

出資の受入れ、預り金及び金利等の取締りに関する法律

Act Regulating the Receipt of Contributions, the Receipt of Deposits, and Interest Rates

(昭和二十九年六月二十三日法律第百九十五号)

(Act No. 195 of June 23, 1954)

(出資金の受入の制限)

(Restrictions on the Receipt of Contributions)

第一条 何人も、不特定且つ多数の者に対し、後日出資の払いもどしとして出資金の全額若しくはこれをこえる金額に相当する金銭を支払うべき旨を明示し、又は暗黙のうちに示して、出資金の受入をしてはならない。

Article 1 It is prohibited for any person to receive a contribution while indicating or implying to many and unspecified persons that the entire amount of the contribution, or monies equivalent to an amount exceeding the contribution, will be refunded as a reimbursement at a later date.

(預り金の禁止)

(Prohibition on the Receipt of Deposits)

第二条 業として預り金をするにつき他の法律に特別の規定のある者を除く外、何人も業として預り金をしてはならない。

Article 2 (1) It is prohibited for any person other than those whose receipt of deposits on a regular basis is specially provided for in other laws to receive deposits on a regular basis.

2 前項の「預り金」とは、不特定かつ多数の者からの金銭の受入れであつて、次に掲げるものをいう。

(2) The terms "receive deposits" and "receipt of deposits" as set forth in the preceding paragraph means the receipt of monies from many and unspecified persons, as prescribed in the following items:

一 預金、貯金又は定期積金の受入れ

(i) the receipt of deposits, savings, or installment savings;

二 社債、借入金その他いかなる名義をもつてするかを問わず、前号に掲げるものと同様の経済的性質を有するもの

(ii) company bonds, borrowings, or other things under any other name with the same economic nature as what is prescribed in the preceding item.

(浮貸し等の禁止)

(Prohibition of Use of a Position for Lending Purposes)

第三条 金融機関（銀行、信託会社、保険会社、信用金庫、信用金庫連合会、労働金庫、

労働金庫連合会、農林中央金庫、株式会社商工組合中央金庫、株式会社日本政策投資銀行並びに信用協同組合及び農業協同組合、水産業協同組合その他の貯金の受入れを行う組合をいう。)の役員、職員その他の従業者は、その地位を利用し、自己又は当該金融機関以外の第三者の利益を図るため、金銭の貸付け、金銭の貸借の媒介又は債務の保証をしてはならない。

Article 3 An officer, employee, or other workers of a financial institution (meaning a bank, trust company, insurance company, Shinkin Bank, federation of Shinkin Banks, labor bank, federation of labor banks, Norinchukin Bank, Shoko Chukin Bank, Ltd., Development Bank of Japan Inc., and a credit cooperative, agricultural cooperative, fisheries cooperative, or other cooperative that accepts savings) may not lend money, act as an intermediary for the lending or borrowing of money, or guarantee obligations, using their position, in order to promote their own interests or the interests of a third party other than the relevant financial institution.

(金銭貸借等の媒介手数料の制限)

(Restrictions on Fees for Acting as an Intermediary for the Lending or Borrowing of Money)

第四条 金銭の貸借の媒介を行う者は、その媒介に係る貸借の金額の百分の五に相当する金額（当該貸借の期間が一年未満であるものについては、当該貸借の金額に、その期間の日数に応じ、年五パーセントの割合を乗じて計算した金額）を超える手数料の契約をし、又はこれを超える手数料を受領してはならない。

Article 4 (1) A person who acts as an intermediary for the lending or borrowing of money may not conclude a contract to receive a fee exceeding five percent of the amount of money lent in connection with their services (or, if the term of the loan is less than one year, the amount of money calculated by multiplying the amount of the loan by an annual rate of 5 percent, based on the number of days in the term), or accept such a fee.

2 金銭の貸借の保証の媒介を行う者は、その媒介に係る保証の保証料（保証の対価として主たる債務者が保証人に支払う金銭をいう。以下同じ。）の金額の百分の五に相当する金額（当該保証の期間が一年未満であるものについては、当該保証料の金額に、その期間の日数に応じ、年五パーセントの割合を乗じて計算した金額）を超える手数料の契約をし、又はこれを超える手数料を受領してはならない。

(2) A person who acts as an intermediary for guaranteeing the lending or borrowing of money may not conclude a contract to receive a fee exceeding five percent of the amount of the guarantee charge (meaning the money that the principal debtor pays to the guarantor in exchange for the guarantee; the same applies hereinafter) connected with their services (or, if the term of the guarantee is less than one year, the amount of money calculated by multiplying the amount of the guarantee charge by an annual rate of 5 percent, based on the number of days in the term), or accept such a fee.

