

Act for Establishment of the Japan Transport Safety Board

(Act No. 113 of October 12, 1973)

Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is to establish the Japan Transport Safety Board to carry out investigations in an appropriate manner into the causes of aircraft accidents, etc., railway accidents, etc., and marine accidents, etc., and causes of damage incidental to such accidents, and urge the Minister of Land, Infrastructure, Transport and Tourism or the parties relevant to the causes of the accidents, etc., to implement the necessary measures based on the results of these investigations, thereby contributing to the prevention of aircraft accidents, etc., railway accidents, etc., and marine accidents, etc., and helping to reduce damages if such accidents occur.

(Definition)

Article 2 (1) The term "aircraft accident" as used in this Act means the accident prescribed in each of the items of paragraph (1) of Article 76 of the Civil Aeronautics Act (Act No. 231 of 1952).

(2) The term "aircraft accident, etc." as used in this Act means that prescribed as follows:

(i) an aircraft accident

(ii) an aircraft serious incident (a situation where a pilot in command of an aircraft, during a flight, recognized a risk of collision or contact with any other aircraft, or any other situations prescribed by the Order of the Ministry of Land, Infrastructure, Transport and Tourism under Article 76-2 of the Civil Aeronautics Act).

(3) The term "railway accident" as used in this Act means a serious accident prescribed by the Order of Ministry of Land, Infrastructure, Transport and Tourism among the following types of accidents; an accident that occurs during the operation of trains or vehicles as provided in Article 19 of the Railway Business Act (Act No. 92 of 1986), collision or fire involving trains or any other accidents that occur during the operation of trains or vehicles on a private siding, collision or fire involving vehicles or any other accidents that occur during the operation of vehicles on tramways.

(4) The term "railway accident, etc." as used in this Act means those prescribed as follows:

- (i) a railway accident
 - (ii) a railway serious incident (a situation prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism, which may obviously cause a railway accident.)
- (5) The term "marine accident" as used in this Act means those prescribed as follows:
- (i) damage to a ship or facility other than a ship related to the operations of a ship.
 - (ii) death or injury of the people related to the structure, equipment or operations of a ship
- (6) The term "marine accident, etc." as used in this Act means those prescribed as follows:
- (i) a marine accident
 - (ii) a marine incident (a situation prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism, which may obviously cause a marine accident.)
- (7) The term "parties relevant to the cause" as used in this Act means the parties who are found to be relevant to the causes of aircraft accidents, etc., railway accidents, etc., or marine accidents, etc., or the causes of damage caused by aircraft accident, railway accident, or marine accident.

Chapter II Establishment, Mission, and Affairs under the Jurisdiction, and Organization of the Japan Transport Safety Board

(Establishment)

Article 3 The Japan Transport Safety Board (hereinafter referred to as the "Board") is established as the external organ of the Ministry of Land, Infrastructure, Transport and Tourism pursuant to the provisions of paragraph (2) of Article 3 of the National Government Organization Act (Act No. 120 of 1948).

(Missions)

Article 4 The mission of the Board is to carry out investigations in an appropriate manner into the causes of aircraft accidents etc., railway accidents etc. and marine accidents, etc., and causes of damage caused by aircraft accidents, railway accidents and marine accidents, and to urge the Minister of Land, Infrastructure, Transport and Tourism or the parties relevant to the cause to implement the necessary measures based on the results of these investigations.

(Affairs under the Jurisdiction)

Article 5 The Board takes charge of the affairs prescribed below to achieve the missions referred to in the preceding Article:

