

Act on Identity Confirmation, etc. Performed by Mobile Voice Communications Carriers for their Subscribers, etc. and Prevention of Wrongful Use of Mobile Voice Communications Services

(Act No. 31 of April 15, 2005)

Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is to facilitate the establishment of a system for the management of subscribers by mobile voice communications carriers and to prevent the wrongful use of mobile voice communications services, by stipulating such matters as the identity confirmation measures to be taken by mobile voice communications carriers at the time of the conclusion, etc. of a contract for the provision of mobile voice communications services and the measures to be taken in connection with the transfer, etc. of telephonic call-capable terminal facilities.

(Definitions)

- Article 2 (1) The term "mobile voice communications" as used on this Act means radio communications in sound,(including voice) transmitted, conveyed or received between radio stations to be established for mobile use (in paragraph (4), referred to as a "radio station") and fixed radio stations to be established on land for communications with those mobile radio stations.
- (2) The term "mobile voice communications service" in this Act means a telecommunications service pertaining to mobile voice communications, among those defined in Article 2, item (iii) of the Telecommunications Business Act (Act No. 86 of 1984) (hereinafter referred to as "telecommunications service"), and which are specified by the Order of the Ministry of Internal Affairs and Communications (MIC) (hereinafter referred to as "the MIC Order") as those which are deemed necessary for promoting the establishment of management systems for those who receive the mobile voice communications services.
- (3) The term "mobile voice communications carrier" as used in this Act means a carrier who provides mobile voice communications services, among those telecommunications carriers stipulated in Article 2, item (v) of the Telecommunications Business Act.
- (4) The term "mobile voice communications terminal facilities" as used in this Act means among those telecommunications facilities stipulated in Article 2, item (ii) of the Telecommunications Business Act, a radio station's radio facilities for

conducting mobile voice communications.

- (5) The term "telephonic call-capable terminal facilities" as used in this Act means telephonic call-capable mobile voice communications terminal facilities connected to telecommunications circuit facilities (referring to the telecommunications circuit facilities stipulated in Article 9 of the Telecommunications Business Act) used for the provision of mobile voice communications services.

Chapter II Identity Confirmation

(Identity Confirmation Obligation In Concluding Contract)

Article 3 (1) When a mobile voice communications carrier intends to conclude a contract for the provision of a mobile voice communications service (hereinafter referred to as a "service provision contract") with a person who wishes to receive that service, the carrier must confirm, by methods stipulated in the MIC Order (including by receiving the presentation of a driver's license), the identity of the person (hereinafter referred to as "identity confirmation") wishing to become the counterparty to the service provision contract (hereinafter in this Article and Article 11, item (i) referred to as the "counterparty") with respect to the matters specified in the following items according to the classification of the counterparty (hereinafter referred to as "identification matters"):

(i) natural person: the person's name, residence and date of birth; or

(ii) juridical person: its name and address of head or principal office.

(2) Where a mobile voice communications carrier performs the identity confirmation of the counterparty, in cases where a representative of a corporation concludes a service provision contract for that corporation, including cases where a natural person acting for that corporation who is actually authorized to conclude the service provision contract with that mobile voice communications carrier differs from that counterparty (except the case specified in the following paragraph), that mobile voice communications carrier must confirm the identification of that natural person in charge of concluding the service provision contract (in paragraph (4) and Article 11, item (i), referred to as the "representative, etc."), in addition to the identification of that counterparty.

(3) In cases where the counterparty is a person specified by the MIC Order, including the national government, local public entity, association or foundation without legal personality, the provisions of paragraph (1) apply by deeming a natural person acting for that national government, local public entity, association or foundation without legal personality, who is in fact authorized to conclude the service provision contract with that mobile voice

communications carrier, as the counterparty.

- (4) In the cases where the mobile voice communications carrier performs the identity confirmation, the counterparty (including the natural person deemed as the counterparty pursuant to the provisions of the preceding paragraph; hereinafter the same applies in this paragraph and in Article 11, item (i)) and the representative, etc. must not falsify their identification matters.

