

Act on Punishment of Organized Crimes and Control of Proceeds of Crime (Tentative translation)

(Act No. 136 of August 18, 1999)

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Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is to strengthen punishment for criminal acts, such as homicide, committed in an organized manner, punish the concealment and receipt of proceeds of crime as well as the commission of acts using such proceeds with the aim of controlling the business administration of corporations, etc., and set out special provisions, etc. concerning the confiscation of proceeds of crime and the collection of a sum of equivalent value to proceeds of crime, in light of the fact that organized crimes are significantly harmful to a peaceful and sound social life, proceeds of crime facilitate organized crimes, and interference with business activities through the utilization of such proceeds can cause a seriously adverse impact on sound economic activities, and also in order to implement the United Nations Convention against Transnational Organized Crime.

(Definitions)

Article 2 (1) In this Act, "association" means a continually unified body of multiple people with a common purpose, for which acts that fulfill such purpose or intent are repeatedly engaged in, in whole or in part, by an organization (meaning a combination of people who, as its members, act as one body according to their predetermined and allocated duties based on directions and orders; hereinafter the same applies).

(2) In this Act, "proceeds of crime" means any of the following types of property:

(i) any property produced or obtained through, or obtained in reward for, a criminal act that constitutes any of the crimes set forth in the following sub-items (including acts committed outside the territory of Japan that would, if committed within the territory of Japan, constitute any of those crimes, and that also constitute any crimes under the laws and regulations of the place of the act) and is committed for the purpose of obtaining an unlawful economic benefit:

(a) crimes punishable by the death penalty, life imprisonment with or without work, or imprisonment with or without work for a long term of four years or more (excluding the crimes set forth in item (i), (b) and those set forth in each item of Article 2, paragraph (2) of the Act Concerning Special Provisions for the Narcotics and Psychotropics Control Act, etc. and Other Matters for the Prevention of Activities Encouraging Illicit Conducts and Other Activities Involving Controlled Substances through International Cooperation (Act No. 94 of 1991; hereinafter referred to as the "Anti-Drug Special Provisions Act"), or

(b) the crimes set forth in Appended Table 1 (excluding those in item (iii)) or Appended Table 2;

(ii) any funds provided through a criminal act that constitutes any of the crimes set forth in the following sub-items (including acts committed outside the territory of Japan that would, if committed within the territory of Japan, constitute the crime set forth in (a), (b), or (d) below, and that also constitute any crimes under the laws and regulations of the place of the act):

(a) the crimes prescribed in Article 41-10 (Provision, etc. of Funds or Other Materials for the Import, etc. of Stimulants' Raw Materials) of the Stimulants Control Act (Act No. 252 of 1951),

(b) the crimes prescribed in Article 13 (Provision of Funds or Other Materials) of the Anti-Prostitution Act (Act No. 118 of 1956),

(c) the crimes prescribed in Article 31-13 (Provision of Funds or Other Materials) of the Act for Controlling the Possession of Firearms or Swords and Other Such Weapons (Act No. 6 of 1958), or

(d) the crimes prescribed in Article 7 (Provision of Funds or Other Materials) of the Act on Prevention of Bodily Harm by Sarin and Similar Substances (Act No. 78 of 1995);

- (iii) any property given through a criminal act that constitutes any of the crimes set forth in the following sub-items (including acts committed outside the territory of Japan that would, if committed within the territory of Japan, constitute any of those crimes, and that also constitute any crimes under the laws and regulations of the place of the act,
 - (a) the crimes prescribed in Article 7-2 (Bribery of Witnesses) of this Act, or
 - (b) the crime prescribed in Article 21, paragraph (2), item (vii) (Provision of Wrongful Gains to Foreign Public Officials) of the Unfair Competition Prevention Act (Act No. 47 of 1993) in relation to violation of Article 18, paragraph (1) of the same Act;
 - (iv) any property provided, or intended to be provided, through a criminal act that constitutes any of the crimes prescribed in Article 3, paragraph (1), the first sentence of paragraph (2) of the same Article, Article 4, paragraph (1), and Article 5, paragraph (1) (Provision of Funds or Other Benefits) of the Act on Punishment of Financing to Offences of Public Intimidation (Act No. 67 of 2002) or constitutes an attempt to commit any of those crimes (including acts committed outside Japan that would, if committed in Japan, constitute any of those crimes, and that also constitute any crimes under the laws and regulations of the place of the act); or
 - (v) any property that a person who has planned a criminal act that constitutes the crime prescribed in Article 6-2, paragraph (1) or (2) (Planning to Commit a Serious Crime That Entails an Act of Preparation by a Terrorist Group or Other Organized Criminal Group) of this Act (including acts committed outside the territory of Japan that would, if committed within the territory of Japan, constitute that crime, and that also constitute any crimes under the laws and regulations of the place of the act) obtains for the purpose of using it as a fund to bring the planned crime to fruition.
- (3) In this Act, "property derived from proceeds of crime" means any property obtained as the fruit of or in exchange for proceeds of crime, any property obtained in exchange for such property so obtained, or any other property obtained through the possession or disposition of proceeds of crime.
- (4) In this Act, "proceeds of crime, etc." means proceeds of crime, property derived from proceeds of crime, or property composed of any of these types of property intermingled with other kinds of property.
- (5) In this Act, "proceeds of drug crime" means any proceeds of drug crime as prescribed in Article 2, paragraph (3) of the Anti-Drug Special Provisions Act.
- (6) In this Act, "property derived from proceeds of drug crime" means any property derived from proceeds of drug crime as prescribed in Article 2, paragraph (4) of the Anti-Drug Special Provisions Act.
- (7) In this Act, "drug related proceeds of crime, etc." means any drug related proceeds of crime, etc. as prescribed in Article 2, paragraph (5) of the Anti-

Drug Special Provisions Act.

Chapter II Punishment of Organized Crimes and Confiscation of Proceeds of Crime

(Organized Homicide and Other Organized Crimes)

Article 3 (1) When an act constituting any of the crimes set forth in the following items is done as an activity of an association (meaning an act based on the decision-making of an association, and that the effect of such act, or any profit gained through such act, vests in the association; the same applies hereinafter) through an organization whose purpose is to bring the act to fruition, the person who commits the crime shall be punished as provided in the applicable item:

- (i) the crime prescribed in Article 96 (Destruction of Seals) of the Penal Code (Act No. 45 of 1907): imprisonment for not more than five years or a fine of not more than 5,000,000 yen, or both;
- (ii) the crime prescribed in Article 96-2 (Damage of Subject Property for Obstruction of Compulsory Execution) of the Penal Code: imprisonment for not more than five years or a fine of not more than 5,000,000 yen, or both;
- (iii) the crime prescribed in Article 96-3 (Obstruction of Acts of Compulsory Execution) of the Penal Code: imprisonment for not more than five years or a fine of not more than 5,000,000 yen, or both;
- (iv) the crime prescribed in Article 96-4 (Obstruction of Sale Related to Compulsory Execution) of the Penal Code: imprisonment for not more than five years or a fine of not more than 5,000,000 yen, or both;
- (v) the crime prescribed in Article 186, paragraph (1) (Habitual Gambling) of the Penal Code: imprisonment for not more than five years;
- (vi) the crime prescribed in Article 186, paragraph (2) (Running a Gambling Place for the Purpose of Gain) of the Penal Code: imprisonment for not less than three months but not more than seven years;
- (vii) the crime prescribed in Article 199 (Homicide) of the Penal Code: death penalty, or imprisonment for life or not less than six years;
- (viii) the crime prescribed in Article 220 (Unlawful Capture and Confinement) of the Penal Code: imprisonment for not less than three months but not more than 10 years;
- (ix) the crime prescribed in Article 223, paragraph (1) or (2) (Compulsion) of the Penal Code: imprisonment for not more than five years;
- (x) the crime prescribed in Article 225-2 (Kidnapping for Ransom) of the Penal Code: imprisonment for life or not less than five years;
- (xi) the crime prescribed in Article 233 (Damage to Credit; Obstruction of Business) of the Penal Code: imprisonment for not more than five years or a

- fine of not more than 500,000 yen;
- (xii) the crime prescribed in Article 234 (Forcible Obstruction of Business) of the Penal Code: imprisonment for not more than five years or a fine of not more than 500,000 yen;
- (xiii) the crime prescribed in Article 246 (Fraud) of the Penal Code: imprisonment for a definite term of not less than one year;
- (xiv) the crime prescribed in Article 249 (Extortion) of the Penal Code: imprisonment for a definite term of not less than one year; or
- (xv) the crime prescribed in the first sentence of Article 260 (Damage to Buildings) of the Penal Code: imprisonment for not more than seven years.
- (2) The preceding paragraph shall also apply to a person who commits any of the crimes set forth in each of the items of the preceding paragraph (except for items (v), (vi), and (xiii)) for the purpose of causing an association to obtain, maintain, or expand illegal interests (meaning dominance based on the force of the association over a certain geographical region or field of specialization, which facilitates the association or its members in continuously obtaining interests through crimes or other wrongful acts committed by members of the association; the same applies hereinafter in this paragraph and Article 6-2, paragraph (2)).

(Attempts)

Article 4 Attempts of the crimes set forth in the preceding Article, paragraph (1), items (vii), (ix), (x) (only for crimes relating to Article 225-2, paragraph (1) of the Penal Code), (xiii), and (xiv) shall be punished.

(Reduction of Punishment Following Release in the Case of Organized Kidnapping For Ransom)

Article 5 When a person who has committed the crime set forth in Article 3, paragraph (1), item (x) releases the kidnapped or abducted person to a safe place before prosecution is instituted, the punishment of the person shall be reduced.

(Preparation for Organized Homicide or Other Organized Crimes)

Article 6 (1) A person who makes preparations for the purpose of committing either of the crimes set forth in the following items which is committed through an organization whose purpose is to perform an act constituting such crime as an activity of an association shall be punished as provided in the applicable item; provided, however, the person who self-denounces before beginning to commit the crime shall be given a reduction or granted an absolute discharge:

(i) the crime prescribed in Article 199 (Homicide) of the Penal Code: imprisonment for not more than five years; or

(ii) the crime prescribed in Article 225 (Kidnapping for Profit) of the Penal Code (limited to kidnapping for the purpose of profit): imprisonment for not more than two years.

(2) The preceding paragraph shall also apply to a person who prepares for either of the crimes set forth in the items of the preceding paragraph for the purpose prescribed in Article 3, paragraph (2).

(Planning to Commit a Serious Crime That Entails an Act of Preparation by a Terrorist Group or Other Organized Criminal Group)

Article 6-2 (1) A person who, together with one or more persons, has planned to commit an act that constitutes any of the crimes set forth in the following items as an activity of an association made up of a terrorist group or other organized criminal group (meaning an association whose common purpose laying the foundation of its unifying relationship is to commit any of the crimes set forth in Appended Table 3; the same applies in the following paragraph), and that is to be performed through an organization whose purpose is to bring the act to fruition, shall be punished as provided in each applicable item, if any person among those who have made that plan has arranged funds or goods, has made a preliminary inspection of relevant locations, or has performed other acts of preparation for committing the planned crime in accordance with the aforementioned plan; provided, however, the person who self-denounces before beginning to commit the crime shall be given a reduction or granted an absolute discharge:

(i) the crimes set forth in Appended Table 4 and punishable by the death penalty, life imprisonment with or without work, or imprisonment with or without work for a long term exceeding 10 years: imprisonment with or without work for not more than five years; or

(ii) the crimes set forth in Appended Table 4 and punishable by imprisonment with or without work for a long term of not less than four years but not more than 10 years: imprisonment with or without work for not more than two years.

(2) The preceding paragraph shall also apply to a person who, together with one or more persons, has planned to commit an act that constitutes any of the crimes set forth in the items of the preceding paragraph for the purpose of causing a terrorist group or other organized criminal group to obtain, maintain, or expand illegal interests, if any person among those who have made that plan has arranged funds or goods, has made a preliminary inspection of relevant locations, or has performed other acts of preparation for committing the planned crime in accordance with the aforementioned plan.

(3) Among the crimes that are set forth in Appended Table 4 and may not be prosecuted without criminal complaints, those pertaining to the preceding two

paragraphs may not be prosecuted without criminal complaints.

- (4) When an interrogation under Article 198, paragraph (1) of the Code of Criminal Procedure (Act No. 131 of 1948) or other investigation is to be conducted in relation to a case involving the crime referred to paragraph (1) or (2) of this Article, sufficient consideration must be given to ensure the appropriateness of such interrogation or investigation.

(Harboring of Criminals Involved in Organized Crimes)

Article 7 (1) If an act constituting a crime punishable by imprisonment without work or a severer punishment is performed, as an activity of an association, by an organization whose purpose is to bring the act to fruition, the persons set forth in the following items shall be punished as provided in the applicable items:

- (i) a person who harbors the person having committed the crime or enables this person to escape: imprisonment for not more than five years or a fine of not more than 500,000 yen;
- (ii) a person who destroys, counterfeits, or alters evidence concerning another person's criminal case relating to the crime concerned, or who uses counterfeit or altered evidence in relation to such criminal case: imprisonment for not more than five years or a fine of not more than 500,000 yen;
- (iii) a person who, in relation to his/her own or another person's criminal case relating to the crime concerned, forcibly demands without justifiable grounds a meeting with, or intimidates, any person found to have knowledge necessary for the investigation or trial of the criminal case, or a relative of that person: imprisonment for not more than five years or a fine of not more than 500,000 yen;
- (iv) a person who intimidates any saiban-in or alternate saiban-in who carries out duties for the trial of a case under public prosecution relating to the crime concerned, any person who has served as such saiban-in or alternate saiban-in, or any relative of such present or former saiban-in or alternate saiban-in by meeting, sending documents, making telephone calls, or any other means whatsoever: imprisonment for not more than three years or a fine of not more than 200,000 yen; and
- (v) A person who intimidates any saiban-in candidate who has been selected for appointment as a saiban-in or alternate saiban-in to carry out duties for the trial of a case under public prosecution relating to the crime concerned, any prospective saiban-in who is to carry out the duties of such saiban-in or alternate saiban-in, or any relative of such saiban-in candidate or prospective saiban-in by meeting, sending documents, making telephone calls, or any other means whatsoever: imprisonment for not more than three years

or a fine of not more than 200,000 yen.

- (2) In the case where a crime punishable by imprisonment without work or a severer punishment is committed for the purpose provided in Article 3, paragraph (2), the preceding paragraph shall also apply to any person who falls under any of the items of the preceding paragraph.

(Bribery of Witnesses)

Article 7-2 (1) A person who gives, offers, or promises cash or other benefits in return for refraining from testifying, giving false testimony, destroying, counterfeiting, or altering evidence, or using counterfeit or altered evidence, in relation to the person's own or another person's criminal case involving any of the crimes set forth in the following items shall be punished by imprisonment for not more than two years or a fine of not more than 300,000 yen:

- (i) crimes punishable by the death penalty, life imprisonment with or without work, or imprisonment with or without work for a long term of four years or more (excluding the crimes set forth in the following item); or
- (ii) the crimes set forth in Appended Table 1.

- (2) If an act constituting any of the crimes set forth in the items of the preceding paragraph is committed as an activity of an association through an organization whose purpose is to bring the act to fruition, or if any of the crimes set forth in the items of the preceding paragraph is committed for the purpose provided in Article 3, paragraph (2), the person who has committed the crime referred to in the preceding paragraph shall be punished by imprisonment for not more than five years or a fine of not more than 500,000 yen.

(Confiscation of an Association's Objects Constituting a Criminal Act)

Article 8 If a member of an association commits a crime (limited to crimes regarding which acts constituting those crimes are performed, as an activity of the association, by an organization whose purpose is to bring those acts to fruition or for the purpose provided in Article 3, paragraph (2)) or a preparatory crime for the purpose of committing that crime (excluding preparatory crimes regarding which acts constituting those preparatory crimes are performed, as an activity of the association, by an organization whose purpose is to bring those acts to fruition or for the purpose provided in the aforementioned paragraph), and if any object constituting the criminal act, or used or intended for use in the performance of the criminal act, belongs to the association and also is under the administration of the member, the object may be confiscated notwithstanding the provision of the main clause of Article 19, paragraph (2) of the Penal Code, unless the object belongs to a person other than the association or criminal; provided, however, that this does not apply to

cases where the association has taken necessary measures to prevent the object from constituting the criminal act or being used or intended for use in the performance of the criminal act.

(Act Aimed at Controlling the Business Administration of a Corporation or Entity of Other Types by Using Unlawful Proceeds or Other Means)

Article 9 (1) If a person acquires, or causes a third party to acquire, the status as a shareholder, etc. (meaning a shareholder, an employee, or the incorporation or other types of founders of a corporation, etc.; the same applies hereinafter) of a corporation, etc. (meaning a corporation, an incorporated foundation, an incorporated body or unincorporated foundation; the same applies hereinafter in this Article) by using proceeds of crime or proceeds of drug crime referred to in Article 2, paragraph (2), item (i) or (iii) (limited to property obtained through an criminal act constituting any of the crimes set forth in the items of Article 2, paragraph (2) of the Anti-Drug Special Provisions Act or obtained in reward for such criminal act; the same applies hereinafter in Article 13, paragraph (1), item (iii) and in paragraph (4) of the same Article), property obtained through the possession or disposition of such proceeds of crime or proceeds of drug crime, or property composed of any of these types of property intermingled with other kinds of property (hereinafter referred to as "unlawful proceeds, etc."), exercises his/her power as a shareholder, etc. or his/her influence based on such power, or causes the third party to exercise such power or influence, for the purpose of controlling the business administration of the corporation, etc. or its subsidiary corporation, and thereby commits an act falling under either of the following items, the person shall be punished by imprisonment for not more than five years or a fine of not more than 10,000,000 yen, or both:

- (i) to appoint an officer, etc. of the corporation, etc. or its subsidiary corporation (meaning a person in a position to manage the corporation, etc., irrespective of whether that position has any title whatsoever such as director, executive officer, executive board member, or administrator; hereinafter the same applies in this Article), cause such an officer, etc. to be appointed, dismiss such an officer, etc., cause such an officer, etc. to be dismissed, or cause such an officer, etc. to resign; or
- (ii) to cause the status of an officer, etc. who should represent the corporation, etc. or its subsidiary corporation to be changed (except in cases that fall under the preceding item).

(2) The preceding paragraph shall also apply where a person who acquired any claim against a corporation, etc., or caused a third party to acquire such claim, by using unlawful proceeds, etc. commits any act falling under either of the following items, in relation to the acquisition or enforcement of the claim, for

the purpose of controlling the business administration of the corporation, etc. or its subsidiary corporation. The same shall apply where a person who intended to acquire any claim against a corporation, etc., or intended to cause a third party to acquire such claim, by using unlawful proceeds, etc. and who committed any act falling under either of the following items, in relation to the acquisition or enforcement of the claim, for the purpose of controlling the business administration of the corporation, etc. or its subsidiary corporation, has actually acquired the claim or has actually caused the third party to acquire the claim:

- (i) to cause an officer, etc. of the corporation, etc. or its subsidiary corporation to be appointed or dismissed, or to resign; or
- (ii) to cause the status of an officer, etc. who should represent the corporation, etc. or its subsidiary corporation to be changed (except in cases that fall under the preceding item).

(3) Paragraph (1) of this Article shall also apply where a person who acquired any claim against a shareholder, etc. of a corporation, etc., or caused a third party to acquire such claim, by using unlawful proceeds, etc. commits any act falling under either of the items of the preceding paragraph, in relation to the acquisition or enforcement of the claim, by causing the shareholder, etc. to exercise his/her power or influence based on such power, for the purpose of controlling the business administration of the corporation, etc. or its subsidiary corporation. The same shall apply where a person who intended to acquire any claim against a shareholder, etc. of a corporation, etc., or intended to cause a third party to acquire such claim, by using unlawful proceeds, etc. and who committed any act falling under either of the items concerned, in relation to the acquisition or enforcement of the claim, by causing the shareholder, etc. to exercise his/her power or influence based on such power, for the purpose of controlling the business administration of the corporation, etc. or its subsidiary corporation, has actually acquired the claim or has actually caused the third party to acquire the claim.

(4) The term "subsidiary corporation" as used in this Article means a corporation in which another corporation, etc. holds more than 50 percent of the total number of voting rights held by shareholders, etc. (excluding the voting rights of shares which cannot be exercised for all matters that may be subject to resolutions at shareholders meetings, and including the voting rights of shares whose shareholders are deemed to have voting rights pursuant to the provision of Article 879, paragraph (3) of the Companies Act (Act No. 86 of 2005); hereinafter the same applies in this paragraph). A corporation in which another corporation, etc. and its subsidiary corporations hold, or subsidiary corporations of this corporation, etc. hold, more than 50 percent of the total number of voting rights of shareholders, etc. shall be deemed to be a subsidiary

corporation of the latter corporation, etc.

(Concealment of Proceeds of Crime, etc.)

Article 10 (1) A person who disguises facts concerning the acquisition or disposition of proceeds of crime, etc. (except for property intended for provision through a criminal act constituting an attempt of any of the crimes prescribed in Article 3, paragraph (1), the first sentence of Article 3, paragraph (2), Article 4, paragraph (1), and Article 5, paragraph (1) of the Act on Punishment of Financing to Offences of Public Intimidation (including acts committed outside the territory of Japan that would, if committed within the territory of Japan, constitute any of those crimes, and that also constitute any crimes under the laws and regulations of the place of the act; hereinafter the same applies in this paragraph); hereinafter the same applies in this paragraph and the following Article), or who conceals proceeds of crime, etc., shall be punished by imprisonment for not more than five years or a fine of not more than 3,000,000 yen, or both. The same shall apply to a person who disguises facts concerning the source of proceeds of crime (except for property intended for provision through a criminal act constituting an attempt of any of the crimes prescribed in Article 3, paragraph (1), the first sentence of Article 3, paragraph (2), Article 4, paragraph (1), and Article 5, paragraph (1) of the same Act.

(2) An attempt of any of the crimes referred to in the preceding paragraph shall be punished.

(3) A person who, with intent to commit any of the crimes referred to in paragraph (1) of this Article, makes preparations for such crime shall be punished by imprisonment for not more than two years or a fine of not more than 500,000 yen.

(Receiving Proceeds of Crime, etc.)

Article 11 A person who knowingly receives proceeds of crime, etc. shall be punished by imprisonment for not more than three years or a fine of not more than 1,000,000 yen, or both; provided, however, that this does not apply to a person who receives such proceeds, etc. offered as the performance of an obligation under laws and regulations, or as the performance of an obligation under a contract (limited to contracts under which the obligee is to offer substantial proprietary interests) regarding which the person, at the time of conclusion of the contract, did not know that the obligation under the contract would be performed with proceeds of crime, etc.

(Crimes Committed outside Japan)

Article 12 Crimes under Article 3 in relation to those set forth in Article 3, paragraph (1), items (ix), (xi), (xii), and (xv), crimes under Article 6 in relation

to those set forth in Article 6, paragraph (1), item (i), and crimes under Article 6-2, paragraphs (1) and (2) shall be subject to Article 4-2 of the Penal Code, and crimes under Article 9, paragraphs (1) through (3) hereof and the preceding two Articles hereof shall be subject to Article 3 of the same Code.

(Confiscation of Proceeds of Crime, etc.)