- (i) to carry out investigations into the causes of aircraft accidents, etc.
- (ii) to carry out investigations into the causes of damages caused by aircraft accidents
- (iii) to carry out investigations into the causes of railway accidents, etc.
- (iv) to carry out investigations into the causes of damages caused by railway accidents.
- (v) to carry out investigations into the causes of marine accidents, etc.
- (vi) to carry out investigations into the causes of damages caused by marine accidents.
- (vii) to recommend that the Minister of Land, Infrastructure, Transport and Tourism or the parties relevant to the cause, based on the results of the investigations referred to in each of the preceding items, should implement measures to prevent aircraft accidents, etc., railway accidents, etc., and marine accidents, etc., and to reduce damages if such accidents occur.
- (viii) to state its opinions to the Minister of Land, Infrastructure, Transport and Tourism or head of relevant administrative organs regarding measures that should be taken to prevent aircraft, etc., railway accidents, etc., and marine accidents, etc., and to reduce damages if such accidents occur.
- (ix) to carry out researches and studies necessary to handle the affairs prescribed in each of the preceding items.
- (x) Beyond what is set forth in each of the preceding items, affairs that come under the jurisdiction of the Board pursuant to the provisions of laws (including orders under laws).

(Exercise of Authority)

Article 6 The chairperson and members of the Board independently exercise their authority.

(Organization)

Article 7 (1) The Board is composed of chairperson the Board and twelve (12) members.

(2) Five (5) members are part-time members.

(3) The chairperson the Board presides over the affairs of the Board, and represents the Board.

(4) If the chairperson of the Board is unavailable to attend to their duties, a full-time member designated by the chairperson in advance performs the chairperson's duties.

(Appointment of the Chair and Members)

Article 8 (1) The chairperson and members of the Board are appointed by the Minister of Land, Infrastructure, Transport and Tourism with the consent of both Houses of the Diet from among persons who are apparently able to make a scientific and fair judgment to carry out the affairs under the jurisdiction of the Board.

(2) Notwithstanding the provisions of the preceding paragraph, when the term of office of the chairperson or a member has expired, or a vacancy has occurred in the Board, or a consent of both Houses of the Diet may not be obtained for the appointment of a new chairperson or a member because the Diet is closed or the House of Representatives is dissolved, the Minister of Land, Infrastructure, Transport and Tourism may appoint the chairperson or a member from among persons having the qualifications provided for in the preceding paragraph.

(3) In the case referred to in the preceding paragraph, an ex-post facto approval of both Houses of the Diet must be obtained at the first session of the Diet after the appointment. In this case, if the ex-post facto approval by both Houses of the Diet may not be obtained, the Minister of Land, Infrastructure, Transport and Tourism must dismiss the chairperson or a member immediately.

(4) A person who falls under any of the following items may not become a chairperson or a member of the Board:

(i) a person who had received an order to commence bankruptcy proceedings and whose rights have not yet been restored.

(ii) a person who has been sentenced to imprisonment without work or heavier punishment.

(iii) an air carrier or a person engaged in the business of manufacturing, modification, maintenance or sales of aircraft or their accessories, or an officer thereof if the person is a juridical person (including a person having the authority or control over those equivalent to or greater than that of the officer, regardless of title), or its employee and other workers.

(iv) a railway or tramway service provider or a person engaged in the business of manufacturing, modification, maintenance or sales of vehicles, signal safety devices or other land transportation equipment used in connection with railways or tramways, or an officer thereof if the person is a juridical person (including a person having the authority or control over those equivalent to or greater than that of the officer, regardless of title), or its employee and other workers.

(v) a marine transportation business operators or port transportation service provider or a person engaged in the business of manufacturing, modification, maintenance or sales of ships, marine engines or marine equipment, or an officer thereof if the person is a juridical person (including a person having the authority or control over those equivalent to or greater than that of the officer, regardless of title) or its employee and other workers or pilot.

(vi) an officer of any association of enterprises prescribed in the preceding three items (including a person having the authority or control over those equivalent to or greater than that of an officer, regardless of title) or its employee or other workers.

(Term of Office)

Article 9 (1) The term of office of the chairperson and members of the Board is three years; provided, however, that the term of office of a chairperson or members who fills a vacancy is the remaining term of office of their predecessor.

(2) The chairperson and members may be reappointed.

(3) When the term of office of the chairperson or members expires, the chairperson or members are to perform their duties until successors are appointed.

(Dismissal)

Article 10 (1) The Minister of Land, Infrastructure, Transport and Tourism must dismiss the chairperson or members from the Board if the chairperson or the member falls under any of the items of paragraph (4) of Article 8.

