organization that is not a corporation) improperly attempts to gain personal profits through the relevant offender rehabilitation services.

(Report and Inspection)

- Article 55 (1) The Minister of Justice may require an approved services operator to report on the services or send an official of the Ministry of Justice to enter the offices or other facilities of the operator in order to inspect the status of the operation of services or facilities, books, documents, or other items, within the limit necessary for the enforcement of this Act.
- (2) The provisions of Article 44, paragraphs (2) and (3) apply mutatis mutandis to entry into the premises for inspection pursuant to the provisions of the preceding paragraph.

(Advice, Guidance or Recommendations)

- Article 56 If the Minister of Justice finds it necessary in order to ensure the adequate treatment of aided persons, or to realize the sound growth and development of an approved services operator, the Minister may offer necessary advice, guidance, or recommendations concerning its services.

(Supervision of Services Operators Having Filed a Notification)

- Article 56-2 (1) The provisions of Article 51, Article 52, Article 55 and the preceding Article apply mutatis mutandis to a services operator having filed a notification (meaning a person that engages in temporary aid services or liaison and assistance services by filing a notification under Article 47-2; the same applies hereinafter).
- (2) If the Minister of Justice finds grounds falling under any of the following

items concerning a services operator having filed a notification, the Minister may order the services operator to restrict or suspend its offender rehabilitation services for a fixed period within the limit of one year:

- (i) if the services operator having filed a notification engages in an improper conduct in relation to the treatment of aided persons;
 - (ii) if the services operator having filed a notification fails to make a report under the provisions of Article 51 as applied mutatis mutandis pursuant to the preceding paragraph, or makes a false report;
 - (iii) if, in violation of the provisions of Article 52 as applied mutatis mutandis pursuant to the preceding paragraph, the services operator having filed a notification fails to keep, make entries in, or preserve the books or makes a false entry therein;
 - (iv) if the services operator having filed a notification fails to make a report under the provisions of Article 55, paragraph (1) as applied mutatis mutandis pursuant to the preceding paragraph, makes a false report, or rejects, hinders, or evades the inspection prescribed in the same paragraph;
 - (v) if the services operator having filed a notification violates any of the conditions attached under Article 60, paragraph (2).
- (3) The provisions of the preceding paragraph apply if a services operator having filed a notification, other than a corporation for offender rehabilitation, improperly attempts to gain profits in relation to offender rehabilitation services.
- (4) The provisions of paragraph (2) apply if an executive officer such as the representative of a services operator having filed a notification (including a person stipulated as the representative or administrator of an organization that is not a corporation) improperly attempts to gain personal profits through the offender rehabilitation services.

(Duty to Report of a Local Government Conducting Offender Rehabilitation Services)

Article 57 The provisions of Article 51 (limited to the part pertaining to reports on the results of the services) and Article 55 (limited to the part pertaining to reports on the services) apply mutatis mutandis to local governments conducting offender rehabilitation services.

(Supervision of Other Services Operators)

Article 57-2 (1) If a person is neither an approved services operator nor a services operator having filed a notification (excluding the national and local governments) and conducts offender rehabilitation services (in this Article, referred to as "other services operator"), improperly attempted to gain profits in relation to the services or engages in an improper conduct in relation to the

treatment of aided persons, the Minister of Justice may order the person to restrict or suspend its offender rehabilitation services for a fixed period within the limit of one year.

- (2) The provisions of the preceding paragraph apply if an executive officer such as the representative of another services operator (including a person stipulated as the representative or administrator of an organization that is not a corporation) improperly attempts to gain personal profits through the relevant offender rehabilitation services.
- (3) The provisions of Article 55 apply mutatis mutandis to other services operators.

(Assistance)

Article 58 In accordance with the standards determined by the Minister of Justice in consultation with the Minister of Finance, the national government may subsidize corporations for offender rehabilitation, within budget limits, for expenses incurred in the operation of offender rehabilitation services.

Chapter IV Miscellaneous Provisions

(Hearing of Opinions)

Article 59 In the following cases, the Minister of Justice must hear the opinions of the National Offender Rehabilitation Commission:

- (i) if the Minister is to grant or refuse the approval under Article 10, Article 34, paragraph (2), or Article 45;
- (ii) if the Minister is to order dissolution pursuant to the provisions of Article 43, or to order the restriction or suspension of services or to revoke the approval pursuant to the provisions of Article 54;
- (iii) if the Minister is to order the restriction or suspension of services pursuant to the provisions of Article 56-2, paragraphs (2) to (4), or the provisions of Article 57-2, paragraph (1) or (2);
- (iv) if the Minister is to establish Ministry of Justice Orders referred to in Article 46, paragraph (1), items (ii) and (iii), and Article 49-2, item (iv).