Article 13 (1) The following types of property may be confiscated, provided that they are real property, movables, or monetary claims (meaning claims for payment of money; the same applies hereinafter):

- (i) proceeds of crime (except for those categorized as the property set forth in item (vi));
 - (ii) property derived from proceeds of crime (except for such property obtained through the possession or disposition of proceeds of crime categorized as the property set forth in item (vi));
 - (iii) shares or interests that are connected with the status as a shareholder, etc. in relation to the crime prescribed in Article 9, paragraph (1), and that are obtained by using unlawful proceeds, etc. (excluding proceeds of drug crime, property obtained through the possession or disposition of proceeds of drug crime, and property composed of these types of property intermingled with other kinds of property (referred to as "drug-related unlawful proceeds, etc." in paragraph (4) of this Article); hereinafter the same applies in this paragraph);
 - (iv) claims relating to the crime prescribed in Article 9, paragraph (2) or (3) and obtained by using unlawful proceeds, etc. (or unlawful proceeds, etc. themselves if the purpose of such a claim is to reclaim the property that is the unlawful proceeds, etc. used for obtaining the claim);
 - (v) proceeds of crime, etc. relating to the crime prescribed in Article 10 or 11;
 - (vi) property produced or obtained through, or obtained in reward for, a criminal act for which unlawful proceeds, etc. were used and that falls under Article 9, paragraphs (1) through (3), Article 10, or Article 11; and
 - (vii) property obtained as the fruit of the property referred to in items (iii) through (vi), property obtained in exchange for the property referred to in these items, property obtained in exchange for these types of property so obtained, and any other property obtained through the possession or disposition of the property referred to in the aforementioned items.
- (2) If the property set forth in one of the items of the preceding paragraph is stolen or misappropriated property (meaning property obtained from a victim of a criminal act constituting any of the following crimes, or property obtained through the possession or disposition of such property; the same applies hereinafter), such property may not be confiscated; and if the property set forth in the items of the same paragraph is partially composed of stolen or

misappropriated property, the same shall apply to that part:

- (i) property crime;
- (ii) the crime prescribed in Article 3 hereof (Ransom Obtainment by an Organized Abductor) in relation to the crime prescribed in Article 225-2, paragraph (2) of the Penal Code;
- (iii) the crime prescribed in Article 225-2, paragraph (2) (Ransom Obtainment by an Abductor) or the second sentence of Article 227, paragraph (4) (Ransom Obtainment by a Person Receiving the Kidnapped Person) of the Penal Code;
- (iv) the crime prescribed in the second sentence of Article 5, paragraph (1) (Receipt of High Interest Rates), the second sentence of paragraph (2) thereof (Receipt of High Interest Rates in the Course of Trade), the second sentence of paragraph (3) thereof (Receipt of Extremely High Interest Rates in the Course of Trade), the second sentence of Article 5-2, paragraph (1) (Receipt of High Guarantee Rates), the second sentence of Article 5-3, paragraph (1) (Receipt of High Interest Rates When There Are Guarantee Charges), the second sentence of paragraph (2) thereof (Receipt of High Interest Rates When There Is a Guarantee and the Interest Is Determined by a Floating Interest Rate), or the second sentence of paragraph (3) thereof (Receipt of High Interest Rates When There Is a Revolving Guarantee) of the Act Regulating the Receipt of Contributions, the Receipt of Deposits, and Interest Rates (Act No. 195 of 1954); the crime prescribed in Article 8, paragraph (1) (Evasion of Law Such as Receipt of High Interest Rates) of the same Act in relation to violation of the second sentence of Article 5, paragraph (1) or (2), the second sentence of Article 5-2, paragraph (1), or the second sentence of Article 5-3, paragraph (1), (2), or (3) of the same Act; the crime prescribed in Article 8, paragraph (2) (Evasion of Law by Receipt of Extremely High Interest Rates in the Course of Trade) of the same Act in relation to violation of the second sentence of Article 5, paragraph (3) of the same Act; or the crime prescribed in Article 8, paragraph (3) (Receipt of a Contribution with the Principal Guaranteed) of the same Act in relation to violation of Article 1 or Article 2, paragraph (1) of the same Act;
- (v) the crime prescribed in Article 29 (Receipt or Issuance of Subsidies by Wrongful Means) of the Act on Regulation of Execution of Budget Pertaining to Subsidies, etc. (Act No. 179 of 1955);
- (vi) the crime prescribed in Article 29 (Receipt or Issuance of Grants by Wrongful Means) of the Aircraft Industry Promotion Act (Act No. 150 of 1958);
- (vii) the crimes prescribed in Articles 1 through 4 (Compulsion by Taking Hostages; Aggravated Compulsion by Taking Hostages; Murdering Hostages) of the Act on Punishment of Compulsion and Other Related Acts Committed by Those Having Taken Hostages (Act No. 48 of 1978);

- (viii) the crime prescribed in Article 549 (Fraudulent Reorganization) of the Act on Special Measures for the Reorganization Proceedings of Financial Institutions (Act No. 95 of 1996);
 - (ix) the crime prescribed in Article 255 (Fraudulent Rehabilitation) of the Civil Rehabilitation Act (Act No. 225 of 1999);
 - (x) the crime prescribed in Article 266 (Fraudulent Rehabilitation) of the Corporate Reorganization Act (Act No. 154 of 2002);
 - (xi) the crime prescribed in Article 265 (Fraudulent Bankruptcy) of the Bankruptcy Act (Act No. 75 of 2004); or
 - (xii) the crime prescribed in Article 3, paragraph (1) (Acts of Piracy in Compulsion by Hostage-Taking) or Article 4 (Causing Death or Injury through Acts of Piracy in Compulsion by Hostage-Taking) of the Act on Punishment of Acts of Piracy and Measures against Acts of Piracy (Act No. 55 of 2009) in relation to acts of piracy in connection with Article 2, item (iv) of the same Act.
- (3) Notwithstanding the provision of the preceding paragraph, if any of the following items applies, stolen or misappropriated property (if stolen or misappropriated property constitutes part of the property set forth in the items of paragraph (1) of this Article, including that part; hereinafter the same applies in this paragraph) may be confiscated:
- (i) a criminal act constituting any of the crimes set forth in the items of the preceding paragraph is committed, as an activity of an association, through an organization whose purpose is to bring the act to fruition or for the purpose provided in Article 3, paragraph (2), and it is deemed to be difficult, in light of the nature of the crime among other matters, to exercise the right to claim compensation for loss or damage or enforce other claims against the criminal in recovering the damage caused by the criminal act constituting the crime set forth in the items of the preceding paragraph;
 - (ii) facts concerning the acquisition or disposition of the stolen or misappropriated property, or concerning the source of that property, are disguised, or an act of concealing that property is committed; or
 - (iii) the stolen or misappropriated property is knowingly accepted.
- (4) The property set forth in the following items shall be confiscated; provided, however, that if a crime under Article 9, paragraphs (1) through (3) involves proceeds of drug crime or property intermingling that obtained through the possession or disposition of proceeds of drug crime and other kinds of property, and if the confiscation of the entire property set forth in the following items in relation to the crime concerned is not deemed to be appropriate, part of such property may be confiscated:
- (i) shares or interests connected with the status as a shareholder, etc. in relation to the crime prescribed in Article 9, paragraph (1), and obtained by

- using drug-related unlawful proceeds, etc.;
- (ii) claims relating to the crime prescribed in Article 9, paragraph (2) or (3) and obtained by using drug-related unlawful proceeds, etc. (or drug-related unlawful proceeds, etc. themselves if the purpose of such a claim is to reclaim the property that is the drug-related unlawful proceeds, etc. used for obtaining the claim);
 - (iii) property obtained through, or in reward for, a criminal act for which drug-related unlawful proceeds, etc. were used and that falls under Article 9, paragraphs (1) through (3); or
 - (iv) property obtained as the fruit of, or in exchange for, the property referred to in the preceding three items, property obtained in exchange for these types of property so obtained, or any other property obtained through the possession or disposition of the property referred to in the preceding three items.
- (5) Notwithstanding the provision of the preceding paragraph, the confiscation of property that should be confiscated pursuant to the provision of the preceding paragraph may be exempted from confiscation if the confiscation of such property is not found to be reasonable in light of the nature of such property, its use situation, whether persons other than the criminal hold any rights to the property, and other circumstances.

(Confiscation of Property Intermingled with Proceeds of Crime, etc.)

Article 14 If the property set forth in the items of paragraph (1) of the preceding Article and the items of paragraph (4) thereof (hereinafter referred to as "illicit property") is intermingled with other kinds of property, and if the illicit property should be confiscated, a portion equivalent to the amount or quantity of the illicit property may be confiscated from the property generated through the intermingling (hereinafter referred to as "intermingled property" in paragraph (1) of the following Article) (such confiscation shall be limited to the intermingled part of the intermingled property).

(Requirements for Confiscation)

Article 15 (1) Confiscation under Article 13 shall be limited to cases where the illicit property or intermingled property does not belong to any person other than the criminal; provided, however, that if a person other than the criminal knowingly obtains the illicit property or intermingled property after the crime has taken place (except where the person receives the property offered as the performance of an obligation under laws and regulations, or as the performance of an obligation under a contract (limited to contracts under which the obligee is to offer substantial proprietary interests) regarding which the person, at the time of conclusion of the contract, did not know that the

obligation under the contract would be performed with the illicit property or intermingled property), that property may be confiscated even where it belongs to a person other than the criminal.

- (2) If property on which any superficies, mortgage, or other right exists is to be confiscated pursuant to the provisions of Article 13, and if a person other than the criminal has acquired the right before the crime or after the crime without knowledge of the crime, the right shall be kept in existence.

(Collection of a Sum of Equivalent Value)

Article 16 (1) If property falling under any of the items of Article 13, paragraph (1) is not real property, a movable, or a monetary claim, or is otherwise not confiscable, or if the confiscation of such property is not deemed to be appropriate in light of the nature of such property, its use situation, whether persons other than the criminal hold any rights to the property, and other circumstances, a sum of equivalent value to the property may be collected from the criminal; provided, however, that this does not apply where the property is stolen or misappropriated property.

- (2) Notwithstanding the provision of the proviso of the preceding paragraph, if any of the items of Article 13, paragraph (3) applies, a sum of equivalent value to the stolen or misappropriated property may be collected from the criminal.

- (3) If it is not possible to confiscate property that is subject to confiscation pursuant to the provision of Article 13, paragraph (4), or if property is not to be confiscated pursuant to the provision of paragraph (5) of the same Article, a sum of equivalent value to the property shall be collected from the criminal.

(Dual Criminal Liability)

Article 17 If a representative of a corporation, or an agent, employee, or other worker of a corporation or person, commits any of the crimes set forth in Article 9, paragraphs (1) through (3), Article 10, and Article 11 in relation to the corporation's or person's duties, the corporation or person is to be subject to a fine under the applicable Article in addition to punishment imposed upon the person who commits the crime.

Chapter III Special Provisions on Procedures Concerning Confiscation

(Procedures for Confiscation of a Third Party's Property)

Article 18 (1) If a claim (meaning property other than real property or movables; the same applies in Article 19, paragraph (1) and Article 21) which is unlawful property belongs to a person other than the accused (hereinafter referred to as a "third party" in this Article), and if this third party is not allowed to intervene in the proceedings of the case under public prosecution, a judicial

decision for confiscation may not be made.

- (2) The preceding paragraph shall apply where property on which a third party's superficies, mortgage, or other right exists is to be confiscated pursuant to the provisions of Article 13, and if this third party is not allowed to intervene in the proceedings of the relevant case under public prosecution.
- (3) If property on which a third party's superficies, mortgage, or other right exists is to be confiscated, and if this right is to be kept in existence pursuant to the provisions of Article 15, paragraph (2), the court shall pronounce to that effect simultaneously with the rendering of confiscation.
- (4) If a judicial decision for confiscation without the pronouncement referred to in the preceding paragraph becomes final and binding with regard to a right that is to be kept in existence pursuant to the provision of Article 15, paragraph (2), the person who holds the right and was unable to claim the right in the proceedings of the relevant case under public prosecution due to a reason unattributable to the person may demand a judicial decision to the effect that the right should be kept in existence in the given case.
- (5) If the judicial decision referred to in the preceding paragraph is made, compensation shall be made in accordance with the compensation for confiscated property that has been disposed of as provided in the Criminal Compensation Act (Act No. 1 of 1950).
- (6) Beyond what is specifically provided in this Act, the provisions of the Act on Emergency Measures in Criminal Procedure to Confiscate Items Owned by Third Parties (Act No. 138 of 1963) apply *mutatis mutandis* to the procedures for confiscation of property provided in paragraphs (1) and (2) of this Article.

(Procedures for Confiscation of Stolen or Misappropriated Property)

- Article 18-2 (1) When confiscating stolen or misappropriated property pursuant to the provision of Article 13, paragraph (3) or collecting a sum of equivalent value to stolen or misappropriated property pursuant to the provision of Article 16, paragraph (2), the court shall, at the same time as rendering such confiscation or collection, pronounce that the property subject to confiscation is stolen or misappropriated property, or that the sum of equivalent value subject to collection is a sum of equivalent value to the stolen or misappropriated property concerned.
- (2) Stolen or misappropriated property confiscated pursuant to the provision of Article 13, paragraph (3) or a sum of money collected as a sum of equivalent value to stolen or misappropriated property pursuant to the provision of Article 16, paragraph (2) shall be appropriated for the provision of remission payments as provided by the Act on Issuance of Remission Payments Using Stolen and Misappropriated Property (Act No. 87 of 2006).

(Disposition of Confiscated Claims)

Article 19 (1) Confiscated claims must be disposed of by the public prosecutor.

(2) If a judicial decision for confiscation of a claim becomes final and binding, the public prosecutor shall notify the obligor of the claim to that effect by sending an extract of the written judgment of the judicial decision for confiscation.

(Registration Based on a Judicial Decision for Confiscation)

Article 20 In the case of commissioning a relevant organization to conduct the registration of transfer of a right based on a judicial decision for confiscation of property for which the transfer of a right requires registration (hereinafter referred to as "registration"), if there is a registered restriction on disposition that has ceased to be effective as a result of the confiscation, or a registration made pertaining to the acquisition of a right that has been extinguished as a result of the confiscation, or if there is a registration made pertaining to a preservation order for confiscation or collateral preservation order under Section 1 of the following Chapter hereof with regard to the confiscation concerned, the relevant organization is also to be commissioned to delete such registration.

(Special Provisions on Criminal Compensation)

Article 21 With regard to the details of compensation under the Criminal Compensation Act for the execution of confiscation of a claim, etc., the provision of Article 4, paragraph (6) of the same Act shall apply mutatis mutandis.

Chapter IV Procedures for Preservation
Section 1 Preservation for Confiscation

(Preservation Order For Confiscation)

Article 22 (1) In a case under public prosecution with regard to the crime set forth in Article 2, paragraph (2), item (i), (a) or (b), or item (ii), (d) of that paragraph, or the crime under Article 10, paragraph (3) or Article 11, if the court finds that there are sufficiently adequate grounds to consider specific property as confiscable pursuant to this Act or other laws and regulations (hereinafter referred to as "property subject to confiscation"), and that it is necessary for the confiscation of that property, the court may, at the request of the public prosecutor or by its authority, issue a preservation order for confiscation to prohibit the disposition of the property subject to confiscation pursuant to the provisions of this Section.

(2) In the case where the court issues or intends to issue a preservation order for confiscation with regard to property on which there exists a superficies,

mortgage, or other right, and if the court finds that there are sufficiently adequate grounds to consider that such right will be extinguished through confiscation, and finds that it is necessary for the confiscation of such property, or if the court finds that there are sufficiently adequate grounds to consider that such right is fictitious, the court may, at the request of the public prosecutor or by its own authority, issue a collateral preservation order separately to prohibit the disposition of the right.

- (3) A preservation order for confiscation or collateral preservation order shall contain the name of the accused, the crime, a summary of the charged facts, the clauses of laws and regulations which form the basis of confiscation, a description of the property and/or rights whose disposition is to be prohibited, the names of persons holding the property or rights (if there are separate registered holders, including such registered holders), the date of order issuance, and other matters provided in the Supreme Court Rules, and the presiding judge or authorized judge shall affix his/her name and seal to it.
- (4) In urgent cases, the presiding judge may make the disposition set forth in paragraph (1) or (2) of this Article or have a member of the panel do this.
- (5) Dispositions concerning preservation for confiscation (meaning the prohibition of disposition of property, etc. by issuing a preservation order for confiscation; the same applies hereinafter) are made by a judge up until the first trial date. In such case, the judge has the same authority as the court or presiding judge in relation to such dispositions.
- (6) The preservation of real property or movables for confiscation shall not preclude their seizure pursuant to the provisions of the Code of Criminal Procedure.

(Preservation Order for Confiscation before Prosecution)

- Article 23 (1) If a judge finds that there are the grounds and necessity provided in paragraph (1) or (2) of the preceding Article, the judge may, even before the institution of prosecution, make the disposition provided in paragraph (1) or (2) of the same Article at the request of the public prosecutor or judicial police personnel (with regard to judicial police personnel who are police officers, limited to those who are police inspectors or higher in rank and designated by the National Public Safety Commission or prefectural public safety commissions; the same applies in the following paragraph).
- (2) Upon the issuance of a preservation order for confiscation or collateral preservation order at the request of judicial police personnel, the judicial police personnel shall promptly send relevant documents to the public prosecutor.
 - (3) Preservation for confiscation under paragraph (1) of this Article ceases to be effective if prosecution is not instituted within 30 days of the day of issuance of the preservation order for confiscation with regard to the case for which the

preservation has been implemented; provided however, that this does not apply where prosecution is instituted with regard to any accomplice and, in connection with that accomplice, the grounds referred to in paragraph (1) of the preceding Article are present in relation to the relevant property.

- (4) When a judge finds that there is a compelling reason, the judge may, at the request of the public prosecutor, renew the period referred to in the preceding paragraph every 30 days. In such case, a judicial decision for renewal becomes effective when the public prosecutor is informed of it.
- (5) A request under paragraph (1) or the preceding paragraph of this Article must be made to a judge at the district court exercising jurisdiction over the area of the public agency to which the person making such request belongs.
- (6) A judge who has received a request under paragraph (1) or (4) of this Article has the same authority as the court or presiding judge in relation to preservation for confiscation.
- (7) When the effectiveness of preservation for confiscation under paragraph (1) of this Article is set to continue with prosecution instituted, the public prosecutor shall notify the recipient of the relevant preservation order for confiscation (except the accused) to that effect. In such case, if it is not possible to notify the recipient since the whereabouts of the recipient is unknown or due to other reasons, the public prosecutor shall give public notice to that effect by posting a notice at the posting area of the public prosecutors office for seven days, in lieu of directly notifying the recipient.

(Execution of a Judicial Decision concerning Preservation for Confiscation)

Article 24 (1) When the execution of a judicial decision concerning preservation for confiscation is necessary, the decision shall be executed under the direction of the public prosecutor.

- (2) A preservation order for confiscation may be executed even before the person holding the property whose disposition is to be prohibited by the order is served with a transcript of the order.

(Effect of Preservation for Confiscation)

Article 25 The disposition of property under preservation for confiscation (hereinafter referred to as "property preserved for confiscation") after preservation has been implemented does not become effective against confiscation: provided, however, that this does not apply to any disposition based on the procedure provided in Article 37, paragraph (1), which is applicable in the case where a judicial decision for confiscation cannot be made pursuant to the provision of the same paragraph (including procedures to which the provision of Article 37, paragraph (1) applies *mutatis mutandis* pursuant to the provision of Article 40, paragraph (3)), or based on auction

procedures for the exercise of a security right enforceable against the property preserved for confiscation.

(Payment of Substitute Money)

Article 26 (1) When finding it appropriate, the court may, at the request of the person holding property preserved for confiscation and by its ruling, determine a monetary amount equivalent to the value of the property (hereinafter referred to as "substitute money") and allow payment of this amount as a substitute for the property.

(2) In making a ruling concerning a request under the preceding paragraph, the court shall hear the opinion of the public prosecutor.

(3) An immediate appeal may be filed against a ruling under paragraph (1) of this Article.

(4) When substitute money is paid, preservation for confiscation shall be deemed to be implemented on the substitute money.

(Preservation of Real Property for Confiscation)

Article 27 (1) The preservation of real property for confiscation (meaning the real property prescribed in Article 43, paragraph (1) of the Civil Execution Act (Act No. 4 of 1979) and matters deemed as real property pursuant to the provision of paragraph (2) of the same Article; hereinafter the same applies in this Article (except in the main clause of paragraph (7)), the following Article, Article 29, paragraph (1), and Article 35, paragraph (1)) shall be executed by issuing a preservation order for confiscation to prohibit the disposition of such real property.

(2) A transcript of the preservation order for confiscation referred to in the preceding paragraph and a transcript of the written judgment of a judicial decision for renewal under Article 23, paragraph (4) (hereinafter referred to as a "judicial decision transcript on renewal") must be served to the owner of the relevant real property (or the right holder in the case of any right that is deemed to be real property pursuant to the provision of Article 43, paragraph (2) of the Civil Execution Act; and if there are separate registered holders of those real property or rights, including such registered holders).

(3) A preservation order for confiscation with regard to real property shall be executed by registering preservation for confiscation.

(4) A public prosecutor's assistant officer shall be commissioned to carry out the registration referred to in the preceding paragraph. In such case, the commissioned registration shall be carried out in accordance with documents through which the public prosecutor commands the execution of the preservation order for confiscation.

(5) The preservation of real property for confiscation becomes effective at the

completion of registration of the preservation for confiscation.

- (6) When the preservation of real property for confiscation becomes effective, the public prosecutor shall take measures to give public notice to that effect by posting a written public notice at the location of the real property or by other reasonable means.
- (7) In the case where the registration of preservation for confiscation is carried out after a provisional disposition prohibiting the disposal of property has been registered to preserve a right to claim the registration of real property, and if the obligee connected with the provisional disposition registers the right to claim registration to be preserved, restrictions on disposition associated with the registration of preservation for confiscation shall be deemed not to be in conflict with the acquisition or extinction of the right pertaining to the registration of the provisional disposition; provided, however, that this does not apply where the registration of preservation for confiscation is carried out with the person registered as the holder of the real property being unable to assert his/her acquisition of that right against the obligee.
- (8) The provisions of Article 46, paragraph (2) and Article 48, paragraph (2) of the Civil Execution Act shall apply mutatis mutandis to the preservation of real property for confiscation. In such case, the term "obligor" in Article 46, paragraph (2) of the same Act shall be replaced with "person holding property preserved for confiscation"; the term "preceding paragraph" in Article 48, paragraph (2) of the same Act with "Article 27, paragraph (4) of the Act on Punishment of Organized Crimes and Control of Proceeds of Crime"; and the term "execution court" with "public prosecutor at the public prosecutors office to which the public prosecutor's assistant officer commissioned to carry out registration belongs."

(Preservation of Vessels for Confiscation)

Article 28 Preservation for confiscation with regard to vessels subject to registration, aeroplanes and rotorcraft that are registered pursuant to the provisions of the Civil Aeronautics Act (Act No. 231 of 1952) (simply referred to as an "aeroplane" in Article 35, paragraph (1) hereof), vehicles that are registered pursuant to the provisions of the Road Transport Vehicle Act (Act No. 185 of 1951) (simply referred to as a "vehicle" in the same paragraph), construction machinery that is registered pursuant to the provisions of the Construction Machinery Hypothecation Act (Act No. 97 of 1954) (simply referred to as "construction machinery" in the same paragraph), or small-sized vessels that are registered pursuant to the provisions of the Act on Registration, etc. of Small-Sized Vessels (Act No. 102 of 2001) (simply referred to as a "small-sized vessel" in the same paragraph) is governed by the same rules as the preservation of real property for confiscation.

(Preservation of Movables for Confiscation)

- Article 29 (1) The preservation of movables (meaning objects other than real property or those objects prescribed in the preceding Article; hereinafter the same applies in this Article) for confiscation shall be executed by issuing a preservation order for confiscation to prohibit the disposition of such movables.
- (2) A transcript of the preservation order for confiscation referred to in the preceding paragraph and a judicial decision transcript on renewal must be served to the owner of each movable (if there is a separate registered holder, including such registered holder).
- (3) The preservation of a movable for confiscation becomes effective when a transcript of the preservation order for confiscation is served to its owner.
- (4) When preservation for confiscation becomes effective with regard to movables that have not been seized under the Code of Criminal Procedure or movables for which a guard is assigned or that are stored by the owner or other persons pursuant to the provision of Article 121, paragraph (1) of the same Code, the public prosecutor shall take measures to give public notice to that effect by attaching a written public notice or by other reasonable means.

(Preservation of Claims for Confiscation)

- Article 30 (1) The preservation of a claim for confiscation shall be executed by issuing a preservation order for confiscation to prohibit the obligee (if there is any separate registered holder of such claim, including such registered holder; hereinafter the same applies in this Article) from collecting the claim or disposing of it in other manners and the obligor from making payments to the obligee.
- (2) A transcript of the preservation order for confiscation referred to in the preceding paragraph and a judicial decision transcript on renewal must be served to the obligee and obligor.
- (3) The preservation of a claim for confiscation becomes effective when a transcript of the preservation order for confiscation is served to the obligor.
- (4) The provisions of Article 150, Article 156, paragraphs (1) and (3), and Article 164, paragraph (5) of the Civil Execution Act shall apply mutatis mutandis to the preservation of claims for confiscation. In such case, the term "seized/seizure" in Article 150 and Article 156, paragraph (1) of the same Act shall be replaced with "confiscated/confiscation"; the term "an order of seizure" in Article 150 of the same Act with "preservation for confiscation"; the term "court clerk shall, upon petition" in the same Article with "public prosecutor's assistant officer shall, in accordance with documents through which the public prosecutor commands the execution of a preservation order for confiscation"; the term "A third party obligor" in Article 156, paragraphs (1) and (3) of the

same Act with "An obligor"; the term "execution court" in paragraph (3) of the same Article with "court that has issued the relevant preservation order for confiscation"; and the terms "seized claim," "a payment or a statutory deposit," "court clerk shall, upon petition," and "when the petition for execution against a claim has been withdrawn or when an order to revoke an order of seizure has become final and binding" in Article 164, paragraph (5) of the same Act with "claim preserved for confiscation," "a deposit," "public prosecutor's assistant officer shall, in accordance with documents through which the public prosecutor commands this officer to undertake a commission to delete registrations," and "when the preservation for confiscation has ceased to be effective or when substitute money has been paid," respectively.