(2) The Minister of Land, Infrastructure, Transport and Tourism, after consulting with the Board and obtaining the consent of both Houses of the Diet, may dismiss the chairperson or member from the Board, if the minister finds that person is unable to perform their duties due to mental or physical disorder or violates the obligations in the course of their duties or engages in conduct unbecoming of the chairperson or member of the Board.

(Meetings)

Article 11 (1) Meetings of the Board are convened by the chairperson.

(2) Meetings may not be convened and decisions may not be made unless the chairperson and six or more members are present.

(3) Particulars of the proceedings at the Board meetings are decided by majority of those present. In case of a tie vote, the chairperson is to make a decision.

(4) With respect to the application of the second paragraph if the chairperson is unavailable to attend to their duties, the full-time member performing the chairperson's duties pursuant to the provisions of paragraph (4) of Article 7 is deemed as the chairperson.

(Duties)

Article 12 (1) The chairperson and members must not divulge any confidential information that they have learned in the course of their duties. The same applies after they retire from their duties.

- (2) The chairperson and members, while holding office, must not become an officer of political parties or other political organizations or actively participate in political activities.
- (3) The chairperson and full-time members, while holding office, must not engage in other duties to gain rewards, or engage in businesses for profit or conduct any other businesses for monetary profit except the cases which are approved by the Minister of Land, Infrastructure, Transport and Tourism.

(Salaries)

Article 13 The salaries of the chairperson and members are separately specified by law.

(Expert Advisors)

- Article 14 (1) Expert advisors may be appointed to investigate technical matters.
- (2) Expert advisors are appointed from among the persons with relevant expertise by the Minister of Land, Infrastructure, Transport and Tourism after the minister hears the opinions of the Board.
 - (3) Expert advisors serve on a part-time basis.

(Restriction of Engagement in Duties)

- Article 15 (1) When the Board finds that the chairperson, member or expert advisor of the Board is closely associated with a person who may be relevant to the causes of an aircraft accident, etc., a railway accident, etc., or a marine accident, etc. (hereinafter referred to as an "accident, etc.") (including the causes of damage caused by an aircraft accident, a railway accident, or a marine accident, with regard to such accidents, and the same applies in item (iv) of paragraph (1) of Article 25), the Board must not permit the chairperson, member, or expert advisor to be engaged in the investigation of the relevant accident, etc., (hereinafter referred to as the "investigation of accidents, etc.").
- (2) The chairperson or the members prescribed in the preceding paragraph may not attend a meeting concerning the investigation of the accident, etc.

(Establishment of Rules)

Article 16 The Board may establish the Rules of the Japan Transport Safety Board to enforce laws or Cabinet Orders with regard to the affairs under the jurisdiction or pursuant to the special provisions governed by laws or Cabinet Orders.

(Secretariat)

Article 17 (1) A secretariat of the Board is established in order to handle the affairs of the Board.

- (2) The secretariat appoints a director-general and accident investigators, and other employees.
- (3) The director-general takes control of affairs of the secretariat in accordance with orders of the chairperson of the Board.
- (4) The internal organization of the secretariat is prescribed by Cabinet Order.

Chapter III Investigation of Accidents

(Investigation of Accidents)