(Obligation to Prepare Identification Records)

Article 4 (1) When identity confirmation is performed, any mobile voice communications carrier must immediately prepare the records of matters regarding the identification stipulated in the MIC Order (hereinafter referred to as "identification records"), including identification matters, in a manner as stipulated in the MIC Order.

- (2) The mobile voice communications carrier must retain identification records for three years from the day of the termination of the service provision contract.

(Identity Confirmation Obligation at the Time of Transfer)

Article 5 (1) In changing the name of the subscriber who concludes a service provision contract (hereinafter referred to as a "subscriber") due to transfer of terminal facilities functional for voice communications or otherwise due to succession of status as the person receiving a mobile voice communications service under that service provision contract, the mobile voice communications carrier must confirm the identification matters regarding a new person who will receive that mobile voice communications service under that service provision contract due to the change of name (hereinafter referred to as a "transferee, etc.") (hereinafter referred to as "identity confirmation at the time of transfer"), by methods as stipulated in the MIC Order, including producing a driver's license.

- (2) The provisions of Article 3, paragraphs (2) through (4) and of the preceding paragraph apply mutatis mutandis to the cases of identity confirmation at the time of transfer confirmed by the mobile voice communications carrier in accordance with the provisions of the preceding paragraph. In this case, the "counterparty" in Article 3, paragraphs (2) through (4) is read as "transferee, etc."; "identity confirmation" in Article 3, paragraphs (2) through (4) is read as "identity confirmation at the time of transfer" and "Article 11, item (i)" in those paragraphs is read as "Article 11, item (ii)"; "paragraph (1)" in Article 11, paragraph (3) is read as "Article 5, paragraph (1)"; and "identity confirmation" in Article 4, paragraph (1) is read as "identity confirmation at the time of transfer".

(Identity Confirmation by Intermediary Agency, etc.)

Article 6 (1) A mobile voice communications carrier may cause the persons who intermediate, commission or represent the conclusion of service provision contracts on behalf of that voice communications carrier in the course of their trade (hereinafter referred to as an "intermediary agency, etc.") to perform the identity confirmation or the identity confirmation at the time of transfer.

(2) When a mobile voice communications carrier commission an intermediary agency, etc. to perform the identity confirmation or the identity confirmation at the time of transfer pursuant to the provisions of the preceding paragraph, the carrier is not required to perform that identity confirmation or that identity confirmation at the time of transfer, notwithstanding the provisions of Article 3, paragraph (1) and paragraph (2), the provisions of Article 5, paragraph (1), and the provisions of Article 3, paragraph (2) as applied mutatis mutandis pursuant to the provisions of Article 5, paragraph (2).

(3) The provisions of Article 3 and Article 4, paragraph (1) apply mutatis mutandis to the case of identification confirmed by an intermediary agency, etc. in accordance with the provisions of paragraph (1) of this Article. In this case, the term "mobile voice communications carrier" in Article 3 is read as "intermediary agency, etc."; and "when identity confirmation is performed" in Article 4, paragraph (1) is read as "when identity confirmation is performed by an intermediary agency, etc. in accordance with the provisions of Article 6, paragraph (1)".

(4) The provisions of Article 3, paragraphs (2) through (4), Article 4 and paragraph (1) of the preceding Article apply mutatis mutandis in the case of identification at the time of transfer confirmed by an intermediary agency, etc. pursuant to the provisions of paragraph (1) of this Article. In this case, "mobile voice communications carrier" appearing in Article 3, paragraphs (2) through (4) is read as "intermediary agency, etc." and the "counterparty" in Article 3, paragraphs (2) through (4) is read as "transferee, etc."; "identity confirmation" in Article 3, paragraphs (2) and (4) is read as "identity confirmation at the time of transfer" and "Article 11, item (i)" in Article 3, paragraphs (2) and (4) is read as "Article 11, item (ii)"; "paragraph (1)" in Article 3, paragraph (3) is read as "Article 5, paragraph (1)"; "when identity confirmation is performed" in Article 4, paragraph (1) is read as "when identity confirmation at the time of transfer is performed by an intermediary agency, etc. in accordance with the provisions of Article 6, paragraph (1)"; "matters regarding the identification" in Article 4, paragraph (1) is read as "matters regarding the identification at the time of transfer"; and "mobile voice communications carrier" in paragraph (1) of the preceding Article is read as "intermediary agency, etc.".