(Raising of Contributions)

Article 60 (1) If a person that conducts or intends to conduct offender rehabilitation services intends to raise contributions to obtain funds necessary for the operation of its services, the person must submit documents clarifying the period, area, and method of raising contributions, and the use thereof to the Minister of Justice at least one month prior to beginning to raise contributions, and obtain permission of the Minister pursuant to the provisions of Ministry of Justice Order.

- (2) In granting the permission set forth in the preceding paragraph, the Minister of Justice may attach conditions concerning the use of the contributions and the disposition of the assets to be acquired with the contributions.
- (3) A person that has raised contributions with the permission set forth in paragraph (1) must report the results of raising contributions to the Minister of Justice without delay, after the period for raising contribution expires, pursuant to the provisions of Ministry of Justice Order.

(Commendation)

Article 61 The Minister of Justice must pay due regard to commend approved services operators, services operators having filed a notification, or their officers and employees with especially outstanding performance, so that the general public may recognize their achievements.

(Securing of Personnel)

Article 61-2 In order that approved services operators and services operators having filed a notification can provide offenders and juvenile delinquents with more adequate aid based on expert knowledge, the Minister of Justice must endeavor to develop required policies to enable those operators to secure personnel with expert knowledge and improve their quality.

(Delegation of Authority to Regional Parole Boards)

Article 62 The authority of the Minister of Justice as provided for by this Act may be delegated to regional parole boards; provided, however, that this does not apply to the authority prescribed in Article 10, Article 31, paragraph (2), Article 34, paragraph (2), Article 41, paragraph (2), Article 42, Article 43, Article 45, Article 54, Article 56-2, paragraphs (2) to (4), and Article 57-2, paragraphs (1) and (2).

Article 63 Deleted

(Delegation to Ministerial Order)

Article 64 Beyond what is provided for in this Act, Ministry of Justice Order prescribes particulars necessary for the enforcement of this Act.

(Transitional Measures)

Article 65 If an order is to be established, amended, or repealed based on the provisions of this Act, that order may prescribe transitional measures (including transitional measures concerning penal provisions), to the extent considered reasonably necessary for the establishment, amendment or repeal thereof.

Chapter V Penal Provisions

Article 66 Any person falling under any of the following items is punished by imprisonment for not more than six months, or a fine of not more than 500,000 yen:

- (i) a person that has violated an order under Article 41, paragraph (2), or Article 42;
- (ii) a person that has violated a restriction or suspension order under Article 54, Article 56-2, paragraphs (2) to (4), or Article 57-2, paragraph (1) or (2);
- (iii) a person that has raised contributions without the permission under Article 60, paragraph (1);
- (iv) a person that has used the contributions or has disposed of the assets acquired with the contributions, in violation of the conditions attached under Article 60, paragraph (2).

Article 67 Any person falling under any of the following items is punished by a fine of not more than 200,000 yen:

- (i) a person that has failed to keep the books or to make entries therein, has made a false entry, or has failed to preserve them, in violation of the provisions of Article 52 (including the case as applied *mutatis mutandis* pursuant to Article 56-2, paragraph (1));
- (ii) a person that has failed to make a report under Article 55, paragraph (1), as applied *mutatis mutandis* pursuant to Article 57-2, paragraph (3), has made a false report, or has rejected, hindered, or evaded the inspection under the same paragraph;
- (iii) a person that has failed to make a report, or has made a false report, in violation of the provisions of Article 60, paragraph (3).

Article 68 (1) If the representative or administrator of a corporation (including an organization that is not a corporation and has stipulated its representative or administrator; the same applies hereinafter in this paragraph), or an agent, employee, or other worker of a corporation or an individual commits any of the violations set forth in the preceding two Articles in connection with the business of the corporation or individual, in addition to the offender being subject to punishment, the corporation or individual is subject to the fine referred to in the relevant Article.

(2) If the provisions of the preceding paragraph apply to an organization that is not a corporation, the representative or administrator is to represent the organization with respect to the procedural acts, and the legal provisions concerning criminal proceedings in which a corporation is the accused or the

suspect are to apply *mutatis mutandis*.