(Preservation of Any Other Property Rights for Confiscation)

- Article 31 (1) The preservation for confiscation with regard to a property right other than the property provided in Article 27 through the preceding Article (hereinafter referred to as "any other property right" in this Article) is governed by the same rules as the preservation of claims for confiscation unless otherwise specifically provided in this Article.
- (2) The preservation for confiscation with regard to any other property right for which there is no obligor or other person equivalent thereto (except for the right provided in the following paragraph) becomes effective when a transcript of the preservation order for confiscation is served to the right holder.
- (3) The provisions of Article 27, paragraphs (3) through (5) and (7) hereof, and the provision of Article 48, paragraph (2) of the Civil Execution Act, shall apply mutatis mutandis to any other property right whose transfer requires registration. In such case, the term "preceding paragraph" in the same paragraph shall be replaced with "Article 27, paragraph (4) of the Act on Punishment of Organized Crimes and Control of Proceeds of Crime, which are applied mutatis mutandis to Article 31, paragraph (3) of the same Act"; and the term "execution court" with "public prosecutor at the public prosecutors office to which the public prosecutor's assistant officer commissioned to carry out registration belongs."

(Revocation of a Preservation Order for Confiscation)

- Article 32 (1) When there is no longer any grounds or necessity for preservation for confiscation, or the period of preservation for confiscation has been unduly long, the court shall, at the request of the public prosecutor or the person holding the relevant property preserved for confiscation (if this person is the accused, including the defense counsel of this person) or by its authority, and by its ruling, revoke the preservation order for confiscation.
- (2) In making a ruling under the preceding paragraph, the court shall hear the

opinion of the public prosecutor, except when making such ruling is at the request of the public prosecutor.

(Lapse of a Preservation Order for Confiscation)

Article 33 (1) Upon the announcement of a judicial decision of acquittal, dismissal by a bar to prosecution, or dismissal of prosecution (except in cases under Article 338, item (iv) and Article 339, paragraph (1), item (i) of the Code of Criminal Procedure), or upon the announcement of a judicial decision of conviction without confiscation rendered, the preservation order for confiscation ceases to be effective.

(2) The provisions of Article 23, paragraphs (3) and (4) shall apply mutatis mutandis to the effect of preservation for confiscation in the case of a judicial decision of dismissal of prosecution under Article 338, item (iv) or Article 339, paragraph (1), item (i) of the Code of Criminal Procedure. In such case, the term "the day of issuance of the preservation order for confiscation" in paragraph (3) of the same Article shall be replaced with "the day on which a judicial decision of dismissal of prosecution has become final and binding."

(Measures in the Case of Lapse)

Article 34 When preservation for confiscation ceases to be effective or substitute money is paid, the public prosecutor shall promptly commission a public prosecutor's assistant officer to delete the registered preservation for confiscation, etc., and shall remove relevant written public notices and take other necessary measures. In such case, the commissioned deletion of the registered preservation for confiscation, etc. shall be carried out in accordance with documents through which the public prosecutor commands the execution of the commission.

(Restriction on Compulsory Execution Procedures for Property Preserved for Confiscation)

Article 35 (1) After preservation for confiscation has been implemented, if a commencement order for compulsory auction is made for any real property, vessel (meaning vessels as provided in Article 112 of the Civil Execution Act), aeroplane, vehicle, construction machinery, or small-sized vessel under preservation, or if a seizure through compulsory execution is executed with regard to any movable (meaning movables as provided in Article 122, paragraph (1) of the same Act; the same applies in Article 42, paragraph (2) hereof) under preservation, the procedure of sale through compulsory execution may not be implemented until after the preservation for confiscation has ceased to be effective or substitute money has been paid.

(2) If an order or disposition of seizure through compulsory execution is made for

a claim (meaning claims as provided in Article 143 of the Civil Execution Act; the same applies hereinafter) that has been preserved for confiscation, the obligee who is enforcing the seizure may not recover, or make a demand under Article 163, paragraph (1) of the same Act for, the claim subject to the seizure insofar as its portion under preservation for confiscation is concerned, until after the preservation for confiscation has ceased to be effective or substitute money has been paid.

- (3) The provision of paragraph (1) of this Article shall apply *mutatis mutandis* to a claim for which an order or disposition of seizure through compulsory execution is made after its preservation for confiscation has been implemented, and also that is subject to a condition or with a due date or when it is difficult to recover such claim since it relates to counter-performance or due to other grounds.
- (4) Compulsory execution against any other property right (meaning any other property right as provided in Article 167, paragraph (1) of the Civil Execution Act) that is preserved for confiscation is governed by the same rules as compulsory execution against claims that are preserved for confiscation.

(Deposit Made by a Third Party Obligor)

Article 36 (1) If the obligor of a monetary claim (hereinafter referred to as a "third party obligor") is served with an order or disposition of seizure through compulsory execution with regard to that claim that has been preserved for confiscation, the obligor may deposit an amount of money equivalent to the full amount of the claim with the official depository having jurisdiction over the place of performance of the obligation concerned.

- (2) Upon making a deposit under the preceding paragraph, the third party obligor shall notify the court that has issued the relevant preservation order for confiscation about the circumstances of such deposit.
- (3) If a deposit is made under paragraph (1) of this Article, the execution court that has issued the order of seizure, or the court clerk that has made the disposition of seizure, shall distribute, or deliver as payment money, a portion of the deposited amount equivalent to the amount of the monetary claim preserved for confiscation when the preservation for confiscation ceases to be effective or substitute money is paid, and the remaining amount of the deposit when the deposit is made.
- (4) The provisions of paragraphs (1) and (2) of this Article shall apply *mutatis mutandis* to deposits at official depositories made by third party obligors in the case where the relevant monetary claims seized through compulsory execution are preserved for confiscation. In such case, the term "court that has issued the relevant preservation order for confiscation" in paragraph (2) shall be replaced with "execution court (if a disposition of seizure has been made, the court clerk

that has made that disposition)."

- (5) In the application of Article 165 of the Civil Execution Act (including as applied apply mutatis mutandis (excluding items (iii) and (iv) thereof) pursuant to Article 167-14, paragraph (1) of the same Act; hereinafter the same applies in this paragraph) when a deposit is made under paragraph (1) of this Article (including as applied mutatis mutandis pursuant to the preceding paragraph), the term "Article 156, paragraph (1) or (2)" in Article 165, item (i) of the aforementioned Act shall be replaced with "Article 36, paragraph (1) of the Act on Punishment of Organized Crimes and Control of Proceeds of Crime (including as applied mutatis mutandis pursuant to paragraph (4) of the same Article."

(Restriction on Confiscation of Property in Connection with Compulsory Execution)

- Article 37 (1) A judicial decision for confiscation of property may not be made if a commencement order for compulsory auction has been made for the property, or the property has been seized through compulsory execution, before its preservation for confiscation; provided, however, that this does not apply where the claim of the obligee effecting the seizure is fictitious, the obligee effecting the seizure made an application for compulsory execution with knowledge that the property was property subject to confiscation, or the obligee effecting the seizure is the criminal.
- (2) With regard to a superficies or other right that exists on property subject to confiscation and whose disposition has been prohibited by a collateral preservation order, if that property is to be confiscated in the case where a commencement order for compulsory auction has been made for the property, or the property has been seized through compulsory execution, prior to the prohibition of disposition of the right, the right shall be kept in existence, and a pronouncement to that effect must be made at the same time as the rendering of confiscation; provided, however, that this does not apply where the claim of the obligee effecting the seizure is fictitious, the obligee effecting the seizure made an application for compulsory execution with knowledge that the right was to be extinguished due to confiscation, or the obligee effecting the seizure is the criminal.
- (3) In the case where a preservation order for confiscation is made with regard to property for which a commencement order for compulsory auction has been made or that has been seized through compulsory execution, a judicial decision for confiscation may not be made in relation to such property if the obligee effecting the seizure (other than the accused if the accused is such obligee) is not allowed to intervene in the proceedings of the relevant case under public prosecution. The same shall apply with respect to the confiscation of property

in the case prescribed in the preceding paragraph.

- (4) The provisions of Article 18, paragraphs (4) and (5) shall apply mutatis mutandis where a judicial decision for confiscation has become final and binding without the pronouncement referred to in paragraph (2) of this Article in relation to any right to be kept in existence pursuant to the provision of the same paragraph; and the provision of Article 18, paragraph (6) shall apply mutatis mutandis to the procedure for confiscation referred to in the preceding paragraph.

(Stay of Compulsory Execution)

Article 38 (1) When the court finds that there are sufficiently adequate grounds to consider that any of the reasons referred to in the proviso of paragraph (1) of the preceding Article exists in the case where the court issues or intends to issue a preservation order for confiscation with regard to the property for which a commencement order for compulsory auction has been made or that has been seized through compulsory execution, the court may, at the request of the public prosecutor or by its authority, and by its ruling, order a stay of compulsory execution.

(2) When the public prosecutor submits a transcript of the written judgment concerning the ruling referred to in the preceding paragraph to the execution court (if a disposition of seizure has been made, the court clerk that has made that disposition; hereinafter the same applies in this paragraph), the execution court shall stay the relevant compulsory execution. In such case, the document referred to in Article 39, paragraph (1), item (vii) of the Civil Execution Act shall be deemed to be submitted in relation to the application of the provisions of the same Act.

(3) If preservation for confiscation ceases to be effective, substitute money is paid, the grounds referred to in paragraph (1) of this Article no longer exist, or the period of stay of compulsory execution has become unduly long, the court shall, at the request of the public prosecutor or the obligee effecting the relevant seizure or by its authority, and by its ruling, revoke the order of stay referred to in the same paragraph. In such case, the provision of Article 32, paragraph (2) shall apply mutatis mutandis.

(Adjustment to Auction Procedures for the Exercise of a Security Right)

Article 39 (1) A security right that exists on property preserved for confiscation, and that came into existence after the preservation of the property had been implemented or whose disposition has been prohibited by a collateral preservation order may be exercised (except for seizure) only after the preservation for confiscation or the prohibition of disposition by the order has ceased to be effective or substitute money has been paid.

(2) If a collateral preservation order is made in relation to a security right after the commencement of auction procedures for the exercise of the right, and the public prosecutor thereafter submits a transcript of the order, the execution court shall stay those procedures. In such case, the document referred to in Article 183, paragraph (1), item (vii) of the Civil Execution Act (including as applied mutatis mutandis pursuant to Article 189, Article 192, or Article 193, paragraph (2) of the same Act) shall be deemed to be submitted in relation to the application of the provisions of the same Act.

(Adjustment to Other Procedures)

Article 40 (1) The provisions of Article 35 shall apply mutatis mutandis to restrictions on relevant procedures in the case where property under preservation for confiscation is seized on the basis of a disposition of delinquency (meaning the disposition of delinquency under the National Tax Collection Act (Act No. 147 of 1959) and other dispositions of delinquency made with reference to the same Act; the same applies hereinafter), or in the case where the person holding property under preservation for confiscation becomes subject to an order of commencement of bankruptcy proceedings, an order of commencement of rehabilitation proceedings, or a prohibition order under Article 28, paragraph (1) of the Act on Recognition of and Assistance for Foreign Insolvency Proceedings (Act No. 129 of 2000) in connection with recognition and assistance proceedings (referred to as an "order of commencement of bankruptcy proceedings, etc." in paragraph (3) of this Article), or where a company or other corporation that holds property under preservation for confiscation becomes subject to an order of commencement of reorganization proceedings or an order of commencement of special liquidation (referred to as an "order of commencement of reorganization proceedings, etc." in the aforementioned paragraph).

(2) The provisions of Article 36 shall apply mutatis mutandis to third party obligors' deposits in the case where the monetary claim under preservation for confiscation is seized on the basis of a disposition of delinquency or where the monetary claim seized on the basis of a disposition of delinquency is placed under preservation for confiscation; and the provisions of paragraphs (1), (2), and (4) of the same Article shall apply mutatis mutandis to third party obligors' deposits in the case where provisional seizure is executed in relation to the monetary claim under preservation for confiscation or where the monetary claim for which provisional seizure has been executed is placed under preservation for confiscation.

(3) The provisions of Article 37 shall apply mutatis mutandis to restrictions on confiscation of property in the case where provisional seizure has been executed in relation to the property before it is preserved for confiscation, or in

the case where the disposition of any superficies or other right that exists on the property subject to confiscation is prohibited by a collateral preservation order, and the provisional seizure of the property has been executed prior to the prohibition of disposition of the right; the provision of the main clause of paragraph (1) of the same Article shall apply mutatis mutandis to restrictions on confiscation of property in the case where the property has been seized on the basis of a disposition of delinquency before the property is preserved for confiscation, or in the case where an order of commencement of bankruptcy proceedings, etc. has been made against the person holding the property before it is preserved for confiscation, or where an order of commencement of reorganization proceedings, etc. has been made against the company or other corporation holding the property before it is preserved for confiscation; and the provision of the main clause of paragraph (2) of the same Article shall apply mutatis mutandis to restrictions on confiscation of property in the case where the disposition of any superficies or other right that exists on the property subject to confiscation is prohibited by a collateral preservation order, and the property has been seized on the basis of a disposition of delinquency prior to the prohibition of disposition of the right, or in the case where the disposition of any superficies or other right that exists on the property subject to confiscation is prohibited by a collateral preservation order, and an order of commencement of bankruptcy proceedings, etc. has been made against the person holding that property prior to the prohibition of disposition of the right, or where the disposition of any superficies or other right that exists on the property subject to confiscation is prohibited by a collateral preservation order, and an order of commencement of reorganization proceedings, etc. has been made against the company or other corporation holding that property prior to the prohibition of disposition of the right.

- (4) The provisions of Article 38 shall apply mutatis mutandis to the stay of compulsory execution in the case where a preservation order for confiscation is issued or intended to be issued in relation to the property for which provisional seizure has been executed.

(Effect of a Collateral Preservation Order)

- Article 41 (1) A collateral preservation order remains effective during the period in which preservation for confiscation associated with the order is effective, unless substitute money is paid.
- (2) Provisions concerning preservation for confiscation shall apply mutatis mutandis to the prohibition of disposition imposed by a collateral preservation order, except as otherwise provided.

Section 2 Preservation for Collection of a Sum of Equivalent Value

(Preservation Order for Collection of a Sum of Equivalent Value)

- Article 42 (1) In a case under public prosecution with regard to the crime set forth in Article 2, paragraph (2), item (i), (a) or (b), or item (ii), (d) of that paragraph, or the crime under Article 10, paragraph (3) or Article 11, when the court finds that there are sufficiently adequate grounds to consider that a sum of equivalent value to illicit property should be collected pursuant to this Act or other laws and regulations, and that there is a likelihood that it will be impossible or extremely difficult to execute a judicial decision for collection of a sum of equivalent value, the court may, at the request of the public prosecutor or by its authority, issue a preservation order for collection of a sum of equivalent value to prohibit the accused from disposing of the property.
- (2) For a preservation order for collection of a sum of equivalent value, an amount of money deemed to be appropriate for preservation in ensuring the execution of a judicial decision for collection of a sum of equivalent value shall be determined (referred to as a "preservation amount for collection" in paragraph (4) of this Article), and such order must be made for specific property; provided, however, that with regard to movables, such order may be made without specifying a particular target movable.
- (3) With regard to a preservation order for collection of a sum of equivalent value in connection with property whose disposition is to be prohibited, an amount of money that the accused needs to pay in order to be granted a stay of execution of the order or to have dispositions made for the execution of the order revoked shall be determined (hereinafter referred to as "money for release from preservation for collection").
- (4) A preservation order for collection of a sum of equivalent value shall contain the name of the accused, the crime, a summary of the charged facts, the clauses of laws and regulations which form the basis of collection of a sum of equivalent value, the preservation amount for collection, a description of the property whose disposition is to be prohibited, the amount of money for release from preservation for collection, the date of order issuance, and other matters provided in the Supreme Court Rules, and the presiding judge or authorized judge shall affix his/her name and seal to it.
- (5) The provisions of Article 22, paragraphs (4) and (5) shall apply mutatis mutandis to preservation for collection of a sum of equivalent value (meaning the prohibition of disposition by a preservation order for collection of a sum of equivalent value; the same applies hereinafter).

(Preservation Order for Collection of a Sum of Equivalent Value before Prosecution)

- Article 43 (1) When a judge finds that there are sufficiently adequate grounds to

consider that the collection of a sum of equivalent value should be conducted pursuant to the provision of Article 16, paragraph (3), and finds that it is necessary as provided in paragraph (1) of the preceding Article, the judge may, at the request of the public prosecutor, make the disposition prescribed in the same paragraph even before the institution of prosecution.

- (2) The provision of the main clause of paragraph (3) of Article 23 and the provisions of paragraphs (4) through (6) thereof shall apply mutatis mutandis to preservation for collection of a sum of equivalent value under the preceding paragraph.

(Execution of a Preservation Order for Collection of a Sum of Equivalent Value)

Article 44 (1) A preservation order for collection of a sum of equivalent value shall be executed by order of the public prosecutor. This preservation order has the same effect as an order of provisional seizure under the Civil Provisional Remedies Act (Act No. 91 of 1989).

- (2) A preservation order for collection of a sum of equivalent value may be executed even before a transcript of the order is served to the accused or suspect.
- (3) Beyond what is specifically provided for in this Act, a preservation order for collection of a sum of equivalent value shall be executed pursuant to the Civil Provisional Remedies Act and other laws and regulations concerning procedures for the execution of provisional seizure. In such case, the execution of provisional seizure, which is, pursuant to those laws and regulations, under the jurisdiction of the court that has issued the order of provisional seizure as the court executing the provisional remedy, shall be under the jurisdiction of the court corresponding to the public prosecutors office to which the public prosecutor that issued the order under paragraph (1) of this Article belongs.

(Deposit Made by the Obligor of a Monetary Claim)

Article 45 (1) If the obligor of a monetary claim, for which provisional seizure based on a preservation order for collection of a sum of equivalent value has been executed, deposits an amount equivalent to the amount of the claim with an official depository, the provisional seizure shall be deemed to be executed in relation to the obligee's right to claim a refund of the deposit money.

- (2) The provision of the preceding paragraph shall not apply to any portion of deposit money in excess of the amount of money for release from preservation for collection.

(Execution of Judicial Decisions on Payment and Collection of Money for Release from Preservation for Collection)

Article 46 (1) If a judicial decision for collection of a sum of equivalent value

becomes final and binding, or a judicial decision for provisional payment is rendered, after the money for release from preservation for collection has been paid, the judicial decision for collection or provisional payment shall be deemed to be executed to the extent of the amount paid.

- (2) If the collection of a sum of equivalent value is rendered and the paid amount of money for release from preservation for collection exceeds the amount due for collection, the amount in excess must be refunded to the accused.

(Revocation of a Preservation Order for Collection of a Sum of Equivalent Value)

Article 47 When there is no longer any grounds or necessity for preservation for collection of a sum of equivalent value, or the period of preservation for collection of a sum of equivalent value has become unduly long, the court shall, at the request of the public prosecutor, the accused, or the defense counsel of the accused or by its authority, and by its ruling, revoke the preservation order for collection of a sum of equivalent value. In such case, the provision of Article 32, paragraph (2) shall apply *mutatis mutandis*.

(Lapse of a Preservation Order for Collection of a Sum of Equivalent Value)

Article 48 (1) Upon the announcement of a judicial decision of acquittal, dismissal by a bar to prosecution, or dismissal of prosecution (except in cases under Article 338, item (iv) and Article 339, paragraph (1), item (i) of the Code of Criminal Procedure), or upon the announcement of a judicial decision of conviction without the collection of a sum of equivalent value rendered, the preservation order for collection of a sum of equivalent value ceases to be effective.

- (2) The provisions of Article 33, paragraph (2) hereof shall apply *mutatis mutandis* to the effect of a preservation order for collection of a sum of equivalent value in the case of a judicial decision of dismissal of prosecution under Article 338, item (iv) or Article 339, paragraph (1), item (i) of the Code of Criminal Procedure.

(Measures in the Case of Lapse)

Article 49 When a preservation order for collection of a sum of equivalent value ceases to be effective or the money for release from preservation for collection is paid, the public prosecutor shall promptly revoke the order made pursuant to the provision of Article 44, paragraph (1) and take necessary measures to stay the execution of provisional seizure based on the order or revoke already executed provisional seizure.

Section 3 Miscellaneous Provisions

(Service)

Article 50 Except as otherwise specifically provided for by the Supreme Court Rules, the provisions of laws and regulations concerning civil procedure shall apply mutatis mutandis to the service of documents concerning preservation for confiscation or for collection of a sum of equivalent value (except for the execution of provisional seizure based on a preservation order for collection of a sum of equivalent value; hereinafter the same applies in this Section). In such case, the period after which service by publication other than such service prescribed in Article 110, paragraph (3) of the Code of Civil Procedure (Act No. 109 of 1996) becomes effective shall be seven days notwithstanding the provision of the main clause of Article 112, paragraph (1) and the provision of paragraph (2) of the same Code.

(Disposition during the Period for Filing an Appeal)

Article 51 With respect to a case where the time limit for filing an appeal has not yet expired and an appeal has not yet been filed, or a case for which an appeal has been filed but the case record has not yet arrived at the appellate court, if a disposition pertaining to preservation for confiscation or for collection of a sum of equivalent value is to be made, the court of prior instance shall make such disposition.

(Appeal)

Article 52 (1) An appeal may be filed against a ruling made by a court in relation to preservation for confiscation or for collection of a sum of equivalent value; provided, however, that the lack of sufficiently adequate grounds to consider that confiscation or collection of a sum of equivalent value should be effected (including the lack of the grounds prescribed in Article 22, paragraph (2) in relation to rulings thereunder, and the lack of the grounds prescribed in Article 38, paragraph (1) in relation to rulings thereunder (including as applied mutatis mutandis pursuant to Article 41, paragraph (2)) may not constitute grounds for such appeal.

(2) A person who is dissatisfied with a judicial decision rendered by a judge in relation to preservation for confiscation or for collection of a sum of equivalent value may file a request for revocation or modification of the judicial decision with the court to which the judge concerned belongs (for a judicial decision rendered by a judge at a summary court, the district court with jurisdiction over the location of the summary court). In such case, the provision of the proviso of the preceding paragraph shall apply mutatis mutandis.

(3) The appealing procedure under the preceding paragraph shall be governed by the same rules as the procedure for filing a request for revocation or

modification of a judicial decision rendered by a judge as provided in Article 429, paragraph (1) of the Code of Criminal Procedure.

(Application Mutatis Mutandis)

Article 53 Beyond what is specifically provided for in this Act, the provisions of the Code of Criminal Procedure shall apply mutatis mutandis to procedures pertaining to preservation for confiscation and for collection of a sum of equivalent value.

Chapter V Deleted

Article 54 Deleted

Article 55 Deleted

Article 56 Deleted

Article 57 Deleted

Article 58 Deleted

Chapter VI International Assistance in the Execution of a Judicial Decision for Confiscation or a Collection of a Sum of Equivalent Value and in Preservation

(Execution of Assistance)

Article 59 (1) When there is a request from a foreign state for legal assistance in relation to a foreign criminal case (excluding cases involving acts that constitute drug crimes, etc. prescribed in Article 16, paragraph (2) of the Anti-Drug Special Provisions Act) concerning the execution of a final and binding decision for confiscation or collection of a sum of equivalent value, or the preservation of property for confiscation or collection of a sum of equivalent value, assistance may be provided except in any of the following cases:

(i) when the act constituting the crime for which assistance is requested

(meaning any crime which is mentioned in the request for assistance as the crime alleged to have been committed; hereinafter the same applies in this paragraph) would not constitute the crime set forth in Article 2, paragraph (2), item (i), (a) or (b), or item (ii), (d) of that paragraph, Article 10, paragraph (3), or Article 11, if committed in Japan;

(ii) when it is found that, if the act constituting the crime for which assistance is requested had been committed in Japan, punishment could not be imposed

- under the laws and regulations of Japan;
- (iii) when any criminal case involving the crime for which assistance is requested is pending before a Japanese court or there is a final and binding judgment rendered by a Japanese court for such case;
 - (iv) with regard to assistance for the execution of a final and binding decision for confiscation or assistance for preservation of property for confiscation, if the act constituting the crime for which assistance is requested had been committed in Japan, the property related to the request would not be the one for which a judicial decision for confiscation could be sought or preservation of property for confiscation could be effected in relation to such crime under the laws and regulations of Japan;
 - (v) with regard to assistance for the execution of a final and binding decision for collection of a sum of equivalent value or assistance for preservation of property for such collection, if the act constituting the crime for which assistance is requested had been committed in Japan, a judicial decision for such collection or preservation of property for such collection could not be rendered in relation to such crime under the laws and regulations of Japan;
 - (vi) with regard to assistance for the execution of a final and binding decision for confiscation, when it is found that a person who is reasonably deemed to hold the ownership of the property connected with the request or any superficies, mortgage, or other rights existing on such property was not able to assert his/her right in the proceedings concerning the decision for reasons not attributable to the person; or with regard to assistance for the execution of a final and binding decision for collection of a sum of equivalent value, when it is found that a person who is subject to the decision was not able to assert his/her right in the proceedings concerning the decision for reasons not attributable to the person; or
 - (vii) with regard to assistance for preservation of property for confiscation or collection of a sum of equivalent value, except in cases where the request is made pursuant to a judicial decision rendered by a court or judge of the requesting state ordering preservation of property for confiscation or collection of a sum of equivalent value, or where the request is made after a judicial decision for confiscation or collection of a sum of equivalent value has been finalized, when there are no sufficiently adequate grounds to suspect that the act constituting the crime for which assistance is requested has been committed, or when it is found that, if the act had been committed in Japan, there would not be the grounds prescribed in Article 22, paragraph (1) or Article 42, paragraph (1).
- (2) When a request for assistance as referred to in the preceding paragraph with respect to a foreign criminal case involving an act which constitutes a drug crime, etc. prescribed in Article 16, paragraph (2) of the Anti-Drug Special

Provisions Act is made by the relevant foreign state not pursuant to any treaties, the requested assistance may be provided except in the cases falling under any of the items of Article 21 of the Anti-Drug Special Provisions Act.