- Article 18 (1) The Board is to conduct investigations prescribed in items (i) through (ii) of Article 5 pursuant to the provisions of the Convention on International Civil Aviation and in compliance with the standards, practices and procedures adopted as annexes thereto.
- (2) The Board may, when it finds it necessary to conduct the investigation of an accident, etc., implement the dispositions prescribed as follows:
 - (i) to collect reports from the persons concerned with aircraft accidents, etc., such as users of the aircraft, crews on board the aircraft, persons who engage in activities to rescue human lives or the aircraft when the aviation accident, etc. occurs (hereinafter referred to as the "persons concerned with aircraft accidents, etc.").
 - (ii) to collect reports from the persons concerned with railway accidents, etc., such as train operating companies, tram operating companies, crews on board the trains or other vehicles, persons who engage in activities to rescue human lives when the railway accident, etc. occurs (hereinafter referred to as the "persons concerned with railway accidents, etc.").
 - (iii) to collect reports from the persons concerned with marine accidents, etc., such as users of the ship, crews on board the ship, persons who engage in activities to rescue human lives or the ship when the marine accident, etc. occurs (hereinafter referred to as the "persons concerned with marine accidents, etc.").
 - (iv) to enter the site of accident, etc., offices of users of the aircraft, train operating companies, tram operating companies, or users of the ship, and any other place that are deemed necessary for investigation and examine an aircraft, railway facilities, ships, books, documents or other items related to the accident, etc. (hereinafter referred to as "relevant items"), and interrogate persons concerned with the aircraft accident, etc., railway accident, etc., or marine accident, etc. (hereinafter referred to as the "persons concerned").
 - (v) to request the persons concerned to appear and ask them questions.
 - (vi) to request the owner, holder or custodian of the relevant item to submit it or take custody of the submitted item.

- (vii) to order the owner, holder or custodian of the relevant item to maintain it or to prohibit the person from relocating it.
 - (viii) to prohibit persons from entering the site of the accident, etc., except for those who enter the site to perform public duties, or are permitted to enter it by the Board.
- (3) The Board may, when it finds necessary, have the chairperson, members or officials of the secretariat implement the dispositions prescribed in each item of the preceding paragraph, and have expert advisors implement the dispositions prescribed in item (iv) of that paragraph.
- (4) A person who implement disposition prescribed in item (iv) of paragraph (2) pursuant to the provisions of the preceding paragraph must carry an identification and present it when the relevant person requests to do so.
- (5) The authority to implement dispositions prescribed in paragraph (2) or (3) must not be construed as the one granted for criminal investigations.

(Entrustment of Investigations)

Article 19 (1) When the Board finds necessary for carrying out an investigation of accident, etc., it may entrust part of their work related to research or studies to an incorporated administrative agency (an incorporated administrative agency provided for in paragraph (1) of Article 2 of the Act on General Rules for Incorporated Administrative Agency (Act No. 103 of 1999) is referred to and the same applies in Article 28-3.), general incorporated associations or incorporated foundations, a business operators, other private bodies or any person with relevant expertise.

- (2) A person that is entrusted with the affairs pursuant to the provisions of the preceding paragraph, or who is or was its officer, employee, must not divulge any confidential information that the person has learned concerning the affairs entrusted to the person.
- (3) A person that is entrusted with the affairs pursuant to the provisions of paragraph (1), or a person who engages in the affairs entrusted to that person is deemed as an official engaged in public services by laws and regulations, with respect to application of penal provisions prescribed by the Penal Code (Act No. 45 of 1907) and other laws and regulations.

(Notification of Occurrence of Accidents)

Article 20 When the Minister of Land, Infrastructure, Transport and Tourism has received a report on an aircraft accident, etc. or railway accident, etc., or has learned of the occurrence of such accidents, etc., the minister must immediately notify the Board to that effect, pursuant to the provisions of paragraph (1) or (2) of Article 76 or Article 76-2 of the Civil Aeronautics Act, or Article 19 or 19-2 of the Railway Business Act.

Article 21 (1) When the Minister of Land, Infrastructure, Transport and Tourism (a Consul in case a Japanese consular officer handles the affairs that should be handled by the Minister of Land, Infrastructure, Transport and Tourism pursuant to the provisions of paragraph (1) of Article 103 of the Mariners Act (Act No. 100 of 1947)) receives a report on marine accidents, etc., pursuant to the provisions of Article 19 of that Act, or learns of the occurrence of a marine accident, etc., the minister must immediately notify the Board to that effect.

(2) When a coast guard officer, a police officer and a mayor of the municipality learns the occurrence of a marine accident, etc., they must immediately notify the Board to that effect.

(Assistance from the Minister of Land, Infrastructure, Transport and Tourism)

Article 22 (1) The Board may, when it finds necessary to carry out investigation of an accident, etc., request the Minister of Land, Infrastructure, Transport and Tourism to provide assistance in investigating the facts of an accident, etc., or collecting items, or to provide other necessary assistances.