Article 69 In a case falling under any of the following items, the directors, auditors, or liquidator of the relevant corporation for offender rehabilitation are subject to a civil fine of not more than 200,000 yen:

- (i) if the corporation for offender rehabilitation fails to register, in violation of Cabinet Order prescribed in Article 8, paragraph (1);
- (ii) if the corporation for offender rehabilitation fails to keep an inventory of assets or make entries of the particulars to be entered, or makes a false entry therein, in violation of the provisions of Article 14-2;
- (iii) if the corporation for offender rehabilitation fails to file a notification, or files a false notification, in violation of the provisions of Article 27, paragraph (3);
- (iv) if the corporation for offender rehabilitation fails to keep documents or make entries of the particulars to be entered therein, or makes a false entry therein, in violation of the provisions of Article 29, paragraph (1);
- (v) if the corporation for offender rehabilitation fails to file a petition for the commencement of bankruptcy proceedings, in violation of the provisions of Article 31-2, paragraph (2), or Article 31-11, paragraph (1);
- (vi) if the corporation for offender rehabilitation fails to give a public notice, or gives a false public notice, in violation of the provisions of Article 31-9, paragraph (1), or Article 31-11, paragraph (1);
- (vii) if the corporation for offender rehabilitation fails to prepare documents or make entries of particulars to be entered therein, or makes a false entry therein, in violation of the provisions of Article 35, paragraph (1);
- (viii) if the corporation for offender rehabilitation violates the provisions of Article 35, paragraph (2), or Article 36, paragraph (2).

Article 70 Any person that violates the provisions of Article 4 is subject to a civil fine of not more than 100,000 yen.

Supplementary Provisions

(Effective Date)

- (1) This Act comes into effect as of April 1, 1996; provided, however, that the provisions of Article 2, paragraph (6), Article 11, Article 12 and Article 59 come into effect as of the date of promulgation.

(Review)

- (2) Approximately five years after the enforcement of this Act, the government is to consider the trends in crime and other circumstances related to offender

rehabilitation services, the state of enforcement of this Act, and other particulars, and review the provisions of this Act from the viewpoint of facilitating smooth and adequate operations and the sound promotion and development of offender rehabilitation services, and is to take necessary measures based on the results thereof.

Supplementary Provisions [Act No. 72 of June 6, 1997]

(Effective Date)

- (1) This Act comes into effect as of the date on which the Act Partially Amending the Commercial Code, etc. (Act No. 71 of 1997) comes into effect.

(Transitional Measures)

- (2) Prior laws continue to govern any merger pertaining to a merger agreement concluded prior to the enforcement of this Act, even after the enforcement of this Act.

(Transitional Measures Concerning Application of Penal Provisions)

- (3) Prior laws continue to govern the applicability of penal provisions to conduct engaged in prior to the enforcement of this Act as well as to conduct engaged in after the enforcement of this Act when it is to continue to be governed by prior laws pursuant to the provisions of the preceding paragraph.

Supplementary Provisions [Act No. 151 of December 8, 1999] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2000.

Article 4 Prior laws continue to govern the applicability of penal provisions to conduct engaged in prior to the enforcement of this Act.

Supplementary Provisions [Act No. 160 of December 22, 1999] [Extract]

(Effective Date)

Article 1 This Act (excluding Article 2 and Article 3) comes into effect as of January 6, 2001.

Supplementary Provisions [Act No. 46 of May 29, 2002] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order

within a period not exceeding one month from the date of promulgation.

(Transitional Measures Concerning Approval)

Article 2 (1) A person that has obtained the approval of the Minister of Justice referred to in Article 45 of the Offender Rehabilitation Services Act before amendment (hereinafter referred to as the "former Act") as of the time when this Act comes into effect (including a person that is deemed to have obtained the approval of the Minister of Justice referred to in Article 45 of the former Act, pursuant to the provisions of Article 3 of the Act on Enforcement of the Offender Rehabilitation Services Act and on Development of Related Acts Associated with the Same (Act No. 87 of 1995)) is deemed, at the time when this Act comes into effect, to have obtained the approval of the Minister of Justice granted pursuant to Article 45 of the Offender Rehabilitation Services Act after amendment (hereinafter referred to as the "new Act") in the case of services to which the same Article applies, or to have filed a notification pursuant to the provisions of Article 47-2 of the new Act in the case of services to which the same Article applies.