- (3) In providing assistance concerning the execution of a final and binding decision ordering the confiscation of any property on which any superficies, mortgages, or other rights exist, such rights shall be kept in existence if the laws and regulations of Japan so require when such property is confiscated.

(Confiscation Deemed to Be Collection of a Sum of Equivalent Value)

Article 60 (1) When there is a request for assistance in the execution of a final and binding decision to confiscate the property that is of equivalent value to relevant illicit property or the property set forth in the items of Article 11, paragraph (1) or (3) of the Anti-Drug Special Provisions Act (hereinafter referred to as "illicit property, etc." in this Article) in lieu of confiscating relevant illicit property, etc., and that is owned by the person to whom such decision has been rendered, the final and binding decision shall, for the purpose of providing assistance under this Act, be deemed as a final and binding decision to collect a sum of equivalent value to the property from the person. The same shall apply when there is a request for assistance in the execution of a final and binding decision to confiscate the property that is referred to in the items of Article 13, paragraph (1), is other than real property, movables, or monetary claims, and is owned by the person subject to such decision.

- (2) The provision of the preceding paragraph shall apply mutatis mutandis to a request for assistance for preservation aimed at confiscating property of equivalent value to illicit property, etc. in lieu thereof, or confiscating the property set forth in the items of Article 13, paragraph (1) other than real property, movables, or monetary claims.

(Receiving Requests)

Article 61 (1) A request for assistance shall be received by the Minister for Foreign Affairs, except when the Minister of Justice receives requests as designated to do so pursuant to any treaties or in cases of emergency or other special circumstances with the consent of the Minister for Foreign Affairs to that effect.

- (2) When the Minister of Justice receives a request for assistance pursuant to the proviso of the preceding paragraph, the Minister of Justice may ask the Minister for Foreign Affairs for cooperation necessary for the execution of affairs relating to the assistance.

(Examination by the Court)

- Article 62 (1) When a request for assistance concerns the execution of a final and binding decision for confiscation or collection of a sum of equivalent value, the public prosecutor shall request the court to examine whether such assistance may be provided.
- (2) If, after an examination has been conducted, the request for examination is found to be illegitimate, the court shall make a ruling to dismiss the request. If the court finds that assistance may be provided in whole or in part of the final and binding decision related to the assistance request, or that assistance may not be provided to any part of such decision, the court shall make a ruling to such effect, respectively.
- (3) When the court makes a ruling that the requested assistance for the execution of a final and binding decision for confiscation may be provided, and if there are any rights that need to be kept in existence pursuant to the provision of Article 59, paragraph (3), the court shall concurrently make a ruling to keep such rights in existence.
- (4) When the court makes a ruling that the requested assistance for the execution of a final and binding decision for collection of a sum of equivalent value may be provided, the court shall concurrently specify the sum to be collected in Japanese yen.
- (5) In an examination under paragraph (1) of this Article, the court may not examine whether the final and binding decision related to the request for assistance is appropriate or not.
- (6) With respect to an examination under paragraph (1) of this Article, unless the persons set forth in the following items (hereinafter referred to as a "concerned party") are allowed to participate in the proceedings of the case of request for examination, the court may not make a ruling to the effect that assistance may be provided for that case:
- (i) in cases concerning assistance for the execution of a final and binding decision ordering confiscation, any person reasonably deemed to hold the ownership of the property connected with the request or any superficies, mortgage, or other right existing on such property, or the obligee effecting seizure or provisional seizure if a commencement order for compulsory auction has been made, or seizure through compulsory execution or provisional seizure has been executed, with respect to the aforementioned property or right before its preservation for confiscation is implemented; or
 - (ii) in cases concerning assistance for the execution of a final and binding decision of collection of a sum of equivalent value, any person against whom such decision has been made.
- (7) In making a ruling on a request for examination, the court shall hear opinions of the public prosecutor and any person permitted to intervene in the proceeding of the case of request for examination (hereinafter referred to as an

"intervener").

- (8) If an intervener expresses their wish to orally state opinions or if the court is to examine any witnesses or experts, the court shall hold a hearing in an open court and thereby give such intervener an opportunity to appear at such hearing. In such case, an intervener who is unable to appear at the hearing is deemed to be given an opportunity to appear if this person is given an opportunity to be represented by an agent at the hearing or to present his/her opinion in writing.
- (9) The public prosecutor may be present at the hearing referred to in the preceding paragraph.

(Appeal)

- Article 63 (1) The public prosecutor and interveners may appeal against a ruling on the relevant request for examination.
- (2) A special appeal may be filed with the Supreme Court against a ruling by the court in charge of the relevant appeal on one of the grounds prescribed in the items of Article 405 of the Code of Criminal Procedure.
- (3) The period allowed for filing an appeal under the preceding two paragraphs shall be 14 days.

(Effect of Rulings)

Article 64 When a ruling that requested assistance may be provided for the execution of a final and binding decision for confiscation or collection of a sum of equivalent value becomes final and binding, that final and binding decision shall be deemed as a final and binding decision for confiscation or collection pronounced by a Japanese court for the purpose of providing assistance.

(Granting of Executed Property, etc. to the Requesting State)

- Article 64-2 (1) When a foreign state that has requested assistance for the execution of a final and binding decision for confiscation or collection of a sum of equivalent value (referred to as the "requesting country for assistance in execution" in paragraph (3)) requests the granting of the property associated with the execution of such assistance or an amount of money equivalent to the value of such property (hereinafter referred to as "executed property, etc." in this Article), a part of or the entire executed property, etc. may be granted to the requesting country for assistance in execution.
- (2) When the Minister of Justice finds it appropriate to grant a part of or the entire executed property, etc., the Minister shall order the Chief Prosecutor of the district public prosecutors office, whom the Minister ordered to take necessary measures for assistance in the execution of the final and binding decision for confiscation or collection of a sum of equivalent value, to retain the

executed property, etc. for the purpose of granting it to the requesting country for assistance in execution.

- (3) When the executed property, etc. falls under any of the following items, the Minister of Justice may order the Chief Prosecutor referred to in the preceding paragraph to temporarily retain a part of or the entire executed property, etc.:
- (i) when the requesting country for assistance in execution requests the granting of the executed property, etc. and the Minister finds it necessary to give such order in order to determine whether to accept or decline the request; or
 - (ii) when the Minister anticipates that the requesting country for assistance in execution will request the granting of the executed property, etc. and the Minister finds it necessary to give such order.

(Revocation of Rulings)

Article 65 (1) Upon request by the public prosecutor or a concerned party, the court shall, by its ruling, revoke its prior ruling that the requested assistance may be provided for the execution of a final and binding decision for confiscation or collection of a sum of equivalent value, if the final and binding decision associated with the request has been revoked or has otherwise ceased to be effective after such prior ruling became final and binding.

(2) When a ruling for revocation referred to in the preceding paragraph becomes final and binding, compensation shall be made pursuant to the rules applicable to compensation for executed confiscation or collection of a sum of equivalent value as prescribed in the Criminal Compensation Act.

(3) The provisions of Article 63 shall apply mutatis mutandis to rulings with respect to requests referred to in paragraph (1) of this Article.

(Request of Preservation for Confiscation)

Article 66 (1) When a request concerns assistance for the preservation of property for confiscation, the public prosecutor shall request a judge to issue a preservation order for confiscation to prohibit the disposition of the property. In such case, the public prosecutor may, when finding it necessary, request the issuance of a collateral preservation order to prohibit the disposition of any superficies, mortgage, or other right existing on the property.

(2) After a request for examination referred to in Article 62, paragraph (1) has been made, any disposition concerning preservation for confiscation shall be made by the court to which such request has been made.

(Request of Preservation for Collection of a Sum of Equivalent Value)

Article 67 (1) When a request for assistance concerns the preservation of property for collection of a sum of equivalent value, the public prosecutor shall

request a judge to issue a preservation order for collection of a sum of equivalent value to prohibit any person who should be subject to a judicial decision for such collection from disposing of the property.

- (2) The provision of paragraph (2) of the preceding Article shall apply mutatis mutandis to dispositions concerning preservation for collection of a sum of equivalent value.

(Period of Preservation before the Institution of Prosecution)

Article 68 (1) When a request for assistance for the execution of preservation of property for confiscation or collection of a sum of equivalent value is made with respect to a case for which prosecution has not been instituted, the relevant preservation order for confiscation or collection of a sum of equivalent value ceases to be effective unless the requesting state gives notice, within 45 days of the date of issuance of such order, that prosecution has been instituted with regard to such case.

- (2) When the requesting state gives notice of the fact that there is a compelling reason for not being able to institute prosecution within the period referred to in the preceding paragraph, with such reason described in its notice, a judge may, at the request of the public prosecutor, renew the period of preservation for not more than 30 days. The same shall apply when notice is given that there is a compelling reason for not being able to institute prosecution within the renewed period, with such reason described in the notice.

(Revocation of Procedure)

Article 69 (1) When notice of withdrawing a request for assistance is given, the public prosecutor shall promptly revoke the request for examination or preservation for confiscation or collection of a sum of equivalent value, or make a request for revocation of the relevant preservation order for confiscation or collection of a sum of equivalent value.

- (2) When a request is made as referred to in the preceding paragraph, the court or judge shall promptly revoke the relevant preservation order for confiscation or collection of a sum of equivalent value.

(Examination of Facts)

Article 70 When it is necessary for conducting an examination or making dispositions concerning preservation for confiscation or collection of a sum of equivalent value under the provisions of this Chapter, the court or judge may examine relevant facts. In such case, the court or judge may examine witnesses, conduct inspections, or order expert examinations, interpretation, or translation.

(Disposition by the Public Prosecutor)

Article 71 (1) When finding it necessary for requesting preservation for confiscation or collection of a sum of equivalent value or for the execution of a preservation order for confiscation or collection of a sum of equivalent value under the provisions of this Chapter, the public prosecutor may make the following dispositions:

- (i) to request the appearance of any relevant person and interview such person;
- (ii) to commission expert examinations;
- (iii) to conduct on-the-spot investigations;
- (iv) to request the owners, holders, or custodians of documents or other objects to submit such documents or objects;
- (v) to request public offices or public and private associations to report on necessary matters;
- (vi) to request in writing, a person engaged in the business of providing telecommunication facilities for the communications of other persons, or a person who has, for the purpose of his/her own business, installed facilities for telecommunications capable of intermediating the communications of many unspecified persons, to identify necessary details from among the sources and destinations of telecommunications, the dates and time of communications, and other electromagnetic records of the communication history, all of which are recorded in the course of business, and not to erase such necessary details for a predesignated period not exceeding 30 days (if this period is to be extended, a period not exceeding 60 days in total); and
- (vii) to carry out seizure, seizure of records created under a record copying order, search, or inspection on the basis of a warrant issued by a judge.

(2) The public prosecutor may have a public prosecutor's assistant officer make any of the dispositions referred to in the preceding paragraph.

(Court with Jurisdiction)

Article 72 Any request for examination, preservation for confiscation or collection of a sum of equivalent value, or the issuance of a warrant under the provisions of this Chapter must be made to the district court, or its judge, that has territorial jurisdiction over the area of the public prosecutors office to which the public prosecutor making such request belongs.

(Application Mutatis Mutandis)

Article 73 (1) Except as otherwise provided in this Chapter, the provisions of Chapters III and IV of this Act, the Code of Criminal Procedure (only Part I, Chapter II and Chapters V through XIII; Part II, Chapter I; Part III, Chapters I and IV; and Part VII), laws and regulations concerning the cost of criminal procedures, and the Act on Emergency Measures on Criminal Procedure to

Confiscate Items Owned by Third Parties shall apply mutatis mutandis to examinations, dispositions, and warrant issuance by the court or judges, dispositions by the public prosecutor or public prosecutor's assistant officers, and intervention by concerned parties in the court's examinations; and the provisions of Article 4, Article 5, paragraphs (1) (only the part pertaining to item (i)) and (3), and Article 7, paragraph (1) of the Act on International Assistance in Investigation and Other Related Matters (Act No. 69 of 1980), and Article 8, paragraph (2) and Article 11, paragraphs (1) and (2) of the Act of Extradition (Act No. 68 of 1953) to measures to be taken when a request for assistance is received, unless contrary to the nature of these respective provisions.

- (2) In relation to receiving a request for granting as prescribed in Article 64-2, paragraph (1) and measures to be taken upon the receipt of such a request, the provisions of Articles 3 and 4, the first sentence of Article 14, paragraph (1), paragraphs (5) and (6) of that Article, and Article 16, paragraph (1) of the Act on International Assistance in Investigation and Other Related Matters shall apply mutatis mutandis. In such case, the term "sending of evidence" in the heading of Article 3 of the same Act shall be replaced with "delivery of executed property, etc."; the term "evidence shall be forwarded" in paragraph (1) of the same Article with "executed property, etc. (referring to the executed property, etc., prescribed in Article 64-2, paragraph (1) of the Act on Punishment of Organized Crimes and Control of Proceeds of Crime (Act No. 136 of 1999); the same applies hereinafter) shall be delivered"; the term "forwards evidence" in paragraph (2) of the same Article with "delivers executed property, etc."; the term "the written request for assistance" in Article 4 of the same Act with "the written request for granting"; the term "has completed the collection of evidence" in the first sentence of Article 14, paragraph (1) of the same Act with "has retained executed property, etc."; the term "the collected evidence" therein with "such executed property, etc."; the term "shall promptly send" therein with "shall promptly deliver"; the term "receiving the evidence set forth in paragraph (1), (3), or the preceding paragraph" in paragraph (5) of the same Article with "the delivery under paragraph (1)"; the term "the evidence" therein with "executed property, etc."; and the term "return" therein with "disposition."

(Special Provisions for Extradition of Fugitives)

- Article 74 If an act involving a requested crime prescribed in Article 1, paragraph (3) of the Act of Extradition would constitute, if committed in Japan, the crime set forth in Article 6-2, paragraph (1) or (2) or Article 10, paragraph (3) of this Act in relation to the crimes set forth in Article 6-2, paragraph (1), item (ii), the term "three years" in Article 2, items (iii) and (iv) of the Act of

Extradition shall be replaced with "two years" in the application of the provisions of Article 2 of the same Act.

Chapter VII Miscellaneous Provisions

(Delegation to Cabinet Order)

Article 75 (1) Beyond what is provided for in this Act, among matters necessary for the adjustment of procedures between preservation for confiscation and the disposition of delinquency, those matters which relate to the disposition of delinquency shall be provided by Cabinet Order.

(2) Beyond what is provided for in this Act, necessary matters pertaining to the procedures for third parties' intervention and judicial decisions under the provisions of Article 18, the procedures prescribed in Chapter IV for preservation for confiscation or collection of a sum of equivalent value, and the international assistance procedures prescribed in the preceding Chapter shall be provided by the Supreme Court Rules (excluding those matters prescribed in the preceding paragraph).

(Transitional Measures)

Article 76 When Cabinet Order based on the provisions of this Act is enacted, revised, or abolished, necessary transitional measures may be provided by the same Cabinet Order to the extent considered reasonably necessary for the enactment, revision, or abolition.

Supplementary Provisions [Extract]

(Effective Date)

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

(Transitional Measures)

Article 2 (1) The provisions of Article 9, paragraphs (1) through (3) shall also apply to acts committed after the enforcement of this Act in relation to any property produced or obtained through, or obtained in reward for, criminal acts that were committed prior to the enforcement of this Act for the purpose of obtaining unlawful economic benefits, that constituted crimes punishable by imprisonment or severer punishments (including acts committed outside Japan that would have constituted such crimes if committed in Japan, and that also constituted crimes under the laws and regulations of the overseas jurisdiction), and that would constitute any of the crimes set forth in the relevant appended table if committed in Japan after the enforcement of this Act. In such case, this

kind of property shall be deemed to be the proceeds of crime specified in Article 2, paragraph 2, item (i).

- (2) The provisions of Article 9, paragraphs (1) through (3) shall also apply to acts committed after the enforcement of this Act in relation to any property that was provided through criminal acts committed prior to the enforcement of this Act and constituting the crime specified in Article 13, item (iii) of the Unfair Competition Prevention Act (including acts committed outside Japan that would have constituted that crime if committed in Japan, and that also constituted crimes under the laws and regulations of the overseas jurisdiction) in connection with the violation referred to in Article 10-2, paragraph (1) of the same Act. In such case, this property shall be deemed to be the proceeds of crime specified in Article 2, paragraph 2, item (iii) of this Act.
- (3) The provisions of Article 9, paragraphs (1) through (3) shall also apply to acts that were committed after the enforcement of this Act in relation to any property (including the property specified in paragraph (2) of the Supplementary Provisions of the Anti-Drug Special Provisions Act) obtained through, or in reward for, criminal acts committed prior to the enforcement of this Act and constituting any of the drug crimes prescribed in Article 2 paragraph (2) of the Anti-Drug Special Provisions Act.
- (4) The provisions of Articles 10 and 11 shall also apply to acts committed after the enforcement of this Act in relation to the property referred to in paragraphs (1) and (2) of this Article and any funds provided through criminal acts committed prior to the enforcement of this Act and constituting any of the crimes set forth in Article 2, paragraph (2), item (ii), (a) through (d) (including acts committed outside Japan that would have constituted those crimes if committed in Japan, and that also constituted crimes under the laws and regulations of the overseas jurisdiction). In such case, these property and funds shall be deemed to be proceeds of crime.

Article 3 (1) With respect to the application of the provisions of Chapter V, notification under Article 5, paragraph (1) of the Anti-Drug Special Provisions Act prior to amendment by the provisions of Article 8 of these Supplementary Provisions (hereinafter referred to as the "former Anti-Drug Special Provisions Act") shall be deemed to be notification under Article 54, paragraph (1) of this Act, and the forwarding of copies of documents under Article 5, paragraph (3) of the former Anti-Drug Special Provisions Act shall be deemed to be notification under Article 54, paragraph (3) of this Act.

- (2) The Minister of Posts and Telecommunications is, promptly after the enforcement of this Act, to send copies of books containing relevant records pursuant to the provisions of Article 6 of the former Anti-Drug Special Provisions Act to the Commissioner of the Financial Supervisory Agency. In

such case, the sending of copies of such books shall be deemed to be notification under Article 55.

Article 4 The provisions of Chapter VI shall also apply to requests for assistance from foreign states and requests for extradition of fugitives, in relation to crimes committed prior to the enforcement of this Act.

Supplementary Provisions [Act No. 84 of July 7, 1999 Extract] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation; provided, however, that if the date on which the Act on Punishment of Organized Crimes and Control of Proceeds of Crime (Act No. 136 of 1999; hereinafter referred to as the "Organized Crime Punishment Act") comes into effect falls after the date on which this Act comes into effect (hereinafter referred to as the "enforcement date"), the provisions of Article 11 of these Supplementary Provisions shall come into effect as from the enforcement date of the Organized Crime Punishment Act.

Supplementary Provisions [Act No. 87 of July 16, 1999 Extract] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from April 1, 2000; provided, however, that the provisions set forth in the following items shall come into effect as from the dates specified in the respective items:

- (i) the amending provisions that add five articles, section headings, two subsections, and subsection headings after Article 250 of the Local Autonomy Act in Article 1 (limited to the part pertaining to Article 250-9, paragraph (1) of the same Act (limited to the part pertaining to obtaining the consent of both Houses of the Diet)), the provisions amending paragraphs (9) and (10) of the Supplementary Provisions of the Natural Parks Act in Article 40 (limited to the part pertaining to paragraph (10) of the Supplementary Provisions of the same Act), the provisions of Article 244 (excluding the part pertaining to the provisions amending Article 14-3 of the Agricultural Improvement Promotion Act), the provisions of Article 472 (excluding the part pertaining to the provisions amending Articles 6, 8, and 17 of the Municipal Merger Act), and the provisions of Articles 7, 10, and 12, the proviso of Article 59, Article 60, paragraphs (4) and (5), Articles 73 and 77, Article 157, paragraphs (4) through (6), and Articles 160, 163, 164, and 202 of these Supplementary Provisions: the date of promulgation

(Affairs of the National Government)

Article 159 Beyond what is provided in each Act prior to amendment by this Act, the national government's, other local governments', and other public corporations' affairs (referred to as "the affairs of the national government, etc." in Article 161 of these Supplementary Provisions) that local governments' organs administer or execute pursuant to laws or Cabinet Order based on laws prior to the enforcement of this Act are to be administered by local governments after the enforcement of this Act, as the affairs of those local governments, pursuant to laws or Cabinet Order based on laws.

(Transitional Measures concerning Disposition and Application)

Article 160 (1) With respect to the application of various amended laws on and after the date on which this Act comes into effect, except for those specified in the provisions of Article 2 through the preceding Article of these Supplementary Provisions or in those respective post-amendment laws' provisions concerning transitional measures (including orders based thereon), dispositions made, such as permission, and other actions committed pursuant to the provisions of the respective pre-amendment laws (hereinafter referred to as "dispositions and other actions" in this Article) before the enforcement of this Act (with respect to those provisions set forth in the items of Article 1 of these Supplementary Provisions, such respective provisions; hereinafter the same applies in this Article and Article 163 of these Supplementary Provisions), or applications for permission, etc. filed or other actions committed pursuant to the provisions of the respective pre-amendment laws (hereinafter referred to as "applications and other actions" in this Article) at the time of the enforcement of this Act, shall be deemed as dispositions and other actions, or applications and other actions, implemented pursuant to the corresponding provisions of the respective post-amendment laws, if the person responsible for administrative affairs pertaining to those actions is to be changed on the date on which this Act comes into effect.

(2) With respect to matters which must be reported, notified, or submitted to, or must otherwise go through other procedures with, organs of the national government or local governments pursuant to the provisions of various laws prior to their amendment before the enforcement of this Act, and for which such procedures have not yet been taken prior to the date on which this Act comes into effect, except for those matters which are otherwise provided for in this Act or Cabinet Orders based thereon, the provisions of the respective laws after amendment by this Act shall apply by deeming that for matters which must be reported, notified, or submitted to, or must otherwise go through other procedures with, organs of the national government or local governments

pursuant to the corresponding provisions of the respective post-amendment laws, such procedures have not been implemented.

(Transitional Measures concerning Appeals)

Article 161 (1) With respect to appeals under the Administrative Complaint Review Act in relation to dispositions made pertaining to the affairs of the national government, etc. prior to the enforcement date by an administrative authority (hereinafter referred to as an "administrative agency reaching the disposition" in this Article), for which there was a higher administrative authority as provided in the aforementioned Act (hereinafter referred to as a "higher administrative authority" in this Article) prior to the enforcement date, the provisions of the Administrative Appeal Act shall apply, deeming that the administrative agency reaching the disposition still has a higher administrative authority after the enforcement date. In such case, the administrative authority deemed to be the higher administrative authority of the administrative agency reaching the disposition shall be the administrative authority that was the higher administrative authority of the administrative agency reaching the disposition prior to the enforcement date.

(2) In the case referred to in the preceding paragraph, when the administrative authority deemed as the higher administrative authority is a local government organ, the affairs to be handled by that organ pursuant to the provisions of the Administrative Complaint Review Act shall be the type 1 statutory entrusted functions prescribed in Article 2, paragraph (9), item (i) of the new Local Autonomy Act.

(Transitional Measures concerning Penal Provisions)

Article 163 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the prior laws continue to govern.

(Delegation of Other Transitional Measures to Cabinet Order)

Article 164 In addition to what is provided in these Supplementary Provisions, transitional measures necessary for enforcing this Act (including transitional measures concerning penal provisions) shall be provided by Cabinet Order.

(Review)

Article 250 With respect to the type 1 statutory entrusted functions prescribed in Article 2, paragraph (9), item (i) of the new Local Autonomy Act, no new function shall be newly created to the extent possible, and those listed in Appended Table 1 of the same Act and those provided by Cabinet Order based on the same Act shall be examined from the perspective of promoting decentralization and be periodically reviewed as appropriate.