(2) When the Minister of Land, Infrastructure, Transport and Tourism is requested to provide assistance in investigating the facts of the accident, etc., pursuant to the provisions of the preceding paragraph, the minister may, when the minister finds it necessary, have officials of the Ministry implement the dispositions prescribed in item (iv) of paragraph (2) of Article 18.

(3) When the Minister of Land, Infrastructure, Transport and Tourism has learned of the occurrence of an accident, etc., the minister must, immediately take appropriate measures for the investigation of facts of the accident, etc. and the collection of items so that the Board may commence investigation of the accident, etc. smoothly.

(4) The Minister of Land, Infrastructure, Transport and Tourism may, when the minister finds it necessary to take the measures set forth in the preceding paragraph, have officials of the Ministry implement the dispositions prescribed in each item of paragraph (2) of Article 18.

(5) The provisions of paragraphs (4) and (5) of Article 18 apply mutatis mutandis to cases where the officials implement disposition pursuant to the provisions of paragraph (2) or the preceding paragraph.

Article 23 Deleted.

(Hearing Comments of Parties Relevant to the Cause)

Article 24 (1) The Board must give an opportunity to the parties relevant to the cause, to state their comments before completing the investigation of the accident, etc.

- (2) The Board may, when it finds it necessary, hold public hearings before completing the investigation of the accident, etc., and hear the opinions on the accident, etc. of persons concerned or experts with relevant expertise.
- (3) The Board must hold the public hearings set forth in the preceding paragraph when an aircraft accident, etc. occurs to an aircraft used for an air transportation services to transport passengers, a railway accident, etc. on railroads or tramroads used for a railway services or tramway services that transport passengers or a marine accident, etc. occurs to a ship used for a marine transportation services that transport passengers, and draws public attention.

(Written Reports)

- Article 25 (1) The Board must prepare a written report on the following particulars on the accident, etc., upon completion of the investigation of the accident, etc., and submit it to the Minister of Land, Infrastructure, Transport and Tourism and make it public.
- (i) the process and progress of the investigation of the accident, etc.;
 - (ii) the findings of facts;
 - (iii) the theoretical basis of the findings of facts;
 - (iv) the causes.
- (2) The opinion of the minority must be appended to the report described in the preceding paragraph.
 - (3) The Board is to report the process and progress of the investigation of the accident, etc., to the Minister of Land, Infrastructure, Transport and Tourism and make it public, even before completing an investigation of accident, etc. , when the minister finds the Board necessary due to the reason that it is expected to be difficult for the Board to complete the investigation of the accident, etc. within one year from the day on which the accident, etc. occurred, etc. .

Chapter IV Recommendations and Statement of Opinions

(Recommendations to the Minister of Land, Infrastructure, Transport and Tourism)

- Article 26 (1) The Board may recommend that the Minister of Land, Infrastructure, Transport and Tourism take measures to prevent aircraft accidents, railway accidents, or marine accidents, etc., or to reduce damages if such accidents occur, when the Board finds it necessary when the investigation of an accident, etc., is completed, based on the results of the investigation.
- (2) The Minister of Land, Infrastructure, Transport and Tourism must report to the Board on the measures which have been taken based on the the

recommendations set forth in the preceding paragraph.

(Recommendations to Parties Relevant to the Cause)

Article 27 (1) The Board may recommend that the parties relevant to the cause take measures to prevent aircraft accidents, etc., railway accidents, etc., or marine accidents, etc., or to reduce damages if such accidents occur, when the Board finds it necessary, when the investigation of an accident, etc. is completed, based on the results of the investigation.

(2) The Board may, when it finds it necessary, request the parties relevant to the cause to report on the measures taken by the parties based on the recommendations set forth in the preceding paragraph.

(3) When the parties relevant to the cause that have received the recommendations set forth in paragraph (1), fail to take measures in accordance with the recommendations without reasonable grounds, the Board may make the fact known to the public.