3 金銭の貸借の媒介を行う者がその媒介に関し受ける金銭は、礼金、調査料その他いかなる名義をもつてするかを問わず、手数料とみなして前二項の規定を適用する。

(3) Money that a person acting as an intermediary for the lending or borrowing of money receives in connection with the mediation, regardless of whether it is termed an honorarium or inspection fee or called by any other name, is deemed to be a fee, and the provisions of the preceding two paragraphs apply.

(高金利の処罰)

(Punishments for High Interest Rates)

第五条 金銭の貸付けを行う者が、年百九・五パーセント（二月二十九日を含む一年については年百九・八パーセントとし、一日当たりについては〇・三パーセントとする。）を超える割合による利息（債務の不履行について予定される賠償額を含む。以下同じ。）の契約をしたときは、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。当該割合を超える割合による利息を受領し、又はその支払を要求した者も、同様とする。

Article 5 (1) If a person lending money has concluded a contract to receive an annual interest (including an amount of liquidated damages for failure to perform an obligation; the same applies hereinafter) exceeding 109.5 percent (or for a year that includes February 29, 109.8 percent, and 0.3 percent per day), the person is subject to imprisonment with work for not more than five years, a fine of not more than 10,000,000 yen, or both. The same applies to a person that has received or demanded interest in excess of this rate.

2 前項の規定にかかわらず、金銭の貸付けを行う者が業として金銭の貸付けを行う場合において、年二十パーセントを超える割合による利息の契約をしたときは、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。その貸付けに関し、当該割合を超える割合による利息を受領し、又はその支払を要求した者も、同様とする。

(2) Notwithstanding the provisions of the preceding paragraph, if a person lending money on a regular basis has concluded a contract to receive an annual interest exceeding 20 percent, the person is subject to imprisonment with work for not more than five years, a fine of not more than 10,000,000 yen, or both. The same applies to a person that has received or demanded interest in excess of this rate in connection with the loan.

3 前二項の規定にかかわらず、金銭の貸付けを行う者が業として金銭の貸付けを行う場合において、年百九・五パーセント（二月二十九日を含む一年については年百九・八パーセントとし、一日当たりについては〇・三パーセントとする。）を超える割合による利息の契約をしたときは、十年以下の懲役若しくは三千万円以下の罰金に処し、又はこれを併科する。その貸付けに関し、当該割合を超える割合による利息を受領し、又はその支払を要求した者も、同様とする。

(3) Notwithstanding the provisions of the preceding two paragraphs, if a person lending money on a regular basis has concluded a contract to receive an annual

interest exceeding 109.5 percent (or for a year that includes February 29, 109.8 percent, and 0.3 percent per day), the person is subject to imprisonment with work for not more than 10 years, a fine of not more than 30,000,000 yen, or both. The same applies to a person that has received or demanded interest in excess of this rate in connection with the loan.

(高保証料の処罰)

(Punishments for High Guarantee Rates)

第五条の二 金銭の貸付け（金銭の貸付けを行う者が業として行うものに限る。以下この条及び次条において同じ。）の保証（業として行うものに限る。以下この条及び次条において同じ。）を行う者が、当該保証に係る貸付けの利息と合算して当該貸付けの金額の年二十パーセントを超える割合となる保証料の契約をしたときは、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。当該割合を超える割合となる保証料を受領し、又はその支払を要求した者も、同様とする。

Article 5-2 (1) If a person who guarantees money loans (limited to guarantees undertaken on a regular basis; hereinafter the same applies in this Article and the following Article) (limited to loans that a person lending the money lends on a regular basis; hereinafter the same applies in this Article and the following Article) has concluded a contract to receive an annual guarantee charge that, combined with the annual interest on the loan being guaranteed, exceeds 20 percent of the amount of the loan, the person is subject to imprisonment with work for not more than five years, a fine of not more than 10,000,000 yen, or both. The same applies to a person that has received or demanded a guarantee charge in excess of this rate.