(Consent of Mobile Voice Communications Carrier at the Time of Transfer)

Article 7 (1) When any subscriber intends to transfer to another person the

telephonic call-capable terminal facilities pertaining to the service provision contract to which it is a subscriber, that subscriber must obtain the prior consent of the mobile voice communications carrier, except in cases where it transfers those facilities to a family member, relative or dependent.

- (2) A mobile voice communications carrier must not give the consent prescribed in the preceding paragraph, until that carrier completes identity confirmation at the time of transfer regarding the transferee, etc. or until an intermediary agency, etc. completes identity confirmation at the time of transfer pursuant to the provisions of paragraph (1) of the preceding Article.

(Request for Subscriber Identification)

Article 8 (1) When the police commander deems necessary, in either case falling under the following items, in order to facilitate prevention of wrongful use of mobile voice communications services, the police commander may request the mobile voice communications carrier, who has concluded a service provision contract for telephonic call-capable terminal facilities pertaining to the crimes falling under the following items, to confirm the matters stipulated in paragraph (1) of the following Article pertaining to the subscriber of that service provision contract, in a manner stipulated in the Rules of the National Public Safety Commission:

(i) in cases where there is sufficient reason to find that a crime stipulated in this Act (limited to crimes under Articles 19, through 22 and Article 26 [limited to part pertaining to crimes under Articles 19 through 22]) has been committed; or

(ii) in cases where there is sufficient reason to find that a mobile voice communications service is used in acts falling under a crime under Article 246 or Article 249 of the Penal Code (Act No. 45 of 1907) or any other act in which mobile voice communications services are frequently used and which falls under a crime specified in the Cabinet Order as that from which it is particularly necessary to prevent damages or danger to the public from arising.

- (2) The National Public Safety Commission must consult with the Minister for Internal Affairs and Communications (hereinafter referred to as "the Minister") in advance, when it intends to set forth the Rules of the National Public Safety Commission as prescribed in the preceding paragraph.

(Subscriber Confirmation)

Article 9 (1) The mobile voice communications carrier who is requested to perform the confirmation pursuant to the provisions of paragraph (1) of the preceding Article may confirm, with respect to the subscriber concerned, the identification matters and other matters specified in the MIC Order as

necessary matters for confirmation that the subscriber holds the status under the service provision contract as a subscriber to the mobile voice communications service (hereinafter referred to as "subscriber confirmation"), in a manner as specified in the MIC Order.

- (2) The Minister must consult with the National Public Safety Commission in advance, when the Minister intends to set forth the MIC Order as prescribed in the preceding paragraph.
- (3) The provisions of Article 3, paragraphs (2) through (4) apply mutatis mutandis to the case of confirmation of the subscriber performed by the mobile voice communications carrier pursuant to the provisions of paragraph (1). In this case, the term "the counterparty" in paragraphs (2) through (4) of the same Article is read as the "subscriber"; "identity confirmation" in paragraphs (2) and (4) of the same Article is read as "subscriber confirmation"; "Article 11, item (i)" in the same paragraphs is read as "Article 11 item (iv)"; and "paragraph (1)" in paragraph (3) of the same Article is read as "Article 9, paragraph (1)".

