

# 組織的な犯罪の処罰及び犯罪収益の規制等に関する法律（暫定版）

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

（平成十一年八月十八日法律第百三十六号）

（Act No. 136 of August 18, 1999）

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第一章 総則

## Chapter I General Provisions

(目的)

(Purpose)

第一条 この法律は、組織的な犯罪が平穏かつ健全な社会生活を著しく害し、及び犯罪による収益がこの種の犯罪を助長するとともに、これを用いた事業活動への干渉が健全な経済活動に重大な悪影響を与えることに鑑み、並びに国際的な組織犯罪の防止に関する国際連合条約を実施するため、組織的に行われた殺人等の行為に対する処罰を強化し、犯罪による収益の隠匿及び收受並びにこれを用いた法人等の事業経営の支配を目的とする行為を処罰するとともに、犯罪による収益に係る没収及び追徴の特例等について定めることを目的とする。

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.

(定義)

(Definitions)

第二条 この法律において「団体」とは、共同の目的を有する多数人の継続的結合体であって、その目的又は意思を実現する行為の全部又は一部が組織（指揮命令に基づき、あらかじめ定められた任務の分担に従って構成員が一体として行動する人の結合体をいう。以下同じ。）により反復して行われるものをいう。

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 この法律において「犯罪収益」とは、次に掲げる財産をいう。

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

一 財産上の不正な利益を得る目的で犯した次に掲げる罪の犯罪行為（日本国外でした行為であって、当該行為が日本国内において行われたとしたならばこれらの罪に当たり、かつ、当該行為地の法令により罪に当たるものを含む。）により生じ、若

しくは当該犯罪行為により得た財産又は当該犯罪行為の報酬として得た財産

(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:

イ 死刑又は無期若しくは長期四年以上の懲役若しくは禁錮の刑が定められている罪（ロに掲げる罪及び国際的な協力の下に規制薬物に係る不正行為を助長する行為等の防止を図るための麻薬及び向精神薬取締法等の特例等に関する法律（平成三年法律第九十四号。以下「麻薬特例法」という。）第二条第二項各号に掲げる罪を除く。）

(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

ロ 別表第一（第三号を除く。）又は別表第二に掲げる罪

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

二 次に掲げる罪の犯罪行為（日本国外でした行為であつて、当該行為が日本国内において行われたとしたならばイ、ロ又はニに掲げる罪に当たり、かつ、当該行為地の法令により罪に当たるものを含む。）により提供された資金

(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):

イ 覚せい剤取締法（昭和二十六年法律第二百五十二号）第四十一条の十（覚醒剤原料の輸入等に係る資金等の提供等）の罪

(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),

ロ 売春防止法（昭和三十一年法律第一百十八号）第十三条（資金等の提供）の罪

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

- ハ 銃砲刀剣類所持等取締法（昭和三十三年法律第六号）第三十一条の十三（資金等の提供）の罪
- (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
- ニ サリン等による人身被害の防止に関する法律（平成七年法律第七十八号）第七条（資金等の提供）の罪
- (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);
- 三 次に掲げる罪の犯罪行為（日本国外でした行為であって、当該行為が日本国内において行われたとしたならばこれらの罪に当たり、かつ、当該行為地の法令により罪に当たるものを含む。）により供与された財産
- (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,
- イ 第七条の二（証人等買収）の罪
- (a) the crimes prescribed in Article 7-2 (Bribery of Witnesses) of this Act, or
- ロ 不正競争防止法（平成五年法律第四十七号）第十八条第一項の違反行為に係る同法第二十一条第二項第七号（外国公務員等に対する不正の利益の供与等）の罪
- (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;
- 四 公衆等脅迫目的の犯罪行為のための資金等の提供等の処罰に関する法律（平成十四年法律第六十七号）第三条第一項若しくは第二項前段、第四条第一項若しくは第五条第一項（資金等の提供）の罪又はこれらの罪の未遂罪の犯罪行為（日本国外でした行為であって、当該行為が日本国内において行われたとしたならばこれらの罪に当たり、かつ、当該行為地の法令により罪に当たるものを含む。）により提供され、又は提供しようとした財産
- (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

五 第六条の二第一項又は第二項（テロリズム集団その他の組織的犯罪集団による実行準備行為を伴う重大犯罪遂行の計画）の罪の犯罪行為である計画（日本国外でした行為であって、当該行為が日本国内において行われたとしたならば当該罪に当たり、かつ、当該行為地の法令により罪に当たるものを含む。）をした者が、計画をした犯罪の実行のための資金として使用する目的で取得した財産

(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 この法律において「犯罪収益に由来する財産」とは、犯罪収益の果実として得た財産、犯罪収益の対価として得た財産、これらの財産の対価として得た財産その他犯罪収益の保有又は処分に基づき得た財産をいう。

(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 この法律において「犯罪収益等」とは、犯罪収益、犯罪収益に由来する財産又はこれらの財産とこれらの財産以外の財産とが混和した財産をいう。

(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 この法律において「薬物犯罪収益」とは、麻薬特例法第二条第三項に規定する薬物犯罪収益をいう。

(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 この法律において「薬物犯罪収益に由来する財産」とは、麻薬特例法第二条第四項に規定する薬物犯罪収益に由来する財産をいう。

(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 この法律において「薬物犯罪収益等」とは、麻薬特例法第二条第五項に規定する薬物犯罪収益等をいう。

(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.

## 第二章 組織的な犯罪の処罰及び犯罪収益の没収等

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

(組織的な殺人等)

(Organized Homicide and Other Organized Crimes)

第三条 次の各号に掲げる罪に当たる行為が、団体の活動（団体の意思決定に基づく行為であって、その効果又はこれによる利益が当該団体に帰属するものをいう。以下同じ。）として、当該罪に当たる行為を実行するための組織により行われたときは、その罪を犯した者は、当該各号に定める刑に処する。

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:

一 刑法（明治四十年法律第四十五号）第九十六条（封印等破棄）の罪 五年以下の懲役若しくは五百万円以下の罰金又はこれらの併科

(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;

二 刑法第九十六条の二（強制執行妨害目的財産損壊等）の罪 五年以下の懲役若しくは五百万円以下の罰金又はこれらの併科

(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;

三 刑法第九十六条の三（強制執行行為妨害等）の罪 五年以下の懲役若しくは五百万円以下の罰金又はこれらの併科

(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;

四 刑法第九十六条の四（強制執行関係売却妨害）の罪 五年以下の懲役若しくは五百万円以下の罰金又はこれらの併科

(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;

五 刑法第百八十六条第一項（常習賭博）の罪 五年以下の懲役

(v) the crime prescribed in Article 186, paragraph (1) (Habitual Gambling) of the Penal Code: imprisonment for not more than five years;

六 刑法第百八十六条第二項（賭博場開張等図利）の罪 三月以上七年以下の懲役

(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;

- 七 刑法第百九十九条（殺人）の罪 死刑又は無期若しくは六年以上の懲役  
(vii) the crime prescribed in Article 199 (Homicide) of the Penal Code: death penalty, or imprisonment for life or not less than six years;
- 八 刑法第二百二十条（逮捕及び監禁）の罪 三月以上十年以下の懲役  
(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;
- 九 刑法第二百二十三条第一項又は第二項（強要）の罪 五年以下の懲役  
(ix) the crime prescribed in Article 223, paragraph (1) or (2) (Compulsion) of the Penal Code: imprisonment for not more than five years;
- 十 刑法第二百五条の二（身の代金目的略取等）の罪 無期又は五年以上の懲役  
(x) the crime prescribed in Article 225-2 (Kidnapping for Ransom) of the Penal Code: imprisonment for life or not less than five years;
- 十一 刑法第二百三十三条（信用毀損及び業務妨害）の罪 五年以下の懲役又は五十万円以下の罰金  
(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;
- 十二 刑法第二百三十四条（威力業務妨害）の罪 五年以下の懲役又は五十万円以下の罰金  
(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;
- 十三 刑法第二百四十六条（詐欺）の罪 一年以上の有期懲役  
(xiii) the crime prescribed in Article 246 (Fraud) of the Penal Code: imprisonment for a definite term of not less than one year;
- 十四 刑法第二百四十九条（恐喝）の罪 一年以上の有期懲役  
(xiv) the crime prescribed in Article 249 (Extortion) of the Penal Code: imprisonment for a definite term of not less than one year; or
- 十五 刑法第二百六十条前段（建造物等損壊）の罪 七年以下の懲役  
(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 団体に不正権益（団体の威力に基づく一定の地域又は分野における支配力であって、当該団体の構成員による犯罪その他の不正な行為により当該団体又はその構成員が継続的に利益を得ることを容易にすべきものをいう。以下この項及び第六条の二第二項において同じ。）を得させ、又は団体の不正権益を維持し、若しくは拡大する目的で、前項各号（第五号、第六号及び第十三号を除く。）に掲げる罪を犯した者も、同項と同様とする。

(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)).

(未遂罪)

(Attempts)

第四条 前条第一項第七号、第九号、第十号（刑法第二百二十五条の二第一項に係る部分に限る。）、第十三号及び第十四号に掲げる罪に係る前条の罪の未遂は、罰する。

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.

(組織的な身の代金目的略取等における解放による刑の減輕)

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

第五条 第三条第一項第十号に掲げる罪に係る同条の罪を犯した者が、公訴が提起される前に、略取され又は誘拐された者を安全な場所に解放したときは、その刑を減輕する。

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.

(組織的な殺人等の予備)

(Preparation for Organized Homicide or Other Organized Crimes)

第六条 次の各号に掲げる罪で、これに当たる行為が、団体の活動として、当該行為を実行するための組織により行われるものを犯す目的で、その予備をした者は、当該各号に定める刑に処する。ただし、実行に着手する前に自首した者は、その刑を減輕し、又は免除する。

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:

一 刑法第九十九条（殺人）の罪 五年以下の懲役



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

二 刑法第二百二十五条（営利目的等略取及び誘拐）の罪（営利の目的によるものに限る。） 二年以下の懲役

(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 第三条第二項に規定する目的で、前項各号に掲げる罪の予備をした者も、同項と同様とする。

(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).

（テロリズム集団その他の組織的犯罪集団による実行準備行為を伴う重大犯罪遂行の計画）

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

第六条の二 次の各号に掲げる罪に当たる行為で、テロリズム集団その他の組織的犯罪集団（団体のうち、その結合関係の基礎としての共同の目的が別表第三に掲げる罪を実行することにあるものをいう。次項において同じ。）の団体の活動として、当該行為を実行するための組織により行われるものの遂行を二人以上で計画した者は、その計画をした者のいずれかによりその計画に基づき資金又は物品の手配、関係場所の下見その他の計画をした犯罪を実行するための準備行為が行われたときは、当該各号に定める刑に処する。ただし、実行に着手する前に自首した者は、その刑を減輕し、又は免除する。

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:

一 別表第四に掲げる罪のうち、死刑又は無期若しくは長期十年を超える懲役若しくは禁錮の刑が定められているもの 五年以下の懲役又は禁錮

- (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
- 二 別表第四に掲げる罪のうち、長期四年以上十年以下の懲役又は禁錮の刑が定められているもの 二年以下の懲役又は禁錮
- (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 前項各号に掲げる罪に当たる行為で、テロリズム集団その他の組織的犯罪集団に不正権益を得させ、又はテロリズム集団その他の組織的犯罪集団の不正権益を維持し、若しくは拡大する目的で行われるものの遂行を二人以上で計画した者も、その計画をした者のいずれかによりその計画に基づき資金又は物品の手配、関係場所の下見その他の計画をした犯罪を実行するための準備行為が行われたときは、同項と同様とする。
- (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 別表第四に掲げる罪のうち告訴がなければ公訴を提起することができないものに係る前二項の罪は、告訴がなければ公訴を提起することができない。
- (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 第一項及び第二項の罪に係る事件についての刑事訴訟法（昭和二十三年法律第三百一十一号）第九十八条第一項の規定による取調べその他の捜査を行うに当たっては、その適正の確保に十分に配慮しなければならない。
- (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.

(組織的な犯罪に係る犯人蔵匿等)

(Harboring of Criminals Involved in Organized Crimes)

第七条 禁錮以上の刑が定められている罪に当たる行為が、団体の活動として、当該行為を実行するための組織により行われた場合において、次の各号に掲げる者は、当該

各号に定める刑に処する。

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:

一 その罪を犯した者を蔵匿し、又は隠避させた者 五年以下の懲役又は五十万円以下の罰金

(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;

二 その罪に係る他人の刑事事件に関する証拠を隠滅し、偽造し、若しくは変造し、又は偽造若しくは変造の証拠を使用した者 五年以下の懲役又は五十万円以下の罰金

(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;

三 その罪に係る自己若しくは他人の刑事事件の捜査若しくは審判に必要な知識を有すると認められる者又はその親族に対し、当該事件に関して、正当な理由がないのに面会を強請し、又は強談威迫の行為をした者 五年以下の懲役又は五十万円以下の罰金

(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;

四 その罪に係る被告事件に関し、当該被告事件の審判に係る職務を行う裁判員若しくは補充裁判員若しくはこれらの職にあった者又はその親族に対し、面会、文書の送付、電話をかけることその他のいかなる方法をもってするかを問わず、威迫の行為をした者 三年以下の懲役又は二十万円以下の罰金

(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

五 その罪に係る被告事件に関し、当該被告事件の審判に係る職務を行う裁判員若し

くは補充裁判員の選任のために選定された裁判員候補者若しくは当該裁判員若しくは補充裁判員の職務を行うべき選任予定裁判員又はその親族に対し、面会、文書の送付、電話をかけることその他のいかなる方法をもってするかを問わず、威迫の行為をした者 三年以下の懲役又は二十万円以下の罰金

(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 禁錮以上の刑が定められている罪が第三条第二項に規定する目的で犯された場合において、前項各号のいずれかに該当する者も、同項と同様とする。

(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.

(証人等買収)

(Bribery of Witnesses)

第七条の二 次に掲げる罪に係る自己又は他人の刑事事件に関し、証言をしないこと、若しくは虚偽の証言をすること、又は証拠を隠滅し、偽造し、若しくは変造すること、若しくは偽造若しくは変造の証拠を使用することの報酬として、金銭その他の利益を供与し、又はその申込み若しくは約束をした者は、二年以下の懲役又は三十万円以下の罰金に処する。

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:

一 死刑又は無期若しくは長期四年以上の懲役若しくは禁錮の刑が定められている罪 (次号に掲げる罪を除く。)

(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

二 別表第一に掲げる罪

(ii) the crimes set forth in Appended Table 1.

2 前項各号に掲げる罪に当たる行為が、団体の活動として、当該行為を実行するための組織により行われた場合、又は同項各号に掲げる罪が第三条第二項に規定する目的

で犯された場合において、前項の罪を犯した者は、五年以下の懲役又は五十万円以下の罰金に処する。

(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.

(団体に属する犯罪行為組成物件等の没収)

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

第八条 団体の構成員が罪（これに当たる行為が、当該団体の活動として、当該行為を実行するための組織により行われたもの、又は第三条第二項に規定する目的で行われたものに限る。）を犯した場合、又は当該罪を犯す目的でその予備罪（これに当たる行為が、当該団体の活動として、当該行為を実行するための組織により行われたもの、及び同項に規定する目的で行われたものを除く。）を犯した場合において、当該犯罪行為を組成し、又は当該犯罪行為の用に供し、若しくは供しようとした物が、当該団体に属し、かつ、当該構成員が管理するものであるときは、刑法第十九条第二項本文の規定にかかわらず、その物が当該団体及び犯人以外の者に属しない場合に限り、これを没収することができる。ただし、当該団体において、当該物が当該犯罪行為を組成し、又は当該犯罪行為の用に供され、若しくは供されようとすることの防止に必要な措置を講じていたときは、この限りでない。

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.

(不法収益等による法人等の事業経営の支配を目的とする行為)

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

第九条 第二条第二項第一号若しくは第三号の犯罪収益若しくは薬物犯罪収益（麻薬特例法第二条第二項各号に掲げる罪の犯罪行為により得た財産又は当該犯罪行為の報酬として得た財産に限る。第十三条第一項第三号及び同条第四項において同じ。）、これらの保有若しくは処分に基づき得た財産又はこれらの財産とこれらの財産以外の財産とが混和した財産（以下「不法収益等」という。）を用いることにより、法人等（法人又は法人でない社団若しくは財団をいう。以下この条において同じ。）の株主等（株主若しくは社員又は発起人その他の法人等の設立者をいう。以下同じ。）の地位を取得し、又は第三者に取得させた者が、当該法人等又はその子法人の事業経営を支配する目的で、その株主等の権限又は当該権限に基づく影響力を行使し、又は当該第三者に行使させて、次の各号のいずれかに該当する行為をしたときは、五年以下の懲役若しくは千万円以下の罰金に処し、又はこれを併科する。

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:

一 当該法人等又はその子法人の役員等（取締役、執行役、理事、管理人その他いかなる名称を有するものであるかを問わず、法人等の経営を行う役職にある者をいう。以下この条において同じ。）を選任し、若しくは選任させ、解任し、若しくは解任させ、又は辞任させること。

(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

二 当該法人等又はその子法人を代表すべき役員等の地位を変更させること（前号に該当するものを除く。）。

(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 不法収益等を用いることにより、法人等に対する債権を取得し、又は第三者に取得させた者が、当該法人等又はその子法人の事業経営を支配する目的で、当該債権の取得又は行使に関し、次の各号のいずれかに該当する行為をしたときも、前項と同様とする。不法収益等を用いることにより、法人等に対する債権を取得しようとし、又は第三者に取得させようとする者が、当該法人等又はその子法人の事業経営を支配する目的で、当該債権の取得又は行使に関し、これらの各号のいずれかに該当する行為をした場合において、当該債権を取得し、又は第三者に取得させたときも、同様とする。

(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:

一 当該法人等又はその子法人の役員等を選任させ、若しくは解任させ、又は辞任させること。

(i) to cause an officer, etc. of the corporation, etc. or its subsidiary corporation to be appointed or dismissed, or to resign; or

二 当該法人等又はその子法人を代表すべき役員等の地位を変更させること（前号に該当するものを除く。）。

(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 不法収益等を用いることにより、法人等の株主等に対する債権を取得し、又は第三

者に取得させた者が、当該法人等又はその子法人の事業経営を支配する目的で、当該債権の取得又は行使に関し、当該株主等にその権限又は当該権限に基づく影響力を行使させて、前項各号のいずれかに該当する行為をしたときも、第一項と同様とする。不法収益等を用いることにより、法人等の株主等に対する債権を取得しようとし、又は第三者に取得させようとする者が、当該法人等又はその子法人の事業経営を支配する目的で、当該債権の取得又は行使に関し、当該株主等にその権限又は当該権限に基づく影響力を行使させて、これらの各号のいずれかに該当する行為をした場合において、当該債権を取得し、又は第三者に取得させたときも、同様とする。

(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 この条において「子法人」とは、一の法人等が株主等の議決権（株主総会において決議をすることができる事項の全部につき議決権を行使することができない株式についての議決権を除き、会社法（平成十七年法律第八十六号）第八百七十九条第三項の規定により議決権を有するものとみなされる株式についての議決権を含む。以下この項において同じ。）の総数の百分の五十を超える数の議決権を保有する法人をいい、一の法人等及びその子法人又は一の法人等の子法人が株主等の議決権の総数の百分の五十を超える数の議決権を保有する法人は、当該法人等の子法人とみなす。

(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.

(犯罪収益等隠匿)

(Concealment of Proceeds of Crime, etc.)

第十条 犯罪収益等（公衆等脅迫目的の犯罪行為のための資金等の提供等の処罰に関する法律第三条第一項若しくは第二項前段、第四条第一項又は第五条第一項の罪の未遂罪の犯罪行為（日本国外でした行為であって、当該行為が日本国内において行われたとしたならばこれらの罪に当たり、かつ、当該行為地の法令により罪に当たるものを含む。以下この項において同じ。）により提供しようとした財産を除く。以下この項及び次条において同じ。）の取得若しくは処分につき事実を偽装し、又は犯罪収益等を隠匿した者は、五年以下の懲役若しくは三百万円以下の罰金に処し、又はこれを併科する。犯罪収益（同法第三条第一項若しくは第二項前段、第四条第一項又は第五条第一項の罪の未遂罪の犯罪行為により提供しようとした財産を除く。）の発生の原因につき事実を偽装した者も、同様とする。

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 前項の罪の未遂は、罰する。

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

3 第一項の罪を犯す目的で、その予備をした者は、二年以下の懲役又は五十万円以下の罰金に処する。

(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.

(犯罪収益等収受)

(Receiving Proceeds of Crime, etc.)

第十一条 情を知って、犯罪収益等を収受した者は、三年以下の懲役若しくは百万円以下の罰金に処し、又はこれを併科する。ただし、法令上の義務の履行として提供されたものを収受した者又は契約（債権者において相当の財産上の利益を提供すべきものに限る。）の時に当該契約に係る債務の履行が犯罪収益等によって行われることの情を知らないでした当該契約に係る債務の履行として提供されたものを収受した者は、この限りでない。

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.

(国外犯)

(Crimes Committed outside Japan)

第十二条 第三条第一項第九号、第十一号、第十二号及び第十五号に掲げる罪に係る同条の罪、第六条第一項第一号に掲げる罪に係る同条の罪並びに第六条の二第一項及び第二項の罪は刑法第四条の二の例に、第九条第一項から第三項まで及び前二条の罪は同法第三条の例に従う。

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.

(犯罪収益等の没収等)

(Confiscation of Proceeds of Crime, etc.)