Article 251 In order to enable local governments to execute their affairs and business voluntarily and independently, the government shall examine how to enrich and secure adequate sources of local taxes according to the division of roles between the national government and local governments taking into account the prevailing economic trends and other factors, and take necessary measures based on the results of such examination.

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

(Effective Date)

Article 1 This Act (excluding Articles 2 and 3) shall come into effect as from January 6, 2001; provided, however, that the provisions set forth in the following items shall come into effect as from the dates specified in the respective items:

- (i) the provisions of Article 995 (limited to the part pertaining to the provisions amending the Supplementary Provisions of the Act Partially Amending the Act on the Regulation of Nuclear Source Material, Nuclear Fuel Material and Reactors), Articles 1305 and 1306, Article 1324, paragraph (2), Article 1326, paragraph (2), and Article 1344: the date of promulgation
- (ii) the provisions of Chapter III (excluding Article 3) and the following Article: July 1, 2000

**Supplementary Provisions [Act No. 225 of December 22, 1999 Extract]
[Extract]**

(Effective Date)

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

(Transitional Measures Accompanying the Partial Amendment of the Civil Code)

Article 25 (1) With regard to the treatment of the matters specified in the legal provisions set forth in the following items pertaining to any petition to commence composition filed prior to the enforcement of this Act or any ruling for commencement of composition made prior or subsequent to the enforcement of this Act on the basis of such petition, prior laws continue to govern notwithstanding those provisions after amendment by the provisions of the Supplementary Provisions of this Act:

- (i) to (xix) Omitted

(xx) Article 40, paragraphs (1) and (3) of the Act on Punishment of Organized Crimes and Control of Proceeds of Crime.

(Transitional Measures concerning the Application of Penal Provisions)

Article 26 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, and to acts committed subsequent to the enforcement thereof in the case where the Supplementary Provisions of this Act provide that prior laws are to continue to govern such acts, the prior laws continue to govern.

Article 51 In addition to what is provided in Articles 2 through 11 and Article 50 of these Supplementary Provisions, transitional measures necessary for the enforcement of this Act shall be provided by Cabinet Order.

**Supplementary Provisions [Act No. 26 of March 31, 2000 Extract]
[Extract]**

(Effective Date)

Article 1 This Act shall come into effect as from April 1, 2000.

Supplementary Provisions [Act No. 92 of May 31, 2000 Extract] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from the date specified by Cabinet Order within a period not exceeding three months from the date of promulgation.

(Transitional Measures concerning the Application of Penal Provisions)

Article 29 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act (with regard to the provision of the proviso of Article 1 of these Supplementary Provisions, that provision; hereinafter the same applies in this Article), and to acts committed subsequent to the enforcement of this Act in the case where prior laws are to continue to govern pursuant to the provisions of these Supplementary Provisions, the prior laws continue to govern.

(Delegation of Other Transitional Measures to Cabinet Order)

Article 30 In addition to what is provided in Articles 2 through 17 and Article 29 of these Supplementary Provisions, transitional measures necessary for the enforcement of this Act shall be provided by Cabinet Order.

(Review)

Article 31 Within three years from the enforcement of this Act, the government shall review the system for the protection of insurance policyholders, etc. after revision by this Act, taking into consideration the state of implementation of systems, etc. pertaining to special measures, etc. for the protection of insurance policyholders, etc. and the soundness of the management of insurance companies, among other factors, and shall, when finding it necessary, take necessary measures based on the results of the review to maintain the credibility of the insurance industry.

Supplementary Provisions [Act No. 96 of May 31, 2000 Extract] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from December 1, 2000 (hereinafter referred to as the "enforcement date").

(Effect of Dispositions)

Article 49 Dispositions imposed, procedures taken, or other acts committed pursuant to the provisions of relevant laws prior to amendment before the enforcement of this Act (with regard to the provisions set forth in the items of Article 1 of these Supplementary Provisions, those provisions), for which corresponding provisions exist in those respective laws after amendment, shall be deemed to have been imposed, taken, or committed pursuant to the corresponding provisions of those respective laws after amendment, except as otherwise provided by these Supplementary Provisions.

(Transitional Measures concerning the Application of Penal Provisions)

Article 50 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the prior laws continue to govern.

(Delegation of Other Transitional Measures to Cabinet Order)

Article 51 In addition to what is provided in Articles 2 through 11 and Article 50 of these Supplementary Provisions, transitional measures necessary for the enforcement of this Act shall be provided by Cabinet Order.

(Review)

Article 52 After five years have passed since the enforcement of this Act, the government shall review systems pertaining to securities exchanges prescribed in Article 2, paragraph (16) of the new Securities and Exchange Act and financial futures exchanges prescribed in Article 2, paragraph (7) of the new Financial Futures Trading Act, taking into account the state of enforcement of

the New Securities and Exchange Act and the New Financial Futures Trading Act, changes in socioeconomic situations, etc., and shall, when finding it necessary, take necessary measures based on the results of the review.

Supplementary Provisions [Act No. 97 of May 31, 2000 Extract] [Extract]

(Effective Date)

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

(Effect of Dispositions)

Article 64 Dispositions imposed, procedures taken, or other acts committed pursuant to the provisions of relevant laws prior to amendment (including orders based thereon; hereinafter the same applies in this Article) before the enforcement of this Act (with regard to the provision of the proviso of Article 1 of these Supplementary Provisions, that provision), for which corresponding provisions exist in those respective laws after amendment, shall be deemed to have been imposed, taken, or committed pursuant to the corresponding provisions of those respective laws after amendment, except as otherwise provided by these Supplementary Provisions.

(Transitional Measures concerning the Application of Penal Provisions)

Article 65 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act (with regard to the provision of the proviso of Article 1 of these Supplementary Provisions, that provision), and to acts committed subsequent to the enforcement of this Act in the case where prior laws are to continue to govern pursuant to the provisions of these Supplementary Provisions, the prior laws continue to govern.

(Delegation of Other Transitional Measures to Cabinet Order)

Article 67 In addition to what is provided in these Supplementary Provisions, transitional measures necessary for enforcing this Act shall be provided by Cabinet Order.

(Review)

Article 68 Within five years after this Act has comes into effect, the government shall review systems pertaining to the provisions of the new Act on Securitization of Assets and the new Act on Investment Trusts and Investment Corporations and systems pertaining to approved real estate brokers defined in Article 50-2, paragraph (2) of the Real Estate Brokerage Act after amendment

by Article 8 hereof (hereinafter referred to as the "new Real Estate Brokerage Act" in this Article), taking into account the state of enforcement of the new Act on Securitization of Assets, the new Act on Investment Trusts and Investment Corporations, and the new Real Estate Brokerage Act, changes in socioeconomic situations, and other relevant factors, and shall, when finding it necessary, take necessary measures based on the results of the review.

Supplementary Provisions [Act No. 105 of June 2, 2000 Extract] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from October 1, 2000.

(Transitional Measures upon Partial Amendment of the Act on Punishment of Organized Crimes and Control of Proceeds of Crime)

Article 16 (1) The provisions of Article 9, paragraphs (1) through (3) of the Act on Punishment of Organized Crimes and Control of Proceeds of Crime shall also apply to acts committed after the enforcement of this Act in relation to any property produced or obtained through, or obtained in reward for, criminal acts that were committed prior to the enforcement of this Act for the purpose of obtaining unlawful economic benefits, and that constituted the crime prescribed in Article 25, item (i) of the Waste Management and Public Cleansing Act prior to amendment under Article 1 hereof with respect to the violation referred to in Article 7, paragraph (1) or (4) of that Act, the crime prescribed in Article 25, item (iii)-2, (iv), or (vi) of the same Act, or the crime prescribed in Article 26, item (v) of the same Act (including acts committed outside Japan that would have constituted those crimes if committed in Japan, and that also constituted crimes under the laws and regulations of the overseas jurisdiction). In such case, this kind of property shall be deemed to be the proceeds of crime specified in Article 2, paragraph 2, item (i) of the Act on Punishment of Organized Crimes and Control of Proceeds of Crime (hereinafter referred to as "proceeds of crime").

(2) The provisions of Articles 10 and 11 of the Act on Punishment of Organized Crimes and Control of Proceeds of Crime shall also apply to acts committed after the enforcement of this Act in relation to the property referred to in the preceding paragraph. In such case, the property shall be deemed to be proceeds of crime.

**Supplementary Provisions [Act No. 182 of November 29, 2000 Extract]
[Extract]**

(Effective Date)

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

**Supplementary Provisions [Act No. 129 of November 29, 2000 Extract]
[Extract]**

(Effective Date)

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

**Supplementary Provisions [Act No. 146 of December 6, 2000 Extract]
[Extract]**

(Effective Date)

Article 1 This Act shall come into effect as from the day on which six months have elapsed from the date of promulgation.

Supplementary Provisions [Act No. 49 of June 15, 2001 Extract] [Extract]

(Effective Date)

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

Supplementary Provisions [Act No. 75 of June 27, 2001 Extract] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from April 1, 2002 (hereinafter referred to as the "enforcement date") and apply to short term bonds, etc. issued on or after the enforcement date.

(Transitional Measures concerning the Application of Penal Provisions)

Article 7 With regard to the application of penal provisions to acts committed prior to the enforcement date, and to acts committed subsequent to the enforcement date in the case where relevant penal provisions are to remain in force pursuant to the provisions of these Supplementary Provisions, the prior laws continue to govern.

(Delegation of Other Transitional Measures to Cabinet Order)

Article 8 In addition to what is provided in these Supplementary Provisions, transitional measures necessary for enforcing this Act shall be provided by Cabinet Order.

(Review)

Article 9 After five years have passed since the enforcement of this Act, the government shall review systems pertaining to book-entry transfer institutions, taking into account the state of enforcement of this Act, changes in socioeconomic situations, etc., and shall, when finding it necessary, take necessary measures based on the results of the review.

Supplementary Provisions [Act No. 81 of June 29, 2001 Extract] [Extract]

(Effective Date)

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

Supplementary Provisions [Act No. 97 of July 4, 2001 Extract] [Extract]

(Effective Date)

(1) This Act shall come into effect as from the day on which 20 days have elapsed from the date of promulgation.

Supplementary Provisions [Act No. 102 of July 4, 2001 Extract] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation (hereinafter referred to as the "enforcement date").

**Supplementary Provisions [Act No. 121 of November 16, 2001 Extract]
[Extract]**

(Effective Date)

Article 1 This Act shall come into effect as from the day on which the International Convention for the Suppression of Terrorist Bombings becomes effective with respect to Japan.

**Supplementary Provisions [Act No. 129 of November 28, 2001 Extract]
[Extract]**

(Effective Date)

(1) This Act shall come into effect as from April 1, 2002.

(Transitional Measures concerning the Application of Penal Provisions)

- (2) With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, and to acts committed subsequent to the enforcement thereof in the case where prior laws are to govern pursuant to the provisions of this Act, the prior laws continue to govern.

Supplementary Provisions [Act No. 45 of May 29, 2002 Extract] [Extract]

(Effective Date)

- (1) This Act shall come into effect as from the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

Supplementary Provisions [Act No. 65 of June 12, 2002 Extract] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from January 6, 2003.

(Transitional Measures concerning the Application of Penal Provisions)

Article 84 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act (with regard to the provisions set forth in the items of Article 1 of these Supplementary Provisions, those provisions; hereinafter the same applies in this Article), and to acts committed subsequent to the enforcement thereof in the case where prior laws are to continue to govern pursuant to the provisions of these Supplementary Provisions, the prior laws continue to govern.

(Delegation of Other Transitional Measures to Cabinet Order)

Article 85 In addition to what is provided in these Supplementary Provisions, transitional measures necessary for enforcing this Act shall be provided by Cabinet Order.

(Review)

Article 86 After five years have passed since the enforcement of this Act, the government shall review systems pertaining to beneficiary protection trusts prescribed in Article 2, paragraph (11) of the new Act on Book-Entry Transfer of Corporate Bonds and Shares and pertaining to financial instruments clearing organizations prescribed in Article 2, paragraph (29) of the Financial Instruments and Exchange Act, taking into account the state of enforcement of the new Act on Book-Entry Transfer of Corporate Bonds and Shares and the Financial Instruments and Exchange Act, changes in socioeconomic situations, etc., and shall, when finding it necessary, take necessary measures based on

the results of the review.

Supplementary Provisions [Act No. 67 of June 12, 2002 Extract] [Extract]

(Effective Date)

- (1) This Act shall come into effect as from the day on which 20 days have elapsed from the date of promulgation.

Supplementary Provisions [Act No. 98 of July 31, 2002 Extract] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from the date on which the Public Corporations Act comes into effect; provided, however, that the provisions set forth in the following items shall come into effect as from the dates specified in the respective items:

- (i) the provisions of Chapter I, Section 1 (including Appended Tables 1 through 4), and Article 28, paragraph (2), Article 33, paragraphs (2) and (3), and Article 39 of these Supplementary Provisions: the date of promulgation

(Transitional Measures concerning Penal Provisions)

Article 38 With regard to the application of penal provisions to acts committed prior to the enforcement date, and to acts committed subsequent to the enforcement date in the case where prior laws are to continue to govern pursuant to the provisions of this Act or where relevant penal provisions are to remain in force pursuant to the provisions of these Supplementary Provisions, the prior laws continue to govern.

(Delegation of Other Transitional Measures to Cabinet Order)

Article 39 In addition to what is provided in this Act, transitional measures necessary for enforcing the Public Corporations Act and this Act (including transitional measures concerning penal provisions) shall be provided by Cabinet Order.

Supplementary Provisions [Act No. 155 of December 13, 2002 Extract] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from the date on which the Corporate Reorganization Act (Act No. 154 of 2002) comes into effect.

(Transitional Measures concerning the Application of Penal Provisions)

Article 3 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, and to acts committed subsequent to the enforcement thereof in the case where prior laws are to govern pursuant to the provisions of this Act, the prior laws continue to govern.

Supplementary Provisions [Act No. 46 of May 23, 2003 Extract] [Extract]

(Effective Date)

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

Supplementary Provisions [Act No. 82 of June 13, 2003 Extract] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from the date specified by Cabinet Order within a period not exceeding nine months from the date of promulgation.

**Supplementary Provisions [Act No. 138 of August 1, 2003 Extract]
[Extract]**

(Effective Date)

Article 1 This Act shall come into effect as from the date specified by Cabinet Order within a period not exceeding nine months from the date of promulgation.

Supplementary Provisions [Act No. 63 of May 28, 2004 Extract] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from the date specified by Cabinet Order within a period not exceeding five years from the date of promulgation.

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

(Effective Date)

Article 1 This Act shall come into effect as from the date on which the Bankruptcy Act (Act No. 75 of 2004; referred to as the "new Bankruptcy Act" in Article 2, paragraph (8), Article 3, paragraph (8), Article 5, paragraphs (8), (16), and (21), and Article 8, paragraphs (3), and Article 13 of these Supplementary Provisions) comes into effect.

(Transitional Measures upon Partial Amendment of the Act on Punishment of Organized Crimes and Control of Proceeds of Crime)

Article 13 In the application of the provisions of the Act on Punishment of Organized Crimes and Control of Proceeds of Crime after amendment pursuant to the provisions of Article 122 hereof (hereinafter referred to as the "new Organized Crime Punishment Act" in this Article) (except for penal provisions that are to be applied pursuant to the provision of the first sentence of Article 12, paragraph (1) hereof or the first sentence of Article 6 of the Supplementary Provisions of the new Bankruptcy Act), the following crimes shall be deemed as crimes set forth in the relevant appended table of the new Organized Crime Punishment Act in the case where prior laws are to continue to govern pursuant to the provisions of the first sentence of Article 12, paragraph (1) hereof or the first sentence of Article 6 of the Supplementary Provisions of the new Bankruptcy Act: the crime prescribed in Article 374 (Fraudulent Bankruptcy) of the former Bankruptcy Act, crimes that should be punished as provided in the same Article, and the crime prescribed in Article 378 (Fraudulent Bankruptcy by a Third Party) of the same Act; the crimes prescribed in Article 539, paragraphs (1) (Fraudulent Reorganization by a Director, etc. of a Cooperative Financial Institution) and (2) (Fraudulent Reorganization by a Director, etc. of a Mutual Company) of the former Act on Special Measures, and Article 540, paragraphs (1) (Fraudulent Reorganization concerning a Cooperative Financial Institution by a Third Party) and (2) (Fraudulent Reorganization concerning a Mutual Company by a Third Party) of the same Act; the crimes prescribed in Articles 246 (Fraudulent Rehabilitation) and 247 (Fraudulent Rehabilitation by a Third Party) of the former Civil Rehabilitation Act; and the crimes prescribed in Articles 255 (Fraudulent Reorganization) and 256 (Fraudulent Reorganization by a Third Party) of the former Corporate Reorganization Act.

(Delegation to Cabinet Order)

Article 14 In addition to what is provided in Articles 2 through 13 of these Supplementary Provisions, transitional measures necessary for enforcing this Act shall be provided by Cabinet Order.

Supplementary Provisions [Act No. 89 of June 9, 2004 Extract] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from the day on which 20 days have elapsed from the date of promulgation.

(Transitional Measures)

Article 2 This Act shall also apply to requests for assistance from foreign states, and requests for cooperation from the International Criminal Police Organization, in relation to crimes committed prior to the enforcement of this Act.

**Supplementary Provisions [Act No. 124 of June 18, 2004 Extract]
[Extract]**

(Effective Date)

Article 1 This Act shall come into effect as from the date on which the new Real Property Registration Act comes into effect.

**Supplementary Provisions [Act No. 152 of December 3, 2004 Extract]
[Extract]**

(Effective Date)

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

(Transitional Measures concerning the Application of Penal Provisions)

Article 39 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, and to acts committed subsequent to the enforcement thereof in the case where prior laws are to continue to govern pursuant to the provisions of these Supplementary Provisions, the prior laws continue to govern.

(Delegation to Cabinet Order)

Article 40 In addition to what is provided in Articles 3 through 10 and Articles 29 and the preceding two Articles of these Supplementary Provisions, transitional measures necessary for enforcing this Act shall be provided by Cabinet Order.

**Supplementary Provisions [Act No. 156 of December 8, 2004 Extract]
[Extract]**

(Effective Date)

Article 1 This Act shall come into effect as from the date specified by Cabinet Order within a period not exceeding three months from the date of promulgation.

(Transitional Measures)

Article 2 If the date on which this Act comes into effect is before the date on which the Act for Partial Revision of the Penal Code to Respond to an Increase in International and Organized Crimes and Advancement of Information Processing (Act No. XX of 2004) comes into effect, the term "Article 3, paragraph (1), item (vii)" in the provisions amending Article 3, paragraph (1), item (vii) of the Act on Punishment of Organized Crimes and Control of Proceeds of Crime within Article 3 hereof shall be replaced with "Article 3, paragraph (1), item (iii)."

Supplementary Provisions [Act No. 42 of May 18, 2005 Extract] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from October 1, 2005.

Supplementary Provisions [Act No. 66 of June 22, 2005 Extract] [Extract]

(Effective Date)

Article 1 (1) This Act shall come into effect as from the day on which 20 days have elapsed from the date of promulgation; provided, however, that the provisions set forth in the following items shall come into effect as from the dates specified in the respective items:

(i) to (iv) omitted

(v) the provisions amending item (xlix) of the Appended Table of the Organized Crime Punishment Act within Article 4 hereof: the date on which the Act on the Partial Revision of the Financial Futures Trading Act (Act No. 159 of 2004) comes into effect or the date on which this Act comes into effect, whichever is later

(Adjustment Provisions)

Article 2 If the date on which this Act comes into effect is before the date on which the Act for Partial Revision of the Penal Code to Respond to an Increase in International and Organized Crimes and Advancement of Information Processing comes into effect, the term "Article 3, item (xii)" in the provision amending Article 3, item (xii) and Article 3-2, item (v) of the Penal Code within Article 1 hereof shall be replaced with "Article 3, item (xi)"; and the term "Article 3, paragraph (1), item (xiii)" in the provisions amending Article 3, paragraph (1), item (xiii) of the Organized Crime Punishment Act within Article 4 hereof shall be replaced with "Article 3, paragraph (1), item (iv)."

(Transitional Measures concerning Penal Provisions)

Article 10 With regard to the application of penal provisions to acts committed

prior to the enforcement of this Act, the prior laws continue to govern.

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

This Act shall come into effect as from the date on which the Companies Act comes into effect.

**Supplementary Provisions [Act No. 102 of October 21, 2005 Extract]
[Extract]**

(Effective Date)

Article 1 This Act shall come into effect as from the date on which the Postal Service Privatization Act comes into effect.

(Transitional Measures concerning Penal Provisions)

Article 117 With regard to the application of penal provisions to the following acts, corresponding prior laws continue to govern: acts committed prior to the enforcement of this Act; acts committed subsequent to the enforcement of this Act in the case where prior laws are to continue to govern pursuant to the provisions of these Supplementary Provisions; acts committed prior to the lapse of the provisions of Article 38-8 of the former Postal Money Order Act (limited to the part pertaining to items (ii) and (iii) thereof), which are to remain in force pursuant to the provision of Article 9, paragraph (1) of these Supplementary Provisions even after the enforcement of this Act; acts committed prior to the lapse of the provisions of Article 70 of the former Postal Money Transfer Act (limited to the part pertaining to items (ii) and (iii) thereof), which are to remain in force pursuant to the provision of Article 13, paragraph (1) of these Supplementary Provisions even after the enforcement of this Act; acts committed prior to the lapse of the provisions of Article 8 of the former Act on the Entrustment of Postal Transfer Deposit and Contribution (limited to the part pertaining to item (ii) thereof), which are to remain in force pursuant to the provision of Article 27, paragraph (1) of these Supplementary Provisions even after the enforcement of this Act; acts committed prior to the lapse of the provisions of Article 70 of the former Public Corporation Act (limited to the part pertaining to item (ii) thereof), which are to remain in force pursuant to the provision of Article 39, paragraph (2) of these Supplementary Provisions even after the enforcement of this Act; acts committed prior to the lapse of the provisions of Articles 71 and 72 of the former Public Corporation Act (limited to the part pertaining to item (xv) thereof), which are to remain in force pursuant to the provision of Article 42, paragraph (1) of these Supplementary Provisions even after the enforcement of this Act; and acts

committed prior to the specified date pertaining to the postal savings bank prescribed in Article 104 of the Postal Service Privatization Act in the case where the provision of Article 2, paragraph (2) of these Supplementary Provisions is applicable.

**Supplementary Provisions [Act No. 106 of November 2, 2005 Extract]
[Extract]**

(Effective Date)

Article 1 This Act shall come into effect as from the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation (hereinafter referred to as the "enforcement date"); provided, however, that the provisions set forth in the following items shall come into effect as from the dates specified in the respective items:

(i) the provisions of Article 11: the date of promulgation

Supplementary Provisions [Act No. 86 of June 21, 2006 Extract] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from the date on which the Act on Issuance of Remission Payments Using Stolen and Misappropriated Property (Act No. 87 of 2006) comes into effect.

(Transitional Measures)

Article 3 The provisions of Article 13, paragraph (3), Article 16, paragraph (2), and Article 18-2 of the Act on Punishment of Organized Crimes and Control of Proceeds of Crime after amendment by this Act shall also apply to the confiscation of, or the collection of a sum of equivalent value of, the stolen and misappropriated property that is prescribed in Article 13, paragraph (2) of the aforementioned Act and is related to a crime committed prior to the enforcement of this Act and for which a criminal act constituting a crime was committed after the enforcement of this Act, and also the confiscation of, or the collection of a sum of equivalent value of, any property obtained through the possession or disposition of such stolen and misappropriated property.

**Supplementary Provisions [Act No. 22 of March 31, 2007 Extract]
[Extract]**

(Effective Date)

Article 1 This Act shall come into effect as from April 1, 2007; provided, however, that the provisions set forth in the following items shall come into effect as

from the dates specified in the respective items:

(i) the provisions of Article 2, paragraph (2) (excluding items (xxii) through (xxiv)), Articles 4 through 10, and Articles 13 through 28, the provisions of the following Article, and Articles 5 through 7, Articles 9 through 12, and Articles 14 through 18 of these Supplementary Provisions, the provisions amending Articles 189 and 190 of the Act on Arrangement of Relevant Acts Incidental to Enforcement of the Act for Partial Revision of the Securities and Exchange Act (Act No. 66 of 2006) and those amending Article 196 thereof (limited to the part deleting the provisions amending Article 127 of the Supplementary Provisions of the Act Partially Amending the Act on Book-Entry Transfer of Company Bonds, etc. for Rationalization of Settlement of Share Transactions, etc. (Act No. 88 of 2004)) within Article 19 of these Supplementary Provisions, the provisions of Article 20 of these Supplementary Provisions, the provisions amending Article 8 of the Act for Establishment of the Financial Services Agency (Act No. 130 of 1998) and those amending Article 20, paragraph (1) thereof within Article 23 of these Supplementary Provisions, and the provisions of Article 27 of these Supplementary Provisions: the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation

(Transitional Measures concerning Disposition and Procedures)

Article 24 Dispositions imposed, procedures taken, or other acts committed pursuant to the provisions of relevant laws prior to abolition or amendment by this Act, for which corresponding provisions exist in this Act or those respective laws after amendment by the provisions of this Act, shall be deemed to have been imposed, taken, or committed pursuant to the corresponding provisions of this Act or the respective laws after amendment by the provisions of this Act, except as otherwise provided by these Supplementary Provisions.