(Prohibition of Lending Business to Unidentified Persons)

Article 10 It is prohibited for any person to lend telephonic call-capable terminal facilities for value in the course of trade to a person falling under one of the following items, without confirming the matters specified in the relevant item:

- (i) natural person: the person's name and residence or telephone number (limited to a telephone number other than that of the telephone call-capable terminal facilities pertaining to lending), or other points of contact; or
- (ii) juridical person: its name and address of head or principal office of business.

(Refusal to Provide Mobile Voice Communications Services)

Article 11 In the cases listed under the following items, mobile voice communications carriers may refuse to provide mobile voice communications services and telecommunications services that do not constitute the mobile voice communications services in question and that are provided through telephonic call-capable terminal facilities pertaining to a service provision contract:

- (i) where the counterparty or the representative, etc. refuses to undergo the identity confirmation (limited to the period until that counterparty or representative, etc. undergoes the identity confirmation);
- (ii) where the transferee, etc. or the representative, etc. refuses to undergo the identity confirmation at the time of transfer (limited to the period until that transferee, etc. or representative, etc. undergoes the identity confirmation at the time of transfer);
- (iii) where the telephonic call-capable terminal facilities are transferred in

- violation of the provisions of Article 7, paragraph (1);
- (iv) where the subscriber or the representative, etc. refuses to undergo the confirmation under the provisions of Article 9, paragraph (1) of the identification matters (limited to the period until that subscriber or representative, etc. undergoes that confirmation); or
 - (v) where the telephonic call-capable terminal facilities are lent in violation of the provisions of the preceding Article.

(Supervision of Intermediary Agency)

Article 12 When a mobile voice communications carrier determines to have an intermediary agency, etc. perform the identity confirmation or the identity confirmation at the time of transfer pursuant to the provisions of Article 6, paragraph (1), that carrier must perform necessary and appropriate supervision of that intermediary agency, etc. in a manner specified in the MIC Order, to ensure the identity confirmation or the identity confirmation at the time of transfer.

Chapter III Supervision

(Reporting)

Article 13 The Minister may, to the extent necessary for the enforcement of this Act, request any mobile voice communications carrier (including intermediary agency, etc.; the same applies in the following Article) to submit reports or materials on its business.

(On-site Inspection)

Article 14 (1) The Minister may, to the extent necessary for the enforcement of this Act, have ministerial officials enter into a business office or other premises of a mobile voice communications carrier, inspect identification records or other properties, or ask relevant persons some questions concerning its operations.

(2) In the case of the preceding paragraph, those officials must carry an identification card and produce it to the persons concerned upon request from them.

(3) The authority conferred under the provisions of paragraph (1) of this Article must not be construed as being invested in the ministerial officials for the criminal investigation purpose.

(Rectification Order)

Article 15 (1) When the Minister finds that any mobile voice communications carrier is, in respect of its operations, in violation of the provisions of Article 3,

paragraph (1), Article 3, paragraph (2) or (3) (including as applied mutatis mutandis to Article 5, paragraph (2)), Article 4, paragraph (1) (including as applied mutatis mutandis to Article 5, paragraph (2) and Article 6, paragraphs (3) and (4)) or Article 4, paragraph (2) (including as applied mutatis mutandis to Article 5, paragraph (2) and Article 6, paragraph (4)), Article 5, paragraph (1), Article 7, paragraph (2) or Article 12, the Minister may order that mobile voice communications carrier to take necessary measures for rectifying that violation.

(2) When the Minister finds that any intermediary agency, etc. is, in respect of its operations, in violation of the provisions of Article 3, paragraphs (1) through (3) as applied mutatis mutandis in Article 6, paragraph (3), or in violation of Article 3, paragraph (2) or (3), or Article 5, paragraph (1) as applied mutatis mutandis pursuant to the provisions of Article 6, paragraph (4), the Minister may order that intermediary agency, etc. to take necessary measures for rectifying that violation.

Chapter IV Miscellaneous Provisions

(Cooperation between the Minister and the National Public Safety Commission)

Article 16 The Minister and the National Public Safety Commission are to cooperate with each other for prevention of wrongful use of mobile voice communications services.