第十三条 次に掲げる財産は、不動産若しくは動産又は金銭債権（金銭の支払を目的とする債権をいう。以下同じ。）であるときは、これを没収することができる。

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):

一 犯罪収益（第六号に掲げる財産に該当するものを除く。）

(i) proceeds of crime (except for those categorized as the property set forth in

- item (vi));
- 二 犯罪収益に由来する財産（第六号に掲げる財産に該当する犯罪収益の保有又は処分にに基づき得たものを除く。）
- (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));
- 三 第九条第一項の罪に係る株主等の地位に係る株式又は持分であつて、不法収益等（薬物犯罪収益、その保有若しくは処分にに基づき得た財産又はこれらの財産とこれらの財産以外の財産とが混和した財産であるもの（第四項において「薬物不法収益等」という。）を除く。以下この項において同じ。）を用いることにより取得されたもの
- (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);
- 四 第九条第二項又は第三項の罪に係る債権であつて、不法収益等を用いることにより取得されたもの（当該債権がその取得に用いられた不法収益等である財産の返還を目的とするものであるときは、当該不法収益等）
- (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);
- 五 第十条又は第十一条の罪に係る犯罪収益等
- (v) proceeds of crime, etc. relating to the crime prescribed in Article 10 or 11;
- 六 不法収益等を用いた第九条第一項から第三項までの犯罪行為又は第十条若しくは第十一条の犯罪行為により生じ、若しくはこれらの犯罪行為により得た財産又はこれらの犯罪行為の報酬として得た財産
- (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
- 七 第三号から前号までの財産の果実として得た財産、これらの各号の財産の対価として得た財産、これらの財産の対価として得た財産その他これらの各号の財産の保有又は処分にに基づき得た財産
- (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 前項各号に掲げる財産が犯罪被害財産（次に掲げる罪の犯罪行為によりその被害を受けた者から得た財産又は当該財産の保有若しくは処分に基づき得た財産をいう。以下同じ。）であるときは、これを没収することができない。同項各号に掲げる財産の一部が犯罪被害財産である場合において、当該部分についても、同様とする。

(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:

一 財産に対する罪

(i) property crime;

二 刑法第二百二十五条の二第二項の罪に係る第三条（組織的な拐取者身の代金取得等）の罪

(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;

三 刑法第二百二十五条の二第二項（拐取者身の代金取得等）又は第二百二十七条第四項後段（収受者身の代金取得等）の罪

(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;

四 出資の受入れ、預り金及び金利等の取締りに関する法律（昭和二十九年法律第九十五号）第五条第一項後段（高金利の受領）、第二項後段（業として行う高金利の受領）若しくは第三項後段（業として行う著しい高金利の受領）、第五条の二第一項後段（高保証料の受領）若しくは第五条の三第一項後段（保証料がある場合の高金利の受領）、第二項後段（保証があり、かつ、変動利率による利息の定めがある場合の高金利の受領）若しくは第三項後段（根保証がある場合の高金利の受領）の罪、同法第五条第一項後段若しくは第二項後段、第五条の二第一項後段若しくは第五条の三第一項後段、第二項後段若しくは第三項後段の違反行為に係る同法第八条第一項（高金利の受領等の脱法行為）の罪、同法第五条第三項後段の違反行為に係る同法第八条第二項（業として行う著しい高金利の受領の脱法行為）の罪又は同法第一条若しくは第二条第一項の違反行為に係る同法第八条第三項（元本を保証して行う出資金の受入れ等）の罪

(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;
- 五 補助金等に係る予算の執行の適正化に関する法律（昭和三十年法律第百七十九号）第二十九条（不正の手段による補助金等の受交付等）の罪  
(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);
- 六 航空機工業振興法（昭和三十二年法律第百五十号）第二十九条（不正の手段による交付金等の受交付等）の罪  
(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);
- 七 人質による強要行為等の処罰に関する法律（昭和五十三年法律第四十八号）第一条から第四条まで（人質による強要等、加重人質強要、人質殺害）の罪  
(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);
- 八 金融機関等の更生手続の特例等に関する法律（平成八年法律第九十五号）第五百四十九条（詐欺更生）の罪  
(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);
- 九 民事再生法（平成十一年法律第二百二十五号）第二百五十五条（詐欺再生）の罪  
(ix) the crime prescribed in Article 255 (Fraudulent Rehabilitation) of the Civil

- Rehabilitation Act (Act No. 225 of 1999);
- 十 会社更生法（平成十四年法律第百五十四号）第二百六十六条（詐欺更生）の罪  
 (x) the crime prescribed in Article 266 (Fraudulent Rehabilitation) of the Corporate Reorganization Act (Act No. 154 of 2002);
- 十一 破産法（平成十六年法律第七十五号）第二百六十五条（詐欺破産）の罪  
 (xi) the crime prescribed in Article 265 (Fraudulent Bankruptcy) of the Bankruptcy Act (Act No. 75 of 2004); or
- 十二 海賊行為の処罰及び海賊行為への対処に関する法律（平成二十一年法律第五十五号）第二条第四号に係る海賊行為に係る同法第三条第一項（人質強要に係る海賊行為）又は第四条（人質強要に係る海賊行為致死傷）の罪  
 (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 前項の規定にかかわらず、次の各号のいずれかに該当するときは、犯罪被害財産（第一項各号に掲げる財産の一部が犯罪被害財産である場合における当該部分を含む。以下この項において同じ。）を没収することができる。
- (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:
- 一 前項各号に掲げる罪の犯罪行為が、団体の活動として、当該犯罪行為を実行するための組織により行われたもの、又は第三条第二項に規定する目的で行われたものであるとき、その他犯罪の性質に照らし、前項各号に掲げる罪の犯罪行為により受けた被害の回復に関し、犯人に対する損害賠償請求権その他の請求権の行使が困難であると認められるとき。
- (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;
- 二 当該犯罪被害財産について、その取得若しくは処分若しくは発生の原因につき事実を偽装し、又は当該犯罪被害財産を隠匿する行為が行われたとき。
- (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

三 当該犯罪被害財産について、情を知って、これを収受する行為が行われたとき。

(iii) the stolen or misappropriated property is knowingly accepted.

4 次に掲げる財産は、これを没収する。ただし、第九条第一項から第三項までの罪が薬物犯罪収益又はその保有若しくは処分にに基づき得た財産とこれらの財産以外の財産とが混和した財産に係る場合において、これらの罪につき次に掲げる財産の全部を没収することが相当でないと認められるときは、その一部を没収することができる。

(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:

一 第九条第一項の罪に係る株主等の地位に係る株式又は持分であって、薬物不法収益等を用いることにより取得されたもの

(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.;

二 第九条第二項又は第三項の罪に係る債権であって、薬物不法収益等を用いることにより取得されたもの（当該債権がその取得に用いられた薬物不法収益等である財産の返還を目的とするものであるときは、当該薬物不法収益等）

(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);

三 薬物不法収益等を用いた第九条第一項から第三項までの犯罪行為により得た財産又は当該犯罪行為の報酬として得た財産

(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

四 前三号の財産の果実として得た財産、前三号の財産の対価として得た財産、これらの財産の対価として得た財産その他前三号の財産の保有又は処分にに基づき得た財産

(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 前項の規定により没収すべき財産について、当該財産の性質、その使用の状況、当

該財産に関する犯人以外の者の権利の有無その他の事情からこれを没収することが相当でないと認められるときは、同項の規定にかかわらず、これを没収しないことができる。

(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.

(犯罪収益等が混和した財産の没収等)

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

第十四条 前条第一項各号又は第四項各号に掲げる財産（以下「不法財産」という。）が不法財産以外の財産と混和した場合において、当該不法財産を没収すべきときは、当該混和により生じた財産（次条第一項において「混和財産」という。）のうち当該不法財産（当該混和に係る部分に限る。）の額又は数量に相当する部分を没収することができる。

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).

(没収の要件等)

(Requirements for Confiscation)

第十五条 第十三条の規定による没収は、不法財産又は混和財産が犯人以外の者に帰属しない場合に限る。ただし、犯人以外の者が、犯罪の後情を知って当該不法財産又は混和財産を取得した場合（法令上の義務の履行として提供されたものを収受した場合又は契約（債権者において相当の財産上の利益を提供すべきものに限る。）の時に当該契約に係る債務の履行が不法財産若しくは混和財産によって行われることの情を知らないで当該契約に係る債務の履行として提供されたものを収受した場合を除く。）は、当該不法財産又は混和財産が犯人以外の者に帰属する場合であっても、これを没収することができる。

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 地上権、抵当権その他の権利がその上に存在する財産を第十三条の規定により没収する場合において、犯人以外の者が犯罪の前に当該権利を取得したとき、又は犯人以外の者が犯罪の後情を知らないで当該権利を取得したときは、これを存続させるものとする。

(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.

(追徴)

(Collection of a Sum of Equivalent Value)

第十六条 第十三条第一項各号に掲げる財産が不動産若しくは動産若しくは金銭債権でないときその他これを没収することができないとき、又は当該財産の性質、その使用の状況、当該財産に関する犯人以外の者の権利の有無その他の事情からこれを没収することが相当でないと認められるときは、その価額を犯人から追徴することができる。ただし、当該財産が犯罪被害財産であるときは、この限りでない。

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 前項ただし書の規定にかかわらず、第十三条第三項各号のいずれかに該当するときは、その犯罪被害財産の価額を犯人から追徴することができる。

(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 第十三条第四項の規定により没収すべき財産を没収することができないとき、又は同条第五項の規定によりこれを没収しないときは、その価額を犯人から追徴する。

(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.

(両罰規定)

**(Dual Criminal Liability)**

第十七条 法人の代表者又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関して第九条第一項から第三項まで、第十条又は第十一条の罪を犯したときは、行為者を罰するほか、その法人又は人に対しても各本条の罰金刑を科する。

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.

**第三章 没収に関する手続等の特例**

**Chapter III Special Provisions on Procedures Concerning Confiscation**

(第三者の財産の没収手続等)

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

第十八条 不法財産である債権等（不動産及び動産以外の財産をいう。第十九条第一項及び第二十一条において同じ。）が被告人以外の者（以下この条において「第三者」という。）に帰属する場合において、当該第三者が被告事件の手続への参加を許されていないときは、没収の裁判をすることができない。

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 第十三条の規定により、地上権、抵当権その他の第三者の権利がその上に存在する財産を没収しようとする場合において、当該第三者が被告事件の手続への参加を許されていないときも、前項と同様とする。

(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 地上権、抵当権その他の第三者の権利がその上に存在する財産を没収する場合において、第十五条第二項の規定により当該権利を存続させるときは、裁判所は、没収の言渡しと同時に、その旨を宣告しなければならない。

(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 第十五条第二項の規定により存続させるべき権利について前項の宣告がない没収の裁判が確定したときは、当該権利を有する者で自己の責めに帰することのできない理由により被告事件の手續において権利を主張することができなかつたものは、当該権利について、これを存続させるべき場合に該当する旨の裁判を請求することができる。

(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 前項の裁判があつたときは、刑事補償法（昭和二十五年法律第一号）に定める処分された没収物に係る補償の例により、補償を行う。

(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 第一項及び第二項に規定する財産の没収に関する手續については、この法律に特別の定めがあるもののほか、刑事事件における第三者所有物の没収手續に関する応急措置法（昭和三十八年法律第百三十八号）の規定を準用する。

(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.

（犯罪被害財産の没収手續等）

(Procedures for Confiscation of Stolen or Misappropriated Property)

第十八条の二 裁判所は、第十三条第三項の規定により犯罪被害財産を没収し、又は第十六条第二項の規定により犯罪被害財産の価額を追徴するときは、その言渡しと同時に、没収すべき財産が犯罪被害財産である旨又は追徴すべき価額が犯罪被害財産の価額である旨を示さなければならない。

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 第十三条第三項の規定により没収した犯罪被害財産及び第十六条第二項の規定により追徴した犯罪被害財産の価額に相当する金銭は、犯罪被害財産等による被害回復給付金の支給に関する法律（平成十八年法律第八十七号）に定めるところによる被害回復給付金の支給に充てるものとする。

(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).

(没収された債権等の処分等)

(Disposition of Confiscated Claims)

第十九条 没収された債権等は、検察官がこれを処分しなければならない。

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

- 2 債権の没収の裁判が確定したときは、検察官は、当該債権の債務者に対し没収の裁判の裁判書の抄本を送付してその旨を通知するものとする。

(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.

(没収の裁判に基づく登記等)

(Registration Based on a Judicial Decision for Confiscation)

第二十条 権利の移転について登記又は登録（以下「登記等」という。）を要する財産を没収する裁判に基づき権利の移転の登記等を関係機関に囑託する場合において、没収により効力を失った処分の制限に係る登記等若しくは没収により消滅した権利の取得に係る登記等があり、又は当該没収に関して次章第一節の規定による没収保全命令若しくは附帯保全命令に係る登記等があるときは、併せてその抹消を囑託するものとする。

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.

(刑事補償の特例)

**(Special Provisions on Criminal Compensation)**

第二十一条 債権等の没収の執行に対する刑事補償法による補償の内容については、同法第四条第六項の規定を準用する。

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.

**第四章 保全手続**

**Chapter IV Procedures for Preservation**

**第一節 没収保全**

**Section 1 Preservation for Confiscation**

(没収保全命令)

**(Preservation Order For Confiscation)**

第二十二条 裁判所は、第二条第二項第一号イ若しくはロ若しくは同項第二号ニに掲げる罪又は第十条第三項若しくは第十一条の罪に係る被告事件に関し、この法律その他の法令の規定により没収することができる財産（以下「没収対象財産」という。）に当たると思料するに足りる相当な理由があり、かつ、これを没収するため必要があると認めるときは、検察官の請求により、又は職権で、没収保全命令を発して、当該没収対象財産につき、この節の定めるところにより、その処分を禁止することができる。

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 裁判所は、地上権、抵当権その他の権利がその上に存在する財産について没収保全命令を発した場合又は発しようとする場合において、当該権利が没収により消滅すると思料するに足りる相当な理由がある場合であって当該財産を没収するため必要があると認めるとき、又は当該権利が仮装のものであると思料するに足りる相当な理由があると認めるときは、検察官の請求により、又は職権で、附帯保全命令を別に発して、当該権利の処分を禁止することができる。

(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 没収保全命令又は附帯保全命令には、被告人の氏名、罪名、公訴事実の要旨、没収の根拠となるべき法令の条項、処分を禁止すべき財産又は権利の表示、これらの財産又は権利を有する者（名義人が異なる場合は、名義人を含む。）の氏名、発付の年月日その他最高裁判所規則で定める事項を記載し、裁判長又は受命裁判官が、これに記名押印しなければならない。
- (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 裁判長は、急速を要する場合には、第一項若しくは第二項に規定する処分をし、又は合議体の構成員にこれをさせることができる。
- (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 没収保全（没収保全命令による処分の禁止をいう。以下同じ。）に関する処分は、第一回公判期日までは、裁判官が行う。この場合において、裁判官は、その処分に関し、裁判所又は裁判長と同一の権限を有する。
- (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 没収保全がされた不動産又は動産については、刑事訴訟法の規定により押収することを妨げない。
- (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.

（起訴前の没収保全命令）

（Preservation Order for Confiscation before Prosecution）

第二十三条 裁判官は、前条第一項又は第二項に規定する理由及び必要があると認める

ときは、公訴が提起される前であっても、検察官又は司法警察員（警察官たる司法警察員については、国家公安委員会又は都道府県公安委員会が指定する警部以上の者に限る。次項において同じ。）の請求により、同条第一項又は第二項に規定する処分をすることができる。

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 司法警察員は、その請求により没収保全命令又は附帯保全命令が発せられたときは、速やかに、関係書類を検察官に送付しなければならない。

(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 第一項の規定による没収保全は、没収保全命令が発せられた日から三十日以内に当該保全がされた事件につき公訴が提起されないときは、その効力を失う。ただし、共犯に対して公訴が提起された場合において、その共犯に関し、当該財産につき前条第一項に規定する理由があるときは、この限りでない。

(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 裁判官は、やむを得ない事由があると認めるときは、検察官の請求により、三十日ごとに、前項の期間を更新することができる。この場合において、更新の裁判は、検察官に告知された時にその効力を生ずる。

(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 第一項又は前項の規定による請求は、請求する者の所属する官公署の所在地を管轄する地方裁判所の裁判官にしなければならない。

(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 第一項又は第四項の規定による請求を受けた裁判官は、没収保全に関し、裁判所又

は裁判長と同一の権限を有する。

(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 検察官は、第一項の規定による没収保全が、公訴の提起があったためその効力を失うことがなくなるに至ったときは、その旨を没収保全命令を受けた者（被告人を除く。）に通知しなければならない。この場合において、その者の所在が分からないため、又はその他の理由によって、通知をすることができないときは、通知に代えて、その旨を検察庁の掲示場に七日間掲示して公告しなければならない。

(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.

(没収保全に関する裁判の執行)

(Execution of a Judicial Decision concerning Preservation for Confiscation)

第二十四条 没収保全に関する裁判で執行を要するものは、検察官の指揮によって、これを執行する。

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 没収保全命令の執行は、当該命令により処分を禁止すべき財産を有する者にその謄本が送達される前であっても、することができる。

(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.

(没収保全の効力)

(Effect of Preservation for Confiscation)

第二十五条 没収保全がされた財産（以下「没収保全財産」という。）について当該保全がされた後にされた処分は、没収に関しては、その効力を生じない。ただし、第三十七条第一項の規定により没収の裁判をすることができない場合における同項に規定する手続（第四十条第三項の規定により第三十七条第一項の規定を準用する手続を含む。）及び没収保全財産に対して実行することができる担保権の実行としての競売の手続による処分については、この限りでない。

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.

(代替金の納付)

(Payment of Substitute Money)

第二十六条 裁判所は、没収保全財産を有する者の請求により、相当と認めるときは、決定をもって、当該没収保全財産に代わるものとして、その財産の価額に相当する金銭（以下「代替金」という。）の額を定め、その納付を許すことができる。

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 裁判所は、前項の請求について決定をするには、検察官の意見を聴かなければならない。

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

3 第一項の決定に対しては、即時抗告をすることができる。

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

4 代替金の納付があったときは、没収保全は、代替金についてされたものとみなす。

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

(不動産の没収保全)

(Preservation of Real Property for Confiscation)

第二十七条 不動産（民事執行法（昭和五十四年法律第四号）第四十三条第一項に規定する不動産及び同条第二項の規定により不動産とみなされるものをいう。以下この条（第七項本文を除く。）次条、第二十九条第一項及び第三十五条第一項において同じ。）の没収保全は、その処分を禁止する旨の没収保全命令を発して行う。

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 前項の没収保全命令の謄本及び第二十三条第四項の規定による更新の裁判の裁判書の謄本（以下「更新の裁判の謄本」という。）は、不動産の所有者（民事執行法第四十三条第二項の規定により不動産とみなされる権利についてはその権利者とし、当該不動産又は権利に係る名義人が異なる場合は名義人を含む。）に送達しなければならない。

(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 不動産の没収保全命令の執行は、没収保全の登記をする方法により行う。

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

4 前項の登記は、検察事務官が囑託する。この場合において、囑託は、検察官が没収保全命令の執行を指揮する書面に基づいて、これを行う。

(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 不動産の没収保全の効力は、没収保全の登記がされた時に生ずる。

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

6 不動産の没収保全の効力が生じたときは、検察官は、当該不動産の所在する場所に公示書を掲示する方法その他相当の方法により、その旨を公示する措置を執らなければならない。

(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 不動産の登記請求権を保全するための処分禁止の仮処分の登記の後に没収保全の登記がされた場合において、その仮処分の債権者が保全すべき登記請求権に係る登記をするときは、没収保全の登記に係る処分の制限は、仮処分の登記に係る権利の取得又は消滅と抵触しないものとみなす。ただし、その権利の取得を当該債権者に対抗する

ことができない者を不動産を有する者として当該没収保全の登記がされたときは、この限りでない。

(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 民事執行法第四十六条第二項及び第四十八条第二項の規定は、不動産の没収保全について準用する。この場合において、同法第四十六条第二項中「債務者」とあるのは「没収保全財産を有する者」と、同法第四十八条第二項中「前項」とあるのは「組織的な犯罪の処罰及び犯罪収益の規制等に関する法律第二十七条第四項」と、「執行裁判所」とあるのは「登記の嘱託をした検察事務官の所属する検察庁の検察官」と読み替えるものとする。

(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."

(船舶等の没収保全)

#### (Preservation of Vessels for Confiscation)

第二十八条 登記される船舶、航空法（昭和二十七年法律第二百三十一号）の規定により登録を受けた飛行機若しくは回転翼航空機（第三十五条第一項において単に「航空機」という。）、道路運送車両法（昭和二十六年法律第八十五号）の規定により登録を受けた自動車（同項において単に「自動車」という。）、建設機械抵当法（昭和二十九年法律第九十七号）の規定により登記を受けた建設機械（同項において単に「建設機械」という。）又は小型船舶の登録等に関する法律（平成十三年法律第二百二号）の規定により登録を受けた小型船舶（同項において単に「小型船舶」という。）の没収保全については、不動産の没収保全の例による。

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 "airplane" 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.

(動産の没収保全)

(Preservation of Movable for Confiscation)

第二十九条 動産（不動産及び前条に規定する物以外の物をいう。以下この条において同じ。）の没収保全は、その処分を禁止する旨の没収保全命令を発して行う。

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 前項の没収保全命令の謄本及び更新の裁判の謄本は、動産の所有者（名義人が異なる場合は、名義人を含む。）に送達しなければならない。

(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 動産の没収保全の効力は、没収保全命令の謄本が所有者に送達された時に生ずる。

(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 刑事訴訟法の規定による押収がされていない動産又は同法第二百一十一条第一項の規定により、看守者を置き、若しくは所有者その他の者に保管させている動産について、没収保全の効力が生じたときは、検察官は、公示書をはり付ける方法その他相当の方法により、その旨を公示する措置を執らなければならない。

(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.