2 前項の保証に係る貸付けの利息が利息の契約時以後変動し得る利率（次条第二項において「変動利率」という。）をもつて定められる場合における前項の規定の適用については、次の各号に掲げる場合に応じ、当該各号に定める割合を貸付けの利息の割合とみなす。

(2) With regard to the application of the provisions set forth in the preceding paragraph to a case in which the interest on a loan being guaranteed is determined by an interest rate that could change after the time that the contract on the interest rate is concluded (referred to as a "floating interest rate" in paragraph (2) of the following Article), the rate provided in each of the following items is deemed to be the interest rate of the loan for the case set forth in the relevant item:

一 当該保証に際し、当該貸付けの債権者と保証人の合意により利息制限法（昭和二十九年法律第百号）第八条第二項第一号に規定する特約上限利率（以下この条及び次条において「特約上限利率」という。）の定めをし、かつ、債権者又は保証人が主たる債務者に当該定めを通知した場合 当該特約上限利率

(i) if an agreed maximum interest rate pursuant to the provisions of Article 8, paragraph (2), item (i) of the Interest Rate Restriction Act (Act No. 100 of

1954) (referred to as "agreed maximum interest rate" in this Article and the following Article) has been stipulated by the agreement between the obligee and the guarantor of the loan at the time of the guarantee, and the obligee or the guarantor has notified the principal debtor of this stipulation: the agreed maximum interest rate; and

二 前号に掲げる場合以外の場合 年十パーセント

(ii) in cases other than those set forth in the preceding item: 10 percent per annum.

3 第一項の保証が、元本極度額（保証人が履行の責任を負うべき主たる債務の元本の上限の額をいう。以下この項及び次条第三項において同じ。）及び元本確定期日（主たる債務の元本の確定すべき期日（確定日に限る。）をいう。以下この項及び次条第三項において同じ。）の定めがある根保証（一定の範囲に属する不特定の債務を主たる債務とする保証をいう。以下この項及び次条第三項において同じ。）であつて、その主たる債務者が個人（保証の業務に関して行政機関の監督を受ける者として政令で定める者が保証人である場合に限る。）又は法人である場合（債権者が法令の規定により業として貸付けを行うことができない者である場合及び利息制限法第八条第五項に規定する場合を除く。）における第一項の規定の適用については、次の各号に掲げる場合に応じ、当該各号に定める割合を貸付けの利息の割合とみなす。この場合においては、元本極度額を貸付けの金額と、元本確定期日を返済期日としてその計算をするものとする。

(3) With regard to the application of the provisions of paragraph (1) to a case in which the guarantee under the same paragraph is a revolving guarantee (meaning a guarantee with a primary obligation comprising one or more unidentified obligations of a certain specified scope; hereinafter the same applies in this paragraph and paragraph (3) of the following Article) for which the maximum amount of principal (meaning the maximum amount of principal comprising the primary obligation whose performance the guarantor is liable for; hereinafter the same applies in this paragraph and paragraph (3) of the following Article) and the principal determination date (meaning the date on which the principal that constitutes the primary obligation is to be determined (limited to the fixed date); hereinafter the same applies in this paragraph and paragraph (3) of the following Article) are stipulated, and in which the primary debtor is an individual (limited to the case where the guarantor is a person specified by Cabinet Order as being supervised by an administrative organ with regard to business activities for guarantees) or a corporation (excluding when the obligee is a person that is unable to provide loans on a regular basis pursuant to the provisions of laws and regulations and excluding the cases prescribed in Article 8, paragraph (5) of the Interest Rate Restriction Act), the rate provided in each of the following items is deemed to be the interest rate of the loan for the case set forth in the relevant item. In this case, the interest is calculated by deeming the maximum amount of principal to be the amount of

the loan and the principal determination date to be the date of repayment:

一 当該根保証に際し、当該貸付けの債権者と保証人の合意により特約上限利率の定めをし、かつ、債権者又は保証人が主たる債務者に当該定めを通知した場合 当該特約上限利率

(i) if an agreed maximum interest rate has been stipulated by the agreement between the obligee and the guarantor of the loan at the time of the revolving guarantee, and the obligee or the guarantor has notified the principal debtor of this stipulation: the agreed maximum interest rate; and

二 前号に掲げる場合以外の場合 年十パーセント

(ii) in cases other than those set forth in the preceding item: 10 percent per annum.

4 金銭の貸付けに保証を行う他の保証人がある場合における前三項の規定の適用については、第一項中「貸付けの利息」とあるのは、「貸付けの利息及び他の保証人が契約し、又は受領した保証料」とする。

(4) With regard to the application of the provisions set forth in the preceding three paragraphs to the case where another guarantor is also guaranteeing the money loan, the term "the interest on the loan being guaranteed" in paragraph (1) is deemed to be replaced by "the interest on the loan being guaranteed and the guarantee charge that the other guarantor has concluded a contract for or has received."