(Entrustment to Order)

Article 17 In addition to the provisions specified in this Act, other matters necessary for the enforcement of this Act shall be specified in the MIC Order or the Rules of the National Public Safety Commission.

(Transitional Measures)

Article 18 In the cases where enacting, amending or repealing orders pursuant to the provisions of this Act, necessary transitional measures (including transitional measures concerning penal provisions) may be set forth by those orders, to the extent deemed reasonably necessary in line with that enactment, amendment or repeal of those orders.

Chapter V Penal Provisions

Article 19 Any person who has violated the provisions of Article 3, paragraph (4) (including as applied mutatis mutandis in Article 5, paragraph (2), Article 6, paragraphs (3) and (4) and Article 9, paragraph (3)) in order to conceal the

identification matters is punished by a fine not exceeding 500,000 yen.

Article 20 (1) Any person who has transferred telephonic call-capable terminal facilities for value in the course of trade, in violation of the provisions of Article 7, paragraph (1), is punished by imprisonment with work not exceeding two years or a fine not exceeding 3,000,000 yen, or both.

(2) Any person who has accepted transfer of those telephonic call-capable terminal facilities for value on the course of trade, knowing the counterparty is in violation of the provisions of Article 7, paragraph (1), is punished by the same punishment of the preceding paragraph.

Article 21 (1) Any person who has transferred telephonic call-capable terminal facilities pertaining to a service provision contract to which that person is not the subscriber is punished by a fine not exceeding 500,000 yen.

(2) Any person who has accepted transfer of telephonic call-capable terminal facilities from the counterparty, knowing that the counterparty is not the subscriber to that service provision contract pertaining to those telephonic call-capable terminal facilities, is also punished by the same punishment of the preceding paragraph.

(3) Any person who has committed an act falling under the crime under paragraph (1) or the preceding paragraph in the course of trade, is punished by imprisonment with work not exceeding two years or a fine not exceeding 3,000,000 yen, or both.

Article 22 (1) Any person who has violated the provisions of Article 10 is punished by imprisonment with work not exceeding two years or a fine not exceeding 3,000,000 yen, or both.

(2) Any person who has been leased the telephonic call-capable terminal facilities pertaining to violation of the provisions of Article 10, knowing that the counterparty is in violation of the provisions of that Article is punished by a fine not exceeding 500,000 yen.

Article 23 Any person who has solicited other persons to become the counterparty in the acts falling under crimes in Article 20, Article 21, paragraph (1) or (2), or in paragraph (1) of the preceding Article, or has induced them to do so by advertisement or other similar means, is punished by a fine not exceeding 500,000 yen.

Article 24 Any person who has violated the order under Article 15 is punished by imprisonment with work not exceeding two years or a fine not exceeding 3,000,000 yen, or both.

Article 25 Any person who falls under any of the following items is punished by imprisonment with work not exceeding one year or a fine not exceeding 3,000,000 yen, or both:

- (i) any person who has failed to submit the reports or materials under the provisions of Article 13 or who has submitted false reports or materials; or
- (ii) any person who has failed to answer questions under the provisions of Article 14, paragraph (1) from the relevant ministerial officials or has given false answers to those questions, or who has refused, hindered or evaded the inspection under the provisions of the same paragraph.

Article 26 Where the representative of a juridical person, or an agency, staff or other employee of a juridical person or a person has committed an act violating any of the provisions in Articles 19 through 25 with regard to the business operations of that juridical person or individual, not only the offender is punished but also that juridical person or individual is punished by the fine prescribed in the respective Articles.