(債権の没収保全)

**(Preservation of Claims for Confiscation)**

第三十条 債権の没収保全は、債権者（名義人が異なる場合は、名義人を含む。以下この条において同じ。）に対し債権の取立てその他の処分を禁止し、及び債務者に対し債権者への弁済を禁止する旨の没収保全命令を発して行う。

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 前項の没収保全命令の謄本及び更新の裁判の謄本は、債権者及び債務者に送達しなければならない。

(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 債権の没収保全の効力は、没収保全命令の謄本が債務者に送達された時に生ずる。

(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 民事執行法第百五十条、第百五十六条第一項及び第三項並びに第百六十四条第五項の規定は、債権の没収保全について準用する。この場合において、同法第百五十条及び第百五十六条第一項中「差押え」とあり、及び同法第百五十条中「差押命令」とあるのは「没収保全」と、同条中「裁判所書記官は、申立てにより」とあるのは「検察事務官は、検察官が没収保全命令の執行を指揮する書面に基づいて」と、同法第百五十六条第一項及び第三項中「第三債務者」とあるのは「債務者」と、同項中「執行裁判所」とあるのは「没収保全命令を発した裁判所」と、同法第百六十四条第五項中「差し押さえられた債権」とあるのは「没収保全がされた債権」と、「支払又は供託」とあるのは「供託」と、「裁判所書記官は、申立てにより」とあるのは「検察事務官は、検察官が登記等の抹消の嘱託を指揮する書面に基づいて」と、「債権執行の申立てが取り下げられたとき、又は差押命令の取消決定が確定したときも」とあるのは「没収保全が効力を失ったとき、又は代替金が納付されたときも」と読み替えるものとする。

(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.

(その他の財産権の没収保全)

(Preservation of Any Other Property Rights for Confiscation)

第三十一条 第二十七条から前条までに規定する財産以外の財産権（以下この条において「その他の財産権」という。）の没収保全については、この条に特別の定めがあるもののほか、債権の没収保全の例による。

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 その他の財産権で債務者又はこれに準ずる者が不在のもの（次項に規定するものを除く。）の没収保全の効力は、没収保全命令の謄本が権利者に送達された時に生ずる。

(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 第二十七条第三項から第五項まで及び第七項並びに民事執行法第四十八条第二項の規定は、その他の財産権で権利の移転について登記等を要するものについて準用する。この場合において、同項中「前項」とあるのは「組織的な犯罪の処罰及び犯罪収益の規制等に関する法律第三十一条第三項において準用する同法第二十七条第四項」と、「執行裁判所」とあるのは「登記等の嘱託をした検察事務官の所属する検察庁の検察官」と読み替えるものとする。

(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."

(没収保全命令の取消し)

**(Revocation of a Preservation Order for Confiscation)**

第三十二条 没収保全の理由若しくは必要がなくなったとき、又は没収保全の期間が不当に長くなったときは、裁判所は、検察官若しくは没収保全財産を有する者（その者が被告人であるときは、その弁護人を含む。）の請求により、又は職権で、決定をもって、没収保全命令を取り消さなければならない。

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 裁判所は、検察官の請求による場合を除き、前項の決定をするときは、検察官の意見を聴かなければならない。

(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.

(没収保全命令の失効)

**(Lapse of a Preservation Order for Confiscation)**

第三十三条 没収保全命令は、無罪、免訴若しくは公訴棄却（刑事訴訟法第三百三十八条第四号及び第三百三十九条第一項第一号の規定による場合を除く。）の裁判の告知があったとき、又は有罪の裁判の告知があった場合において没収の言渡しがなかったときは、その効力を失う。

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 刑事訴訟法第三百三十八条第四号又は第三百三十九条第一項第一号の規定による公訴棄却の裁判があった場合における没収保全の効力については、第二十三条第三項及び第四項の規定を準用する。この場合において、同条第三項中「没収保全命令が発せられた日」とあるのは、「公訴棄却の裁判が確定した日」と読み替えるものとする。

(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."

(失効等の場合の措置)

**(Measures in the Case of Lapse)**

第三十四条 没収保全が効力を失ったとき、又は代替金が納付されたときは、検察官は、速やかに、検察事務官に当該没収保全の登記等の抹消の嘱託をさせ、及び公示書の除去その他の必要な措置を執らなければならない。この場合において、没収保全の登記等の抹消の嘱託は、検察官がその嘱託を指揮する書面に基づいて、これを行う。

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.

(没収保全財産に対する強制執行の手続の制限)

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

第三十五条 没収保全がされた後に、当該保全に係る不動産、船舶（民事執行法第百十二条に規定する船舶をいう。）、航空機、自動車、建設機械若しくは小型船舶に対し強制競売の開始決定がされたとき又は当該保全に係る動産（同法第百二十二条第一項に規定する動産をいう。第四十二条第二項において同じ。）に対し強制執行による差押えがされたときは、強制執行による売却のための手続は、没収保全が効力を失った後又は代替金が納付された後でなければ、することができない。

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 没収保全がされている債権（民事執行法第百四十三条に規定する債権をいう。以下



同じ。) に対し強制執行による差押命令又は差押処分が発せられたときは、当該差押えをした債権者は、差押えに係る債権のうち没収保全がされた部分については、没収保全が効力を失った後又は代替金が納付された後でなければ、取立て又は同法第六十三条第一項の規定による請求をすることができない。

(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 第一項の規定は、没収保全がされた後に強制執行による差押命令又は差押処分が発せられた債権で、条件付若しくは期限付であるもの又は反対給付に係ることその他の事由によりその取立てが困難であるものについて準用する。

(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 没収保全がされているその他の財産権（民事執行法第六十七条第一項に規定するその他の財産権をいう。）に対する強制執行については、没収保全がされている債権に対する強制執行の例による。

(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.

（第三債務者の供託）

(Deposit Made by a Third Party Obligor)

第三十六条 金銭債権の債務者（以下「第三債務者」という。）は、没収保全がされた後に当該保全に係る債権について強制執行による差押命令又は差押処分の送達を受けたときは、その債権の全額に相当する金銭を債務の履行地の供託所に供託することができる。

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 第三債務者は、前項の規定による供託をしたときは、その事情を没収保全命令を発した裁判所に届け出なければならない。

(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 第一項の規定による供託がされた場合においては、差押命令を発した執行裁判所又は差押処分をした裁判所書記官は、供託された金銭のうち、没収保全がされた金銭債権の額に相当する部分については没収保全が効力を失ったとき又は代替金が納付されたときに、その余の部分については供託されたときに、配当又は弁済金の交付を実施しなければならない。

(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 第一項及び第二項の規定は、強制執行による差押えがされている金銭債権について没収保全がされた場合における第三債務者の供託について準用する。この場合において、同項中「没収保全命令を発した裁判所」とあるのは、「執行裁判所（差押処分がされている場合にあつては、当該差押処分をした裁判所書記官）」と読み替えるものとする。

(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 第一項（前項において準用する場合を含む。）の規定による供託がされた場合における民事執行法第百六十五条（同法第百六十七条の十四第一項において同法第百六十五条（第三号及び第四号を除く。）の規定を準用する場合を含む。以下この項において同じ。）の規定の適用については、同条第一号中「第百五十六条第一項又は第二項」とあるのは、「組織的な犯罪の処罰及び犯罪収益の規制等に関する法律第三十六条第一項（同条第四項において準用する場合を含む。））」とする。

(5) In the application of Article 165 of the Civil Execution Act (including as applied 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."

(強制執行に係る財産の没収の制限)

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

第三十七条 没収保全がされる前に強制競売の開始決定又は強制執行による差押えがされている財産については、没収の裁判をすることができない。ただし、差押債権者の債権が仮装のものであるとき、差押債権者が没収対象財産であることの情を知りながら強制執行の申立てをしたものであるとき、又は差押債権者が犯人であるときは、この限りでない。

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 没収対象財産の上に存在する地上権その他の権利であつて附帯保全命令による処分  
の禁止がされたものについて、当該処分の禁止がされる前に強制競売の開始決定又は  
強制執行による差押えがされていた場合において、当該財産を没収するときは、その  
権利を存続させるものとし、没収の言渡しと同時に、その旨の宣告をしなければなら  
ない。ただし、差押債権者の債権が仮装のものであるとき、差押債権者が没収により  
当該権利が消滅することの情を知りながら強制執行の申立てをしたものであるとき、  
又は差押債権者が犯人であるときは、この限りでない。

(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 強制競売の開始決定又は強制執行による差押えがされている財産について没収保全

命令が発せられた場合における当該財産については、差押債権者（被告人である差押債権者を除く。）が被告事件の手續への参加を許されていないときは、没収の裁判をすることができない。前項に規定する場合における財産の没収についても、同様とする。

(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 第十八条第四項及び第五項の規定は第二項の規定により存続させるべき権利について同項の宣告がない没収の裁判が確定した場合について、同条第六項の規定は前項の没収に関する手續について準用する。

(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.

（強制執行の停止）

(Stay of Compulsory Execution)

第三十八条 裁判所は、強制競売の開始決定又は強制執行による差押えがされている財産について没収保全命令を発した場合又は発しようとする場合において、前条第一項ただし書に規定する事由があると思料するに足りる相当な理由があると認めるときは、検察官の請求により、又は職権で、決定をもって、強制執行の停止を命ずることができる。

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 検察官が前項の決定の裁判書の謄本を執行裁判所（差押処分がされている場合にあつては、当該差押処分をした裁判所書記官。以下この項において同じ。）に提出したときは、執行裁判所は、強制執行を停止しなければならない。この場合における民事

執行法の規定の適用については、同法第三十九条第一項第七号の文書の提出があったものとみなす。

- (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 裁判所は、没収保全が効力を失ったとき、代替金が納付されたとき、第一項の理由がなくなったとき、又は強制執行の停止の期間が不当に長くなったときは、検察官若しくは差押債権者の請求により、又は職権で、決定をもって、同項の決定を取り消さなければならない。第三十二条第二項の規定は、この場合に準用する。
- (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.

(担保権の実行としての競売の手続との調整)

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

第三十九条 没収保全財産の上に存在する担保権で、当該保全がされた後に生じたもの又は附帯保全命令による処分の禁止がされたものの実行（差押えを除く。）は、没収保全若しくは附帯保全命令による処分の禁止が効力を失った後又は代替金が納付された後でなければ、することができない。

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 担保権の実行としての競売の手続が開始された後に当該担保権について附帯保全命令が発せられた場合において、検察官が当該命令の謄本を提出したときは、執行裁判所は、その手続を停止しなければならない。この場合における民事執行法の規定の適用については、同法第八十三条第一項第七号（同法第八十九条、第九十二条又は第九十三条第二項において準用する場合を含む。）の文書の提出があったものとみなす。

(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.

(その他の手続との調整)

(Adjustment to Other Procedures)

第四十条 第三十五条の規定は、没収保全がされている財産に対し滞納処分（国税徴収法（昭和三十四年法律第百四十七号）による滞納処分及びその例による滞納処分をいう。以下同じ。）による差押えがされた場合又は没収保全がされている財産を有する者について破産手続開始の決定、再生手続開始の決定若しくは承認援助手続における外国倒産処理手続の承認援助に関する法律（平成十二年法律第百二十九号）第二十八条第一項の規定による禁止の命令（第三項において「破産手続開始決定等」という。）がされた場合若しくは没収保全がされている財産を有する会社その他の法人について更生手続開始の決定若しくは特別清算開始の命令（同項において「更生手続開始決定等」という。）がされた場合におけるこれらの手続の制限について準用する。

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 第三十六条の規定は没収保全がされている金銭債権に対し滞納処分による差押えがされた場合又は滞納処分による差押えがされている金銭債権について没収保全がされた場合における第三債務者の供託について、同条第一項、第二項及び第四項の規定は没収保全がされている金銭債権に対し仮差押えの執行がされた場合又は仮差押えの執

行がされている金銭債権について没収保全がされた場合における第三債務者の供託について準用する。

(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 第三十七条の規定は没収保全がされる前に当該保全に係る財産に対し仮差押えの執行がされていた場合又は没収対象財産の上に存在する地上権その他の権利であって附帯保全命令による処分の禁止がされたものについて当該処分の禁止がされる前に仮差押えの執行がされていた場合におけるこれらの財産の没収の制限について、同条第一項本文の規定は没収保全がされる前に当該保全に係る財産に対し滞納処分による差押えがされていた場合又は没収保全がされる前に当該保全に係る財産を有する者について破産手続開始決定等がされていた場合若しくは没収保全がされる前に当該保全に係る財産を有する会社その他の法人について更生手続開始決定等がされていた場合におけるこれらの財産の没収の制限について、同条第二項本文の規定は没収対象財産の上に存在する地上権その他の権利であって附帯保全命令による処分の禁止がされたものについて当該処分の禁止がされる前に滞納処分による差押えがされていた場合又は没収対象財産の上に存在する地上権その他の権利であって附帯保全命令による処分の禁止がされたものを有する者について当該処分の禁止がされる前に破産手続開始決定等がされていた場合若しくは没収対象財産の上に存在する地上権その他の権利であって附帯保全命令による処分の禁止がされたものを有する会社その他の法人について当該処分の禁止がされる前に更生手続開始決定等がされていた場合におけるこれらの財産の没収の制限について準用する。

(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 第三十八条の規定は、仮差押えの執行がされている財産について没収保全命令を発した場合又は発しようとする場合における強制執行の停止について準用する。

(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.

(附帯保全命令の効力等)

(Effect of a Collateral Preservation Order)

第四十一条 附帯保全命令は、当該命令に係る没収保全が効力を有する間、その効力を有する。ただし、代替金が納付されたときは、この限りでない。

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 附帯保全命令による処分の禁止については、特別の定めがあるもののほか、没収保全に関する規定を準用する。

(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.

## 第二節 追徴保全

### Section 2 Preservation for Collection of a Sum of Equivalent Value



(追徴保全命令)

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

第四十二条 裁判所は、第二条第二項第一号イ若しくはロ若しくは同項第二号ニに掲げる罪又は第十条第三項若しくは第十一条の罪に係る被告事件に関し、この法律その他の法令の規定により不法財産の価額を追徴すべき場合に当たると思料するに足りる相当な理由がある場合において、追徴の裁判の執行をすることができなくなるおそれがあり、又はその執行をするのに著しい困難を生ずるおそれがあると認めるときは、検察官の請求により、又は職権で、追徴保全命令を発して、被告人に対し、その財産の処分を禁止することができる。

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 追徴保全命令は、追徴の裁判の執行のため保全することを相当と認める金額（第四項において「追徴保全額」という。）を定め、特定の財産について発しなければならない。ただし、動産については、目的物を特定しないで発することができる。

(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 追徴保全命令においては、処分を禁止すべき財産について、追徴保全命令の執行の停止を得るため、又は追徴保全命令の執行としてされた処分の取消しを得るために被告人が納付すべき金銭（以下「追徴保全解放金」という。）の額を定めなければならない。

(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 追徴保全命令には、被告人の氏名、罪名、公訴事実の要旨、追徴の根拠となるべき法令の条項、追徴保全額、処分を禁止すべき財産の表示、追徴保全解放金の額、発付

の年月日その他最高裁判所規則で定める事項を記載し、裁判長又は受命裁判官が、これに記名押印しなければならない。

(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 第二十二條第四項及び第五項の規定は、追徴保全（追徴保全命令による処分の禁止をいう。以下同じ。）について準用する。

(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).

（起訴前の追徴保全命令）

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

第四十三條 裁判官は、第十六條第三項の規定により追徴すべき場合に当たると思料するに足りる相当な理由がある場合において、前條第一項に規定する必要があると認めるときは、公訴が提起される前であっても、検察官の請求により、同項に規定する処分をすることができる。

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 第二十三條第三項本文及び第四項から第六項までの規定は、前項の規定による追徴保全について準用する。

(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.

（追徴保全命令の執行）

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

第四十四條 追徴保全命令は、検察官の命令によってこれを執行する。この命令は、民事保全法（平成元年法律第九十一号）の規定による仮差押命令と同一の効力を有する。

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 追徴保全命令の執行は、追徴保全命令の謄本が被告人又は被疑者に送達される前であっても、これを行うことができる。

(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 追徴保全命令の執行は、この法律に特別の定めがあるもののほか、民事保全法その他仮差押えの執行の手續に関する法令の規定に従ってする。この場合において、これらの法令の規定において仮差押命令を発した裁判所が保全執行裁判所として管轄することとされる仮差押えの執行については、第一項の規定による命令を発した検察官の所属する検察庁の対応する裁判所が管轄する。

(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.

(金銭債権の債務者の供託)

(Deposit Made by the Obligor of a Monetary Claim)

第四十五条 追徴保全命令に基づく仮差押えの執行がされた金銭債権の債務者が、当該債権の額に相当する額の金銭を供託したときは、債権者の供託金の還付請求権につき、当該仮差押えの執行がされたものとみなす。

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 前項の規定は、追徴保全解放金の額を超える部分に係る供託金については、これを適用しない。

(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.

(追徴保全解放金の納付と追徴等の裁判の執行)

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

第四十六条 追徴保全解放金が納付された後に、追徴の裁判が確定したとき、又は仮納付の裁判の言渡しがあつたときは、納付された金額の限度において追徴又は仮納付の裁判の執行があつたものとみなす。

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 追徴の言渡しがあつた場合において、納付された追徴保全解放金が追徴の金額を超えるときは、その超過額は、被告人に還付しなければならない。

(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.

(追徴保全命令の取消し)

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

第四十七条 裁判所は、追徴保全の理由若しくは必要がなくなったとき、又は追徴保全の期間が不当に長くなったときは、検察官、被告人若しくはその弁護人の請求により、又は職権で、決定をもって、追徴保全命令を取り消さなければならない。第三十二条第二項の規定は、この場合に準用する。

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.

(追徴保全命令の失効)

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

第四十八条 追徴保全命令は、無罪、免訴若しくは公訴棄却（刑事訴訟法第三百三十八条第四号及び第三百三十九条第一項第一号の規定による場合を除く。）の裁判の告知があつたとき、又は有罪の裁判の告知があつた場合において追徴の言渡しがなかつたときは、その効力を失う。

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 刑事訴訟法第三百三十八条第四号又は第三百三十九条第一項第一号の規定による公訴棄却の裁判があつた場合における追徴保全命令の効力については、第三十三条第二項の規定を準用する。

(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.

(失効等の場合の措置)

(Measures in the Case of Lapse)

第四十九条 追徴保全命令が効力を失ったとき、又は追徴保全解放金が納付されたときは、検察官は、速やかに、第四十四条第一項の規定によりした命令を取り消し、かつ、追徴保全命令に基づく仮差押えの執行の停止又は既にした仮差押えの執行の取消しのため、必要な措置を執らなければならない。

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.

### 第三節 雑則

#### Section 3 Miscellaneous Provisions

(送達)

(Service)

第五十条 没収保全又は追徴保全（追徴保全命令に基づく仮差押えの執行を除く。以下この節において同じ。）に関する書類の送達については、最高裁判所規則に特別の定めがある場合を除き、民事訴訟に関する法令の規定を準用する。この場合において、民事訴訟法（平成八年法律第九号）第一百条第三項に規定する公示送達以外の公示送達については、その経過により送達の効力が生ずる期間は、同法第一百十二条第一項本文及び第二項の規定にかかわらず、七日間とする。

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.

(上訴提起期間中の処分等)

(Disposition during the Period for Filing an Appeal)

第五十一条 上訴の提起期間内の事件でまだ上訴の提起がないもの又は上訴中の事件で訴訟記録が上訴裁判所に到達していないものについて、没収保全又は追徴保全に関する処分をすべき場合には、原裁判所がこれをしなければならない。

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.

(不服申立て)

(Appeal)

第五十二条 没収保全又は追徴保全に関して裁判所のした決定に対しては、抗告をすることができる。ただし、没収又は追徴すべき場合に該当すると思料するに足りる相当な理由がないこと（第二十二条第二項の規定による決定に関しては同項に規定する理由がないことを、第三十八条第一項（第四十一条第二項において準用する場合を含む。）の規定による決定に関しては第三十八条第一項に規定する理由がないことを含む。）を理由としてすることはできない。

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 没収保全又は追徴保全に関して裁判官のした裁判に不服がある者は、その裁判官の所属する裁判所（簡易裁判所の裁判官がした裁判に対しては、当該簡易裁判所の所在地を管轄する地方裁判所）にその裁判の取消し又は変更を請求することができる。前項ただし書の規定は、この場合に準用する。

(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 前項の規定による不服申立てに関する手続については、刑事訴訟法第四百二十九条第一項に規定する裁判官の裁判の取消し又は変更の請求に係る手続の例による。

(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.

(準用)

(Application Mutatis Mutandis)

第五十三条 没収保全及び追徴保全に関する手続については、この法律に特別の定めがあるもののほか、刑事訴訟法の規定を準用する。

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.