(保証料がある場合の高金利の処罰)

(Punishments for High Interest Rates When There Are Guarantee Charges)

第五条の三 金銭の貸付けを行う者が、当該貸付けに係る保証料の契約の後に当該貸付けの利息を増加する場合において、その保証料と合算して年二十パーセントを超える割合となる利息（年二十パーセントを超える割合のものを除く。）の契約をしたときは、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。その貸付けに関し、当該割合を超える割合となる利息を受領し、又はその支払を要求した者も、同様とする。

Article 5-3 (1) If a person lending money has increased the interest on a loan after concluding a contract for the guarantee charge for the loan, and has concluded a contract to receive annual interest (excluding annual interest exceeding 20 percent) that, combined with the guarantee charge, exceeds 20 percent, the person is subject to imprisonment with work for not more than five years, a fine of not more than 10,000,000 yen, or both. The same applies to a person that has received or demanded interest in excess of this rate in connection with the loan.

2 金銭の貸付けを行う者が、保証があり、かつ、変動利率をもつて利息が定められる貸付けを行う場合において、次の各号に掲げる場合に応じ、当該各号に定める割合を超える割合による利息（年二十パーセントを超える割合のものを除く。）の契約をしたときは、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。

その貸付けに関し、当該割合を超える割合による利息を受領し、又はその支払を要求した者も、同様とする。

(2) If a person lending money has provided a guaranteed loan whose interest is determined by a floating interest rate, and has concluded a contract for interest (excluding annual interest exceeding 20 percent) that exceeds the rate provided in either of the following items for the case set forth in the relevant items, the person is subject to imprisonment with work for not more than five years, a fine of not more than 10,000,000 yen, or both. The same applies to a person that has received or demanded interest in excess of this rate in connection with the loan:

一 当該保証に際し、当該貸付けの債権者と保証人の合意により特約上限利率の定めをし、かつ、債権者又は保証人が主たる債務者に当該定めを通知した場合 当該特約上限利率

(i) if an agreed maximum interest rate has been stipulated by the agreement between the obligee and the guarantor of the loan at the time of the guarantee, and the obligee or the guarantor has notified the principal debtor of this stipulation: the agreed maximum interest rate; and

二 前号に掲げる場合以外の場合 年十パーセント

(ii) in cases other than those set forth in the preceding item: 10 percent per annum.

3 金銭の貸付けを行う者が、根保証（元本極度額及び元本確定期日の定めのあるものに限る。）のある金銭の貸付けを行う場合において、次の各号に掲げる場合に応じ、当該各号に定める割合を超える割合による利息（年二十パーセントを超える割合のものを除く。）の契約をしたときは、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。その貸付けに関し、当該割合を超える割合による利息を受領し、又はその支払を要求した者も、同様とする。

(3) If a person lending money has provided a loan with a revolving guarantee (limited to a revolving guarantee for which the maximum amount of principal and the principal determination date have been stipulated) and has concluded a contract for interest (excluding annual interest exceeding 20 percent) that exceeds the rate provided in either of the following items for the case set forth in the relevant items, the person is subject to imprisonment with work for not more than five years, a fine of not more than 10,000,000 yen, or both. The same applies to a person that has received or demanded interest in excess of this rate in connection with the loan:

一 当該根保証に際し、当該貸付けの債権者と保証人の合意により特約上限利率の定めをし、かつ、債権者又は保証人が主たる債務者に当該定めを通知した場合 当該特約上限利率

(i) if an agreed maximum interest rate has been stipulated by the agreement between the obligee and the guarantor of the loan at the time of giving the revolving guarantee, and the obligee or the guarantor has notified the

principal debtor of this stipulation: the agreed maximum interest rate; and
二 前号に掲げる場合以外の場合 年十パーセント
(ii) in cases other than those set forth in the preceding item: 10 percent per
annum.

(利息及び保証料の計算方法)

(Method of Calculating Interest and Guarantee Charges)

第五条の四 前三条の規定の適用については、貸付け又は保証の期間が十五日未満であるときは、これを十五日として利息又は保証料の計算をするものとする。

Article 5-4 (1) With regard to the application of the provisions of the preceding three Articles, if the term of a loan or guarantee is less than 15 days, the interest or guarantee charge is calculated by deeming this term to be 15 days.

2 前三条の規定の適用については、利息を天引きする方法による金銭の貸付けにあつては、その交付額を元本額として利息の計算をするものとする。

(2) With regard to the application of the provisions of the preceding three Articles, if interest is deducted in advance from the money being lent, the interest is calculated by deeming the amount the borrower has actually received to be the principal.