(Transitional Measures concerning Penal Provisions)

Article 25 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act (with regard to the provisions set forth in the items of Article 1 of these Supplementary Provisions, those provisions), the prior laws continue to govern.

(Delegation to Cabinet Order)

Article 26 In addition to what is provided in these Supplementary Provisions, transitional measures necessary for enforcing this Act (including transitional measures concerning penal provisions) shall be provided by Cabinet Order.

Supplementary Provisions [Act No. 58 of May 25, 2007 Extract] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from October 1, 2008.

(Adjustment Provisions)

Article 10 If any two or more of this Act, the Shoko Chukin Bank Limited Act (Act No. 74 of 2007), the Act on the Development Bank of Japan, Inc. (Act No. 85 of 2007), and the Act on the Japan Finance Organization for Municipal Enterprises (Act No. 64 of 2007) have provisions amending the provisions of the same Act, and if these amending provisions come into effect on the same day, the provisions of the Act subject to amendment shall be amended first by the Shoko Chukin Bank Limited Act, the Act on the Development Bank of Japan Inc., and/or the Act on the Japan Finance Organization for Municipal Enterprises, and then amended by this Act.

Supplementary Provisions [Act No. 60 of May 30, 2007 Extract] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from the date of promulgation.

Supplementary Provisions [Act No. 62 of June 8, 2011 Extract] [Extract]

(Effective Date)

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

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

(Effective Date)

Article 1 This Act shall come into effect as from the day on which 20 days have elapsed from the date of promulgation; provided, however, that the provisions set forth in the following items shall come into effect as from the dates specified in the respective items:

- (i) the provisions of Article 2 hereof, the provisions amending Article 71, paragraph (1) of the Act on Punishment of Organized Crimes and Control of Proceeds of Crime (hereinafter referred to as the "Organized Crime Punishment Act") within Article 3 hereof, the provisions of Articles 4 and 5 hereof, and the provisions of Articles 10 through 12 and Article 16 of these Supplementary Provisions: the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation
- (ii) and (iii) omitted

- (iv) The provisions of Article 60 of these Supplementary Provisions: the date of promulgation of the Act to Partially Revise the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (Act No. 27 of 2012; hereinafter referred to as the "Act Partially Revising the Worker Dispatching Act" in the same Article and Article 61 of these Supplementary Provisions) or the date on which this Act comes into effect (hereinafter referred to as the "enforcement date"), whichever is later
- (v) The provisions of Article 62 of these Supplementary Provisions: the date of promulgation of the Act Partially Amending the Unfair Competition Prevention Act (Act No. 62 of 2011; referred to as the "Act Partially Amending Unfair Competition Prevention Act" in that Article and Article 63 of these Supplementary Provisions) or the enforcement date, whichever comes later

(Transitional Measures)

- Article 2 The provisions of Article 9, paragraphs (1) through (3) and Articles 10 and 11 of the Organized Crime Punishment Act shall also apply to acts committed on or after the enforcement date in relation to any property produced or obtained through, or obtained in reward for, criminal acts that were committed prior to the enforcement date for the purpose of obtaining unlawful economic benefits and that constituted any of the crimes set forth in the following items (including acts committed outside Japan that would have constituted those crimes if committed in Japan, and that also constituted crimes under the laws and regulations of the overseas jurisdiction); in such case, this kind of property shall be deemed to be the proceeds of crime specified in Article 2, paragraph 2, item (i) of the Organized Crime Punishment Act:
- (i) the crime prescribed in Article 49, item (i) (Unauthorized Business) of the Act on Control and Improvement of Amusement Business, etc. (Act No. 122 of 1948);
 - (ii) the crime prescribed in Article 98-4 (Receipt of Benefits as Compensation for Loss) of the Consumer Cooperatives Act (Act No. 200 of 1948);
 - (iii) the crime prescribed in Article 243, item (ii) (Receipt of Benefits as Compensation for Loss) of the Act on Investment Trusts and Investment Corporations (Act No. 198 of 1951);
 - (iv) the crime prescribed in Article 73, paragraph (1) (Acceptance of a Bribe in Relation to the Exercise of a Right of a Shareholder) of the Act on Financial Institutions' Merger and Conversion (Act No. 86 of 1968);
 - (v) the crime prescribed in Article 61, item (i) (Unlicensed Business) of the Banking Act (Act No. 59 of 1981);
 - (vi) the crime prescribed in Article 329, paragraph (1) (Bribery concerning the

- Exercise of a Right of a Member), or Article 331, paragraph (2) (Receipt or Provision of Benefits concerning the Exercise of a Right of a Shareholder) or paragraph (4) (Act of Intimidation in Connection with the Receipt or Provision of Benefits concerning the Exercise of a Right of a Shareholder), of the Insurance Business Act (Act No. 105 of 1995); or
- (vii) the crime prescribed in Article 297, item (i) (Receipt of Benefits as Compensation for Loss) of the Act on the Securitization of Assets (Act No. 105 of 1998).

Article 3 With regard to the application of the provisions of the Organized Crime Punishment Act, the crimes set forth in the following items shall be deemed as those set forth in the items of Article 13, paragraph (2) of the Act:

- (i) in the case where prior laws are to continue to govern pursuant to the provision of the first sentence of Article 6 of the Supplementary Provisions of the Bankruptcy Act (Act No. 75 of 2004), the crime prescribed in Article 374 (Fraudulent Bankruptcy) of the Bankruptcy Act (Act No. 71 of 1922) prior to abolition by Article 2 of the Supplementary Provisions of the first-mentioned Bankruptcy Act, any crime that should be punished as provided in the aforementioned Article 374, and the crime prescribed in Article 378 (Fraudulent Bankruptcy by a Third Party) of the Bankruptcy Act prior to abolition as above;
- (ii) in the case where prior laws are to continue to govern pursuant to the provision of the first sentence of Article 12, paragraph (1) of the Supplementary Provisions of the Act on Arrangement of Relevant Laws Incidental to Enforcement of the Bankruptcy Act (Act No. 76 of 2004; hereinafter referred to as the "Act on Arrangements for the Bankruptcy Act" in this Article), the crimes prescribed in Article 539, paragraphs (1) (Fraudulent Reorganization by a Director, etc. of a Cooperative Financial Institution) and (2) (Fraudulent Reorganization by a Director, etc. of a Mutual Company) and Article 540, paragraphs (1) (Fraudulent Reorganization concerning a Cooperative Financial Institution by a Third Party) and (2) (Fraudulent Reorganization concerning a Mutual Company by a Third Party) of the Act on Special Measures for the Reorganization Proceedings of Financial Institutions (Act No. 95 of 1996) prior to amendment by Article 4 of the Act on Arrangements for the Bankruptcy Act;
- (iii) in the case where prior laws are to continue to govern pursuant to the provision of the first sentence of Article 12, paragraph (1) of the Supplementary Provisions of the Act on Arrangements for the Bankruptcy Act, the crimes prescribed in Articles 246 (Fraudulent Rehabilitation) and 247 (Fraudulent Rehabilitation by a Third Party) of the Civil Rehabilitation Act (Act No. 225 of 1999) prior to amendment by Article 1 of the Act on

Arrangements for the Bankruptcy Act; and
(iv) in the case where prior laws are to continue to govern pursuant to the provision of the first sentence of Article 12, paragraph (1) of the Supplementary Provisions of the Act on Arrangements for the Bankruptcy Act, the crimes prescribed in Articles 255 (Fraudulent Reorganization) and 256 (Fraudulent Reorganization by a Third Party) of the Corporate Reorganization Act (Act No. 154 of 2002) prior to amendment by Article 2 of the Act on Arrangements for the Bankruptcy Act.

Article 8 With regard to the application of penal provisions to acts committed prior to the enforcement date, the prior laws continue to govern.

(Adjustment Provisions)

Article 59 If the date on which the Act Partially Amending the Act on Regulation and Punishment of Acts Relating to Child Prostitution and Child Pornography, and the Protection of Children comes into effect is earlier than the enforcement date, the term "Article 7, paragraphs (4) through (6)" in Article 3's provisions amending the Appended Table of the Organized Crime Punishment Act (limited to the part pertaining to item (lxx) of the same table) shall be replaced with "Article 7, paragraphs (5) through (7)," and the provisions of Article 27 and the preceding Article of these Supplementary Provisions shall not apply.

(Adjustment Provisions)

Article 61 If the date on which the Act Partially Revising the Worker Dispatching Act comes into effect is earlier than the enforcement date, the term "Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers" in Article 3's provisions amending the Appended Table of the Organized Crime Punishment Act (limited to the part pertaining to item (lvii) of the same table) shall be replaced with "Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers," and the provisions of the preceding Article shall not apply.

(Adjustment Provisions)

Article 63 (1) If the date on which the Act Partially Amending Unfair Competition Prevention Act comes into effect is earlier than the enforcement date, the term "Article 11, paragraph (1)" in the provision amending Article 2, paragraph (2), item (iii) of the Organized Crime Punishment Act within Article 3 hereof shall be replaced with "Article 18, paragraph (1)"; "Article 14, paragraph (1), item (vii)" therein with "Article 21, paragraph (2), item (vi)"; and ", the crime" with " ", the crime"; and the terms of Article 36 of these

Supplementary Provisions set forth in the left-hand column of the following table shall be replaced with the terms set forth in the right-hand column thereof.

<p>The term "former Utility Model Act of 1993" in Article 12 of these Supplementary Provisions shall be amended to read "Utility Model Act prior to amendment by the provisions of Article 3 of the Act for Partial Revision of the Patent Act, etc. (Act No. 26 of 1993), which is to remain in force pursuant to the provision of Article 4, paragraph (1) of the Supplementary Provisions of the same Act (hereinafter referred to as the "former Utility Model Act of 1993")."</p> <p>Article 15 of these Supplementary Provisions shall be amended as follows.</p> <p>Article 15 Deleted</p>	<p>The term "former Utility Model Act of 1993" in Article 12 of these Supplementary Provisions shall be amended to read "Utility Model Act prior to amendment by the provisions of Article 3 of the Act for Partial Revision of the Patent Act, etc. (Act No. 26 of 1993), which is to remain in force pursuant to the provision of Article 4, paragraph (1) of the Supplementary Provisions of the same Act (hereinafter referred to as the "former Utility Model Act of 1993")."</p>
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(2) In the case referred to in the preceding paragraph, the provisions of the preceding Article shall not apply.

Supplementary Provisions [Act No. 27 of April 6, 2012 Extract] [Extract]

(Effective Date)

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

Supplementary Provisions [Act No. 43 of June 27, 2012 Extract] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from January 1, 2013; provided, however, that the provisions set forth in the following items shall come into effect as from the dates specified in the respective items:

- (i) omitted
- (ii) the provisions amending Article 2, paragraph (1), item (xx) and Article 18, paragraphs (3) and (4); the amending provisions adding an item to Article 19, paragraph (4); the provisions amending Article 30, paragraph (1), item (ii); the amending provisions renaming Article 42-3 "Article 42-4" and adding an Article after Article 42-2; the provisions amending Article 47-9 (limited to

the part replacing the term "or Article 46" with ", Article 42-3, paragraph (2) or Article 46"); the provisions amending the proviso to Article 47-9 (limited to the part adding ", Article 42-3, paragraph (2)" under "through Article 42-2"); the provisions amending Article 49, paragraph (1), item (i) (limited to the part renaming Article 42-2 "Article 42-3" and Article 42-3, paragraph (2) "Article 42-4, paragraph (2)"); the provisions amending Article 86, paragraphs (1) and (2) (limited to the part adding ", Article 42-3, paragraph (2)" under "through Article 42-2"); the amending provisions adding an item to Article 90-2, paragraph (4); the provisions amending Article 102, paragraph (1) (limited to the part renaming Article 42-3 "Article 42-4"); the provisions amending Article 102, paragraph (9), item (i) (limited to the part renaming Article 42-2 "Article 42-3" and Article 42-3, paragraph (2) "Article 42-4, paragraph (2)"); the provisions amending Article 119, paragraph (1); the amending provisions adding a paragraph to Article 119; the provisions amending Article 120-2, item (i); and the provisions of the following Article, and Articles 4 through 6 and Article 9 of these Supplementary Provisions:
October 1, 2012

Supplementary Provisions [Act No. 28 of May 31, 2013 Extract] [Extract]

This Act shall come into effect as from the date on which the Numbers Use Act comes into effect; provided, however, that the provisions set forth in the following items shall come into effect as from the dates specified in the respective items:

- (i) the provisions of Articles 33 through 42, Article 44 (limited to the amending provisions adding an item after Article 4, paragraph (3), item (xli) of the Act for Establishment of the Cabinet Office), and Article 50: the date of promulgation

Supplementary Provisions [Act No. 45 of June 19, 2013 Extract] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation; provided, however, that the provisions set forth in the following items shall come into effect as from the dates specified in the respective items:

- (i) the amending provisions in Article 1, which are to add an Article after Article 197-2 of the Financial Instruments and Exchange Act, add two items after Article 198, item (ii) of the same Act, and amend Article 198-3, Article 198-6, item (ii), Article 205, item (xiv), and Article 207, paragraph (1), item (ii) and paragraph (2) of the same Act; the provisions of Article 3; the amending provisions in Article 4, which are to add a paragraph after Article

11-4, paragraph (4) of the Agricultural Co-operatives Act; the amending provisions in Article 5, which are to rename paragraph (5) "paragraph (6)" and add a paragraph after paragraph (4) in Article 11-11 of the Fishery Cooperative Act; the provisions of Article 8 (excluding the provisions amending Article 252 of the Act on Investment Trusts and Investment Corporations); the amending provisions in Article 14, which are to rename paragraph (5) "paragraph (6)" and add a paragraph after paragraph (4) in Article 13 of the Banking Act, and amend the term "the preceding three paragraphs" to read as "the preceding paragraphs" in Article 52-22, paragraph (4) of the same Act, rename that paragraph "paragraph (5)," and add a paragraph after paragraph (3) of that Article; the provisions of Article 15; the amending provisions in Article 19, which are to rename paragraph (5) "paragraph (6)" and add a paragraph after paragraph (4) in Article 58 of the Norinchukin Bank Act; the amending provisions in Article 21, which are to amend Articles 91, 93, and 96, and Article 98, paragraph (1) of the Trust Business Act; the provisions of Article 22; and the provisions of Article 30 (limited to the provisions amending Article 23, paragraph (2) of the Act on the Regional Economy Vitalization Corporation of Japan (Act No. 63 of 2009)), Article 31 (limited to the provisions amending Article 17, paragraph (2) of the Act on the Incorporated Organization for Supporting the Turnaround of Businesses Damaged by the Great East Japan Earthquake (Act No. 113 of 2011)), and Articles 32, 36, and 37 of these Supplementary Provisions: the day on which 20 days have elapsed from the date of promulgation

(Transitional Measures concerning the Application of Penal Provisions)

Article 36 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act (with regard to the provisions set forth in the items of Article 1 of these Supplementary Provisions, those provisions; hereinafter the same applies in this Article), and to acts committed subsequent to the enforcement thereof in the case where prior laws are to continue to govern pursuant to the provisions of these Supplementary Provisions, the prior laws continue to govern.

(Delegation to Cabinet Order)

Article 37 In addition to what is provided in Articles 2 through 15 and the preceding Article of these Supplementary Provisions, transitional measures necessary for enforcing this Act (including transitional measures concerning penal provisions) shall be provided by Cabinet Order.

Supplementary Provisions [Act No. 56 of June 21, 2013 Extract] [Extract]

(Effective Date)

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

**Supplementary Provisions [Act No. 84 of November 27, 2013 Extract]
[Extract]**

(Effective Date)

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

(Transitional Measures concerning Penal Provisions)

Article 101 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, and to acts committed subsequent to the enforcement thereof in the case where prior laws are to continue to govern pursuant to the provisions of this Act, the prior laws continue to govern.

**Supplementary Provisions [Act No. 103 of December 13, 2013 Extract]
[Extract]**

(Effective Date)

Article 1 This Act shall come into effect as from the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation; provided, however, that the provisions set forth in the following items shall come into effect as from the dates specified in the respective items:

(i) omitted

(ii) the provisions of Article 17 of these Supplementary Provisions: the date of promulgation of the Act Partially Amending the Pharmaceutical Affairs Act, etc. (Act No. 84 of 2013) or the date of promulgation of this Act, whichever comes later

Supplementary Provisions [Act No. 25 of April 23, 2014 Extract] [Extract]

(Effective Date)

(1) This Act shall come into effect from the date on which the amendment of the Convention on the Physical Protection of Nuclear Material becomes effective with respect to Japan.

Supplementary Provisions [Act No. 79 of June 25, 2014 Extract] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from the day on which 20 days have elapsed from the date of promulgation.

Supplementary Provisions [Act No. 91 of June 27, 2014 Extract] [Extract]

This Act shall come into effect as from the date on which the Act Partially Amending the Companies Act comes into effect.

Supplementary Provisions [Act No. 113 of November 21, 2014 Extract] [Extract]

(Effective Date)

(1) This Act shall come into effect as from the day on which 20 days have elapsed from the date of promulgation.

Supplementary Provisions [Act No. 63 of September 4, 2015 Extract] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from April 1, 2016.

(Transitional Measures concerning Penal Provisions)

Article 114 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, and to acts committed subsequent to the enforcement thereof in the case where prior laws are to continue to govern pursuant to the provisions of these Supplementary Provisions or where relevant penal provisions are to remain in force pursuant to the provisions of these Supplementary Provisions, the prior laws continue to govern.

Supplementary Provisions [Act No. 65 of September 9, 2015 Extract] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from the date specified by Cabinet Order within a period not exceeding two years from the date of promulgation; provided, however, that the provisions set forth in the following items shall come into effect as from the dates specified in the respective items:

(i) omitted

(ii) the provisions of Articles 1 and 4, and the provisions of Articles 5 and 6, Article 7, paragraphs (1) and (3), Articles 8, 9, 13, and 22, Articles 25 through 27, and Articles 30, 32, 34, and 37 of these Supplementary

Provisions: January 1, 2016

(iii) and (iv) omitted

- (v) the provisions of Articles 3 and 6 (excluding the provisions amending Article 19, item (i) of the Numbers Use Act and its Appended Table 1), and the provisions of Articles 19-3, 24, 29-3, and 36 of these Supplementary Provisions: the date on which the provisions set forth in Article 1, item (v) of the Supplementary Provisions of the Numbers Use Act come into effect

**Supplementary Provisions [Act No. 74 of September 28, 2015 Extract]
[Extract]**

(Effective Date)

Article 1 This Act shall come into effect as from the date specified by Cabinet Order within a period not exceeding two years from the date of promulgation.

**Supplementary Provisions [Act No. 21 of March 31, 2016 Extract]
[Extract]**

(Effective Date)

Article 1 This Act shall come into effect as from April 1, 2017.

Supplementary Provisions [Act No. 54 of June 3, 2016 Extract] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from the date specified by Cabinet Order within a period not exceeding three years from the date of promulgation; provided, however, that the provisions set forth in the following items shall come into effect as from the dates specified in the respective items:

(i) omitted

- (ii) the provisions of Articles 1 (limited to the provisions amending Articles 90, 151, and 161 of the Code of Criminal Procedure), 3, 5, and 8, and the provisions of Articles 3 and 5 of these Supplementary Provisions: the day on which 20 days have elapsed from the date of promulgation

Supplementary Provisions [Act No. 36 of May 24, 2017 Extract] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from the date specified by Cabinet Order within a period not exceeding one month from the date of promulgation.

Supplementary Provisions [Act No. 46 of June 2, 2017 Extract] [Extract]

(Effective Date)

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

(Transitional Measures concerning Penal Provisions)

Article 15 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, and to acts committed subsequent to the enforcement thereof in the case where prior laws are to continue to govern pursuant to the provisions of these Supplementary Provisions, the prior laws continue to govern.

Supplementary Provisions [Act No. 67 of June 21, 2017 Extract] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from the day on which 20 days have elapsed from the date of promulgation; provided, however, that the provisions set forth in the following items shall come into effect as from the dates specified in the respective items:

- (i) the provisions in Article 1 to amend Article 12 of the Act on Punishment of Organized Crimes and Control of Proceeds of Crime (hereinafter referred to as the "Organized Crime Punishment Act"), the provisions of Article 2 and Articles 4 through 7, and the provisions of Articles 4 and 6 of these Supplementary Provisions: the day on which the United Nations Convention against Transnational Organized Crime becomes effective with respect to Japan
- (ii) the provision of Article 5, paragraph (2) of these Supplementary Provisions: the date on which the Act Partially Amending the Penal Code (Act No. 72 of 2017; referred to as the "Panel Code Partial Amendment Act" in this Article) comes into effect or the date on which this Act comes into effect, whichever comes later

(Transitional Measures)

Article 2 The provisions of Article 9, paragraphs (1) through (3) and Articles 10 and 11 of the Organized Crime Punishment Act shall also apply to acts committed after the enforcement of this Act in relation to any property produced or obtained through, or obtained in reward for, criminal acts that were committed prior to the enforcement of this Act for the purpose of obtaining unlawful economic benefits and that constituted any of the crimes set forth in Article 2, paragraph (2), item (i), (a), and Appended Table 1, item (v) and items (vii) through (x) of the Organized Crime Punishment Act after

amendment by Article 1 hereof (hereinafter referred to as the "new Organized Crime Punishment Act") (excluding the crimes set forth in the Appended Tables of the Organized Crime Punishment Act prior to amendment by Article 1 hereof) (including acts committed outside Japan that would have constituted those crimes if committed in Japan, and that also constituted crimes under the laws and regulations of the overseas jurisdiction). In such case, this kind of property shall be deemed to be the proceeds of crime specified in item (i) of the aforementioned paragraph.

Article 3 In the application of the provisions of the new Organized Crime Punishment Act (excluding penal provisions that apply pursuant to the provisions of Article 65 of the Supplementary Provisions of the Act for Partial Revision of the Act concerning Liquidation of Specified Assets by Special Purpose Entities (Act No. 97 of 2000; hereinafter referred to as the "Act for Partial Revision of the Specified Asset Liquidation Act" in this Article) or the provisions of Article 12 of the Supplementary Provisions of the Act for Partial Revision of the Employment Security Act and the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (Act No. 82 of 2003; hereinafter referred to as the "Act for Partial Revision of the Employment Security Act" in this Article)), the crime prescribed in Article 236, paragraph (2) of the Act on Securities Investment Trusts and Securities Investment Corporations (Act No. 198 of 1951) prior to amendment by Article 2 of the Act for Partial Revision of the Specified Asset Liquidation Act in the case where prior laws are to continue to govern pursuant to the provisions of Article 65 of the Supplementary Provisions of that Act shall be deemed as the crime set forth in Appended Table 2, item (xiii) of the new Organized Crime Punishment Act; and the crime prescribed in paragraph (6) of the Supplementary Provisions of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (Act No. 88 of 1985) prior to amendment by Article 2 of the Act for Partial Revision of the Employment Security Act in the case where prior laws are to continue to govern pursuant to the provisions of Article 12 of the Supplementary Provisions of that Act shall be deemed as the crime set forth in item (xxvi) of the aforementioned table.

Article 4 The following provisions shall apply only to the crimes that are to be punished even if they are committed outside Japan pursuant to any treaty that becomes effective with respect to Japan on or after the date on which the provisions set forth in Article 1, item (i) of these Supplementary Provisions come into effect: the provisions of Article 12 of the new Organized Crime

Punishment Act (limited to the part pertaining to Article 4-2 of the Penal Code), the provisions of Article 10 of the Criminal Regulations to Control Explosives after amendment by Article 2 hereof (limited to the part pertaining to Articles 4 through 6 of the same Regulations), the provision of Article 1-3, paragraph (2) of the Act on Punishment of Physical Violence and Others after amendment by Article 4 hereof, the provision of Article 60, paragraph (5) of the Child Welfare Act (limited to the part pertaining to paragraph (1) of the same Article) after amendment by Article 5 hereof, the provisions of Article 11 of the Act on Implementing the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction and the Other Conventions (limited to the part pertaining to Article 10 of the same Act) after amendment by Article 6 hereof, and the provisions of Article 8 of the Act on Prevention of Bodily Harm by Sarin and Similar Substances (limited to the part pertaining to Article 5, paragraph (3) of the same Act) after amendment by Article 7 hereof.