## 第五章 削除

### Chapter V Deleted

第五十四条 削除

Article 54 Deleted

第五十五条 削除

Article 55 Deleted

第五十六条 削除

Article 56 Deleted

第五十七条 削除

Article 57 Deleted

第五十八条 削除

Article 58 Deleted

## 第六章 没収及び追徴の裁判の執行及び保全についての国際共助手続等

## 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

(共助の実施)

(Execution of Assistance)

第五十九条 外国の刑事事件（麻薬特例法第十六条第二項に規定する薬物犯罪等に当たる行為に係るものを除く。）に関して、当該外国から、没収若しくは追徴の確定裁判の執行又は没収若しくは追徴のための財産の保全の共助の要請があったときは、次の各号のいずれかに該当する場合を除き、当該要請に係る共助をすることができる。

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:

一 共助犯罪（共助の要請において犯されたとされている犯罪をいう。以下この項において同じ。）に係る行為が日本国内において行われたとした場合において、当該行為が第二条第二項第一号イ若しくはロ若しくは同項第二号ニに掲げる罪又は第十条第三項若しくは第十一条の罪に当たるものでないとき。

(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;

二 共助犯罪に係る行為が日本国内において行われたとした場合において、日本国の法令によればこれについて刑罰を科すことができないと認められるとき。

(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;

三 共助犯罪に係る事件が日本国の裁判所に係属するとき、又はその事件について日本国の裁判所において確定判決を経たとき。

(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;

四 没収の確定裁判の執行の共助又は没収のための保全の共助については、共助犯罪に係る行為が日本国内において行われたとした場合において、要請に係る財産が日本国の法令によれば共助犯罪について没収の裁判をし、又は没収保全をすることができる財産に当たるものでないとき。



(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;

五 追徴の確定裁判の執行の共助又は追徴のための保全の共助については、共助犯罪に係る行為が日本国内において行われたとした場合において、日本国の法令によれば共助犯罪について追徴の裁判をし、又は追徴保全をすることができる場合に当たるものでないとき。

(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;

六 没収の確定裁判の執行の共助については要請に係る財産を有し又はその財産の上に地上権、抵当権その他の権利を有すると思料するに足りる相当な理由のある者が、追徴の確定裁判の執行の共助については当該裁判を受けた者が、自己の責めに帰することのできない理由により、当該裁判に係る手続において自己の権利を主張することができなかつたと認められるとき。

(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

七 没収又は追徴のための保全の共助については、要請国の裁判所若しくは裁判官のした没収若しくは追徴のための保全の裁判に基づく要請である場合又は没収若しくは追徴の裁判の確定後の要請である場合を除き、共助犯罪に係る行為が行われたと疑うに足りる相当な理由がないとき、又は当該行為が日本国内で行われたとした場合において第二十二条第一項若しくは第四十二条第一項に規定する理由がないと認められるとき。

(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 麻薬特例法第十六条第二項に規定する薬物犯罪等に当たる行為に係る外国の刑事事件に関して、当該外国から、条約に基づかないで、前項の共助の要請があったときは、麻薬特例法第二十一条各号のいずれかに該当する場合を除き、その要請に係る共助をすることができる。

(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 地上権、抵当権その他の権利がその上に存在する財産に係る没収の確定裁判の執行の共助をするに際し、日本国の法令により当該財産を没収するとすれば当該権利を存続させるべき場合に当たるときは、これを存続させるものとする。

(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.

(追徴とみなす没収)

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

第六十条 不法財産又は麻薬特例法第十一条第一項各号若しくは第三項各号に掲げる財産（以下この条において「不法財産等」という。）に代えて、その価額が不法財産等の価額に相当する財産であって当該裁判を受けた者が有するものを没収する確定裁判の執行に係る共助の要請にあつては、当該確定裁判は、この法律による共助の実施については、その者から当該財産の価額を追徴する確定裁判とみなす。不動産若しくは動産又は金銭債権以外の第十三条第一項各号に掲げる財産であつて当該裁判を受けた者が有するものを没収する確定裁判の執行に係る共助の要請についても、同様とする。

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 前項の規定は、不法財産等に代えてその価額が不法財産等の価額に相当する財産を没収するための保全及び不動産若しくは動産又は金銭債権以外の第十三条第一項各号に掲げる財産を没収するための保全に係る共助の要請について準用する。

(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.

(要請の受理)

(Receiving Requests)

第六十一条 共助の要請の受理は、外務大臣が行う。ただし、条約に基づき法務大臣が共助の要請の受理を行うこととされているとき、又は緊急その他特別の事情がある場合において外務大臣が同意したときは、法務大臣が行うものとする。

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 前項ただし書の規定により法務大臣が共助の要請の受理を行う場合においては、法務大臣は、外務大臣に対し、共助に関する事務の実施に関し、必要な協力を求めることができる。

(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.

(裁判所の審査)

(Examination by the Court)

第六十二条 共助の要請が没収又は追徴の確定裁判の執行に係るものであるときは、検察官は、裁判所に対し、共助をすることができる場合に該当するかどうかについて審査の請求をしなければならない。

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 裁判所は、審査の結果、審査の請求が不適法であるときは、これを却下する決定をし、共助の要請に係る確定裁判の全部若しくは一部について共助をすることができる場合に該当するとき、又はその全部について共助をすることができない場合に該当するときは、それぞれその旨の決定をしなければならない。

(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 裁判所は、没収の確定裁判の執行の共助の要請につき共助をすることができる場合に該当する旨の決定をする場合において、第五十九条第三項の規定により存続させなければならない権利があるときは、当該権利を存続させる旨の決定を同時にしなければならない。

(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 裁判所は、追徴の確定裁判の執行の共助の要請につき、共助をすることができる場合に該当する旨の決定をするときは、追徴すべき日本円の金額を同時に示さなければならない。

(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 第一項の規定による審査においては、共助の要請に係る確定裁判の当否を審査することができない。

(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 第一項の規定による審査に関しては、次に掲げる者（以下「利害関係人」という。）が当該審査請求事件の手續への参加を許されていないときは、共助をすることができる場合に該当する旨の決定をすることができない。

(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:

一 没収の確定裁判の執行の共助については、要請に係る財産を有し、若しくはその財産の上に地上権、抵当権その他の権利を有すると思料するに足りる相当な理由のある者又はこれらの財産若しくは権利について没収保全がされる前に強制競売の開始決定、強制執行による差押え若しくは仮差押えの執行がされている場合における差押債権者若しくは仮差押債権者

(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

二 追徴の確定裁判の執行の共助については、当該裁判を受けた者

(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 裁判所は、審査の請求について決定をするときは、検察官及び審査請求事件の手続への参加を許された者（以下「参加人」という。）の意見を聴かなければならない。

(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 裁判所は、参加人が口頭で意見を述べたい旨を申し出たとき、又は裁判所において証人若しくは鑑定人を尋問するときは、公開の法廷において審問期日を開き、参加人に当該期日に出頭する機会を与えなければならない。この場合において、参加人が出頭することができないときは、審問期日に代理人を出頭させ、又は書面により意見を述べる機会を与えたことをもって、参加人に出頭する機会を与えたものとみなす。

(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 検察官は、前項の審問期日の手続に立ち会うことができる。

(9) The public prosecutor may be present at the hearing referred to in the preceding paragraph.

(抗告)

(Appeal)

第六十三条 検察官及び参加人は、審査の請求に係る決定に対し、抗告をすることができる。

Article 63 (1) The public prosecutor and interveners may appeal against a ruling on the relevant request for examination.

2 抗告裁判所の決定に対しては、刑事訴訟法第四百五条各号に定める事由があるときは、最高裁判所に特に抗告をすることができる。

(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 前二項の抗告の提起期間は、十四日とする。

(3) The period allowed for filing an appeal under the preceding two paragraphs shall be 14 days.

(決定の効力)

(Effect of Rulings)

第六十四条 没収又は追徴の確定裁判の執行の共助の要請につき共助をすることができる場合に該当する旨の決定が確定したときは、当該没収又は追徴の確定裁判は、共助の実施に関しては、日本国の裁判所が言い渡した没収又は追徴の確定裁判とみなす。

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.

(要請国への執行財産等の譲与等)

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

第六十四条の二 没収又は追徴の確定裁判の執行の共助の要請をした外国（第三項において「執行共助の要請国」という。）から、当該共助の実施に係る財産又はその価額に相当する金銭（以下この条において「執行財産等」という。）の譲与の要請があったときは、その全部又は一部を譲与することができる。

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 法務大臣は、執行財産等の全部又は一部を譲与することが相当であると認めるときは、没収又は追徴の確定裁判の執行の共助に必要な措置を命じた地方検察庁の検事正

に対し、当該執行財産等の譲与のための保管を命ずるものとする。

(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 法務大臣は、執行財産等について、次の各号のいずれかに該当する場合には、前項に規定する検事正に対し、当該執行財産等の全部又は一部を仮に保管することを命ずることができる。

(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.:

一 執行共助の要請国から執行財産等の譲与の要請があった場合において、これに応ずるか否かの判断をするために必要があると認めるとき。

(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

二 執行共助の要請国から執行財産等の譲与の要請がされるところを思料する場合において、必要があると認めるとき。

(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.

(決定の取消し)

(Revocation of Rulings)

第六十五条 没収又は追徴の確定裁判の執行の共助の要請につき共助をすることができる場合に該当する旨の決定が確定した場合において、当該要請に係る確定裁判が取り消されたときその他その効力がなくなったときは、裁判所は、検察官又は利害関係人の請求により、決定をもって、共助をすることができる場合に該当する旨の決定を取り消さなければならない。

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 前項の取消しの決定が確定したときは、刑事補償法に定める没収又は追徴の執行による補償の例により、補償を行う。

(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 第六十三条の規定は、第一項の請求に係る決定について準用する。

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

(没収保全の請求)

(Request of Preservation for Confiscation)

第六十六条 共助の要請が没収のための保全に係るものであるときは、検察官は、裁判官に、没収保全命令を発して要請に係る財産につきその処分を禁止することを請求しなければならない。この場合において、検察官は、必要と認めるときは、附帯保全命令を発して当該財産の上に存在する地上権、抵当権その他の権利の処分を禁止することを請求することができる。

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 第六十二条第一項の審査の請求があった後は、没収保全に関する処分は、審査の請求を受けた裁判所が行う。

(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.

(追徴保全の請求)

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

第六十七条 共助の要請が追徴のための保全に係るものであるときは、検察官は、裁判官に、追徴保全命令を発して、追徴の裁判を受けるべき者に対しその財産の処分を禁止することを請求しなければならない。

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 前条第二項の規定は、追徴保全に関する処分について準用する。

(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.



(公訴提起前の保全の期間)

(Period of Preservation before the Institution of Prosecution)

第六十八条 没収又は追徴のための保全の共助の要請が公訴の提起されていない事件に  
関してされた場合において、没収保全命令又は追徴保全命令が発せられた日から四十  
五日以内に要請国から当該事件につき公訴が提起された旨の通知がないときは、当該  
没収保全又は追徴保全命令は、その効力を失う。

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 要請国から、前項の期間内に公訴を提起できないことについてやむを得ない事由が  
ある旨理由を付して通知があったときは、裁判官は、検察官の請求により、三十日間  
を限り、保全の期間を更新することができる。更新された期間内に公訴を提起できな  
いことについてやむを得ない事由がある旨理由を付して通知があったときも、同様と  
する。

(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.

(手続の取消し)

(Revocation of Procedure)

第六十九条 共助の要請を撤回する旨の通知があったときは、検察官は、速やかに、審  
査、没収保全若しくは追徴保全の請求を取り消し、又は没収保全命令若しくは追徴保  
全命令の取消しを請求しなければならない。

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 前項の請求があったときは、裁判所又は裁判官は、速やかに、没収保全命令又は追  
徴保全命令を取り消さなければならない。

(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.

(事実の取調べ)

(Examination of Facts)

第七十条 裁判所又は裁判官は、この章の規定による審査をし、又は没収保全若しくは追徴保全に関する処分をするため必要があるときは、事実の取調べをすることができる。この場合においては、証人を尋問し、検証を行い、又は鑑定、通訳若しくは翻訳を命ずることができる。

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.

(検察官の処分)

(Disposition by the Public Prosecutor)

第七十一条 検察官は、この章の規定による没収保全若しくは追徴保全の請求又は没収保全命令若しくは追徴保全命令の執行に関して必要があると認めるときは、次に掲げる処分をすることができる。

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:

一 関係人の出頭を求めてこれを取り調べること。

(i) to request the appearance of any relevant person and interview such person;

二 鑑定を囑託すること。

(ii) to commission expert examinations;

三 実況見分をすること。

(iii) to conduct on-the-spot investigations;

四 書類その他の物の所有者、所持者又は保管者にその物の提出を求めること。

(iv) to request the owners, holders, or custodians of documents or other objects to submit such documents or objects;

五 公務所又は公私の団体に照会して必要な事項の報告を求めること。

(v) to request public offices or public and private associations to report on necessary matters;

六 電気通信を行うための設備を他人の通信の用に供する事業を営む者又は自己の業務のために不特定若しくは多数の者の通信を媒介することのできる電気通信を行うための設備を設置している者に対し、その業務上記録している電気通信の送信元、送信先、通信日時その他の通信履歴の電磁的記録のうち必要なものを特定し、三十

日を超えない期間（延長する場合には、通じて六十日を超えない期間）を定めて、これを消去しないよう、書面で求めること。

(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  
七 裁判官の発する令状により、差押え、記録命令付差押え、搜索又は検証をすること。

(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 検察官は、検察事務官に前項の処分をさせることができる。

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

(管轄裁判所)

(Court with Jurisdiction)

第七十二条 この章の規定による審査、没収保全若しくは追徴保全又は令状の発付の請求は、請求する検察官の所属する検察庁の所在地を管轄する地方裁判所又はその裁判官にしなければならない。

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.

(準用)

(Application Mutatis Mutandis)

第七十三条 この章に特別の定めがあるもののほか、裁判所若しくは裁判官のする審査、処分若しくは令状の発付、検察官若しくは検察事務官のする処分又は裁判所の審査への利害関係人の参加については第三章及び第四章、刑事訴訟法（第一編第二章及び第五章から第十三章まで、第二編第一章、第三編第一章及び第四章並びに第七編に限る。）、刑事訴訟費用に関する法令並びに刑事事件における第三者所有物の没収手続に関する応急措置法の規定を、共助の要請を受理した場合における措置については国際捜査共助等に関する法律（昭和五十五年法律第六十九号）第四条、第五条第一項（第一号に係る部分に限る。）及び第三項並びに第七条第一項並びに逃亡犯罪人引渡

法（昭和二十八年法律第六十八号）第八条第二項並びに第十一条第一項及び第二項の規定を、それぞれその性質に反しない限り、準用する。

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 第六十四条の二第一項に規定する譲与の要請の受理及び当該要請を受理した場合における措置については、国際捜査共助等に関する法律第三条、第四条、第十四条第一項前段、第五項及び第六項並びに第十六条第一項の規定を準用する。この場合において、同法第三条の見出し中「証拠の送付」とあるのは「執行財産等の引渡し」と、同条第一項中「証拠の送付」とあるのは「執行財産等（組織的な犯罪の処罰及び犯罪収益の規制等に関する法律（平成十一年法律第三百三十六号）第六十四条の二第一項に規定する執行財産等をいう。以下同じ。）の引渡し」と、同条第二項中「証拠の送付」とあるのは「執行財産等の引渡し」と、同法第四条中「共助要請書」とあるのは「譲与要請書」と、同法第十四条第一項前段中「証拠の収集を終えた」とあるのは「執行財産等を保管するに至った」と、「収集した証拠」とあるのは「当該執行財産等」と、「送付しなければ」とあるのは「引き渡さなければ」と、同条第五項中「第一項、第三項又は前項の規定による送付」とあるのは「第一項の規定による引渡し」と、「証拠」とあるのは「執行財産等」と、「返還」とあるのは「処分」と読み替えるものとする。

(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."

(逃亡犯罪人の引渡しに関する特例)

(Special Provisions for Extradition of Fugitives)

第七十四条 逃亡犯罪人引渡法第一条第三項に規定する引渡犯罪に係る行為が日本国内において行われたとしたならば第六条の二第一項第二号に掲げる罪に係る同項若しくは同条第二項の罪又は第十条第三項の罪に当たるものである場合における同法第二条の規定の適用については、同条第三号及び第四号中「三年」とあるのは、「二年」とする。

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.

## 第七章 雑則

### Chapter VII Miscellaneous Provisions

(政令等への委任)

(Delegation to Cabinet Order)

第七十五条 この法律に定めるもののほか、没収保全と滞納処分との手続の調整について必要な事項で、滞納処分に関するものは、政令で定める。

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 この法律に定めるもののほか、第十八条の規定による第三者の参加及び裁判に関する手続、第四章に規定する没収保全及び追徴保全に関する手続並びに前章に規定する国際共助手続について必要な事項（前項に規定する事項を除く。）は、最高裁判所規則で定める。

(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).

（経過措置）

(Transitional Measures)

第七十六条 この法律の規定に基づき政令を制定し、又は改廃する場合においては、その政令で、その制定又は改廃に伴い合理的に必要と判断される範囲内において、所要の経過措置を定めることができる。

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.

附 則 〔抄〕

Supplementary Provisions [Extract]

（施行期日）

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

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.

（経過措置）

(Transitional Measures)

第二条 第九条第一項から第三項までの規定は、この法律の施行前に財産上の不正な利益を得る目的で犯した懲役以上の刑が定められている罪の犯罪行為（日本国外でした行為であって、当該行為が日本国内において行われたとしたならばその罪に当たり、かつ、当該行為地の法令により罪に当たるものを含む。）であって、この法律の施行後に日本国内において行われたとしたならば別表に掲げる罪に当たるものにより生じ、若しくは当該犯罪行為により得た財産又は当該犯罪行為の報酬として得た財産に関してこの法律の施行後にした行為に対しても、適用する。この場合においては、これら

の財産は、第二条第二項第一号の犯罪収益とみなす。

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 第九条第一項から第三項までの規定は、この法律の施行前に犯した不正競争防止法第十条の二第一項の違反行為に係る同法第十三条第三号の罪の犯罪行為（日本国外でした行為であって、当該行為が日本国内において行われたとしたならばその罪に当たり、かつ、当該行為地の法令により罪に当たるものを含む。）により供与された財産に関してこの法律の施行後にした行為に対しても、適用する。この場合においては、当該財産は、第二条第二項第三号の犯罪収益とみなす。

(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 第九条第一項から第三項までの規定は、この法律の施行前に犯した麻薬特例法第二条第二項に規定する薬物犯罪の犯罪行為により得た財産又は当該犯罪行為の報酬として得た財産（麻薬特例法附則第二項に規定する財産を含む。）に関してこの法律の施行後にした行為に対しても、適用する。

(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 第十条及び第十一条の規定は、第一項及び第二項に規定する財産並びにこの法律の

施行前に犯した第二条第二項第二号イからニまでに掲げる罪の犯罪行為（日本国外でした行為であって、当該行為が日本国内において行われたとしたならばこれらの罪に当たり、かつ、当該行為地の法令により罪に当たるものを含む。）により提供された資金に関してこの法律の施行後にした行為に対しても、適用する。この場合においては、これらの財産及び資金は、犯罪収益とみなす。

(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.

第三条 第五章の規定の適用については、附則第八条の規定による改正前の麻薬特例法（以下「旧麻薬特例法」という。）第五条第一項の規定による届出は第五十四条第一項の規定による届出と、旧麻薬特例法第五条第三項の規定による文書の写しの送付は第五十四条第三項の規定による通知とみなす。

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 郵政大臣は、この法律の施行後、速やかに、旧麻薬特例法第六条の規定により記録した帳簿の写しを金融監督庁長官に送付するものとする。この場合において、帳簿の写しの送付は、第五十五条の規定による通知とみなす。

(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.

第四条 第六章の規定は、この法律の施行前に犯された犯罪に係る外国からの共助の要請及び逃亡犯罪人の引渡しの請求についても、適用する。

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.

**附 則** 〔平成十一年七月七日法律第八十四号〕 〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。ただし、組織的な犯罪の処罰及び犯罪収益の規制等に関する法律（平成十一年法律第百三十六号。以下「組織的犯罪処罰法」という。）の施行の日がこの法律の施行の日（以下「施行日」という。）後となる場合には、附則第十一条の規定は、組織的犯罪処罰法の施行の日から施行する。

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.

**附 則** 〔平成十一年七月十六日法律第八十七号〕 〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、平成十二年四月一日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

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:

- 一 第一条中地方自治法第二百五十条の次に五条、節名並びに二款及び款名を加える改正規定（同法第二百五十条の九第一項に係る部分（両議院の同意を得ることに係る部分に限る。）に限る。）、第四十条中自然公園法附則第九項及び第十項の改正規定（同法附則第十項に係る部分に限る。）、第二百四十四条の規定（農業改良助長法第十四条の三の改正規定に係る部分を除く。）並びに第四百七十二条の規定（市町村の合併の特例に関する法律第六条、第八条及び第十七条の改正規定に係る部分を除く。）並びに附則第七条、第十条、第十二条、第五十九条ただし書、第六十条第四項及び第五項、第七十三条、第七十七条、第一百五十七条第四項から第六項まで、第一百六十条、第一百六十三条、第一百六十四条並びに第二百二条の規定 公布の

目

- (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

(国等の事務)

(Affairs of the National Government)

第百五十九条 この法律による改正前のそれぞれの法律に規定するもののほか、この法律の施行前において、地方公共団体の機関が法律又はこれに基づく政令により管理し又は執行する国、他の地方公共団体その他公共団体の事務（附則第百六十一条において「国等の事務」という。）は、この法律の施行後は、地方公共団体が法律又はこれに基づく政令により当該地方公共団体の事務として処理するものとする。

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.