3 前三条の規定の適用については、一年分に満たない利息を元本に組み入れる契約がある場合においては、元利金のうち当初の元本を超える金額を利息とみなす。

(3) With regard to the application of the provisions of the preceding three Articles, if the contract incorporates less than one year's worth of interest into the principal, the interest is deemed to be the amount of money out of the incorporated principal and interest that exceeds the original principal.

4 前三条の規定の適用については、金銭の貸付けを行う者がその貸付けに関し受ける金銭は、次に掲げるものを除き、礼金、手数料、調査料その他いかなる名義をもつてするかを問わず、利息とみなす。貸し付けられた金銭について支払を受領し、又は要求する者が、その受領又は要求に関し受ける元本以外の金銭についても、同様とする。

(4) With regard to the application of the provisions of the preceding three Articles, except for the following types of money, money that the person lending money receives in connection with the loan, whether it is termed an honorarium, fee, or inspection fee or called by any other name, is deemed to be the interest. The same applies to money other than the principal that the person accepting or demanding payment with regard to monies lent receives in connection with that acceptance or demand.

一 契約の締結又は債務の弁済の費用であつて、次に掲げるもの

(i) the following expenses for concluding a contract or for performing obligations:

イ 公租公課の支払に充てられるべきもの

(a) money that must be allocated for payment of taxes and other public charges;

ロ 強制執行の費用、担保権の実行としての競売の手続の費用その他公の機関が行う手続に関してその機関に支払うべきもの

(b) costs for compulsory execution, costs for auction procedures as an exercise of the security right, or other costs payable to a public agency for procedures carried out by the public agency;

ハ 貸付けの相手方が貸付けに係る金銭の受領又は弁済のために利用する現金自動支払機その他の機械の利用料（政令で定める額の範囲内のものに限る。）

(c) charges for using a cash dispenser or any other machine whereby the counterparty to the loan receives money or makes performance in connection with the loan (limited to charges that are within the scope of the amount specified by Cabinet Order);

ニ 金銭の貸付け及び弁済に用いるために交付されたカードの再発行に係る手数料その他の貸付けの相手方の要請により貸付けを行う者が行う事務の費用として政令で定めるもの

(ii) reissuance fees for a card issued for use in lending money and performance, and other costs specified by Cabinet Order as being related to affairs carried out by the person lending money at the request of the counterparty to the loan.

5 前項の規定は、保証を行う者がその保証に関し受ける金銭及び保証料の支払を受領し、又は要求する者がその受領又は要求に関し受ける金銭について準用する。この場合において、同項中「前三条」とあるのは「前二条」と、「利息」とあるのは「保証料」と読み替える。

(5) The provisions of the preceding paragraph apply mutatis mutandis to the money a person guaranteeing a money loan receives in connection with the guarantee and to the money a person accepting or demanding payment with regard to a loan receives in connection with the acceptance or demand. In this case, the terms "preceding three Articles" and "interest" in that paragraph are deemed to be replaced with "preceding two Articles" and "guarantee charge," respectively.

(物価統制令との関係)

(Relationship to the Price Control Order)

第六条 金銭の貸付けについての利息及び保証料並びに金銭の貸借及び保証の媒介についての手数料に関しては、物価統制令（昭和二十一年勅令第百十八号）第九条ノ二（不当高価契約等の禁止）の規定は、適用しない。

Article 6 With regard to the interest of money loans and guarantee charges, as well as fees for the mediation of money loans and guarantees, the provisions of Article 9-2 (Prohibition of Contracts at Unreasonably High Prices) of the Price Control Order (Imperial Order No. 118 of 1946) do not apply.

(金銭の貸付け等とみなす場合)

(Cases Deemed to Be Loans of Money)

第七条 第三条から前条までの規定の適用については、手形の割引、売渡担保その他これらに類する方法によつてする金銭の交付又は授受は、金銭の貸付け又は金銭の貸借とみなす。

Article 7 With regard to the application of the provisions of Article 3 through the preceding Article, the delivery or receipt of money by the discount of negotiable instruments, provision of collateral by sale, or any similar means is deemed to be a loan of money.