(Adjustment Provisions)

- Article 5 (1) If the date on which the Act Partially Amending the Penal Code comes into effect is later than the date on which this Act comes into effect, the provision of Appended Table 3, item (ii), (n) of the new Organized Crime Punishment Act shall apply with the term "; Forcible Sexual Intercourse" in (n) of the same item replaced with "; Rape" and the term "Quasi Forcible Sexual Intercourse" therein with "Quasi Rape" up until the day before the date on which the Act Partially Amending the Penal Code comes into effect.
- (2) In the case referred to in the preceding paragraph, the term "item (xii) of the same Article" in the provisions of the Act Partially Amending the Penal Code to amend Article 3 of the Penal Code shall be replaced with "item (xiii) of the same Article"; and the term "item (xiii) of the same Article" therein with "item (xiv) of the same Article," and the provisions of Article 6 of the Supplementary Provisions of the Act Partially Amending the Penal Code shall not apply.

(Adjustment Provisions)

Article 11 If the date on which this Act comes into effect is on or after the date on which the Act Partially Amending the Act on Specified Joint Real Estate Ventures comes into effect, the provisions of the preceding Article shall not apply. In such case, within the amending provisions of Article 1 hereof to add three tables after Appended Table 1 in the Organized Crime Punishment Act, the term "Article 53, item (iii)" in the part pertaining to Appended Table 2, item (xxviii) shall be replaced with "Article 80, item (iii)."

(Review)

Article 12 (1) In conducting a review of the system for the sound or video recording of interrogations, etc. prescribed in Article 9, paragraph (1) of the Supplementary Provisions of the Act Partially Amending the Code of Criminal Procedure and Other Acts pursuant to the provision of the same paragraph, the government shall, as expeditiously as practicable, review the system in relation to cases involving the crimes prescribed in Article 6-2, paragraphs (1) and (2) of the new Organized Crime Punishment Act in light of the status of application of the provisions of those two paragraphs and the situations of investigations and trials with respect to cases involving the crimes, among other factors, while also giving due consideration specifically to the suggestion that interrogations under Article 198, paragraph (1) of the Code of Criminal Procedure are significantly important as a method of collecting evidence for cases involving the crimes concerned.

(2) In light of the fact that, for the investigation of cases involving the crimes prescribed in Article 6-2, paragraphs (1) and (2) of the new Organized Crime Punishment Act, the installation of terminals on vehicles for operating a global positioning system and the use of such system as a method of searching for and acquiring location information can contribute to the collection of evidence to find out the truth of each case, while the judgment dated March 15, 2017 and delivered by the grand bench of the Supreme Court on the case of Supreme Court 2016 (A) 442 held that an investigation employing such method amounts to a compulsory disposition that, under the Code of Criminal Procedure, is allowed only if there are specific legal grounds provided for such disposition, and on the basis of the view that legislation on the use of such method in investigations should be carried out if it can be an effective method of investigation to be widely used in the future, the government shall, promptly after the enforcement of this Act, review the system of investigation that uses the method concerned and, when finding it necessary, take necessary measures based on the results of the review.

Supplementary Provisions [Act No. 7 of March 31, 2018 Extract] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from April 1, 2018; provided, however, that the provisions set forth in the following items shall come into effect as from the dates specified in the respective items:

(i) the provisions in Article 5 hereof to amend Article 64 and Article 67, paragraph (2) of the Consumption Tax Act, and the provisions of Articles 139 of these Supplementary Provisions: the day on which 10 days have elapsed from the date of promulgation

(Transitional Measures concerning Penal Provisions)

Article 143 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act (with regard to the provisions set forth in the items of Article 1 of these Supplementary Provisions, those provisions; hereinafter the same applies in this Article), and to acts committed subsequent to the enforcement thereof in the case where prior laws are to continue to govern pursuant to the provisions of these Supplementary Provisions, the prior laws continue to govern.

Supplementary Provisions [Act No. 2 of May 17, 2019 Extract] [Extract]

(Effective Date)

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

Appended Table 1 (Re: Articles 2 and 7)

- (i) The crime prescribed in Article 6-2, paragraph (1) or (2) (Planning to Commit a Serious Crime That Entails an Act of Preparation by Terrorist Groups and Other Organized Criminal Groups) hereof
- (ii) The crime prescribed in Article 7-2 (Bribery of Witnesses) hereof
- (iii) The crime prescribed in Article 10 (Concealment of Proceeds of Crime, etc.) or Article 11 (Receiving Proceeds of Crime, etc.) hereof, or the crime prescribed in Article 6 (Concealment of Proceeds of Drug Crime, etc.) or Article 7 (Receiving Proceeds of Drug Crime, etc.) of the Anti-Drug Special Provisions Act
- (iv) The crime prescribed in Article 155, paragraph (1) (Counterfeiting of Official Documents with Seals) or paragraph (2) (Alteration of Official Documents with Seals) of the Penal Code, the crime prescribed in Article 156 (Making of False Official Documents with Seals) of the same Code (limited to cases that should be punished as provided in Article 155, paragraph (1) or (2) of the same Code), or the crime prescribed in Article 159, paragraph (1) (Counterfeiting of Private Documents with Seals) or paragraph (2) (Alteration of Private Documents with Seals) of the same Code
- (v) The crimes prescribed in Articles 197 through 197-4 (Acceptance of Bribes; Acceptance upon a Request; Acceptance in Advance of Assumption of Office; Passing of Bribes to a Third Party; Aggravated Acceptance; Acceptance after Resignation of Office; Acceptance for Exertion of Influence) or Article 198 (Giving of Bribes) of the Penal Code
- (vi) The crimes prescribed in Articles 224 through 228 (Kidnapping of Minors; Kidnapping for Profit; Kidnapping for Ransom; Kidnapping for Transportation out of a Country; Buying or Selling of Human Beings;

- Transportation of Kidnapped Persons out of a Country; Delivery of Kidnapped Persons; Attempts) of the Penal Code;
- (vii) The crime prescribed in Article 60, paragraph (2) (Delivering and Controlling of a Child) of the Child Welfare Act (Act No. 164 of 1947) (limited to cases relating to the violation specified in Article 34, paragraph (1), item (vii) or (ix) of the same Act)
 - (viii) The crime prescribed in Article 70, paragraph (1), item (i) (Illegal Entry), item (ii) (Illegal Landing), or item (v) (Illegal Remaining), or Article 70, paragraph (2) (Illegal Stay) (except where the person concerned is a principal in the crime) of the Immigration Control and Refugee Recognition Act (Cabinet Order No. 319 of 1951), the crime prescribed in Article 74 (Act of Causing a Group of Stowaways to Illegally Enter Japan), Article 74-2 (Transportation of a Group of Stowaways), or Article 74-4 (Receipt of a Group of Stowaways) of the same Act, the crime prescribed in Article 74-6 (Assistance in Illegal Entry or Landing) (limited to cases relating to the conduct specified in Article 70, paragraph (1), item (i) or (ii) of the same Act) of the same Act, the crime prescribed in Article 74-6-2, paragraph (1), item (i) (Wrongful Receipt or Issuance of a Refugee Travel Document or Other Documents) or item (ii) (Possession of a Falsified Foreign Passport), or Article 74-6-2, paragraph (2) (Wrongful Receipt or Issuance of a Refugee Travel Document or Other Documents for Profit) of the same Act, the crime prescribed in Article 74-6-3 (Attempts) of the same Act (excluding the part relating to the crimes prescribed in Article 74-6-2, paragraph (1), items (iii) and (iv) of the same Act), or the crime prescribed in Article 74-8 (Harboring of Illegal Entrants) of the same Act
 - (ix) The crime prescribed in Article 23, paragraph (1), item (i) (Wrongful Receipt or Issuance of a Passport), items (iii) through (v) (Transfer of One's Own Passport to Another Person; Transfer of a Passport in Another Person's Name; Transfer of a Counterfeit Passport), or Article 23, paragraph (2) (Wrongful Receipt or Issuance of a Passport for Profit) of the Passport Act (Act No. 267 of 1951), or the crime prescribed in paragraph (3) of the same paragraph (Attempts) in connection with those crimes
 - (x) The crime prescribed in Article 95 (Obstructing or Compelling Performance of Public Duty) of the Penal Code (limited to cases in which this crime is committed with intent to obstruct the execution of duties for a trial or investigation in connection with any of the crimes set forth below by a public employee engaged in judicial, prosecution, or policing duties), or the crime prescribed in Article 223 (Compulsion) of the same Code (limited to cases in which this crime is committed with intent to obstruct another's testimony or cause another to give false testimony, to destroy, counterfeit, or alter evidence, or to use counterfeit or altered evidence, in relation to the

compelling person's own or others' criminal case involving any of the crimes set forth below):

- (a) crimes punishable by the death penalty, life imprisonment with or without work, or imprisonment with or without work for a long term of four years or more (excluding the crimes set forth in (b)); or
- (b) crimes set forth in this Appended Table

Appended Table 2 (Re: Article 2)

- (i) The crime prescribed in Article 163-4 (Preparation for Unauthorized Creation of Payment Cards with an Electronic or Magnetic Record) of the Penal Code, the crime prescribed in Article 163-5 (Attempts) of the same Code (limited to the part pertaining to the crime prescribed in Article 163-4, paragraph (1) of the same Code), or the crime prescribed in Article 175 (Distribution of Obscene Objects) or Article 186, paragraph (1) (Habitual Gambling) of the same Code
- (ii) The crime prescribed in Article 18, item (ii) (Receipt of Benefits as Compensation for Loss) of the Act on Engagement in Trust Business by Financial Institutions (Act No. 43 of 1943)
- (iii) The crime prescribed in Article 99-9, item (i) (Receipt of Benefits as Compensation for Loss) of the Agricultural Co-operatives Act (Act No. 132 of 1947)
- (iv) The crime prescribed in Article 200, item (xiv) (Receipt of Benefits as Compensation for Loss) of the Financial Instruments and Exchange Act (Act No. 25 of 1948)
- (v) The crime prescribed in Article 49, item (i) (Unauthorized Business) of the Act on Control and Improvement of Amusement Business, etc. (Act No. 122 of 1948)
- (vi) The crime prescribed in Article 98-4 (Receipt of Benefits as Compensation for Loss) of the Consumer Cooperatives Act (Act No. 200 of 1948)
- (vii) The crime prescribed in Article 129-3, item (i) (Receipt of Benefits as Compensation for Loss) of the Fishery Cooperative Act (Act No. 242 of 1948)
- (viii) The crime prescribed in Article 112-3 (Receipt of Benefits as Compensation for Loss) of the Small and Medium-Sized Enterprise Cooperatives Act (Act No. 181 of 1949)
- (ix) The crime prescribed in Article 10-2-2 (Receipt of Benefits as Compensation for Loss) of the Act on Financial Businesses by Cooperative (Act No. 183 of 1949)
- (x) The crime prescribed in Article 77, item (iii) (Provision of Legal Services by Non-Attorneys) or item (iv) (Enforcement of Assigned Rights as a Business) of the Attorney Act (Act No. 205 of 1949)
- (xi) The crime prescribed in Article 363, item (ix) (Receipt of Benefits as

- Compensation for Loss) of the Commodity Derivatives Transaction Act (Act No. 239 of 1950)
- (xii) The crime prescribed in Article 24, item (i) (Sale by an Unregistered Person) of the Poisonous and Deleterious Substances Control Act (Act No. 303 of 1950) (limited to cases connected with the violation specified in Article 3 of the same Act), or the crime prescribed in Article 24-2, item (i) (Sale of Poisonous Substances or Other Substances Causing Stimulation or Other Actions) of the same Act
 - (xiii) The crime prescribed in Article 236, paragraph (2) (Receipt or Provision of Benefits concerning the Exercise of a Right of an Investor) or Article 243, item (ii) (Receipt of Benefits as Compensation for Loss) of the Act on Investment Trusts and Investment Corporations (Act No. 198 of 1951)
 - (xiv) The crime prescribed in Article 90-4-2 (Receipt of Benefits as Compensation for Loss) of the Shinkin Bank Act (Act No. 238 of 1951)
 - (xv) The crime prescribed in Article 41-13 (Intermediation between the Assignment and Acquisition of Stimulants' Raw Materials) of the Stimulants Control Act
 - (xvi) The crime prescribed in Article 73-2, paragraph (1) (Assistance in Engaging in Illegal Work) or Article 73-5 (Preparation for Counterfeiting a Residence Card) of the Immigration Control and Refugee Recognition Act
 - (xvii) The crime prescribed in Article 25-2-2 (Receipt of Benefits as Compensation for Loss) of the Long Term Credit Bank Act (Act No. 187 of 1952)
 - (xviii) The crime prescribed in Article 31-3, item (i) (Unauthorized Manufacture of Arms Other than Firearms or Ammunition) of the Ordnance Manufacturing Act (Act No. 145 of 1953)
 - (xix) The crime prescribed in Article 100-4-2 (Receipt of Benefits as Compensation for Loss) of the Labor Bank Act (Act No. 227 of 1953)
 - (xx) The crime prescribed in Article 8, paragraph (3) (Receipt of a Contribution with the Principal Guaranteed) of the Act Regulating the Receipt of Contributions, the Receipt of Deposits, and Interest Rates (limited to cases relating to the violation specified in Article 2, paragraph (1) of the same Act)
 - (xxi) The crime prescribed in Article 6, paragraph (1) (Intermediation), Article 7 (Prostitution by Making Another Person Overwhelmed), or Article 10 (Contract for Making Another Person Engage in Prostitution) of the Anti-Prostitution Act
 - (xxii) The crime prescribed in Article 31-15 (Intermediation between the Assignment and Acquisition of Hand-Guns or Other Items), Article 31-16, paragraph (1), item (i) (Possession of Hand-Guns and Firearms Other than Hunting Guns), item (ii) (Possession of Parts of Hand-Guns), or item (iii) (Assignment of Parts of Hand-Guns), Article 31-15, paragraph (2) (Attempts),

- Article 31-17 (Importing Goods as Hand-Guns or Other Similar Items), Article 31-18, item (i) (Intermediation between the Assignment and Acquisition of Gun Cartridges), or Article 32, item (i) (Intermediation between the Assignment and Acquisition of Parts of Hand-Guns) of the Act for Controlling the Possession of Firearms or Swords and Other Such Weapons
- (xxiii) The crime prescribed in Article 84, item (ix) (Unlicensed Business of Selling Pharmaceuticals) of the Act on Securing Quality, Efficacy and Safety of Products Including Pharmaceuticals and Medical Devices (Act No. 145 of 1960)
- (xxiv) The crime prescribed in Article 5 (Creation) of the Act on Prevention of Pyramid Schemes (Act No. 101 of 1978)
- (xxv) The crime prescribed in Article 61, item (i) (Unlicensed Business) or Article 63-2-2 (Receipt of Benefits as Compensation for Loss) of the Banking Act (Act No. 59 of 1981)
- (xxvi) The crime prescribed in Article 59, item (i) (Worker Dispatching Undertakings for Prohibited Duties) of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (Act No. 88 of 1985) (limited to cases relating to the violation specified in Article 4, paragraph (1) of the same Act)
- (xxvii) The crime prescribed in Article 28 (Preparation for Counterfeiting a Special Permanent Resident Certificate) of the Special Act on the Immigration Control of, Inter Alia, Those Who Have Lost Japanese Nationality Pursuant to the Treaty of Peace with Japan (Act No. 71 of 1991)
- (xxviii) The crime prescribed in Article 80, item (iii) (Receipt of Benefits as Compensation for Loss) of the Act on Specified Joint Real Estate Ventures (Act No. 77 of 1994)
- (xxix) The crime prescribed in Article 317-2, item (ii) (Receipt of Benefits as Compensation for Loss) or Article 331, paragraph (2) (Receipt or Provision of Benefits concerning the Exercise of a Right of a Shareholder) of the Insurance Business Act (Act No. 105 of 1995)
- (xxx) The crime prescribed in Article 297, item (i) (Receipt of Benefits as Compensation for Loss) or Article 311, paragraph (3) (Receipt or Provision of Benefits concerning the Exercise of a Right of a Member) of the Act on the Securitization of Assets (Act No. 105 of 1998)
- (xxxii) The crime prescribed in Article 99-2-2 (Receipt of Benefits as Compensation for Loss) of the Norinchukin Bank Act (Act No. 93 of 2001)
- (xxxiii) The crime prescribed in Article 5 (Provision of Funds or Other Benefits to Be Utilized for Commission of an Act of Public Intimidation) of the Act on Punishment of Financing to Offences of Public Intimidation
- (xxxiiii) The crime prescribed in Article 94, item (vii) (Receipt of Benefits as

- Compensation for Loss) of the Trust Business Act (Act No. 154 of 2004)
- (xxxiv) The crime prescribed in Article 970, paragraph (2) (Receipt or Provision of Benefits concerning the Exercise of a Right of a Shareholder) of the Companies Act
- (xxxv) The crime prescribed in Article 6, paragraph (3) (Preparation for Importing or Exporting Specified Nuclear Fuel Material) of the Act on Punishment of Conduct Endangering Human Life by Generating Radiation (Act No. 38 of 2007)
- (xxxvi) The crime prescribed in Article 73, paragraph (1), item (ii) (Receipt of Benefits as Compensation for Loss) of the Shoko Chukin Bank Limited Act (Act No. 74 of 2007)
- (xxxvii) The crime prescribed in Article 49 (Provision or Misappropriation of an Individual Number) or Article 51, paragraph (1) (Obtaining an Individual Number by Fraud or Other Acts) of the Act on the Use of Numbers to Identify a Specific Individual in Administrative Procedures (Act No. 27 of 2013)

Appended Table 3 (Re: Article 6-2)

- (i) The crime prescribed in Article 3 (Organized Homicide and Other Organized Crimes), Article 9, paragraphs (1) through (3) (Act Aimed at Controlling the Business Administration of a Corporation or Entity of Other Types by Using Unlawful Proceeds or Other Means), Article 10, paragraph (1) (Concealment of Proceeds of Crime, etc.), or Article 11 (Receiving Proceeds of Crime, etc.)
- (ii)
 - (a) The crime prescribed in Article 77, paragraph (1) (Insurrection) (excluding the part pertaining to item (iii) of the same paragraph) of the Penal Code or Article 79 (Accessoryship to Insurrection) (excluding cases where this crime is related to the crime prescribed in the aforementioned paragraph (limited to the part pertaining to item (iii) of the same paragraph) or to the crime prescribed in Article 77, paragraph (2) of the same Code) of the same Code
 - (b) The crime prescribed in Article 81 (Instigation of Foreign Aggression) or Article 82 (Assistance to the Enemy) of the Penal Code
 - (c) The crime prescribed in Article 106 (Disturbance) (excluding the part pertaining to item (iii) of the same Article) of the Penal Code
 - (d) The crime prescribed in Article 108 (Arson of Inhabited Buildings), Article 109, paragraph (1) (Arson of Uninhabited Buildings), or Article 110, paragraph (1) (Setting Fire to Objects Other than Structures) of the Penal Code, or the crime prescribed in Article 117, paragraph (1) (Detonating of Explosives) (limited to cases that should be punished as provided in Article 108, Article 109, paragraph (1), or Article 110, paragraph (1) of the same Code) of the same Code

- (e) The crime prescribed in Article 119 (Damage to Inhabited Buildings by Flood) or Article 120 (Damage to Other Objects by Flood) of the Penal Code
- (f) The crime prescribed in Article 125 (Endangering Traffic) or Article 126, paragraph (1) or (2) (Overturning of Trains) of the Penal Code
- (g) The crime prescribed in Article 136 (Importation of Opium for Smoking), Article 137 (Import of Opium Smoking Implements), or Article 139, paragraph (2) (Providing Places for Smoking Opium) of the Penal Code
- (h) The crime prescribed in Article 143 (Pollution of Water Supplies), the first sentence of Article 146 (Pollution of Water Supplies with Poisonous Materials), or Article 147 (Damage or Obstruction of a Water Supply System) of the Penal Code
- (i) The crime prescribed in Article 148 (Counterfeiting of Currency or Uttering of Counterfeit Currency) or Article 149 (Counterfeiting of Foreign Currency or Uttering of Foreign Currency) of the Penal Code
- (j) The crime prescribed in Article 155, paragraph (1) (Counterfeiting of Official Documents with Seals) or paragraph (2) (Alteration of Official Documents with Seals) of the Penal Code, the crime prescribed in Article 156 (Making of False Official Documents with Seals) (limited to cases that should be punished as provided in Article 155, paragraph (1) or (2) of the same Code) of the same Code, the crime prescribed in Article 157, paragraph (1) (False Entries in the Original of Notarized Deeds) of the same Code, or the crime prescribed in Article 158, paragraph (1) (Uttering of Counterfeit Official Documents) of the same Code and connected with the aforementioned crimes; the crime prescribed in Article 159, paragraph (1) (Counterfeiting of Private Documents with Seals) or paragraph (2) (Alteration of Private Documents with Seals) of the same Code, or the crime prescribed in Article 161, paragraph (1) (Uttering of Counterfeit Private Documents) and connected with these crimes; or the crime prescribed in Article 161-2, paragraphs (1) through (3) (Unauthorized Creation of Electronic or Magnetic Records) of the same Code
- (k) The crime prescribed in Article 162 (Counterfeiting of Securities) or Article 163, paragraph (1) (Uttering Counterfeit Securities) of the Penal Code
- (l) The crime prescribed in Article 163-2 (Unauthorized Creation of Electronic or Magnetic Records of Payment Cards) or Article 163-3 (Possession of Payment Cards with Unauthorized Electronic or Magnetic Records) of the Penal Code
- (m) The crime prescribed in Article 165 (Counterfeiting or Unauthorized Use of Official Seals) of the Penal Code
- (n) The crime prescribed in Articles 176 through 178 (Forcible Indecency; Forcible Sexual Intercourse; Quasi Forcible Indecency; Quasi Forcible

- Sexual Intercourse) of the Penal Code
- (o) The crime prescribed in Article 191 (Excavation of Graves and Damage of Corpses) of the Penal Code
 - (p) The crime prescribed in the first sentence of Article 197, paragraph (1) (Acceptance of Bribes), Articles 197-2 through 197-4 (Passing of Bribes to a Third Party; Aggravated Acceptance; Acceptance after Resignation of Office; Acceptance for Exertion of Influence), or Article 198 (Giving of Bribes) of the Penal Code
 - (q) The crime prescribed in Article 204 (Injury) of the Penal Code
 - (r) The crimes prescribed in Article 224 (Kidnapping of Minors), Article 225 (Kidnapping for Profit), Article 226 (Kidnapping for Transportation out of a Country), Article 226-2, paragraph (1), (4), or (5) (Buying or Selling of Human Beings), Article 226-3 (Transportation of Kidnapped Persons out of a Country), or Article 227, paragraph (1), (3), or (4) (Delivery of Kidnapped Persons) of the Penal Code
 - (s) The crime prescribed in Article 234-2, paragraph (1) (Obstruction of Business by Damaging a Computer) of the Penal Code
 - (t) The crime prescribed in Articles 235 through 236 Larceny; Taking Unlawful Possession of Real Estate; Robbery), Article 238 (Constructive Robbery), or Article 239 (Robbery through Causing Unconsciousness) of the Penal Code
 - (u) The crime prescribed in Articles 246 through 248 (Computer Fraud; Breach of Duty of Loyalty; Quasi Fraud) of the Penal Code
 - (v) The crime prescribed in Article 252 (Embezzlement) of the Penal Code
 - (w) The crime prescribed in Article 256, paragraph (2) (Acceptance of Stolen Property for Compensation) of the Penal Code
 - (iii) The crime prescribed in Article 1 (Use of Explosives) or Article 3, 5, or 6 (Manufacture of Explosives) of the Criminal Regulations to Control Explosives (Cabinet Ordinance No. 32 of 1884)
 - (iv) The crime prescribed in Article 1 (Counterfeiting), Article 2 (Importing Counterfeit Currency Circulating in Foreign States), or Article 3, paragraph (1) (Using Counterfeit Currency Circulating in Foreign States) of the Act on Counterfeit, Alteration and Imitation of Coins, Money Bills, Banknotes and Securities Circulating in Foreign States (Act No. 66 of 1905)
 - (v) The crime prescribed in Article 1 (Counterfeiting) or Article 2, paragraph (1) (Using Counterfeit Stamps) of the Act on Punishment of Crimes Related to Stamps (Act No. 39 of 1909)
 - (vi) The crime prescribed in Article 1, paragraph (1) (Damage to Submarine Telegraph Cables) of the Act on Penal Provisions Incidental to the Convention for the Protection of Submarine Telegraph Cables (Act No. 20 of 1916)