(処分、申請等に関する経過措置)

(Transitional Measures concerning Disposition and Application)

第百六十条 この法律（附則第一条各号に掲げる規定については、当該各規定。以下この条及び附則第百六十三条において同じ。）の施行前に改正前のそれぞれの法律の規定によりされた許可等の処分その他の行為（以下この条において「処分等の行為」という。）又はこの法律の施行の際現に改正前のそれぞれの法律の規定によりされている許可等の申請その他の行為（以下この条において「申請等の行為」という。）で、この法律の施行の日においてこれらの行為に係る行政事務を行うべき者が異なること

となるものは、附則第二条から前条までの規定又は改正後のそれぞれの法律（これに基づく命令を含む。）の経過措置に関する規定に定めるものを除き、この法律の施行の日以後における改正後のそれぞれの法律の適用については、改正後のそれぞれの法律の相当規定によりされた処分等の行為又は申請等の行為とみなす。

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 この法律の施行前に改正前のそれぞれの法律の規定により国又は地方公共団体の機関に対し報告、届出、提出その他の手続をしなければならない事項で、この法律の施行の日前にその手続がされていないものについては、この法律及びこれに基づく政令に別段の定めがあるもののほか、これを、改正後のそれぞれの法律の相当規定により国又は地方公共団体の相当の機関に対して報告、届出、提出その他の手続をしなければならない事項についてその手続がされていないものとみなして、この法律による改正後のそれぞれの法律の規定を適用する。

(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.

(不服申立てに関する経過措置)

**(Transitional Measures concerning Appeals)**

第百六十一条 施行日前にされた国等の事務に係る処分であつて、当該処分をした行政庁（以下この条において「処分庁」という。）に施行日前に行政不服審査法に規定する上級行政庁（以下この条において「上級行政庁」という。）があつたものについての同法による不服申立てについては、施行日以後においても、当該処分庁に引き続き上級行政庁があるものとみなして、行政不服審査法の規定を適用する。この場合において、当該処分庁の上級行政庁とみなされる行政庁は、施行日前に当該処分庁の上級行政庁であつた行政庁とする。

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 前項の場合において、上級行政庁とみなされる行政庁が地方公共団体の機関であるときは、当該機関が行政不服審査法の規定により処理することとされる事務は、新地方自治法第二条第九項第一号に規定する第一号法定受託事務とする。

(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.

(罰則に関する経過措置)

**(Transitional Measures concerning Penal Provisions)**

第百六十三条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

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.

(その他の経過措置の政令への委任)

**(Delegation of Other Transitional Measures to Cabinet Order)**

第百六十四条 この附則に規定するもののほか、この法律の施行に伴い必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

**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.

(検討)

**(Review)**

第二百五十条 新地方自治法第二条第九項第一号に規定する第一号法定受託事務については、できる限り新たに設けることのないようにするとともに、新地方自治法別表第一に掲げるもの及び新地方自治法に基づく政令に示すものについては、地方分権を推進する観点から検討を加え、適宜、適切な見直しを行うものとする。

**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.

第二百五十一条 政府は、地方公共団体が事務及び事業を自主的かつ自立的に執行できるよう、国と地方公共団体との役割分担に応じた地方税財源の充実確保の方途について、経済情勢の推移等を勘案しつつ検討し、その結果に基づいて必要な措置を講ずるものとする。

**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.

**附 則** 〔平成十一年十二月二十二日法律第百六十号〕 〔抄〕

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

**[Extract]**

(施行期日)

**(Effective Date)**

第一条 この法律（第二条及び第三条を除く。）は、平成十三年一月六日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

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:

一 第九百九十五条（核原料物質、核燃料物質及び原子炉の規制に関する法律の一部を改正する法律附則の改正規定に係る部分に限る。） 、 第千三百五条、第千三百六条、第千三百二十四条第二項、第千三百二十六条第二項及び第千三百四十四条の規定 公布の日

(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

二 第三章（第三条を除く。）及び次条の規定 平成十二年七月一日

(ii) the provisions of Chapter III (excluding Article 3) and the following Article: July 1, 2000

附 則 〔平成十一年十二月二十二日法律第二百二十五号〕 〔抄〕

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

（施行期日）

（Effective Date）

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

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.

（民法等の一部改正に伴う経過措置）

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

第二十五条 この法律の施行前に和議開始の申立てがあつた場合又は当該申立てに基づきこの法律の施行前若しくは施行後に和議開始の決定があつた場合においては、当該申立て又は決定に係る次の各号に掲げる法律の規定に定める事項に関する取扱いについては、この法律の附則の規定による改正後のこれらの規定にかかわらず、なお従前の例による。

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:

一～十九 略

(i) to (xix) Omitted

二十 組織的な犯罪の処罰及び犯罪収益の規制等に関する法律第四十条第一項及び第三項

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

(罰則の適用に関する経過措置)

(Transitional Measures concerning the Application of Penal Provisions)

第二十六条 この法律の施行前にした行為及びこの法律の附則において従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

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.

第五十一条 附則第二条から第十一条まで及び前条に定めるもののほか、この法律の施行に際し必要な経過措置は、政令で定める。

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.

附 則 〔平成十二年三月三十一日法律第二十六号〕〔抄〕

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

**[Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成十二年四月一日から施行する。

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

附 則 〔平成十二年五月三十一日法律第九十二号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して三月を超えない範囲内において政令で定め

る日から施行する。

**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.

(罰則の適用に関する経過措置)

(Transitional Measures concerning the Application of Penal Provisions)

第二十九条 この法律（附則第一条ただし書に規定する規定については、当該規定。以下この条において同じ。）の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

**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.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第三十条 附則第二条から第十七条まで及び前条に定めるもののほか、この法律の施行に際し必要な経過措置は、政令で定める。

**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.

(検討)

(Review)

第三十一条 政府は、この法律の施行後三年以内に、保険契約者等の保護のための特別の措置等に係る制度等の実施状況、保険会社の経営の健全性の状況等を勘案し、この法律による改正後の保険契約者等の保護のための制度について検討を加え、必要があると認めるときは、その結果に基づいて保険業に対する信頼性の維持を図るために必要な措置を講ずるものとする。

**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.

附 則 〔平成十二年五月三十一日法律第九十六号〕 〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、平成十二年十二月一日（以下「施行日」という。）から施行する。

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

(処分等の効力)

(Effect of Dispositions)

第四十九条 この法律（附則第一条各号に掲げる規定にあつては、当該規定）の施行前に改正前のそれぞれの法律の規定によってした処分、手続その他の行為であつて、改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってしたものとみなす。

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.

(罰則の適用に関する経過措置)

(Transitional Measures concerning the Application of Penal Provisions)

第五十条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

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.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第五十一条 附則第二条から第十一条まで及び前条に定めるもののほか、この法律の施行に際し必要な経過措置は、政令で定める。

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.

(検討)

(Review)

第五十二条 政府は、この法律の施行後五年を経過した場合において、新証券取引法及び新金融先物取引法の施行状況、社会経済情勢の変化等を勘案し、新証券取引法第二条第十六項に規定する証券取引所及び新金融先物取引法第二条第七項に規定する金融先物取引所に係る制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

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.

附 則 [平成十二年五月三十一日法律第九十七号] [抄]

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日（以下「施行日」という。）から施行する。

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").

(処分等の効力)

(Effect of Dispositions)

第六十四条 この法律（附則第一条ただし書の規定にあつては、当該規定）の施行前に改正前のそれぞれの法律（これに基づく命令を含む。以下この条において同じ。）の規定によってした処分、手続その他の行為であつて、改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってしたものとみなす。

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.

(罰則の適用に関する経過措置)

(Transitional Measures concerning the Application of Penal Provisions)

第六十五条 この法律（附則第一条ただし書の規定にあつては、当該規定）の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

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.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第六十七条 この附則に規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

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.

(検討)

(Review)

第六十八条 政府は、この法律の施行後五年以内に、新資産流動化法、新投信法及び第八条の規定による改正後の宅地建物取引業法（以下この条において「新宅地建物取引業法」という。）の施行状況、社会経済情勢の変化等を勘案し、新資産流動化法及び新投信法の規定並びに新宅地建物取引業法第五十条の二第二項に規定する認可宅地建物取引業者に係る制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 68 Within five years after this Act has come 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.

附 則 〔平成十二年六月二日法律第百五号〕 〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、平成十二年十月一日から施行する。

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

(組織的な犯罪の処罰及び犯罪収益の規制等に関する法律の一部改正に伴う経過措置)

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

第十六条 組織的な犯罪の処罰及び犯罪収益の規制等に関する法律第九条第一項から第三項までの規定は、この法律の施行前に財産上の不正な利益を得る目的で犯した第一条の規定による改正前の廃棄物の処理及び清掃に関する法律第七条第一項若しくは第四項の違反行為に係る同法第二十五条第一号の罪、同条第三号の二、第四号若しくは第六号の罪若しくは同法第二十六条第五号の罪の犯罪行為（日本国外でした行為であつて、当該行為が日本国内において行われたとしたならばこれらの罪に当たり、かつ、当該行為地の法令により罪に当たるものを含む。）により生じ、若しくは当該犯罪行為より得た財産又は当該犯罪行為の報酬として得た財産に関してこの法律の施行後にした行為に対しても、適用する。この場合においては、これらの財産は、組織的な犯罪の処罰及び犯罪収益の規制等に関する法律第二条第二項第一号の犯罪収益（以下「犯罪収益」という。）とみなす。

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 組織的な犯罪の処罰及び犯罪収益の規制等に関する法律第十条及び第十一条の規定は、前項に規定する財産に関してこの法律の施行後にした行為に対しても、適用する。この場合においては、当該財産は、犯罪収益とみなす。

(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.

附 則 〔平成十二年十一月二十九日法律第百二十八号〕 〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

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.

附 則 〔平成十二年十一月二十九日法律第百二十九号〕 〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

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.

附 則 〔平成十二年十二月六日法律第百四十六号〕 〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を経過した日から施行する。

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

附 則 〔平成十三年六月十五日法律第四十九号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。

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.

附 則 〔平成十三年六月二十七日法律第七十五号〕〔抄〕

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

(施行期日等)

(Effective Date)

第一条 この法律は、平成十四年四月一日（以下「施行日」という。）から施行し、施行日以後に発行される短期社債等について適用する。

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.

(罰則の適用に関する経過措置)

(Transitional Measures concerning the Application of Penal Provisions)

第七条 施行日前にした行為及びこの附則の規定によりなおその効力を有することとされる場合における施行日以後にした行為に対する罰則の適用については、なお従前の例による。

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.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第八条 この附則に規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

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.

(検討)

(Review)

第九条 政府は、この法律の施行後五年を経過した場合において、この法律の施行状況、社会経済情勢の変化等を勘案し、振替機関に係る制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を構ずるものとする。

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.

附 則 [平成十三年六月二十九日法律第八十一号] [抄]

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

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.

附 則 [平成十三年七月四日法律第九十七号] [抄]

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

(施行期日)

(Effective Date)

1 この法律は、公布の日から起算して二十日を経過した日から施行する。

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

附 則 [平成十三年七月四日法律第百二号] [抄]

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日（以下「施行日」という。）から施行する。

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").

附 則 〔平成十三年十一月十六日法律第百二十一号〕 〔抄〕  
**Supplementary Provisions [Act No. 121 of November 16, 2001 Extract]**  
**[Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、テロリストによる爆弾使用の防止に関する国際条約が日本国について効力を生ずる日から施行する。

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.

附 則 〔平成十三年十一月二十八日法律第百二十九号〕 〔抄〕  
**Supplementary Provisions [Act No. 129 of November 28, 2001 Extract]**  
**[Extract]**

(施行期日)

(Effective Date)

1 この法律は、平成十四年四月一日から施行する。

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

(罰則の適用に関する経過措置)

(Transitional Measures concerning the Application of Penal Provisions)

2 この法律の施行前にした行為及びこの法律の規定により従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

(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.

附 則 〔平成十四年五月二十九日法律第四十五号〕 〔抄〕  
**Supplementary Provisions [Act No. 45 of May 29, 2002 Extract] [Extract]**

(施行期日)

(Effective Date)

1 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。

(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.



附 則 〔平成十四年六月十二日法律第六十五号〕 〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、平成十五年一月六日から施行する。

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

(罰則の適用に関する経過措置)

(Transitional Measures concerning the Application of Penal Provisions)

第八十四条 この法律（附則第一条各号に掲げる規定にあつては、当該規定。以下この条において同じ。）の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

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.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第八十五条 この附則に規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

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.

(検討)

(Review)

第八十六条 政府は、この法律の施行後五年を経過した場合において新社債等振替法、金融商品取引法の施行状況、社会経済情勢の変化等を勘案し、新社債等振替法第二条第十一項に規定する加入者保護信託、金融商品取引法第二条第二十九項に規定する金融商品取引清算機関に係る制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

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.

附 則 〔平成十四年六月十二日法律第六十七号〕 〔抄〕

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

(施行期日)

(Effective Date)

1 この法律は、公布の日から起算して二十日を経過した日から施行する。

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

附 則 〔平成十四年七月三十一日法律第九十八号〕 〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公社法の施行の日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

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:

一 第一章第一節（別表第一から別表第四までを含む。）並びに附則第二十八条第二項、第三十三条第二項及び第三項並びに第三十九条の規定 公布の日

(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

(罰則に関する経過措置)

(Transitional Measures concerning Penal Provisions)

第三十八条 施行日前にした行為並びにこの法律の規定によりなお従前の例によることとされる場合及びこの附則の規定によりなおその効力を有することとされる場合における施行日以後にした行為に対する罰則の適用については、なお従前の例による。

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.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第三十九条 この法律に規定するもののほか、公社法及びこの法律の施行に関し必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

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.

附 則 〔平成十四年十二月十三日法律第百五十五号〕 〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、会社更生法（平成十四年法律第百五十四号）の施行の日から施行する。

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.

(罰則の適用に関する経過措置)

(Transitional Measures concerning the Application of Penal Provisions)

第三条 この法律の施行前にした行為及びこの法律の規定により従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

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.

附 則 〔平成十五年五月二十三日法律第四十六号〕 〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。

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.

附 則 〔平成十五年六月十三日法律第八十二号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して九月を超えない範囲内において政令で定める日から施行する。

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.

附 則 〔平成十五年八月一日法律第百三十八号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して九月を超えない範囲内において政令で定める日から施行する。

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.

附 則 〔平成十六年五月二十八日法律第六十三号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して五年を超えない範囲内において政令で定める日から施行する。

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.

附 則 〔平成十六年六月二日法律第七十六号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、破産法（平成十六年法律第七十五号。次条第八項並びに附則第三条第八項、第五条第八項、第十六項及び第二十一項、第八条第三項並びに第十三条において「新破産法」という。）の施行の日から施行する。

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.

(組織的な犯罪の処罰及び犯罪収益の規制等に関する法律の一部改正に伴う経過措置)

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

第十三条 第二百二十二条の規定による改正後の組織的な犯罪の処罰及び犯罪収益の規制等に関する法律（以下この条において「新組織的犯罪処罰法」という。）の規定（前条第一項前段又は新破産法附則第六条前段の規定により適用されることとなる罰則の規定を除く。）の適用については、前条第一項前段又は新破産法附則第六条前段の規定によりなお従前の例によることとされている場合における旧破産法第三百七十四条（詐欺破産）の罪、同条の例により処断すべき罪及び旧破産法第三百七十八条（第三者の詐欺破産）の罪、旧更生特例法第五百三十九条第一項（協同組織金融機関の理事等の詐欺更生）及び第二項（相互会社の取締役等の詐欺更生）並びに第五百四十条第一項（協同組織金融機関に関する第三者の詐欺更生）及び第二項（相互会社に関する第三者の詐欺更生）の罪、旧民事再生法第二百四十六条（詐欺再生）及び第二百四十七条（第三者の詐欺再生）の罪並びに旧会社更生法第二百五十五条（詐欺更生）及び第二百五十六条（第三者の詐欺更生）の罪は、新組織的犯罪処罰法別表に掲げる罪とみなす。

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.

(政令への委任)

(Delegation to Cabinet Order)

第十四条 附則第二条から前条までに規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

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.

附 則 〔平成十六年六月九日法律第八十九号〕 〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して二十日を経過した日から施行する。

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

(経過措置)

(Transitional Measures)

第二条 この法律は、この法律の施行前に犯された犯罪に係る外国からの共助の要請及び国際刑事警察機構からの協力の要請についても、適用する。

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.

附 則 〔平成十六年六月十八日法律第百二十四号〕 〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、新不動産登記法の施行の日から施行する。

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

附 則 〔平成十六年十二月三日法律第百五十二号〕 〔抄〕

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

**[Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。

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.

(罰則の適用に関する経過措置)

(Transitional Measures concerning the Application of Penal Provisions)

第三十九条 この法律の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

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.

(政令への委任)

(Delegation to Cabinet Order)

第四十条 附則第三条から第十条まで、第二十九条及び前二条に規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

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.

附 則 〔平成十六年十二月八日法律第百五十六号〕 〔抄〕

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

**[Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して三月を超えない範囲内において政令で定める日から施行する。

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.

(経過措置)

(Transitional Measures)

第二条 この法律の施行の日が犯罪の国際化及び組織化並びに情報処理の高度化に対処するための刑法等の一部を改正する法律（平成十六年法律第 号）の施行の日前である場合には、第三条のうち組織的な犯罪の処罰及び犯罪収益の規制等に関する法律第三条第一項第七号の改正規定中「第三条第一項第七号」とあるのは、「第三条第一項第三号」とする。

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)."

附 則 〔平成十七年五月十八日法律第四十二号〕 〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、平成十七年十月一日から施行する。

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

附 則 〔平成十七年六月二十二日法律第六十六号〕 〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して二十日を経過した日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

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:

一～四 略

(i) to (iv) omitted

五 第四条中組織的犯罪処罰法別表第四十九号の改正規定 金融先物取引法の一部を改正する法律（平成十六年法律第百五十九号）の施行の日又はこの法律の施行の日のいずれか遅い日

(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

（調整規定）

(Adjustment Provisions)

第二条 この法律の施行の日が犯罪の国際化及び組織化並びに情報処理の高度化に対処するための刑法等の一部を改正する法律の施行の前日である場合には、第一条のうち刑法第三条第十二号及び第三条の二第五号の改正規定中「第三条第十二号」とあるのは「第三条第十一号」とし、第四条のうち組織的犯罪処罰法第三条第一項第八号の改正規定中「第三条第一項第八号」とあるのは「第三条第一項第四号」とする。

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)."

（罰則に関する経過措置）

(Transitional Measures concerning Penal Provisions)

第十条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

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.

附 則 〔平成十七年七月二十六日法律第八十七号〕 〔抄〕

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

この法律は、会社法の施行の日から施行する。

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

附 則 〔平成十七年十月二十一日法律第百二号〕 〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、郵政民営化法の施行の日から施行する。

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

(罰則に関する経過措置)

(Transitional Measures concerning Penal Provisions)

第百十七条 この法律の施行前にした行為、この附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為、この法律の施行後附則第九条第一項の規定によりなおその効力を有するものとされる旧郵便為替法第三十八条の八（第二号及び第三号に係る部分に限る。）の規定の失効前にした行為、この法律の施行後附則第十三条第一項の規定によりなおその効力を有するものとされる旧郵便振替法第七十条（第二号及び第三号に係る部分に限る。）の規定の失効前にした行為、この法律の施行後附則第二十七条第一項の規定によりなおその効力を有するものとされる旧郵便振替預り金寄附委託法第八条（第二号に係る部分に限る。）の規定の失効前にした行為、この法律の施行後附則第三十九条第二項の規定によりなおその効力を有するものとされる旧公社法第七十条（第二号に係る部分に限る。）の規定の失効前にした行為、この法律の施行後附則第四十二条第一項の規定によりなおその効力を有するものとされる旧公社法第七十一条及び第七十二条（第十五号に係る部分に限る。）の規定の失効前にした行為並びに附則第二条第二項の規定の適用がある場合における郵政民営化法第百四条に規定する郵便貯金銀行に係る特定日前にした行為に対する罰則の適用については、なお従前の例による。

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.

附 則 〔平成十七年十一月二日法律第百六号〕 〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日（以下「施行日」という。）から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

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:

一 第十一条の規定 公布の日

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

附 則 〔平成十八年六月二十一日法律第八十六号〕 〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、犯罪被害財産等による被害回復給付金の支給に関する法律（平成十八年法律第八十七号）の施行の日から施行する。

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.

(経過措置)

(Transitional Measures)

第三条 この法律による改正後の組織的な犯罪の処罰及び犯罪収益の規制等に関する法律第十三条第三項、第十六条第二項及び第十八条の二の規定は、この法律の施行前に犯した罪に係る組織的な犯罪の処罰及び犯罪収益の規制等に関する法律第十三条第二項に規定する犯罪被害財産に関してこの法律の施行後に犯した罪の犯罪行為を理由とする当該犯罪被害財産若しくはその保有若しくは処分に基づき得た財産の没収又はその価額の追徴についても、適用する。

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.

附 則 〔平成十九年三月三十一日法律第二十二号〕 〔抄〕

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

**[Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成十九年四月一日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

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:

一 第二条第二項（第二十二号及び第二十四号を除く。）、第四条から第十条まで及び第十三条から第二十八条までの規定並びに次条、附則第五条から第七条まで、附則第九条から第十二条まで及び附則第十四条から第十八条までの規定、附則第十九

条中証券取引法等の一部を改正する法律の施行に伴う関係法律の整備等に関する法律（平成十八年法律第六十六号）第八十九条及び第九十条の改正規定並びに同法第九十六条の改正規定（株式等の取引に係る決済の合理化を図るための社債等の振替に関する法律等の一部を改正する法律（平成十六年法律第八十八号）附則第二百二十七条の改正規定を削る部分に限る。）、附則第二十条の規定、附則第二十三条中金融庁設置法（平成十年法律第三十号）第八条の改正規定及び同法第二十条第一項の改正規定並びに附則第二十七条の規定 公布の日から起算して一年を超えない範囲内において政令で定める日

- (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

(処分、手続等に関する経過措置)

**(Transitional Measures concerning Disposition and Procedures)**

第二十四条 この法律の規定による廃止又は改正前のそれぞれの法律の規定によってした処分、手続その他の行為であって、この法律又はこの法律の規定による改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、この法律又はこの法律の規定による改正後のそれぞれの法律の相当の規定によってしたものとみなす。

**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.

(罰則に関する経過措置)

(Transitional Measures concerning Penal Provisions)

第二十五条 この法律（附則第一条各号に掲げる規定にあつては、当該規定）の施行前にした行為に対する罰則の適用については、なお従前の例による。

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.