Supplementary Provisions

(Effective Date)

Article 1 This Act comes into effect as of the day specified in the Cabinet Order within a period not exceeding one year from the day of promulgation; provided, however, that the provisions listed in the following items come into effect as of the day specified in the respective item:

- (i) the provisions of Article 8, paragraph (2) and Article 9, paragraph (2): as of the date of promulgation;
- (ii) the provisions of Article 8, paragraph (1), Article 9, paragraphs (1) and (3), Article 10, Article 11 (limited to parts pertaining to items (iv) and (v)), Article 16, Article 22, Article 23 (limited to parts pertaining to Article 22, paragraph (1); the same applies hereinafter in this item) and Article 26 (limited to parts pertaining to Articles 22 and 23): as of the date on which twenty days from the date of promulgation have elapsed.

(Transitional Measures)

Article 2 (1) With respect to a person who, at the time of the enforcement of this Act, is actually using a mobile voice communications service based on a service provision contract (hereinafter referred to as a "user at the time of the effective date"), the mobile voice communications carrier concerned must confirm the identification matters of the user as of the effective date (hereinafter referred to as the "identity confirmation of the user at the time of the effective date"),

by the date stipulated in the MIC Order, by methods as stipulated in the MIC Order, including producing a driver's license; provided, however, that this does not apply to the cases listed in the following items:

- (i) in the cases where the mobile voice communications carrier has performed, prior to the date on which this Act comes into effect, the confirmation of the matters pursuant to the provisions of Article 3, paragraph (1) which are sufficient to identify the user at the time of the effective date, and where the records concerning that confirmation are prepared and maintained;
 - (ii) in the cases where the identity confirmation at the time of transfer is performed prior to the identity confirmation of the user at the time of the effective date; or
 - (iii) in the cases where the service provision contract concerned is terminated prior to the identity confirmation of the user at the time of the effective date.
- (2) The provisions of Article 3, paragraphs (2) through (4) and Article 4 apply mutatis mutandis to the case where the mobile voice communications carrier confirms the identification of the user at the time of the effective date pursuant to the provisions of the preceding paragraph. In this case, the "counterparty" in Article 3, paragraphs (2) through (4) is read as the "user at the time of the effective date"; "identification" in Article 3, paragraphs (2) and (4) is read as "identification of the user at the time of the effective date" and "Article 11, item (i)" in the same paragraphs is read as "Article 4 of the Supplementary Provisions"; "paragraph (1)" in Article 3, paragraph (3) is read as "Article 2, paragraph (1) of the Supplementary Provisions"; and "identification" in Article 4, paragraph (1) is read as "identification of the user at the time of the effective date".
- (3) The records of the confirmation stipulated in paragraph (1), item (i) are deemed to be the identification records, and the provisions of Article 4, paragraph (2) apply to them.

Article 3 (1) The mobile voice communications carrier may have an intermediary agency, etc. confirm the identification of the user at the time of the effective date.

- (2) In the cases where the mobile voice communications carrier has decided, pursuant to the provisions of the preceding paragraph, to have an intermediary agency, etc. confirm the identification of the user at the time of the effective date, that mobile voice communications carrier is not required to confirm that identification of the user at the time of the effective date, notwithstanding the provisions of Article 3, paragraph (2) as applied mutatis mutandis pursuant to the provisions of Article 2, paragraphs (1) and (2).
- (3) The provisions of Article 3, paragraphs (2) through (4), Article 4, Article 12 and Article 2 paragraph (1) apply mutatis mutandis to the case of the

identification of the user at the time of the effective date confirmed by an intermediary agency, etc. pursuant to the provisions of paragraph (1) of this Article. In this case, "mobile voice communications carrier" in Article 3, paragraphs (2) through (4) is read as "intermediary agency, etc." and the "counterparty" in the same paragraphs is read as the "user at the time of the effective date"; "identification" in Article 3, paragraphs (2) and (4) is read as "identification of the user at the time of the effective date" and "Article 11, item (i)" in the same paragraphs is read as "Article 4 of the Supplementary Provisions"; "paragraph (1)" in Article 3, paragraph (3) is read as "Article 2, paragraph (1) of the Supplementary Provisions"; "When the identification is confirmed" in Article 4, paragraph (1) is read as "When the identification of the user at the time of the effective date is confirmed by an intermediary agency, etc. pursuant to the provisions of Article 3, paragraph (1) of the Supplementary Provisions" and "matters regarding the identification" in the same paragraph is read as "matters regarding the identification of the user at the time of the effective date"; "Article 6, paragraph (1)" in Article 12 is read as "Article 3, paragraph (1) of the Supplementary Provisions" and the "identification or the identification at the time of transfer" in the same Article is read as the "identification of the user at the time of the effective date" and "such identity confirmation or identity confirmation at the time of transfer" in the same Article is read as "said identity confirmation of the user at the time of the effective date"; and the "mobile voice communications carrier" in paragraph (1) of the preceding Article of the Supplementary Provisions is read as "an intermediary agency, etc."