(2) An application for approval of offender rehabilitation services filed under Article 45 of the former Act as of the time when this Act comes into effect is considered to be an application filed under Article 45 of the new Act in the case of services to which the same Article applies, or as a notification filed under Article 47-2 of the new Act in the case of services to which the same Article applies.

(Validity of Disposition or Procedures Based on the Provisions of the former Act)

Article 3 Beyond what is prescribed in the preceding Article, approval or other disposition made under the former Act or application or other procedures carried out under the former Act prior to the effective date of the new Act, for which there are corresponding provisions in the new Act, are deemed to be approval or other disposition, or application or other procedures made or carried out pursuant to the provisions of the new Act.

(Transitional Measures Concerning Rights over Residual Assets)

Article 4 The articles of incorporation with provisions regarding the holder of rights over the residual assets of a person that conducts offender rehabilitation services by obtaining approval under Article 45 of the former Act as of the time when this Act comes into effect are deemed to have the provisions regarding the holder of rights over the residual assets of a person that engages in continuous aid services by obtaining approval under Article 45 of the new Act, or a corporation for offender rehabilitation which engages in temporary aid

services or liaison and assistance services by filing a notification under Article 47-2.

(Transitional Measures Concerning Penal Provisions)

Article 5 Prior laws continue to govern the applicability of penal provisions to conduct engaged in prior to the enforcement of this Act.

Supplementary Provisions [Act No. 66 of June 12, 2002] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day on which the Convention comes into effect in Japan.

Supplementary Provisions [Act No. 76 of June 2, 2004] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date on which the Bankruptcy Act (Act No. 75 of 2004; hereinafter referred to as the "New Bankruptcy Act" in paragraph (8) of the following Article and in Article 3, paragraph (8), Article 5, paragraphs (8), (16) and (21), Article 8, paragraph (3), and Article 13 of the Supplementary Provisions) comes into effect.

(Delegation to Cabinet Order)

Article 14 Beyond what is prescribed in Article 2 to the preceding Article of the Supplementary Provisions, Cabinet Order prescribes transitional measures necessary for the enforcement of this Act.

Supplementary Provisions [Act No. 147 of December 1, 2004] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

Supplementary Provisions [Act No. 154 of December 3, 2004] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation (hereinafter referred to as the "Effective Date").

(Effect of Dispositions)

Article 121 Dispositions, procedures, and other acts made or conducted pursuant to the provisions of the respective Acts (including orders based on them; hereinafter the same applies in this Article) prior to the enforcement of this Act, for which the provisions of the respective Acts after amendment have corresponding provisions, are deemed to have been made or conducted pursuant to the corresponding provisions of the respective Acts after amendment, except as otherwise provided for by these Supplementary Provisions.

(Transitional Measures Concerning Penal Provisions)

Article 122 Prior laws continue to govern the applicability of penal provisions to conduct engaged in prior to the enforcement of this Act as well as to conduct engaged in after the enforcement of this Act when it is to continue to be governed by prior laws pursuant to the provisions of these Supplementary Provisions or when prior laws are to remain in force pursuant to the provisions of these Supplementary Provisions.

(Delegation of Other Transitional Measures to Cabinet Order)

Article 123 Beyond what is provided for in these Supplementary Provisions, Cabinet Order prescribes transitional measures necessary for the enforcement of this Act.

(Review)

Article 124 The government is to review the state of enforcement of this Act within three years after it comes into effect, and take necessary measures based on the results thereof, if the government finds it necessary to do so.

Supplementary Provisions [Act No. 87 of July 26, 2005] [Extract]

This Act comes into effect as of the date on which the Companies Act comes into effect.

Supplementary Provisions [Act No. 50 of June 2, 2006]

This Act comes into effect as of the date on which the Act on General Incorporated Associations and General Incorporated Foundations comes into effect.

Supplementary Provisions [Act No. 88 of June 15, 2007] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

Supplementary Provisions [Act No. 53 of May 25, 2011]

This Act comes into effect as of the date on which the New Non-Contentious Cases Procedures Act comes into effect.

Supplementary Provisions [Act No. 74 of June 24, 2011] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day on which twenty days have elapsed from the date of promulgation.

Supplementary Provisions [Act No. 49 of June 19, 2013] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding three years from the date of promulgation.