(政令への委任)

(Delegation to Cabinet Order)

第二十六条 この附則に規定するもののほか、この法律の施行に関し必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

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.

附 則 〔平成十九年五月二十五日法律第五十八号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、平成二十年十月一日から施行する。

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

(調整規定)

(Adjustment Provisions)

第十条 この法律及び株式会社商工組合中央金庫法（平成十九年法律第七十四号）、株式会社日本政策投資銀行法（平成十九年法律第八十五号）又は地方公営企業等金融機構法（平成十九年法律第六十四号）に同一の法律の規定についての改正規定がある場合において、当該改正規定が同一の日に施行されるときは、当該法律の規定は、株式会社商工組合中央金庫法、株式会社日本政策投資銀行法又は地方公営企業等金融機構法によってまず改正され、次いでこの法律によって改正されるものとする。

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.

附 則 〔平成十九年五月三十日法律第六十号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から施行する。

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

附 則 〔平成二十三年六月八日法律第六十二号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

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.

附 則 〔平成二十三年六月二十四日法律第七十四号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して二十日を経過した日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

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:

一 第二条の規定、第三条中組織的な犯罪の処罰及び犯罪収益の規制等に関する法律（以下「組織的犯罪処罰法」という。）第七十一条第一項の改正規定、第四条及び第五条の規定並びに附則第十条から第十二条まで及び第十六条の規定 公布の日から起算して一年を超えない範囲内において政令で定める日

(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

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(ii) and (iii) omitted

四 附則第六十条の規定 労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律等の一部を改正する法律（平成二十四年法律第二十七号。同条及び附則第六十一条において「労働者派遣法等一部改正法」という。）の公布の日又はこの法律の施行の日（以下「施行日」という。）のいずれか遅い日

(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

五 附則第六十二条の規定 不正競争防止法の一部を改正する法律（平成二十三年法律第六十二号。同条及び附則第六十三条において「不正競争防止法一部改正法」という。）の公布の日又は施行日のいずれか遅い日

(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

（経過措置）

(Transitional Measures)

第二条 組織的犯罪処罰法第九条第一項から第三項まで、第十条及び第十一条の規定は、施行日前に財産上の不正な利益を得る目的で犯した次に掲げる罪の犯罪行為（日本国外でした行為であって、当該行為が日本国内において行われたとしたならばこれらの罪に当たり、かつ、当該行為地の法令により罪に当たるものを含む。）により生じ、若しくは当該犯罪行為により得た財産又は当該犯罪行為の報酬として得た財産に関して施行日以後にした行為に対しても、適用する。この場合において、これらの財産は、組織的犯罪処罰法第二条第二項第一号の犯罪収益とみなす。

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:

一 風俗営業等の規制及び業務の適正化等に関する法律（昭和二十三年法律第二百二十二号）第四十九条第一号（無許可営業）の罪

(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);

二 消費生活協同組合法（昭和二十三年法律第二百号）第九十八条の四（損失補填に係る利益の收受等）の罪

(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);

三 投資信託及び投資法人に関する法律（昭和二十六年法律第九十八号）第二百四十三条第二号（損失補填に係る利益の收受等）の罪

(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);

四 金融機関の合併及び転換に関する法律（昭和四十三年法律第八十六号）第七十三条第一項（株主等の権利の行使に関する収賄）の罪

(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);

五 銀行法（昭和五十六年法律第五十九号）第六十一条第一号（無免許営業）の罪

(v) the crime prescribed in Article 61, item (i) (Unlicensed Business) of the Banking Act (Act No. 59 of 1981);

六 保険業法（平成七年法律第五号）第三百二十九条第一項（社員等の権利の行使に関する収賄）又は第三百三十一条第二項（株主等の権利の行使に関する利益の受供与）若しくは第四項（株主等の権利の行使に関する利益の受供与等についての威迫行為）の罪

(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

七 資産の流動化に関する法律（平成十年法律第五号）第二百九十七条第一号（損失補填に係る利益の收受等）の罪

(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).

第三条 組織的犯罪処罰法の規定の適用については、次に掲げる罪は、組織的犯罪処罰法第十三条第二項各号に掲げる罪とみなす。

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:

一 破産法（平成十六年法律第七十五号）附則第六条前段の規定によりなお従前の例によることとされている場合における同法附則第二条の規定による廃止前の破産法（大正十一年法律第七十一号）第三百七十四条（詐欺破産）の罪、同条の例により処断すべき罪及び同法第三百七十八条（第三者の詐欺破産）の罪

(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;

二 破産法の施行に伴う関係法律の整備等に関する法律（平成十六年法律第七十六号。以下この条において「破産法整備法」という。）附則第十二条第一項前段の規定によりなお従前の例によることとされている場合における破産法整備法第四条の規定による改正前の金融機関等の更生手続の特例等に関する法律（平成八年法律第九十五号）第五百三十九条第一項（協同組織金融機関の理事等の詐欺更生）及び第二項（相互会社の取締役等の詐欺更生）並びに第五百四十条第一項（協同組織金融機関に関する第三者の詐欺更生）及び第二項（相互会社に関する第三者の詐欺更生）の罪

(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;  
三 破産法整備法附則第十二条第一項前段の規定によりなお従前の例によることとされている場合における破産法整備法第一条の規定による改正前の民事再生法（平成十一年法律第二百二十五号）第二百四十六条（詐欺再生）及び第二百四十七条（第三者の詐欺再生）の罪

(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

四 破産法整備法附則第十二条第一項前段の規定によりなお従前の例によることとされている場合における破産法整備法第二条の規定による改正前の会社更生法（平成十四年法律第百五十四号）第二百五十五条（詐欺更生）及び第二百五十六条（第三者の詐欺更生）の罪

(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.

第八条 施行日前にした行為に対する罰則の適用については、なお従前の例による。  
Article 8 With regard to the application of penal provisions to acts committed prior to the enforcement date, the prior laws continue to govern.

（調整規定）

（Adjustment Provisions）

第五十九条 児童買春等処罰法一部改正法の施行の日が施行日前となる場合には、第三条のうち組織的犯罪処罰法別表の改正規定（同表第七十号に係る部分に限る。）中「第七条第四項から第六項まで」とあるのは、「第七条第五項から第七項まで」とし、附則第二十七条及び前条の規定は、適用しない。

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.

(調整規定)

(Adjustment Provisions)

第六十一条 労働者派遣法等一部改正法の施行の日が施行日前となる場合には、第三条のうち組織的犯罪処罰法別表の改正規定（同表第五十七号に係る部分に限る。）中「労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律」とあるのは、「労働者派遣事業の適正な運営の確保及び派遣労働者の保護等に関する法律」とし、前条の規定は、適用しない。

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.

(調整規定)

(Adjustment Provisions)

第六十三条 不正競争防止法一部改正法の施行の日が施行日前となる場合には、第三条のうち組織的犯罪処罰法第二条第二項第三号の改正規定中「「第十一条第一項」を「第十八条第一項」に、「第十四条第一項第七号」を「第二十一条第二項第六号」に、「、当該罪」を「「、当該罪」とし、附則第三十六条中次の表の上欄に掲げる字句は、同表の下欄に掲げる字句とする。

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>附則第十二条中「平成五年旧实用新案法」を「特許法等の一部を改正する法律（平成五年法律第二十六号）附則第四条第一項の規定によりなおその効力を有するものとされた同法第三条の規定による改正前の实用新案法（以下「平成五年旧实用新案法」という。）」に改める。</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> <p>附則第十五条を次のように改める。</p> <p>Article 15 of these Supplementary Provisions shall be amended as follows.</p> <p>第十五条 削除</p> <p>Article 15 Deleted</p>	<p>附則第十二条中「平成五年旧实用新案法」を「特許法等の一部を改正する法律（平成五年法律第二十六号）附則第四条第一項の規定によりなおその効力を有するものとされた同法第三条の規定による改正前の实用新案法（以下「平成五年旧实用新案法」という。）」に改める。</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 前項の場合において、前条の規定は、適用しない。

(2) In the case referred to in the preceding paragraph, the provisions of the preceding Article shall not apply.

附 則 〔平成二十四年四月六日法律第二十七号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

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.

附 則 〔平成二十四年六月二十七日法律第四十三号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、平成二十五年一月一日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

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:

一 略

(i) omitted

二 第二条第一項第二十号並びに第十八条第三項及び第四項の改正規定、第十九条第四項に一号を加える改正規定、第三十条第一項第二号の改正規定、第四十二条の三を第四十二条の四とし、第四十二条の二の次に一条を加える改正規定、第四十七条の九の改正規定（「又は第四十六条」を「、第四十二条の三第二項又は第四十六条」に改める部分に限る。）、同条ただし書の改正規定（「第四十二条の二まで」の下に「、第四十二条の三第二項」を加える部分に限る。）、第四十九条第一項第一号の改正規定（「第四十二条の二」を「第四十二条の三」に、「第四十二条の三第二項」を「第四十二条の四第二項」に改める部分に限る。）、第八十六条第一項及び第二項の改正規定（「第四十二条の二まで」の下に「、第四十二条の三第二項」を加える部分に限る。）、第九十条の二第四項に一号を加える改正規定、第一百零二条第一項の改正規定（「第四十二条の三」を「第四十二条の四」に改める部分に限る。）、同条第九項第一号の改正規定（「第四十二条の二」を「第四十二条の三」に、「第四十二条の三第二項」を「第四十二条の四第二項」に改める部分に限る。）、第一百零九条第一項の改正規定、同条に一項を加える改正規定並びに第一百二十条の二第一号の改正規定並びに次条並びに附則第四条から第六条まで及び第九条の規定 平成二十四年十月一日

(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

附 則 〔平成二十五年五月三十一日法律第二十八号〕 〔抄〕

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

この法律は、番号利用法の施行の日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

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:

一 第三十三条から第四十二条まで、第四十四条（内閣府設置法第四条第三項第四十一号の次に一号を加える改正規定に限る。）及び第五十条の規定 公布の日

(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

附 則 〔平成二十五年六月十九日法律第四十五号〕 〔抄〕

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

（施行期日）

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

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:

一 第一条中金融商品取引法第九十七条の二の次に一条を加える改正規定、同法第九十八条第二号の次に二号を加える改正規定並びに同法第九十八条の三、第九十八条の六第二号、第二百五条第十四号並びに第二百七条第一項第二号及び第二項の改正規定、第三条の規定、第四条中農業協同組合法第十一条の四第四項の次に一項を加える改正規定、第五条のうち水産業協同組合法第十一条の十一中第五項を第六項とし、第四項の次に一項を加える改正規定、第八条の規定（投資信託及び投資法人に関する法律第二百五十二条の改正規定を除く。）、第十四条のうち銀行法

第十三条中第五項を第六項とし、第四項の次に一項を加える改正規定及び同法第五十二条の二十二第四項中「前三項」を「前各項」に改め、同項を同条第五項とし、同条第三項の次に一項を加える改正規定、第十五条の規定、第十九条のうち農林中央金庫法第五十八条中第五項を第六項とし、第四項の次に一項を加える改正規定、第二十一条中信託業法第九十一条、第九十三条、第九十六条及び第九十八条第一項の改正規定、第二十二条の規定並びに附則第三十条（株式会社地域経済活性化支援機構法（平成二十一年法律第六十三号）第二十三条第二項の改正規定に限る。）、第三十一条（株式会社東日本大震災事業者再生支援機構法（平成二十三年法律第百十三号）第十七条第二項の改正規定に限る。）、第三十二条、第三十六条及び第三十七条の規定 公布の日から起算して二十日を経過した日

- (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

(罰則の適用に関する経過措置)



(Transitional Measures concerning the Application of Penal Provisions)

第三十六条 この法律（附則第一条各号に掲げる規定にあつては、当該規定。以下この条において同じ。）の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

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.

(政令への委任)

(Delegation to Cabinet Order)

第三十七条 附則第二条から第十五条まで及び前条に定めるもののほか、この法律の施行に関し必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

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.

附 則 〔平成二十五年六月二十一日法律第五十六号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

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.

附 則 〔平成二十五年十一月二十七日法律第八十四号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。

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.

(罰則に関する経過措置)

(Transitional Measures concerning Penal Provisions)

第百一条 この法律の施行前にした行為及びこの法律の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

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.

附 則 [平成二十五年十二月十三日法律第百三号] [抄]

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

**[Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

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:

一 略

(i) omitted

二 附則第十七条の規定 薬事法等の一部を改正する法律（平成二十五年法律第八十四号）の公布の日又はこの法律の公布の日のいずれか遅い日

(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

附 則 [平成二十六年四月二十三日法律第二十五号] [抄]

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

(施行期日)

(Effective Date)

1 この法律は、核物質の防護に関する条約の改正が日本国について効力を生ずる日から施行する。

(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.

附 則 〔平成二十六年六月二十五日法律第七十九号〕〔抄〕

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

(施行期日等)

(Effective Date)

第一条 この法律は、公布の日から起算して二十日を経過した日から施行する。

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

附 則 〔平成二十六年六月二十七日法律第九十一号〕〔抄〕

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

この法律は、会社法の一部を改正する法律の施行の日から施行する。

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

附 則 〔平成二十六年十一月二十一日法律第百十三号〕〔抄〕

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

(施行期日)

(Effective Date)

1 この法律は、公布の日から起算して二十日を経過した日から施行する。

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

附 則 〔平成二十七年九月四日法律第六十三号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、平成二十八年四月一日から施行する。

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

(罰則に関する経過措置)

(Transitional Measures concerning Penal Provisions)

第百十四条 この法律の施行前にした行為並びにこの附則の規定によりなお従前の例によることとされる場合及びこの附則の規定によりなおその効力を有することとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

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.

附 則 〔平成二十七年九月九日法律第六十五号〕 〔抄〕  
Supplementary Provisions [Act No. 65 of September 9, 2015 Extract]  
[Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して二年を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

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:

一 略

(i) omitted

二 第一条及び第四条並びに附則第五条、第六条、第七条第一項及び第三項、第八条、第九条、第十三条、第二十二條、第二十五条から第二十七条まで、第三十条、第三十二条、第三十四条並びに第三十七条の規定 平成二十八年一月一日

(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

三・四 略

(iii) and (iv) omitted

五 第三条及び第六条（番号利用法第十九条第一号及び別表第一の改正規定を除く。）並びに附則第十九条の三、第二十四条、第二十九条の三及び第三十六条の規定 番号利用法附則第一条第五号に掲げる規定の施行の日

(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

附 則 〔平成二十七年九月二十八日法律第七十四号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して二年を超えない範囲内において政令で定める日から施行する。

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.

附 則 〔平成二十八年三月三十一日法律第二十一号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、平成二十九年四月一日から施行する。

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

附 則 〔平成二十八年六月三日法律第五十四号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して三年を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

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:

一 略

(i) omitted

二 第一条（刑事訴訟法第九十条、第百五十一条及び第百六十一条の改正規定に限る。）、第三条、第五条及び第八条の規定並びに附則第三条及び第五条の規定 公布の日から起算して二十日を経過した日

(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

附 則 〔平成二十九年五月二十四日法律第三十六号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一月を超えない範囲内において政令で定める日から施行する。

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.

附 則 〔平成二十九年六月二日法律第四十六号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

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.

(罰則に関する経過措置)

(Transitional Measures concerning Penal Provisions)

第十五条 この法律の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

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.

附 則 〔平成二十九年六月二十一日法律第六十七号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して二十日を経過した日から施行する。ただし、

次の各号に掲げる規定は、当該各号に定める日から施行する。

**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:

一 第一条中組織的な犯罪の処罰及び犯罪収益の規制等に関する法律（以下「組織的犯罪処罰法」という。）第十二条の改正規定、第二条及び第四条から第七条までの規定並びに附則第四条及び第六条の規定 国際的な組織犯罪の防止に関する国際連合条約が日本国について効力を生ずる日

(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

二 附則第五条第二項 刑法の一部を改正する法律（平成二十九年法律第七十二号。同条において「刑法一部改正法」という。）の施行の日又はこの法律の施行の日のいずれか遅い日

(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

（経過措置）

**(Transitional Measures)**

第二条 組織的犯罪処罰法第九条第一項から第三項まで、第十条及び第十一条の規定は、この法律の施行前に財産上の不正な利益を得る目的で犯した第一条の規定による改正後の組織的犯罪処罰法（以下「新組織的犯罪処罰法」という。）第二条第二項第一号イ又は別表第一第五号若しくは第七号から第十号までに掲げる罪（第一条の規定による改正前の組織的犯罪処罰法別表に掲げる罪を除く。）の犯罪行為（日本国外でした行為であつて、当該行為が日本国内において行われたとしたならばこれらの罪に当たり、かつ、当該行為地の法令により罪に当たるものを含む。）により生じ、若しくは当該犯罪行為により得た財産又は当該犯罪行為の報酬として得た財産に関してこの法律の施行後にした行為に対しても、適用する。この場合において、これらの財産は、同項第一号の犯罪収益とみなす。

**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.

第三条 新組織的犯罪処罰法の規定（特定目的会社による特定資産の流動化に関する法律等の一部を改正する法律（平成十二年法律第九十七号。以下この条において「特定資産流動化法等一部改正法」という。）附則第六十五条又は職業安定法及び労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律の一部を改正する法律（平成十五年法律第八十二号。以下この条において「職業安定法等一部改正法」という。）附則第十二条の規定により適用されることとなる罰則の規定を除く。）の適用については、特定資産流動化法等一部改正法附則第六十五条の規定によりなお従前の例によることとされている場合における特定資産流動化法等一部改正法第二条の規定による改正前の証券投資信託及び証券投資法人に関する法律（昭和二十六年法律第百九十八号）第二百三十六条第二項の罪は、新組織的犯罪処罰法別表第二第十三号に掲げる罪とみなし、職業安定法等一部改正法附則第十二条の規定によりなお従前の例によることとされている場合における職業安定法等一部改正法第二条の規定による改正前の労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律（昭和六十年法律第八十八号）附則第六項の罪は、同表第二十六号に掲げる罪とみなす。

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.

第四条 新組織的犯罪処罰法第十二条（刑法第四条の二に係る部分に限る。）の規定、第二条の規定による改正後の爆発物取締罰則第十条（爆発物取締罰則第四条から第六条までに係る部分に限る。）の規定、第四条の規定による改正後の暴力行為等処罰に関する法律第一条ノ三第二項の規定、第五条の規定による改正後の児童福祉法第六十条第五項（同条第一項に係る部分に限る。）の規定、第六条の規定による改正後の細菌兵器（生物兵器）及び毒素兵器の開発、生産及び貯蔵の禁止並びに廃棄に関する条約等の実施に関する法律第十一条（同法第十条に係る部分に限る。）の規定及び第七条の規定による改正後のサリン等による人身被害の防止に関する法律第八条（同法第五条第三項に係る部分に限る。）の規定は、附則第一条第一号に掲げる規定の施行の日以後に日本国について効力を生ずる条約により日本国外において犯したときであっても罰すべきものとされている罪に限り、適用する。

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.

(調整規定)

(Adjustment Provisions)

第五条 刑法一部改正法の施行の日がこの法律の施行の日後となる場合には、刑法一部改正法の施行の日の前日までの間における新組織的犯罪処罰法別表第三第二号カの規定の適用については、同号カ中「、強制性交等」とあるのは「、強A E 姦E A」と、「準強制性交等」とあるのは「準強姦」とする。

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 前項の場合においては、刑法一部改正法のうち刑法第三条の改正規定中「同条第十二号」とあるのは「同条第十三号」と、「同条第十三号」とあるのは「同条第十四号」とし、刑法一部改正法附則第六条の規定は、適用しない。

(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.

(調整規定)

(Adjustment Provisions)

第十一条 この法律の施行の日が不動産特定共同事業法一部改正法の施行の日以後となる場合には、前条の規定は、適用しない。この場合において、第一条のうち組織的犯罪処罰法別表第一の次に三表を加える改正規定のうち別表第二第二十八号に係る部分中「第五十三条第三号」とあるのは、「第八十条第三号」とする。

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)."

(検討)

(Review)

第十二条 政府は、刑事訴訟法等の一部を改正する法律附則第九条第一項の規定により同項に規定する取調べの録音・録画等に関する制度の在り方について検討を行うに当たっては、新組織的犯罪処罰法第六条の二第一項及び第二項の規定の適用状況並びにこれらの規定の罪に係る事件の捜査及び公判の状況等を踏まえ、特に、当該罪に係る事件における証拠の収集の方法として刑事訴訟法第百九十八条第一項の規定による取調べが重要な意義を有するとの指摘があることにも留意して、可及的速やかに、当該罪に係る事件に関する当該制度の在り方について検討を加えるものとする。

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 政府は、新組織的犯罪処罰法第六条の二第一項及び第二項の罪に係る事件の捜査に全地球測位システムに係る端末を車両に取り付けて位置情報を検索し把握する方法を用いることが、事案の真相を明らかにするための証拠の収集に資するものである一方、最高裁判所平成二八年（あ）第四四二号同二九年三月一五日大法廷判決において、当該方法を用いた捜査が、刑事訴訟法上、特別の根拠規定がある場合でなければ許容されない強制の処分に当たり、当該方法を用いた捜査が今後も広く用いられ得る有力な捜査方法であるとすれば、これを行うに当たっては立法措置が講ぜられることが望ましい旨が指摘されていることを踏まえ、この法律の施行後速やかに、当該方法を用いた捜査を行うための制度の在り方について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

(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.