(その他の罰則)

(Other Penal Provisions)

第八条 いかなる名義をもつてするかを問わず、また、いかなる方法をもつてするかを問わず、第五条第一項若しくは第二項、第五条の二第一項又は第五条の三の規定に係る禁止を免れる行為をした者は、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 8 (1) A person who has performed an act to evade the prohibition prescribed in the provisions of Article 5, paragraph (1) or paragraph (2), Article 5-2, paragraph (1), or Article 5-3, regardless of the name in which or the means by which the person has done so, is subject to imprisonment with work for not more than five years, a fine of not more than 10,000,000 yen, or both.

2 いかなる名義をもつてするかを問わず、また、いかなる方法をもつてするかを問わず、第五条第三項の規定に係る禁止を免れる行為をした者は、十年以下の懲役若しくは三千万円以下の罰金に処し、又はこれを併科する。

(2) A person who has performed an act to evade the prohibition prescribed in the provisions of Article 5, paragraph (3), regardless of the name in which or the means by which the person has done so, is subject to imprisonment with work for not more than 10 years, a fine of not more than 30,000,000 yen, or both.

3 次の各号のいずれかに該当する者は、三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。

(3) A person who falls under either of the following items is subject to imprisonment with work for not more than three years, a fine of not more than 3,000,000 yen, or both:

一 第一条、第二条第一項、第三条又は第四条第一項若しくは第二項の規定に違反した者

(i) a person who has violated the provisions of Article 1, Article 2, paragraph (1), Article 3, or Article 4, paragraph (1) or paragraph (2); or

二 いかなる名義をもつてするかを問わず、また、いかなる方法をもつてするかを問わず、前号に掲げる規定に係る禁止を免れる行為をした者

(ii) a person who has performed an act to evade the prohibition set forth in the preceding item, regardless of the name in which or the means by which the person has done so.

4 前項の規定中第一条及び第三条に係る部分は、刑法（明治四十年法律第四十五号）に正条がある場合には、適用しない。

(4) The part of the provisions set forth in the preceding paragraph pertaining to Article 1 and Article 3 do not apply when there are applicable provisions in the Penal Code (Act No.45 of 1907).

第九条 法人（法人でない社団又は財団で代表者又は管理人の定めのあるものを含む。以下この項及び次項において同じ。）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法人又は人の業務又は財産に関して次の各号に掲げる規定の違反行為をしたときは、その行為者を罰するほか、その法人に対して当該各号に定める罰金刑を、その人に対して各本条の罰金刑を科する。

Article 9 (1) If the representative of a corporation (including an unincorporated association or foundation that has rules concerning the representative or administrator; hereinafter the same applies in this paragraph and the following paragraph) or the agent, employee, or any other worker of a corporation or individual has committed a violation set forth in any of the following items with regard to the business or assets of the corporation or individual, in addition to the punishment to which the offender is subject, the corporation is subject to the fine set forth in the relevant item and the individual is subject to the fine prescribed in the relevant Article:

一 第五条第一項若しくは第二項、第五条の二第一項、第五条の三又は前条第一項 三千万円以下の罰金刑

(i) Article 5, paragraph (1) or paragraph (2), Article 5-2, paragraph (1), Article 5-3, or paragraph (1) of the preceding Article: a fine of not more than 30,000,000 yen;

二 第五条第三項又は前条第二項 一億円以下の罰金刑

(ii) Article 5, paragraph (3) or paragraph (2) of the preceding Article: a fine of not more than 100,000,000 yen;

三 前条第三項（第三条に係る部分を除く。） 同項の罰金刑

(iii) paragraph (3) of the preceding Article (excluding the part pertaining to Article 3): the fine prescribed in that paragraph.

2 前項の規定により第五条第一項から第三項まで、第五条の二第一項、第五条の三又は前条第一項若しくは第二項の違反行為につき法人又は人に罰金刑を科する場合における時効の期間は、これらの規定の罪についての時効の期間による。

(2) The period of statute of limitations for a case in which a fine is imposed on a corporation or an individual for a violation under Article 5, paragraphs (1) through (3), Article 5-2, paragraph (1), Article 5-3, or paragraph (1) or paragraph (2) pursuant to the provisions of the preceding paragraph is the period of statute of limitations for the crimes in those provisions.

3 第一項の規定により法人でない社団又は財団を処罰する場合には、その代表者又は管理人がその訴訟行為につきその社団又は財団を代表するほか、法人を被告人

とする場合の刑事訴訟に関する法律の規定を準用する。

- (3) If an unincorporated association or foundation is punished pursuant to the provisions of paragraph (1), the representative or administrator thereof represents the organization for the procedural act, and the provisions of laws on criminal procedure for a case in which a corporation is the accused apply *mutatis mutandis*.