(Statement of Opinions)

Article 28 The Board may, when it finds it necessary, state its opinions to the Minister of Land, Infrastructure, Transport and Tourism and head of relevant administrative organs, on the measures to prevent aircraft accidents, railway accidents, or marine accidents, etc., or to reduce damages if such accidents occur.

Chapter V Miscellaneous Provisions

(Provision of Information)

Article 28-2 In carrying out the investigation of accident, etc., the Board is to fully consider the sentiments of the victims and their families, or bereaved families, and provide them with information regarding the investigation of the accident, etc., on a timely manner using an appropriate method.

(Cooperation of Relevant Administrative Organs)

Article 28-3 The Board may, when it finds it necessary to carry out the affairs under its jurisdiction, request the head of relevant administrative organs, the head of relevant local governments, the president of relevant incorporated administrative agencies, the president of relevant local incorporated administrative agencies (meaning a local incorporated administrative agency prescribed in paragraph (1) of Article 2 of the Act for Local Incorporated Administrative Agency (Act No. 118 of 2003).), to provide documents or information or request for other necessary cooperation.

(Provisions Governed by Cabinet Orders)

Article 29 In addition to what is provided for in this Act, necessary matters concerning the Board are prescribed by Cabinet Order.

(Prohibition of Disadvantageous Treatment)

Article 30 No person is dismissed or unfavorably treated for reason of accepting disposition prescribed in paragraph (2) or (3) of Article 18, or paragraph (2) or (4) of Article 22.

(Penal Provisions)

Article 31 A person who violates the provisions of paragraph (2) of Article 19 is punished by imprisonment with work for not more than one year or a fine of not more than 500,000 yen.

Article 32 a person who falls under any of the following items is punished by a fine of not more than 300,000 yen:

- (i) a person who makes a false report when the report prescribed in item (i), (ii) or (iii) of paragraph (2) of Article 18, paragraph (3) of that Article or paragraph (4) of Article 22 is collected;
- (ii) a person who refuses, prevents or evades an inspection prescribed in item (iv) of paragraph (2) of Article 18, paragraph (3) of that Article or paragraph (2) or (4) of Article 22, or a person who makes a false statement in answering the questions prescribed in these provisions;
- (iii) a person who makes a false statement in answering the questions prescribed in item (v) of paragraph (2) of Article 18, paragraph (3) of that Article or paragraph (4) of Article 22;
- (iv) a person who fails to submit items in violation of disposition prescribed in item (vi) of paragraph (2) of Article 18, paragraph (3) of that Article, paragraph (4) of Article 22;
- (v) a person who fails to maintain items or relocates them in violation of disposition prescribed in item (vii) of paragraph (2) of Article 18 or paragraph (3) of that Article or paragraph (4) of Article 22.

Article 33 When the representative of a juridical person, a juridical person or the agent of an individual, a worker, or other employee commits a violation set forth in the preceding Article, which relates to the business of the juridical person or the individual, not only the offender but also the juridical person or the individual is punished by the fine prescribed in the preceding Article.

Supplementary Provisions [Extract]

(Effective Date)

- (1) This Act comes into effect on the day specified by Cabinet Order within a period not exceeding three (3) months from the day of its promulgation; provided, however, that the part that must be approved by both Houses of the Diet in paragraph (1) of Article 6 comes into effect on the day of its promulgation:
- (5) Prior laws continue to govern the application of penal provisions regarding conduct in which a person engages prior to the enforcement of this Act.

Supplementary Provisions [Act No. 26 of May 2, 2008] [Extract]

(Effective Date)

Article 1 This Act comes into effect on October 1, 2008; provided, however, that the provisions of paragraph (2) of Article 3 and paragraphs (1) and (2) of Article 5 of Supplementary Provisions come into effect on the day of its promulgation.