附 則 〔平成三十年三月三十一日法律第七号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、平成三十年四月一日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

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:

一 第五条中消費税法第六十四条の改正規定及び同法第六十七条第二項の改正規定並びに附則第百三十九条の規定 公布の日から起算して十日を経過した日

(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

(罰則に関する経過措置)

(Transitional Measures concerning Penal Provisions)

第百四十三条 この法律（附則第一条各号に掲げる規定にあつては、当該規定。以下この条において同じ。）の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

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.

附 則 〔令和元年五月十七日法律第二号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。

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.

別表第一（第二条、第七条の二関係）

Appended Table 1 (Re: Articles 2 and 7)

一 第六条の二第一項又は第二項（テロリズム集団その他の組織的犯罪集団による実行準備行為を伴う重大犯罪遂行の計画）の罪

(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

二 第七条の二（証人等買収）の罪

(ii) The crime prescribed in Article 7-2 (Bribery of Witnesses) hereof

三 第十条（犯罪収益等隠匿）若しくは第十一条（犯罪収益等收受）の罪又は麻薬特例法第六条（薬物犯罪収益等隠匿）若しくは第七条（薬物犯罪収益等收受）の罪

(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

四 刑法第一百五十五条第一項（有印公文書偽造）若しくは第二項（有印公文書変造）の罪、同法第一百五十六条（有印虚偽公文書作成等）の罪（同法第一百五十五条第一項又は第二項の例により処断すべきものに限る。）又は同法第一百五十九条第一項（有印私文書偽造）若しくは第二項（有印私文書変造）の罪

(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

五 刑法第百九十七条から第百九十七条の四まで（収賄、受託収賄及び事前収賄、第三者供賄、加重収賄及び事後収賄、あっせん収賄）又は第百九十八条（贈賄）の罪

(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

六 刑法第二百二十四条から第二百二十八条まで（未成年者略取及び誘拐、営利目的等略取及び誘拐、身の代金目的略取等、所在国外移送目的略取及び誘拐、人身売買、被略取者等所在国外移送、被略取者引渡し等、未遂罪）の罪

(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;

七 児童福祉法（昭和二十二年法律第百六十四号）第六十条第二項（児童の引渡し及び支配）の罪（同法第三十四条第一項第七号又は第九号の違反行為に係るものに限る。）

(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)

八 出入国管理及び難民認定法（昭和二十六年政令第三百十九号）第七十条第一項第一号（不法入国）、第二号（不法上陸）若しくは第五号（不法残留）若しくは第二項（不法在留）の罪（正犯により犯されたものを除く。）、同法第七十四条（集団密航者を不法入国させる行為等）、第七十四条の二（集団密航者の輸送）若しくは第七十四条の四（集団密航者の収受等）の罪、同法第七十四条の六（不法入国等援助）の罪（同法第七十条第一項第一号又は第二号に規定する行為に係るものに限る。）、同法第七十四条の六の二第一項第一号（難民旅行証明書等の不正受交付）若しくは第二号（偽造外国旅券等の所持等）若しくは第二項（営利目的の難民旅行証明書等の不正受交付等）の罪、同法第七十四条の六の三（未遂罪）の罪（同法第七十四条の六の二第一項第三号及び第四号の罪に係る部分を除く。）又は同法第七十四条の八（不法入国者等の蔵匿等）の罪

(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

九 旅券法（昭和二十六年法律第二百六十七号）第二十三条第一項第一号（旅券等の不正受交付）若しくは第三号から第五号まで（自己名義旅券等の譲渡等、他人名義旅券等の譲渡等、偽造旅券等の譲渡等）若しくは第二項（営利目的の旅券等の不正受交付等）の罪又はこれらの罪に係る同条第三項（未遂罪）の罪

(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

十 刑法第九十五条（公務執行妨害及び職務強要）の罪（裁判、検察又は警察の職務を行う公務員による次に掲げる罪に係る審判又は捜査の職務の執行を妨害する目的で犯されたものに限る。）又は同法第二百二十三条（強要）の罪（次に掲げる罪に係る自己又は他人の刑事事件に関し、証言をさせず、若しくは虚偽の証言をさせ、又は証拠を隠滅させ、偽造させ、若しくは変造させ、若しくは偽造若しくは変造の証拠を使用させる目的で犯されたものに限る。）

(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):

イ 死刑又は無期若しくは長期四年以上の懲役若しくは禁錮の刑が定められている罪（ロに掲げる罪を除く。）

(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

ロ この表に掲げる罪

(b) crimes set forth in this Appended Table

別表第二（第二条関係）

Appended Table 2 (Re: Article 2)

一 刑法第六十三条の四（支払用カード電磁的記録不正作出準備）の罪、同法第六十三条の五（未遂罪）の罪（同法第六十三条の四第一項の罪に係る部分に限る。）又は同法第七十五条（わいせつ物頒布等）若しくは第八十六条第一項（常習賭博）の罪

(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

二 金融機関の信託業務の兼営等に関する法律（昭和十八年法律第四十三号）第十八条第二号（損失補填に係る利益の收受等）の罪

(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)

三 農業協同組合法（昭和二十二年法律第三百三十二号）第九十九条の九第一号（損失補填に係る利益の收受等）の罪

(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)

四 金融商品取引法（昭和二十三年法律第二十五号）第二百条第十四号（損失補填に係る利益の收受等）の罪

(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)

五 風俗営業等の規制及び業務の適正化等に関する法律（昭和二十三年法律第二百二十二号）第四十九条第一号（無許可営業）の罪

(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)

六 消費生活協同組合法（昭和二十三年法律第二百号）第九十八条の四（損失補填に係る利益の收受等）の罪

(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)

七 水産業協同組合法（昭和二十三年法律第二百四十二号）第二百二十九条の三第一号（損失補填に係る利益の收受等）の罪



- (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)
- 八 中小企業等協同組合法（昭和二十四年法律第百八十一号）第百十二条の三（損失補填に係る利益の收受等）の罪
- (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)
- 九 協同組合による金融事業に関する法律（昭和二十四年法律第百八十三号）第十条の二の二（損失補填に係る利益の收受等）の罪
- (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)
- 十 弁護士法（昭和二十四年法律第二百五号）第七十七条第三号（非弁護士の法律事務の取扱い等）又は第四号（業として行う譲り受けた権利の実行）の罪
- (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)
- 十一 商品先物取引法（昭和二十五年法律第二百三十九号）第三百六十三条第九号（損失補填に係る利益の收受等）の罪
- (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)
- 十二 毒物及び劇物取締法（昭和二十五年法律第三百三号）第二十四条第一号（無登録販売等）の罪（同法第三条の違反行為に係るものに限る。）又は同法第二十四条の二第一号（興奮等の作用を有する毒物等の販売等）の罪
- (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
- 十三 投資信託及び投資法人に関する法律（昭和二十六年法律第百九十八号）第二百三十六条第二項（投資主の権利の行使に関する利益の受供与）又は第二百四十三条第二号（損失補填に係る利益の收受等）の罪
- (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)
- 十四 信用金庫法（昭和二十六年法律第二百三十八号）第九十条の四の二（損失補填に係る利益の收受等）の罪
- (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)
- 十五 覚せい剤取締法第四十一条の十三（覚醒剤原料の譲渡しと譲受けとの周旋）の罪
- (xv) The crime prescribed in Article 41-13 (Intermediation between the Assignment and Acquisition of Stimulants' Raw Materials) of the Stimulants Control Act
- 十六 出入国管理及び難民認定法第七十三条の二第一項（不法就労助長）又は第七十三条の五（在留カード偽造等準備）の罪
- (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
- 十七 長期信用銀行法（昭和二十七年法律第百八十七号）第二十五条の二の二（損失補填に係る利益の收受等）の罪
- (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)
- 十八 武器等製造法（昭和二十八年法律第百四十五号）第三十一条の三第一号（銃砲及び銃砲弾以外の武器の無許可製造）の罪
- (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)
- 十九 労働金庫法（昭和二十八年法律第二百二十七号）第百条の四の二（損失補填に係る利益の收受等）の罪
- (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)
- 二十 出資の受入れ、預り金及び金利等の取締りに関する法律第八条第三項（元本を保証して行う出資金の受入れ等）の罪（同法第一条又は第二条第一項の違反行為に係るものに限る。）
- (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)
- 二十一 売春防止法第六条第一項（周旋）、第七条（困惑等による売春）又は第十条（売春をさせる契約）の罪
- (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
- 二十二 銃砲刀剣類所持等取締法第三十一条の十五（拳銃等の譲渡しと譲受けの周旋等）、第三十一条の十六第一項第一号（拳銃等及び猟銃以外の銃砲等の所持）、第二号（拳銃部品の所持）若しくは第三号（拳銃部品の譲渡し等）若しくは第二項

(未遂罪)、第三十一条の十七(拳銃等としての物品の輸入等)、第三十一条の十八第一号(拳銃実包の譲渡しと譲受けの周旋)又は第三十二条第一号(拳銃部品の譲渡しと譲受けの周旋等)の罪

(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

二十三 医薬品、医療機器等の品質、有効性及び安全性の確保等に関する法律(昭和三十五年法律第百四十五号)第八十四条第九号(無許可医薬品販売業)の罪

(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)

二十四 無限連鎖講の防止に関する法律(昭和五十三年法律第百一号)第五条(開設等)の罪

(xxiv) The crime prescribed in Article 5 (Creation) of the Act on Prevention of Pyramid Schemes (Act No. 101 of 1978)

二十五 銀行法(昭和五十六年法律第五十九号)第六十一条第一号(無免許営業)又は第六十三条の二の二(損失補填に係る利益の收受等)の罪

(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)

二十六 労働者派遣事業の適正な運営の確保及び派遣労働者の保護等に関する法律(昭和六十年法律第八十八号)第五十九条第一号(禁止業務についての労働者派遣事業)の罪(同法第四条第一項の違反行為に係るものに限る。)

(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)

二十七 日本国との平和条約に基づき日本の国籍を離脱した者等の出入国管理に関する特例法(平成三年法律第七十一号)第二十八条(特別永住者証明書偽造等準備)の罪

(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)
- 二十八 不動産特定共同事業法（平成六年法律第七十七号）第八十条第三号（損失補填に係る利益の收受等）の罪
- (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)
- 二十九 保険業法（平成七年法律第百五号）第三百十七条の二第二号（損失補填に係る利益の收受等）又は第三百三十一条第二項（株主等の権利の行使に関する利益の受供与）の罪
- (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)
- 三十 資産の流動化に関する法律（平成十年法律第百五号）第二百九十七条第一号（損失補填に係る利益の收受等）又は第三百十一条第三項（社員等の権利等の行使に関する利益の受供与）の罪
- (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)
- 三十一 農林中央金庫法（平成十三年法律第九十三号）第九十九条の二の二（損失補填に係る利益の收受等）の罪
- (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)
- 三十二 公衆等脅迫目的の犯罪行為のための資金等の提供等の処罰に関する法律第五条（公衆等脅迫目的の犯罪行為の実行のために利用されるものとしての資金等の提供等）の罪
- (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
- 三十三 信託業法（平成十六年法律第百五十四号）第九十四条第七号（損失補填に係る利益の收受等）の罪
- (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)
- 三十四 会社法第九百七十条第二項（株主等の権利の行使に関する利益の受供与）の罪
- (xxxv) 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

三十五 放射線を発散させて人の生命等に危険を生じさせる行為等の処罰に関する法律（平成十九年法律第三十八号）第六条第三項（特定核燃料物質の輸出入の予備）の罪

(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)

三十六 株式会社商工組合中央金庫法（平成十九年法律第七十四号）第七十三条第一項第二号（損失補填に係る利益の收受等）の罪

(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)

三十七 行政手続における特定の個人を識別するための番号の利用等に関する法律（平成二十五年法律第二十七号）第四十九条（個人番号の提供及び盗用）又は第五十一条第一項（詐欺等行為等による個人番号の取得）の罪

(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)

別表第三（第六条の二関係）

Appended Table 3 (Re: Article 6-2)

一 第三条（組織的な殺人等）、第九条第一項から第三項まで（不法収益等による法人等の事業経営の支配を目的とする行為）、第十条第一項（犯罪収益等隠匿）又は第十一条（犯罪収益等收受）の罪

(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.)

二

(ii)

イ 刑法第七十七条第一項（内乱）の罪（同項第三号に係る部分を除く。）又は同法第七十九条（内乱等A E 幫E A 助）の罪（同項の罪（同項第三号に係る部分に限る。）及び同法第七十七条第二項の罪に係るものを除く。）

(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
- ロ 刑法第八十一条（外患誘致）又は第八十二条（外患援助）の罪
- (b) The crime prescribed in Article 81 (Instigation of Foreign Aggression) or Article 82 (Assistance to the Enemy) of the Penal Code
- ハ 刑法第百六条（騒乱）の罪（同条第三号に係る部分を除く。）
- (c) The crime prescribed in Article 106 (Disturbance) (excluding the part pertaining to item (iii) of the same Article) of the Penal Code
- ニ 刑法第百八条（現住建造物等放火）、第百九条第一項（非現住建造物等放火）若しくは第百十条第一項（建造物等以外放火）の罪又は同法第一百七条第一項（激発物破裂）の罪（同法第百八条、第百九条第一項又は第百十条第一項の例により処断すべきものに限る。）
- (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
- ホ 刑法第百十九条（現住建造物等浸害）又は第百二十条（非現住建造物等浸害）の罪
- (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
- ヘ 刑法第百二十五条（往来危険）又は第百二十六条第一項若しくは第二項（汽車転覆等）の罪
- (f) The crime prescribed in Article 125 (Endangering Traffic) or Article 126, paragraph (1) or (2) (Overturning of Trains) of the Penal Code
- ト 刑法第百三十六条（あへん煙輸入等）、第百三十七条（あへん煙吸食器具輸入等）又は第百三十九条第二項（あへん煙吸食のための場所提供）の罪
- (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
- チ 刑法第百四十三条（水道汚染）、第百四十六条前段（水道毒物等混入）又は第百四十七条（水道損壊及び閉塞）の罪
- (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
- リ 刑法第百四十八条（通貨偽造及び行使等）又は第百四十九条（外国通貨偽造及び行使等）の罪
- (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

ヌ 刑法第百五十五条第一項（有印公文書偽造）若しくは第二項（有印公文書変造）の罪、同法第百五十六条（有印虚偽公文書作成等）の罪（同法第百五十五条第一項又は第二項の例により処断すべきものに限る。）若しくは同法第百五十七条第一項（公正証書原本不実記載等）の罪若しくはこれらの罪に係る同法第百五十八条第一項（偽造公文書行使等）の罪、同法第百五十九条第一項（有印私文書偽造）若しくは第二項（有印私文書変造）の罪若しくはこれらの罪に係る同法第百六十一条第一項（偽造私文書等行使）の罪又は同法第百六十一条の二第一項から第三項まで（電磁的記録不正作出及び供用）の罪

(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

ル 刑法第百六十二条（有価証券偽造等）又は第百六十三条第一項（偽造有価証券行使等）の罪

(k) The crime prescribed in Article 162 (Counterfeiting of Securities) or Article 163, paragraph (1) (Uttering Counterfeit Securities) of the Penal Code

ヲ 刑法第百六十三条の二（支払用カード電磁的記録不正作出等）又は第百六十三条の三（不正電磁的記録カード所持）の罪

(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

ワ 刑法第百六十五条（公印偽造及び不正使用等）の罪

(m) The crime prescribed in Article 165 (Counterfeiting or Unauthorized Use of Official Seals) of the Penal Code

カ 刑法第百七十六条から第百七十八条まで（強制わいせつ、強制性交等、準強制わいせつ及び準強制性交等）の罪

- (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  
 コ 刑法第九十一条（墳墓発掘死体損壊等）の罪
- (o) The crime prescribed in Article 191 (Excavation of Graves and Damage of Corpses) of the Penal Code  
 タ 刑法第九十七条第一項前段（収賄）若しくは第二項（事前収賄）、第九十七條の二から第九十七條の四まで（第三者供賄、加重収賄及び事後収賄、あつせん収賄）又は第九十八条（贈賄）の罪
- (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  
 レ 刑法第二百四条（傷害）の罪
- (q) The crime prescribed in Article 204 (Injury) of the Penal Code  
 ソ 刑法第二百二十四条（未成年者略取及び誘拐）、第二百五条（営利目的等略取及び誘拐）、第二百二十六条（所在国外移送目的略取及び誘拐）、第二百二十六條の二第一項、第四項若しくは第五項（人身売買）、第二百二十六條の三（被略取者等所在国外移送）又は第二百二十七条第一項、第三項若しくは第四項（被略取者引渡し等）の罪
- (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  
 ツ 刑法第二百三十四条の二第一項（電子計算機損壊等業務妨害）の罪
- (s) The crime prescribed in Article 234-2, paragraph (1) (Obstruction of Business by Damaging a Computer) of the Penal Code  
 ネ 刑法第二百三十五条から第二百三十六條まで（窃盜、不動産侵奪、強盜）、第二百三十八條（事後強盜）又は第二百三十九條（A E 昏 E A 酔強盜）の罪
- (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  
 ナ 刑法第二百四十六條の二から第二百四十八條まで（電子計算機使用詐欺、背任、準詐欺）の罪
- (u) The crime prescribed in Articles 246 through 248 (Computer Fraud; Breach of Duty of Loyalty; Quasi Fraud) of the Penal Code  
 ラ 刑法第二百五十二条（横領）の罪



- (v) The crime prescribed in Article 252 (Embezzlement) of the Penal Code  
ム 刑法第二百五十六条第二項（盗品有償譲受け等）の罪
- (w) The crime prescribed in Article 256, paragraph (2) (Acceptance of Stolen Property for Compensation) of the Penal Code  
三 爆発物取締罰則（明治十七年太政官布告第三十二号）第一条（爆発物の使用）又は第三条、第五条若しくは第六条（爆発物の製造等）の罪
- (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)  
四 外国において流通する貨幣紙幣銀行券証券偽造変造及び模造に関する法律（明治三十八年法律第六十六号）第一条（偽造等）、第二条（偽造外国流通貨幣等の輸入）又は第三条第一項（偽造外国流通貨幣等の行使等）の罪
- (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)  
五 印紙犯罪処罰法（明治四十二年法律第三十九号）第一条（偽造等）又は第二条第一項（偽造印紙等の使用等）の罪
- (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)  
六 海底電信線保護万国連合条約罰則（大正五年法律第二十号）第一条第一項（海底電信線の損壊）の罪
- (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)  
七 労働基準法（昭和二十二年法律第四十九号）第百十七条（強制労働）の罪
- (vii) The crime prescribed in Article 117 (Forced Labor) of the Labor Standards Act (Act No. 49 of 1947)  
八 職業安定法（昭和二十二年法律第四百十一号）第六十三条（暴行等による職業紹介等）の罪
- (viii) The crime prescribed in Article 63 (Employment Placement by Means of Intimidation) of the Employment Security Act (Act No. 141 of 1947)  
九 児童福祉法第六十条第一項（児童淫行）の罪又は同条第二項（児童の引渡し及び支配）の罪（同法第三十四条第一項第七号又は第九号の違反行為に係るものに限る。）
- (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)
- 十 郵便法（昭和二十二年法律第百六十五号）第八十五条第一項（切手類の偽造等）の罪
- (x) The crime prescribed in Article 85, paragraph (1) (Counterfeiting of Stamps) of the Postal Act (Act No. 165 of 1947)
- 十一 金融商品取引法第百九十七条（虚偽有価証券届出書等の提出等）又は第百九十七条の二（内部者取引等）の罪
- (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
- 十二 大麻取締法（昭和二十三年法律第百二十四号）第二十四条第一項（大麻の栽培等）、第二十四条の二第一項（大麻の所持等）又は第二十四条の三第一項（大麻の使用等）の罪
- (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)
- 十三 船員職業安定法（昭和二十三年法律第百三十号）第百十一条（暴行等による船員職業紹介等）の罪
- (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)
- 十四 競馬法（昭和二十三年法律第百五十八号）第三十条（無資格競馬等）の罪
- (xiv) The crime prescribed in Article 30 (Unlicensed Horse Race) of the Horse Racing Act (Act No. 158 of 1948)
- 十五 自転車競技法（昭和二十三年法律第百九号）第五十六条（無資格自転車競走等）の罪
- (xv) The crime prescribed in Article 56 (Unlicensed Bicycle Race) of the Bicycle Racing Act (Act No. 209 of 1948)
- 十六 外国為替及び外国貿易法（昭和二十四年法律第百二十八号）第六十九条の六第一項若しくは第二項（国際的な平和及び安全の維持を妨げることとなる無許可取引等）又は第六十九条の七第一項（特定技術提供目的の無許可取引等）の罪
- (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)
- 十七 電波法（昭和二十五年法律第百三十一号）第八十条の二第一項（電気通信業務等の用に供する無線局の無線設備の損壊等）の罪
- (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)
- 十八 小型自動車競走法（昭和二十五年法律第二百八号）第六十一条（無資格小型自動車競走等）の罪
- (xviii) The crime prescribed in Article 61 (Unlicensed Compact Automobile Race) of the Auto Racing Act (Act No. 208 of 1950)
- 十九 文化財保護法（昭和二十五年法律第二百十四号）第九十三条（重要文化財の無許可輸出）、第九十五条第一項（重要文化財の損壊等）又は第九十六条第一項（史跡名勝天然記念物の滅失等）の罪
- (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)
- 二十 地方税法（昭和二十五年法律第二百二十六号）第一百四十四条の三十三第一項（軽油等の不正製造）又は第一百四十四条の四十一第一項から第三項まで若しくは第五項（軽油引取税に係る脱税）の罪
- (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)
- 二十一 商品先物取引法第三百五十六条（商品市場における取引等に関する風説の流布等）の罪
- (xxi) The crime prescribed in Article 356 (Spread of Rumors concerning Transactions on a Commodity Market) of the Commodity Derivatives Transaction Act
- 二十二 道路運送法（昭和二十六年法律第八十三号）第一百条第一項（自動車道における自動車往来危険）又は第一百一条第一項（事業用自動車の転覆等）の罪
- (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)
- 二十三 投資信託及び投資法人に関する法律第二百三十六条第四項（投資主の権利の行使に関する利益の受供与等についての威迫行為）の罪
- (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
- 二十四 モーターボート競走法（昭和二十六年法律第二百四十二号）第六十五条（無資格モーターボート競走等）の罪
- (xxiv) The crime prescribed in Article 65 (Unlicensed Motorboat Race) of the Motorboat Racing Act (Act No. 242 of 1951)