Article 4 In the cases where a person who is the user at the time of the effective date and to whom the provisions of the main clause of Article 2, paragraph (1) of the Supplementary Provisions (including as applied mutatis mutandis pursuant to the provisions of paragraph (3) of the preceding Article) apply, or the representative, etc., fails to undergo the identity confirmation of the user at the time of the effective date, the mobile voice communications carrier concerned may refuse to provide the mobile voice communications services and other telecommunications services than those mobile voice communications services which are to be made available via the telephonic call-capable terminal facilities covered pertaining to a service provision contract, during the period until that user at the time of the effective date or the representative, etc. undergoes the identity confirmation at the time of transfer.

Article 5 (1) When the Minister finds that any mobile voice communications carrier is, with regard to the business of the identity confirmation of the user at the time of the effective date, in violation of the provisions of Article 2,

paragraph (1) of the Supplementary Provisions, Article 3, paragraph (2) or (3) or Article 4 as applied mutatis mutandis pursuant to the provisions of Article 2, paragraph (2) of the Supplementary Provisions, or the provisions of Article 4 or Article 12 as applied mutatis mutandis pursuant to the provisions of Article 3, paragraph (3) of the Supplementary Provisions, the Minister may order that mobile voice communications carrier to take necessary measures for rectifying that violation.

(2) When the Minister finds that any intermediary agency, etc. is, with regard to the business of the identity confirmation of the identification of the user at the time of the effective date, in violation of the provisions of Article 3, paragraphs (2) or (3) as applied mutatis mutandis pursuant to the provisions of Article 3, paragraph (3) of the Supplementary Provisions, or the provisions of Article 2, paragraph (1) of the Supplementary Provisions, the Minister may order that intermediary agency, etc. to take necessary measures for rectifying that violation.

Article 6 (1) Any person who has violated the order under the preceding Article is punished by imprisonment with work not exceeding two years or a fine not exceeding 3,000,000 yen, or both.

(2) Any person who has violated the provisions of Article 3, paragraph (4) as applied mutatis mutandis pursuant to the provisions of Article 2, paragraph (2) of the Supplementary Provisions or the provisions of Article 4, paragraph (4) as applied mutatis mutandis pursuant to the provisions of Article 3, paragraph (3) of the Supplementary Provisions, for the purpose of concealing its identification matters, is punished by a fine not exceeding 500,000 yen.

(3) Where the representative of a juridical person, or an agency, staff or other employee of a juridical person or a person has committed an act violating any of the provisions of paragraph (1) or the preceding paragraph with regard to the business operations of that juridical person or individual, not only the offender is punished but also that juridical person or individual is punished by the fine prescribed in the respective item.

(Entrustment of Other Transitional Measures to Applicable Cabinet Order)

Article 7 In addition to the transitional measures stipulated in these Supplementary Provisions, other transitional measures as required for the enforcement of this Act (including transitional measures concerning penal provisions) are specified in the Cabinet Order.

(Review)

Article 8 After one year or so has elapsed from the enforcement of this Act, the provisions of this Act are to be reviewed upon taking into consideration the

implementation status, etc. of the enforcement of this Act; and further, necessary measures are to be taken based upon the results of the review.