(Transitional Measures Concerning Dispositions)

- Article 2 (1) Authorizations, designations and other dispositions or notices and other acts that are carried out by the former national government organs (hereinafter referred to "former organs") listed in the middle column of the following table pursuant to the provisions of the Act prior to amendment by this Act (including orders under this Act; hereinafter referred to "former laws and regulations") are deemed to be authorizations, designations, other dispositions or notices and other acts that are carried out by the equivalent national government organs (hereinafter referred to "new organs" in this Article) listed in the lower column of that table, based on the equivalent provisions of the Act amended by this Act (including orders under this Act; hereinafter referred to as "new laws and regulations") provided for in Cabinet Order, after the enforcement of this Act.
- (2) Applications, notifications, appeals and other acts that are filed with the former organs pursuant to the provisions of the former laws and regulations are deemed to be applications, notifications, appeals and other acts that are filed with the new organs pursuant to the equivalent provisions of the new laws and regulations prescribed by Cabinet Order after the enforcement of this, except for those that are continued to be governed by prior laws pursuant to the provisions of Article 4 of Supplementary Provisions.
 - (3) With regard to particulars which must be notified to or other procedures that are required by the former organs pursuant to the provisions of the former laws and regulations, which are not yet completed by the date on which this Act comes into effect, these are deemed as those for which procedures required

by the new organ pursuant to the equivalent provisions of the new laws and regulations are not completed and the equivalent provisions apply accordingly.

(Transitional Measures for the Partial Amendment to the Act for

Establishment of Aviation and Railway Accidents Investigation Committee)

Article 3 (1) Persons who are the current chairperson or members of the former Aircraft and Railway Accidents Investigation Committee when this Act comes into effect, are deemed to be the chairperson or members of the Japan Transport Safety Board who are appointed on the day of enforcement of this Act pursuant to the provisions of paragraph (1) of Article 8 of the Act for Establishment of the Japan Transport Safety Board amended by the provisions of Article 2 (hereinafter simply referred to as the "Act for Establishment of Japan Transport Safety Board"). In this case, the terms of office of the persons who are deemed to have been appointed are for the same period as their remaining term of office as the chairperson or respective members of the former Aircraft and Railway Accidents Investigation Committee, notwithstanding the provisions of paragraph (1) of Article 9 of the Act for Establishment of the Japan Transport Safety Board.

(2) With regard to members of the Japan Transport Safety Board to be newly appointed for the enforcement of this Act, the procedures required to appoint members under the provisions of paragraph (1) of Article 8 of the Act for Establishment of the Japan Transport Safety Board may be completed even before the enforcement of this Act.

(3) Prior laws continue to govern the obligation of confidentiality of persons who have been the chairperson or members of the Aircraft and Railway Accidents Investigation Committee not to divulge any confidential information learned in the course of their duties, even after the enforcement of the provisions of Article 2.

(4) The provisions of the Act for Establishment of the Japan Transport Safety Board apply to aircraft accidents, etc., and railway accidents, etc., that occurred prior to the enforcement of this Act and to the aircraft accidents, etc., or railway accidents, etc., on which a report is not yet submitted to the Minister of Land, Infrastructure, Transport and Tourism as of that date.

(5) The provisions of the Act for Establishment of the Japan Transport Safety Board apply to marine accidents, that occurred prior to the enforcement of this Act and to the marine accidents, for which a petition for commencement for an inquiry has not yet been filed as of that date.

(Transitional Measures Concerning Penal Provisions)

Article 6 Prior laws continue to govern the application of penal provisions to conduct in which a person engages before the enforcement of this Act and

conduct in which a person engages after the enforcement of this Act, which is continued to be governed by prior laws pursuant to the provisions of paragraph (4) of the preceding Article.

(Provisions Governed by Cabinet Order)

Article 7 In addition to what is provided for in Article 2 through the preceding Article of the Supplementary Provisions, the necessary transitional measures for the enforcement of this Act are prescribed by Cabinet Order.

(Reviews)

Article 9 If the government finds it necessary after taking into account the status of implementation of the provisions amended by this Act, when five (5) years have lapsed since the enforcement of this Act, the government is to conduct a review of expanding functions of the Japan Transport Safety Board in order to further improve the transport safety, etc. and take necessary measures based on the results thereof.