二十五 森林法（昭和二十六年法律第二百四十九号）第九十八条（保安林の区域内における森林窃盗）、第二百一条第二項（森林窃盗のA E 贓E A物の運搬等）又は第二百二条第一項（他人の森林への放火）の罪

(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)

二十六 覚せい剤取締法第四十一条第一項（覚醒剤の輸入等）、第四十一条の二第一項若しくは第二項（覚醒剤の所持等）、第四十一条の三第一項若しくは第二項（覚醒剤の使用等）又は第四十一条の四第一項（管理外覚醒剤の施用等）の罪

(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

二十七 出入国管理及び難民認定法第七十条第一項第一号（不法入国）、第二号（不法上陸）若しくは第五号（不法残留）若しくは第二項（不法在留）の罪（正犯により犯されたものを除く。）、同法第七十三条の三第一項から第三項まで（在留カード偽造等）、第七十三条の四（偽造在留カード等所持）、第七十四条第一項（集団密航者を不法入国させる行為等）、第七十四条の二（集団密航者の輸送）若しくは第七十四条の四第一項（集団密航者の收受等）の罪、同法第七十四条の六（不法入国等援助）の罪（同法第七十条第一項第一号又は第二号に規定する行為に係るものに限る。）又は同法第七十四条の六の二第一項第一号（難民旅行証明書等の不正受交付）若しくは第二号（偽造外国旅券等の所持等）若しくは第二項（営利目的の難民旅行証明書等の不正受交付等）若しくは第七十四条の八第一項若しくは第二項（不法入国者等の蔵匿等）の罪

(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
- 二十八 旅券法第二十三条第一項（旅券等の不正受交付等）の罪  
 (xxviii) The crime prescribed in Article 23, paragraph (1) (Wrongful Receipt or Issuance of a Passport) of the Passport Act
- 二十九 日本国とアメリカ合衆国との間の相互協力及び安全保障条約第六条に基づく施設及び区域並びに日本国における合衆国軍隊の地位に関する協定の実施に伴う刑事特別法（昭和二十七年法律第百三十八号）第五条（軍用物の損壊等）の罪  
 (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)
- 三十 麻薬及び向精神薬取締法（昭和二十八年法律第十四号）第六十四条第一項（ジアセチルモルヒネ等の輸入等）、第六十四条の二第一項若しくは第二項（ジアセチルモルヒネ等の製剤等）、第六十四条の三第一項若しくは第二項（ジアセチルモルヒネ等の施用等）、第六十五条第一項若しくは第二項（ジアセチルモルヒネ等以外の麻薬の輸入等）、第六十六条第一項（ジアセチルモルヒネ等以外の麻薬の製剤等）、第六十六条の二第一項（麻薬の施用等）、第六十六条の三第一項（向精神薬の輸入等）又は第六十六条の四第二項（営利目的の向精神薬の譲渡等）の罪  
 (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)
- 三十一 有線電気通信法（昭和二十八年法律第九十六号）第十三条第一項（有線電気通信設備の損壊等）の罪  
 (xxxii) The crime prescribed in Article 13, paragraph (1) (Damage to Wire Telecommunications Equipment) of the Wire Telecommunications Act (Act No. 96 of 1953)
- 三十二 武器等製造法第三十一条第一項（銃砲の無許可製造）若しくは第三十一条の二第一項（銃砲弾の無許可製造）の罪又は同法第三十一条の三第四号（猟銃等の無許可製造）の罪（猟銃の製造に係るものに限る。）  
 (xxxii) 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

三十三 ガス事業法（昭和二十九年法律第五十一号）第九十二条第一項（ガス工作物の損壊等）の罪

(xxxiii) The crime prescribed in Article 192, paragraph (1) (Damage to Gas Facilities) of the Gas Business Act (Act No. 51 of 1954)

三十四 関税法（昭和二十九年法律第六十一号）第八条の四第一項若しくは第二項（輸出してはならない貨物の輸出）、第九条第一項若しくは第二項（輸入してはならない貨物の輸入）、第九条の二第一項若しくは第二項（輸入してはならない貨物の保税地域への蔵置等）、第十条第一項若しくは第二項（偽りにより関税を免れる行為等）、第十一条第一項若しくは第二項（無許可輸出等）又は第十二条第一項（輸出してはならない貨物の運搬等）の罪

(xxxiv) 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)

三十五 あへん法（昭和二十九年法律第七十一号）第五十一条第一項若しくは第二項（けしの栽培等）又は第五十二条第一項（あへんの譲渡し等）の罪

(xxxv) 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)

三十六 自衛隊法（昭和二十九年法律第六十五号）第二百一十一条（自衛隊の所有する武器等の損壊等）の罪

(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)

三十七 出資の受入れ、預り金及び金利等の取締りに関する法律第五条（高金利等）、第五条の二第一項（高保証料）、第五条の三（保証料がある場合の高金利等）又は第八条第一項若しくは第二項（業として行う著しい高金利の脱法行為等）の罪

(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

三十八 補助金等に係る予算の執行の適正化に関する法律第二十九条（不正の手段による補助金等の受交付等）の罪

(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.

三十九 売春防止法第八条第一項（対償の收受等）、第十一条第二項（業として行う場所の提供）、第十二条（売春をさせる業）又は第十三条（資金等の提供）の罪

(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

四十 高速自動車国道法（昭和三十二年法律第七十九号）第二十六条第一項（高速自動車国道の損壊等）の罪

(xl) The crime prescribed in Article 26, paragraph (1) (Damage to National Expressways) of the National Highway Act (Act No. 79 of 1957)

四十一 水道法（昭和三十二年法律第百七十七号）第五十一条第一項（水道施設の損壊等）の罪

(xli) The crime prescribed in Article 51, paragraph (1) (Damage to Water Supply Facilities) of the Water Supply Act (Act No. 177 of 1957)

四十二 銃砲刀剣類所持等取締法第三十一条第二項若しくは第三項（拳銃等の発射）、第三十一条の二第一項（拳銃等の輸入）、第三十一条の三第三項若しくは第四項（拳銃等の所持等）、第三十一条の四第一項若しくは第二項（拳銃等の譲渡し等）、第三十一条の六（偽りの方法により拳銃等の所持の許可を受ける行為）、第三十一条の七第一項（拳銃実包の輸入）、第三十一条の八（拳銃実包の所持）、第三十一条の九第一項（拳銃実包の譲渡し等）、第三十一条の十一第一項（猟銃の所持等）又は第三十一条の十三（拳銃等の輸入に係る資金等の提供）の罪

(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

四十三 下水道法（昭和三十三年法律第七十九号）第四十四条第一項（公共下水道の施設の損壊等）の罪

(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)

- 四十四 特許法（昭和三十四年法律第百二十一号）第百九十六条又は第百九十六条の二（特許権等の侵害）の罪  
(xliv) The crime prescribed in Article 196 or 196-2 (Infringement of a Patent Right) of the Patent Act (Act No. 121 of 1959)
- 四十五 実用新案法（昭和三十四年法律第百二十三号）第五十六条（実用新案権等の侵害）の罪  
(xlv) The crime prescribed in Article 56 (Infringement of a Utility Model Right) of the Utility Model Act (Act No. 123 of 1959)
- 四十六 意匠法（昭和三十四年法律第百二十五号）第六十九条又は第六十九条の二（意匠権等の侵害）の罪  
(xlvi) The crime prescribed in Article 69 or 69-2 (Infringement of a Design Right) of the Design Act (Act No. 125 of 1959)
- 四十七 商標法（昭和三十四年法律第百二十七号）第七十八条又は第七十八条の二（商標権等の侵害）の罪  
(xlvii) The crime prescribed in Article 78 or 78-2 (Infringement of a Trademark Right) of the Trademark Act (Act No. 127 of 1959)
- 四十八 道路交通法（昭和三十五年法律第百五号）第百十五条（不正な信号機の操作等）の罪  
(xlviii) The crime prescribed in Article 115 (Wrongful Operation of a Traffic Light) of the Road Traffic Act (Act No. 105 of 1960)
- 四十九 医薬品、医療機器等の品質、有効性及び安全性の確保等に関する法律第八十三條の九（業として行う指定薬物の製造等）の罪  
(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
- 五十 新幹線鉄道における列車運行の安全を妨げる行為の処罰に関する特例法（昭和三十九年法律第百十一号）第二条第一項（自動列車制御設備の損壊等）の罪  
(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)
- 五十一 電気事業法（昭和三十九年法律第百七十号）第百十五条第一項（電気工作物の損壊等）の罪  
(li) The crime prescribed in Article 115, paragraph (1) (Damage to Electric Facilities) of the Electricity Business Act (Act No. 170 of 1964)
- 五十二 所得税法（昭和四十年法律第三十三号）第二百三十八条第一項若しくは第三項若しくは第二百三十九条第一項（偽りにより所得税を免れる行為等）又は第二百四十条第一項（所得税の不納付）の罪  
(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)



五十三 法人税法（昭和四十年法律第三十四号）第一百五十九条第一項又は第三項（偽りにより法人税を免れる行為等）の罪

(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)

五十四 公海に関する条約の実施に伴う海底電線等の損壊行為の処罰に関する法律（昭和四十三年法律第百二号）第一条第一項（海底電線の損壊）又は第二条第一項（海底パイプライン等の損壊）の罪

(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)

五十五 著作権法（昭和四十五年法律第四十八号）第一百十九条第一項又は第二項（著作権等の侵害等）の罪

(lv) The crime prescribed in Article 119, paragraph (1) or (2) (Infringement of a Copyright) of the Copyright Act (Act No. 48 of 1970)

五十六 航空機の強取等の処罰に関する法律（昭和四十五年法律第六十八号）第一条第一項（航空機の強取等）又は第四条（航空機の運航障害）の罪

(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)

五十七 廃棄物の処理及び清掃に関する法律（昭和四十五年法律第百三十七号）第二十五条第一項（無許可廃棄物処理業等）の罪

(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)

五十八 火炎びんの使用等の処罰に関する法律（昭和四十七年法律第十七号）第二条第一項（火炎びんの使用）の罪

(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)

五十九 熱供給事業法（昭和四十七年法律第八十八号）第三十四条第一項（熱供給施設の損壊等）の罪

(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)

六十 航空の危険を生じさせる行為等の処罰に関する法律（昭和四十九年法律第八十七号）第一条（航空危険）、第二条第一項（航行中の航空機を墜落させる行為等）、第三条第一項（業務中の航空機の破壊等）又は第四条（業務中の航空機内への爆発物等の持込み）の罪

(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)

六十一 人質による強要行為等の処罰に関する法律第一条第一項若しくは第二項（人質による強要等）又は第二条（加重人質強要）の罪

(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

六十二 細菌兵器（生物兵器）及び毒素兵器の開発、生産及び貯蔵の禁止並びに廃棄に関する条約等の実施に関する法律（昭和五十七年法律第六十一号）第九条第一項（生物兵器等の使用）若しくは第二項（生物剤等の発散）又は第十条第一項（生物兵器等の製造）若しくは第二項（生物兵器等の所持等）の罪

(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)

六十三 貸金業法（昭和五十八年法律第三十二号）第四十七条（無登録営業等）の罪

(lxiii) The crime prescribed in Article 47 (Unregistered Business) of the Money Lending Business Act (Act No. 32 of 1983)

六十四 労働者派遣事業の適正な運営の確保及び派遣労働者の保護等に関する法律第五十八条（有害業務目的の労働者派遣）の罪

(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

六十五 流通食品への毒物の混入等の防止等に関する特別措置法（昭和六十二年法律第百三号）第九条第一項（流通食品への毒物の混入等）の罪

(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)

六十六 消費税法（昭和六十三年法律第百八号）第六十四条第一項又は第五項（偽りにより消費税を免れる行為等）の罪

(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)

六十七 日本国との平和条約に基づき日本の国籍を離脱した者等の出入国管理に關す

- る特例法第二十六条第一項から第三項まで（特別永住者証明書の偽造等）又は第二十七条（偽造特別永住者証明書等の所持）の罪
- (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
- 六十八 麻薬特例法第六条第一項（薬物犯罪収益等隠匿）又は第七条（薬物犯罪収益等收受）の罪
- (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
- 六十九 絶滅のおそれのある野生動植物の種の保存に関する法律（平成四年法律第七十五号）第五十七条の二（国内希少野生動植物種等の生きている個体の捕獲等）の罪
- (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)
- 七十 不正競争防止法第二十一条第一項から第三項まで（営業秘密の不正取得等）の罪
- (lxx) The crime prescribed in Article 21, paragraphs (1) through (3) (Wrongful Acquisition of Trade Secrets) of the Unfair Competition Prevention Act
- 七十一 化学兵器の禁止及び特定物質の規制等に関する法律（平成七年法律第六十五号）第三十八条第一項（化学兵器の使用）若しくは第二項（毒性物質等の発散）又は第三十九条第一項から第三項まで（化学兵器の製造等）の罪
- (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)
- 七十二 サリン等による人身被害の防止に関する法律第五条第一項（サリン等の発散）又は第六条第一項（サリン等の製造等）の罪
- (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
- 七十三 保険業法第三百三十一条第四項（株主等の権利の行使に関する利益の受供与等についての威迫行為）の罪
- (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

七十四 臓器の移植に関する法律（平成九年法律第百四号）第二十条第一項（臓器売買等）の罪

(lxxiv) The crime prescribed in Article 20, paragraph (1) (Organ Trade) of the Act on Organ Transplantation (Act No. 104 of 1997)

七十五 スポーツ振興投票の実施等に関する法律（平成十年法律第六十三号）第三十二条（無資格スポーツ振興投票）の罪

(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)

七十六 種苗法（平成十年法律第八十三号）第六十七条（育成者権等の侵害）の罪

(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)

七十七 資産の流動化に関する法律第三百十一条第六項（社員等の権利等の行使に関する利益の受供与等についての威迫行為）の罪

(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

七十八 感染症の予防及び感染症の患者に対する医療に関する法律（平成十年法律第百十四号）第六十七条第一項（一種病原体等の発散）、第六十八条第一項若しくは第二項（一種病原体等の輸入）、第六十九条第一項（一種病原体等の所持等）又は第七十条（二種病原体等の輸入）の罪

(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)

七十九 対人地雷の製造の禁止及び所持の規制等に関する法律（平成十年法律第百十六号）第二十二條第一項（対人地雷の製造）又は第二十三条（対人地雷の所持）の罪

(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)

八十 児童買春、児童ポルノに係る行為等の規制及び処罰並びに児童の保護等に関する法律（平成十一年法律第五十二号）第五条第一項（児童買春周旋）、第六条第一項（児童買春勧誘）又は第七条第六項から第八項まで（児童ポルノ等の不特定又は多数の者に対する提供等）の罪

(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)

八十一 民事再生法第二百五十五条（詐欺再生）又は第二百五十六条（特定の債権者に対する担保の供与等）の罪

(lxxxii) The crime prescribed in Article 255 (Fraudulent Rehabilitation) or Article 256 (Provision of Security to Specific Creditors) of the Civil Rehabilitation Act

八十二 公衆等脅迫目的の犯罪行為のための資金等の提供等の処罰に関する法律第二条第一項（公衆等脅迫目的の犯罪行為を実行しようとする者による資金等を提供させる行為）又は第三条第一項から第三項まで若しくは第四条第一項（公衆等脅迫目的の犯罪行為を実行しようとする者以外の者による資金等の提供等）の罪

(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

八十三 電子署名等に係る地方公共団体情報システム機構の認証業務に関する法律（平成十四年法律第百五十三号）第七十三条第一項（不実の署名用電子証明書等を発行させる行為）の罪

(lxxxiiii) 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)

八十四 会社更生法第二百六十六条（詐欺更生）又は第二百六十七条（特定の債権者等に対する担保の供与等）の罪

(lxxxv) The crime prescribed in Article 266 (Fraudulent Reorganization) or Article 267 (Provision of Security to Specific Creditors) of the Corporate Reorganization Act

八十五 破産法第二百六十五条（詐欺破産）又は第二百六十六条（特定の債権者に対する担保の供与等）の罪

(lxxxvi) The crime prescribed in Article 265 (Fraudulent Bankruptcy) or Article 266 (Provision of Security to Specific Creditors) of the Bankruptcy Act

八十六 会社法第九百六十三条から第九百六十六条まで（会社財産を危うくする行為、虚偽文書行使等、預合い、株式の超過発行）、第九百六十八条（株主等の権利の行使に関する贈収賄）又は第九百七十条第四項（株主等の権利の行使に関する利益の受供与等についての威迫行為）の罪

(lxxxvii) 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

八十七 放射線を発散させて人の生命等に危険を生じさせる行為等の処罰に関する法律第三条第一項（放射線の発散等）、第四条第一項（原子核分裂等装置の製造）、第五条第一項若しくは第二項（原子核分裂等装置の所持等）、第六条第一項（特定核燃料物質の輸出入）、第七条（放射性物質等の使用の告知による脅迫）又は第八条（特定核燃料物質の窃取等の告知による強要）の罪

(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

八十八 海賊行為の処罰及び海賊行為への対処に関する法律第三条第一項又は第三項（海賊行為）の罪

(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

八十九 クラスター弾等の製造の禁止及び所持の規制等に関する法律（平成二十一年法律第八十五号）第二十一条第一項（クラスター弾等の製造）又は第二十二条（クラスター弾等の所持）の罪

(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)

九十 平成二十三年三月十一日に発生した東北地方太平洋沖地震に伴う原子力発電所の事故により放出された放射性物質による環境の汚染への対処に関する特別措置法（平成二十三年法律第百十号）第六十条第一項（汚染廃棄物等の投棄等）の罪

(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)

別表第四（第六条の二関係）

Appended Table 4 (Re: Article 6-2)

一 別表第三に掲げる罪（次に掲げる罪を除く。）

(i) The crimes set forth in Appended Table 3 (excluding the crimes set forth below)

イ 第十一条（犯罪収益等收受）の罪

(a) The crime prescribed in Article 11 (Receiving Proceeds of Crime)

ロ 刑法第七十七条第一項（内乱）の罪（同項第三号に係る部分を除く。）並びに同法第八十一条（外患誘致）、第八十二条（外患援助）及び第百九十八条（贈賄）の罪

(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

ハ 爆発物取締罰則第一条（爆発物の使用）の罪

(c) The crime prescribed in Article 1 (Use of Explosives) of the Criminal Regulations to Control Explosives

ニ 児童福祉法第六十条第二項（児童の引渡し及び支配）の罪（同法第三十四条第一項第七号又は第九号の違反行為に係るものに限る。）

(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)

ホ 出入国管理及び難民認定法第七十条第一項第一号（不法入国）、第二号（不法上陸）及び第五号（不法残留）並びに第二項（不法在留）の罪（正犯により犯されたものを除く。）、同法第七十四条の二第一項（集団密航者の輸送）の罪、同法第七十四条の六（不法入国等援助）の罪（同法第七十条第一項第一号又は第二号に規定する行為に係るものに限る。）並びに同法第七十四条の六の二第一項第一号（難民旅行証明書等の不正受交付）及び第二号（偽造外国旅券等の所持等）並びに第七十四条の八第一項（不法入国者等の蔵匿等）の罪

(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
- へ 麻薬特例法第七条（薬物犯罪収益等收受）の罪
- (f) The crime prescribed in Article 7 (Receiving Proceeds of Drug Crime, etc.) of the Anti-Drug Special Provisions Act
- 二 第七条（組織的な犯罪に係る犯人蔵匿等）の罪（同条第一項第一号から第三号までに掲げる者に係るものに限る。）又は第七条の二第二項（証人等買収）の罪
- (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)
- 三
- (iii)
- イ 刑法第九十八条（加重逃走）、第九十九条（被拘禁者奪取）又は第一百条第二項（逃走援助）の罪
- (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
- ロ 刑法第一百六十九条（偽証）の罪
- (b) The crime prescribed in Article 169 (Perjury) of the Penal Code
- 四 爆発物取締罰則第九条（爆発物の使用、製造等の犯人の蔵匿等）の罪
- (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
- 五 日本国とアメリカ合衆国との間の相互協力及び安全保障条約第六条に基づく施設及び区域並びに日本国における合衆国軍隊の地位に関する協定の実施に伴う刑事特別法第四条第一項（偽証）の罪
- (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"
- 六 国際刑事裁判所に対する協力等に関する法律（平成十九年法律第三十七号）第五十六条（組織的な犯罪に係る証拠隠滅等）又は第五十七条第一項（偽証）の罪
- (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)