- (vii) The crime prescribed in Article 117 (Forced Labor) of the Labor Standards Act (Act No. 49 of 1947)
- (viii) The crime prescribed in Article 63 (Employment Placement by Means of Intimidation) of the Employment Security Act (Act No. 141 of 1947)
- (ix) The crime prescribed in Article 60, paragraph (1) (Obscene Act Involving a Child) or paragraph (2) (Delivering and Controlling of a Child) of the Child Welfare Act (limited to cases relating to the violation specified in Article 34, paragraph (1), item (vii) or (ix) of the same Act)
- (x) The crime prescribed in Article 85, paragraph (1) (Counterfeiting of Stamps) of the Postal Act (Act No. 165 of 1947)
- (xi) The crime prescribed in Article 197 (Submission of Counterfeit Securities Registration Statements) or Article 197-2 (Insider Trading) of the Financial Instruments and Exchange Act
- (xii) The crime prescribed in Article 24, paragraph (1) (Cultivation of Cannabis), Article 24-2, paragraph (1) (Possession of Cannabis), or Article 24-3, paragraph (1) (Use of Cannabis) of the Cannabis Control Act (Act No. 124 of 1948)
- (xiii) The crime prescribed in Article 111 (Mariner Employment Placement by Means of Violence) of the Mariners' Employment Security Act (Act No. 130 of 1948)
- (xiv) The crime prescribed in Article 30 (Unlicensed Horse Race) of the Horse Racing Act (Act No. 158 of 1948)
- (xv) The crime prescribed in Article 56 (Unlicensed Bicycle Race) of the Bicycle Racing Act (Act No. 209 of 1948)
- (xvi) The crime prescribed in Article 69-6, paragraph (1) or (2) (Transactions without Permission That Undermine the Maintenance of International Peace And Security) or Article 69-7, paragraph (1) (Transactions without Permission Aimed to Provide Specified Technology) of the Foreign Exchange and Foreign Trade Act (Act No. 228 of 1949)
- (xvii) The crime prescribed in Article 108-2, paragraph (1) (Destruction of Radio Equipment of a Radio Station Used for Telecommunications Services) of the Radio Act (Act No. 131 of 1950)
- (xviii) The crime prescribed in Article 61 (Unlicensed Compact Automobile Race) of the Auto Racing Act (Act No. 208 of 1950)
- (xix) The crime prescribed in Article 193 (Unauthorized Import of Important Cultural Properties), Article 195, paragraph (1) (Damage to Important Cultural Properties), or Article 196, paragraph (1) (Loss of a Historic Site, Place of Scenic Beauty, or Natural Monument) of the Act on Protection of Cultural Properties (Act No. 214 of 1950)
- (xx) The crime prescribed in Article 144-33, paragraph (1) (Unauthorized Production of Light Oil) or Article 144-41, paragraphs (1) through (3) or

- paragraph (5) (Tax Evasion concerning Light Oil Delivery Tax) of the Local Tax Act (Act No. 226 of 1950)
- (xxi) The crime prescribed in Article 356 (Spread of Rumors concerning Transactions on a Commodity Market) of the Commodity Derivatives Transaction Act
- (xxii) The crime prescribed in Article 100, paragraph (1) (Endangering Automobile Traffic on an Expressway) or Article 101, paragraph (1) (Overturning of a Service Vehicle) of the Road Transportation Act (Act No. 183 of 1951)
- (xxiii) The crime prescribed in Article 236, paragraph (4) (Act of Intimidation in Connection with the Receipt or Provision of Benefits concerning the Exercise of a Right of an Investor) of the Act on Investment Trusts and Investment Corporations
- (xxiv) The crime prescribed in Article 65 (Unlicensed Motorboat Race) of the Motorboat Racing Act (Act No. 242 of 1951)
- (xxv) The crime prescribed in Article 198 (Theft of Forest Trees in an Area of Protected Forest), Article 201, paragraph (2) (Transportation of Unlawfully Taken Property with Respect to the Theft of Forest Trees), or Article 202, paragraph (1) (Arson of Others' Forests) of the Forest Act (Act No. 249 of 1951)
- (xxvi) The crime prescribed in Article 41, paragraph (1) (Importing Stimulants), Article 41-2, paragraph (1) or (2) (Possession of Stimulants), Article 41-3, paragraph (1) or (2) (Use of Stimulants), or Article 41-4, paragraph (1) (Dispensing Stimulants Not under the Management of an Administrator) of the Stimulants Control Act
- (xxvii) The crime prescribed in Article 70, paragraph (1), item (i) (Illegal Entry), item (ii) (Illegal Landing), or item (v) (Illegal Remaining), or Article 70, paragraph (2) (Illegal Stay) (except where the person concerned is a principal in the crime) of the Immigration Control and Refugee Recognition Act, the crime prescribed in Article 73-3, paragraphs (1) through 3 (Forging a Residence Card), Article 73-4 (Possession of a Forged Residence Card), Article 74, paragraphs (1) (Act of Causing a Group of Stowaways to Illegally Enter Japan), Article 74-2 (Transportation of a Group of Stowaways), or Article 74-4, paragraph (1) (Receipt of a Group of Stowaways) of the same Act, the crime prescribed in Article 74-6 (Assistance in Illegal Entry or Landing) of the same Act (limited to cases connected with the conduct specified in Article 70, paragraph (1), item (i) or (ii) of the same Act), or the crime prescribed in Article 74-6-2, paragraph (1), item (i) (Wrongful Receipt or Issuance of a Refugee Travel Document or Other Documents) or item (ii) (Possession of a Falsified Foreign Passport), Article 74-6-2, paragraph (2) (Wrongful Receipt or Issuance of a Refugee Travel Document or Other

- Documents for Profit), or Article 74-8, paragraph (1) or (2) (Harboring of Illegal Entrants) of the same Act
- (xxviii) The crime prescribed in Article 23, paragraph (1) (Wrongful Receipt or Issuance of a Passport) of the Passport Act
- (xxix) The crime prescribed in Article 5 (Damage to Military Objects) of the Special Criminal Act Attendant upon the Enforcement of the "Agreement under Article VI of the Treaty of Mutual Cooperation and Security between Japan and the United States of America regarding Facilities and Areas and the Status of United States Armed Forces in Japan" (Act No. 138 of 1952)
- (xxx) The crime prescribed in Article 64, paragraph (1) (Importing Diacetylmorphine), Article 64-2, paragraph (1) or (2) (Formulating Pharmaceutical Preparations of Diacetylmorphine), Article 64-3, paragraph (1) or (2) (Administering Diacetylmorphine), Article 65, paragraph (1) or (2) (Importing Narcotics Other than Diacetylmorphine), Article 66, paragraph (1) (Formulating Pharmaceutical Preparations of Narcotics other than Diacetylmorphine), Article 66-2, paragraph (1) (Administering Narcotics), Article 66-3, paragraph (1) (Importing Psychotropics), or Article 66-4 paragraph (2) (Transfer of Psychotropics for Profit) of the Narcotics and Psychotropics Control Act (Act No. 14 of 1953)
- (xxxii) The crime prescribed in Article 13, paragraph (1) (Damage to Wire Telecommunications Equipment) of the Wire Telecommunications Act (Act No. 96 of 1953)
- (xxxiii) The crime prescribed in Article 31, paragraph (1) (Unauthorized Manufacture of Firearms), Article 31-2, paragraph (1) (Unauthorized Manufacture of Ammunition), or Article 31-3, item (iv) (Unauthorized Manufacture of Hunting Guns or Other Types of Guns) (limited to cases relating to the manufacture of hunting guns) of the Ordnance Manufacturing Act
- (xxxiv) The crime prescribed in Article 192, paragraph (1) (Damage to Gas Facilities) of the Gas Business Act (Act No. 51 of 1954)
- (xxxv) The crime prescribed in Article 108-4, paragraph (1) or (2) (Exporting Goods the Exportation of Which is Prohibited), Article 109, paragraph (1) or (2) (Importing Goods the Importation of Which is Prohibited), Article 109-2, paragraph (1) or (2) (Storing, in a Bonded Area, Goods the Importation of Which is Prohibited), Article 110, paragraph (1) or (2) (Evasion of Payment of Customs Duties by Deception), Article 111, paragraph (1) or (2) (Exporting without Permission), or Article 112, paragraph (1) (Transporting Goods the Exportation of Which is Prohibited) of the Customs Act (Act No. 61 of 1954)
- (xxxvi) The crime prescribed in Article 51, paragraph (1) or (2) (Cultivation of Poppy) or Article 52, paragraph (1) (Transfer of Opium) of the Opium Control Act (Act No. 71 of 1954)

- (xxxvi) The crime prescribed in Article 121 (Damage to Arms Possessed by the Self-Defense Forces) of the Self-Defense Forces Act (Act No. 165 of 1954)
- (xxxvii) The crime prescribed in Article 5 (High Interest Rates), Article 5-2, paragraph (1) (High Guarantee Rates), Article 5-3 (High Interest Rates When There Are Guarantee Charges), or Article 8, paragraph (1) or (2) (Evasion of Laws in Imposing Extremely High Interest Rates in the Course of Trade) of the Act Regulating the Receipt of Contributions, the Receipt of Deposits, and Interest Rates
- (xxxviii) The crime prescribed in Article 29 (Receipt or Issuance of Subsidies by Wrongful Means) of the Act on Regulation of Execution of Budget Pertaining to Subsidies, etc.
- (xxxix) The crime prescribed in Article 8, paragraph (1) (Acceptance of Compensation), Article 11, paragraph (2) (Provision of a Place in the Course of Trade), Article 12 (Business of Causing Another Person to Engage in Prostitution), or Article 13 (Provision of Funds) of the Anti-Prostitution Act
- (xl) The crime prescribed in Article 26, paragraph (1) (Damage to National Expressways) of the National Highway Act (Act No. 79 of 1957)
- (xli) The crime prescribed in Article 51, paragraph (1) (Damage to Water Supply Facilities) of the Water Supply Act (Act No. 177 of 1957)
- (xlii) The crime prescribed in Article 31, paragraph (2) or (3) (Firing a Hand-Gun), Article 31-2, paragraph (1) (Importing Hand-Guns), Article 31-3, paragraph (3) or (4) (Possession of Hand-Guns), Article 31-4, paragraph (1) or (2) (Assignment of Hand-Guns), Article 31-6 (Receiving Permission to Possess a Hand-Gun by Deceptive Means), Article 31-7, paragraph (1) (Importing Gun Cartridges), Article 31-8 (Possession of Gun Cartridges), Article 31-9, paragraph (1) (Assignment of Gun Cartridges), Article 31-11, paragraph (1) (Possession of Hunting Guns), or Article 31-13 (Provision of Funds in Connection with the Import of Hand-Guns) of the Act for Controlling the Possession of Firearms or Swords and Other Such Weapons
- (xliii) The crime prescribed in Article 44, paragraph (1) (Damage to the Facilities of Public Sewerage Systems) of the Sewerage Act (Act No. 79 of 1958)
- (xliv) The crime prescribed in Article 196 or 196-2 (Infringement of a Patent Right) of the Patent Act (Act No. 121 of 1959)
- (xlv) The crime prescribed in Article 56 (Infringement of a Utility Model Right) of the Utility Model Act (Act No. 123 of 1959)
- (xlvi) The crime prescribed in Article 69 or 69-2 (Infringement of a Design Right) of the Design Act (Act No. 125 of 1959)
- (xlvii) The crime prescribed in Article 78 or 78-2 (Infringement of a Trademark Right) of the Trademark Act (Act No. 127 of 1959)
- (xlviii) The crime prescribed in Article 115 (Wrongful Operation of a Traffic

- Light) of the Road Traffic Act (Act No. 105 of 1960)
- (xlix) The crime prescribed in Article 83-9 (Manufacture of Designated Substances in the Course of Trade) of the Act on Securing Quality, Efficacy and Safety of Products Including Pharmaceuticals and Medical Devices
 - (l) The crime prescribed in Article 2, paragraph (1) (Damage to Automatic Train Control Facilities) of the Special Measures Act on Punishment of Acts Endangering Safe Operation of Shinkansen Railways (Act No. 111 of 1964)
 - (li) The crime prescribed in Article 115, paragraph (1) (Damage to Electric Facilities) of the Electricity Business Act (Act No. 170 of 1964)
 - (lii) The crime prescribed in Article 238, paragraph (1) or (3) or Article 239, paragraph (1) (Act of Evading Income Tax by Deception) or Article 240, paragraph (1) (Non-Payment of Income Tax) of the Income Tax Act (Act No. 33 of 1965)
 - (liii) The crime prescribed in Article 159, paragraph (1) or (3) (Act of Evading Corporation Tax by Deception) of the Corporation Tax Act (Act No. 34 of 1965)
 - (liv) The crime prescribed in Article 1, paragraph (1) (Damage to Submarine Cables) or Article 2, paragraph (1) (Damage to a Submarine Pipeline) of the Act on Punishment of Breaking or Injury of Submarine Cables, etc. Incidental to Enforcement of the "Convention on the High Seas" (Act No. 102 of 1968)
 - (lv) The crime prescribed in Article 119, paragraph (1) or (2) (Infringement of a Copyright) of the Copyright Act (Act No. 48 of 1970)
 - (lvi) The crime prescribed in Article 1, paragraph (1) (Unlawful Seizure of Aircraft) or Article 4 (Obstruction of Aircraft Flight) of the Act on Punishment of Unlawful Seizure of Aircraft (Act No. 68 of 1970)
 - (lvii) The crime prescribed in Article 25, paragraph (1) (Unlicensed Waste Disposal Business) of the Waste Management and Public Cleansing Act (Act No. 137 of 1970)
 - (lviii) The crime prescribed in Article 2, paragraph (1) (Use of Molotov Cocktails) of the Act on Punishment of Use and Others of Molotov Cocktails (Act No. 17 of 1972)
 - (lix) The crime prescribed in Article 34, paragraph (1) (Damage to Heat Supply Facilities) of the Heat Supply Business Act (Act No. 88 of 1972)
 - (lx) The crime prescribed in Article 1 (Endangering Aviation), Article 2, paragraph (1) (Act of Causing an Aircraft in Flight to Crash), Article 3, paragraph 1 (Destruction of an Aircraft in Service), or Article 4 (Carrying an Explosive into an Aircraft in Service) of the Act on Punishment of Acts to Endanger Aviation (Act No. 87 of 1974)
 - (lxi) The crime prescribed in Article 1, paragraph (1) or (2) (Compulsion by Taking Hostages) or Article 2 (Aggravated Compulsion by Taking Hostages)

- of the Act on Punishment of Compulsion and Other Related Acts Committed by Those Having Taken Hostages
- (lxii) The crime prescribed in Article 9, paragraph (1) (Use of Biological Weapons) or paragraph (2) (Emission of Biological Agents) or Article 10, paragraph (1) (Manufacture of Biological Weapons) or paragraph (2) (Possession of Biological Weapons) of the Act on Implementing the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction and the Other Conventions (Act No. 61 of 1982)
 - (lxiii) The crime prescribed in Article 47 (Unregistered Business) of the Money Lending Business Act (Act No. 32 of 1983)
 - (lxiv) The crime prescribed in Article 58 (Worker Dispatching for Injurious Work) of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers
 - (lxv) The crime prescribed in Article 9, paragraph (1) (Toxic Contamination of Distributed Food) of the Act on Special Measures concerning Prevention of Toxic Contamination of Food Distributed Through Marketing Channels (Act No. 103 of 1987)
 - (lxvi) The crime prescribed in Article 64, paragraph (1) or (5) (Act of Evading Consumption Tax by Deception) of the Consumption Tax Act (Act No. 108 of 1988)
 - (lxvii) The crime prescribed in Article 26, paragraphs (1) through (3) (Counterfeiting a Special Permanent Resident Certificate) or Article 27 (Possession of a Counterfeiting Special Permanent Resident Certificate) of the Special Act on the Immigration Control of, Inter Alia, Those Who Have Lost Japanese Nationality Pursuant to the Treaty of Peace with Japan
 - (lxviii) The crime prescribed in Article 6, paragraph 1 (Concealment of Proceeds of Drug Crime, etc.) or Article 7 (Receiving Proceeds of Drug Crime, etc.) of the Anti-Drug Special Provisions Act
 - (lxix) The crime prescribed in Article 57-2 (Taking a Living Individual Organism from a Nationally Endangered Species of Wild Fauna or Flora) of the Act on Conservation of Endangered Species of Wild Fauna and Flora (Act No. 75 of 1992)
 - (lxx) The crime prescribed in Article 21, paragraphs (1) through (3) (Wrongful Acquisition of Trade Secrets) of the Unfair Competition Prevention Act
 - (lxxi) The crime prescribed in Article 38, paragraph (1) (Use of Chemical Weapons) or paragraph (2) (Emission of Toxic Substances) or Article 39, paragraphs (1) through (3) (Manufacture of Chemical Weapons) of the Act on the Prohibition of Chemical Weapons and the Regulation of Specific Chemicals (Act No. 65 of 1995)
 - (lxxii) The crime prescribed in Article 5, paragraph (1) (Spread of Sarin) or

- Article 6, paragraph (1) (Manufacture of Sarin) of the Act on the Prevention of Injury to Persons Caused by Sarin and Similar Substances
- (lxxiii) The crime prescribed in Article 331, paragraph (4) (Act of Intimidation in Connection with the Receipt or Provision of Benefits concerning the Exercise of a Right of a Shareholder) of the Insurance Business Act
- (lxxiv) The crime prescribed in Article 20, paragraph (1) (Organ Trade) of the Act on Organ Transplantation (Act No. 104 of 1997)
- (lxxv) The crime prescribed in Article 32 (Non-Qualified Sports Promotion Vote) of the Act on Carrying Out, etc. Sports Promotion Vote (Act No. 63 of 1998)
- (lxxvi) The crime prescribed in Article 67 (Infringement of a Breeder's Right) of the Plant Variety Protection and Seed Act (Act No. 83 of 1998)
- (lxxvii) The crime prescribed in Article 311, paragraph (6) (Act of Intimidation in Connection with the Receipt or Provision of Benefits concerning the Exercise of a Right of a Member) of the Act on the Securitization of Assets
- (lxxviii) The crime prescribed in Article 67, paragraph (1) (Emission of Class I Pathogens), Article 68, paragraph (1) or (2) (Importing Class I Pathogens), Article 69, paragraph (1) (Possession of Class I Pathogens), or Article 70 (Importing Class II Pathogens) of the Act on the Prevention of Infectious Diseases and Medical Care for Patients with Infectious Diseases (Act No. 114 of 1998)
- (lxxix) The crime prescribed in Article 22, paragraph (1) (Manufacture of Anti-Personnel Mines) or Article 23 (Possession of Anti-Personnel Mines) of the Act on the Prohibition of the Manufacture and Regulation of Possession of Anti-Personnel Mines (Act No. 116 of 1998)
- (lxxx) The crime prescribed in Article 5, paragraph (1) (Intermediation in Child Prostitution), Article 6, paragraph (1) (Solicitation of Child Prostitution), or Article 7, paragraphs (6) through (8) (Provision of Child Pornography to Many or Unspecified Persons) of the Act on Regulation and Punishment of Acts Relating to Child Prostitution and Child Pornography, and the Protection of Children (Act No. 52 of 1999)
- (lxxxii) The crime prescribed in Article 255 (Fraudulent Rehabilitation) or Article 256 (Provision of Security to Specific Creditors) of the Civil Rehabilitation Act
- (lxxxiii) The crime prescribed in Article 2, paragraph (2) (Collection of Funds or Other Benefits by a Person Who Intends to Commit an Act of Public Intimidation), or Article 3, paragraphs (1) through (3) or Article 4, paragraph (1) (Provision of Funds or Other Benefits and Other Related Activities by a Person Other Than Those Who Intend to Commit an Act of Public Intimidation), of the Act on Punishment of Financing of Offences of Public Intimidation

- (lxxxiii) The crime prescribed in Article 73, paragraph (1) (Act of Issuing a False Electronic Signature Certificate) of the Act on the Authentication Services of the Japan Agency for Local Authority Information Systems in Connection with Electronic Signatures and Electronic User Certificates (Act No. 153 of 2002)
- (lxxxiv) The crime prescribed in Article 266 (Fraudulent Reorganization) or Article 267 (Provision of Security to Specific Creditors) of the Corporate Reorganization Act
- (lxxxv) The crime prescribed in Article 265 (Fraudulent Bankruptcy) or Article 266 (Provision of Security to Specific Creditors) of the Bankruptcy Act
- (lxxxvi) The crime prescribed in Articles 963 through 966 (Acts That Put Company Property at Risk; Use of False Documents; Falsifying Payments in Collusion with Officers and Employees of Institutions That Handle Payments; Excessive Issuance of Shares), Article 968 (Giving or Acceptance of a Bribe in Relation to the Exercise of a Right of a Shareholder), or Article 970, paragraph (4) (Act of Intimidation in Connection with the Receipt or Provision of Benefits concerning the Exercise of a Right of a Shareholder) of the Companies Act
- (lxxxvii) The crime prescribed in Article 3, paragraph (1) (Release of Radiation), Article 4, paragraph (1) (Production of Nuclear Fission Equipment), Article 5, paragraph (1) or (2) (Possession of Nuclear Fission Equipment), Article 6, paragraph (1) (Importing or Exporting of Specified Nuclear Fuel Material), Article 7 (Intimidation by Threatening to Use Radioactive Material), or Article 8 (Compulsion by Threatening to Steal Specified Nuclear Fuel Material) of the Act on Punishment of Conduct Endangering Human Life by Generating Radiation
- (lxxxviii) The crime prescribed in Article 3, paragraph (1) or (3) (Acts of Piracy) of the Act on Punishment of Acts of Piracy and Measures against Acts of Piracy
- (lxxxix) The crime prescribed in Article 21, paragraph (1) (Manufacture of Cluster Munitions) or Article 22 (Possession of Cluster Munitions) of the Act on Prohibition of Manufacturing of Cluster Munitions and Restriction on Retention of Cluster Munitions (Act No. 85 of 2009)
- (xc) The crime prescribed in Article 60, paragraph (1) (Dumping of Contaminated Waste) of the Act on Special Measures concerning the Handling of Environmental Pollution by Radioactive Materials Discharged by the Nuclear Power Plant Accident Accompanying the Earthquake that Occurred off the Pacific Coast of the Tohoku Region on March 11, 2011 (Act No. 110 of 2011)

Appended Table 4 (Re: Article 6-2)

- (i) The crimes set forth in Appended Table 3 (excluding the crimes set forth below)
 - (a) The crime prescribed in Article 11 (Receiving Proceeds of Crime)
 - (b) The crime prescribed in Article 77, paragraph (1) (Insurrection) (excluding the part pertaining to item (iii) of the same paragraph) of the Penal Code, and the crimes prescribed in Article 81 (Instigation of Foreign Aggression), Article 82 (Assistance to the Enemy), and Article 198 (Giving of Bribes) of the same Code
 - (c) The crime prescribed in Article 1 (Use of Explosives) of the Criminal Regulations to Control Explosives
 - (d) The crime prescribed in Article 60, paragraph (2) (Delivering and Controlling of a Child) of the Child Welfare Act (limited to cases relating to the violation specified in Article 34, paragraph (1), item (vii) or (ix) of the same Act)
 - (e) The crimes prescribed in Article 70, paragraph (1), item (i) (Illegal Entry), item (ii) (Illegal Landing), and item (v) (Illegal Remaining), and Article 70, paragraph (2) (Illegal Stay) (except where the person concerned is a principal in the crime) of the Immigration Control and Refugee Recognition Act, the crime prescribed in Article 74-2, paragraph (1) (Transportation of a Group of Stowaways), the crime prescribed in Article 74-6 (Assistance in Illegal Entry or Landing) (limited to cases relating to the conduct specified in Article 70, paragraph (1), item (i) or (ii) of the same Act) of the same Act, and the crimes prescribed in Article 74-6-2, paragraph (1), item (i) (Wrongful Receipt or Issuance of a Refugee Travel Document or Other Documents) and item (ii) (Possession of a Falsified Foreign Passport), and Article 74-8, paragraph (1) (Harboring of Illegal Entrants) of the same Act
 - (f) The crime prescribed in Article 7 (Receiving Proceeds of Drug Crime, etc.) of the Anti-Drug Special Provisions Act
- (ii) The crime prescribed in Article 7 (Harboring of Criminals Involved in Organized Homicide) (limited to cases relating to the person specified in paragraph (1), items (i) through (iii) of the same paragraph), or the crime prescribed in Article 7-2, paragraph (2) (Bribery of Witnesses)
 - (iii)
 - (a) The crime prescribed in Article 98 (Aggravated Escape), Article 99 (Removal of Detainees), or Article 100, paragraph (2) (Assistance in Escape) of the Penal Code
 - (b) The crime prescribed in Article 169 (Perjury) of the Penal Code
- (iv) The crime prescribed in Article 9 (Harboring of Criminals Involved in the Use or Manufacture of Explosives) of the Criminal Regulations to Control Explosives
- (v) The crime prescribed in Article 4, paragraph (1) (Perjury) of the Special

Criminal Act Attendant upon the Enforcement of the "Agreement under Article VI of the Treaty of Mutual Cooperation and Security between Japan and the United States of America regarding Facilities and Areas and the Status of United States Armed Forces in Japan"

- (vi) The crime prescribed in Article 56 (Destruction of Evidence of Organized Crime, etc.) or Article 57, paragraph (1) (Perjury) of the Act on Cooperation with the International Criminal Court (Act No. 37 of 2007)