

Act on Punishment of Financing of Offences of Public Intimidation

(Act No. 67 of June 12, 2002)

(Definition)

Article 1 (1) The term "act of public intimidation" as used in this Act means any of the following criminal acts carried out with the aim of intimidating the public, national or local governments, or foreign governments and other entities (meaning foreign national or local governments, or international organizations established pursuant to treaties or other international agreements):

- (i) killing a person, causing bodily injury by using a weapon or any other methods to cause serious bodily harm, kidnapping by force or enticement, or taking of hostages;
- (ii) the following acts related to an aircraft or a ship:
 - (a) crashing, overturning, or sinking an aircraft in flight, or causing danger to its flight by any other method;
 - (b) sinking or overturning a ship in navigation, or causing danger to its navigation by any other method;
 - (c) seizing or exercising total control over an aircraft in flight or a ship in navigation by act of assault or intimidation, or by any other method which causes an inability to resist;
 - (d) destroying or seriously damaging an aircraft or a ship by detonating an explosive, arson or any other method;
- (iii) destroying or causing serious damage to any of the following by detonating an explosive, arson or any other methods which are likely to cause serious harm:
 - (a) a train, a motor-vehicle or other vehicle which is used for the transportation of persons or cargo and for official business or the benefit of the public, or a facility which is used for the operation of these vehicles (except for facilities which come under sub-item (b));
 - (b) a road, a park, a station or similar facility which is used for the benefit of the public;
 - (c) a facility providing services such as electricity, gas, water, sewage or communications services for official business or the benefit of the public;
 - (d) a facility producing, refining or processing, transporting, or storing materials such as oil, flammable natural gas, coal, nuclear fuel or its raw material;
 - (e) a building (excluding facilities which come under any of sub-items (a)

through (d)).

(2) The term "specified act" as used in this Act means any of the following criminal acts:

- (i) killing an internationally protected person (meaning an internationally protected person as provided for in Article 1, paragraph (1) of the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents; the same applies in item (v)), causing bodily injury by using a weapon or any other methods that cause serious bodily harm, kidnapping by force or enticement, or taking of hostages;
- (ii) any of the following acts that kill a person or cause bodily injury by using a weapon or any other methods that cause serious bodily harm (except for acts which come under the preceding item):
 - (a) any action taken against a person in a civil aircraft (meaning an aircraft used for civil aviation; the same applies hereinafter in this paragraph) in flight (the action in question is limited to an action that is likely to endanger the safe flight of that civil aircraft);
 - (b) any action taken against a person on a civil ship (meaning a ship other than that used for official business; the same applies hereinafter in this paragraph) in navigation (the action in question is limited to an action that is likely to endanger the safe navigation of that civil ship);
 - (c) any action that takes place at an international airport (meaning an airport used for international air transport services as provided for in Article 2, paragraph (19) of the Civil Aeronautics Act (Act No. 231 of 1952) or an equivalent airport in a foreign country; the same applies hereinafter in this (c) and item (viii), (b)) (the action in question is limited to an action that is likely to endanger the safety at that international airport);
 - (d) any action that takes place on a fixed platform (meaning a fixed platform as provided for in Article 1, paragraph (3) of the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf; the same applies hereinafter in this (d) and item (x), (c)) (the action in question is limited to an action that is likely to endanger the safety of that fixed platform);
- (iii) killing a person or causing bodily injury in a public facility or public transportation (meaning those stated in (a) through (d) of item (iii) of the preceding paragraph, those stated in (e) of that item (limited to those used for official business or the benefit of the public), or an aircraft or a ship used for the transportation of persons or goods for official business or the benefit of the public) by any of the following methods (except for acts which come under the preceding two items):
 - (a) detonating an explosive;

- (b) using a Molotov cocktail as provided for in Article 1 of the Act on Punishment of Use and Others of Molotov Cocktails (Act No. 17 of 1972);
- (c) using a biological weapon as provided for in Article 2, paragraph (3) of the Act for Implementation of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction and the Other Conventions (Act No. 61 of 1982) or a toxin weapon as provided for in paragraph (4) of that Article to release a biological agent as provided for in paragraph (1) of that Article or a toxin as provided for in paragraph (2) of that Article loaded in those biological weapons or toxin weapons;
- (d) using a chemical weapon as provided for in Article 2, paragraph (2) of the Act on Prohibition of Chemical Weapons and Regulation of Specific Chemicals (Act No. 65 of 1995) to release a toxic substance as provided for in paragraph (1) of that Article or a substance having equivalent toxicity loaded in those chemical weapons or generated inside those chemical weapons;
- (e) releasing sarin and similar substances as provided for in Article 2 of the Act on Prevention of Bodily Harm by Sarin and Similar Substances (Act No. 78 of 1995);
- (iv) killing a person or causing bodily injury by a method of releasing radiation or conducting other similar actions (meaning a method of causing a nuclear fission chain reaction of nuclear fuel material (meaning nuclear fuel material as provided for in Article 2, paragraph (1) of the Act on Punishment of Conduct Endangering Human Life by Generating Radiation (Act No. 38 of 2007)) or releasing radiation (meaning radiation as provided for in paragraph (2) of that Article) by recklessly handling radioactive materials (meaning radioactive materials as provided for in Article 2, paragraph (3) of that Act) or by recklessly operating nuclear fission equipment (meaning nuclear fission equipment as provided for in paragraph (4) of that Article), or by using any other unreasonable method; the same applies in item (ix)) (except for acts which come under the items (i) and (ii));
- (v) acts stated in (a) through (e) below, which are committed in connection with the objects as provided for in (a) through (e) below that are used for an internationally protected person, and are likely to cause harm to the body or freedom of that internationally protected person:
 - (a) acts stated in item (ii), (a) of the preceding paragraph: an aircraft as provided for in (a) of that item;
 - (b) acts stated in item (ii), (b) of the preceding paragraph: a ship as provided for in (b) of that item;
 - (c) acts stated in item (ii), (c) of the preceding paragraph: an aircraft or a ship as provided for in (c) of that item;

- (d) acts stated in item (ii), (d) of the preceding paragraph: an aircraft or a ship as provided for in (d) of that item;
- (e) acts stated in item (iii) of the preceding paragraph (limited to the part relating to (a), (b) or (e) of that item): objects stated in (a), (b) or (e) of that item;
- (vi) acts stated in (a) or (c) of item (ii) of the preceding paragraph, which are committed in connection with a civil aircraft (except for acts which come under the preceding item (limited to the part relating to (a) and (c) of the preceding item));
- (vii) acts stated in (b) or (c) of item (ii) of the preceding paragraph, which are committed in connection with a civil ship (except for acts which come under the item (v) (limited to the part relating to (b) and (c) of the preceding item));
- (viii) acts stated in item (ii), (d) of the preceding paragraph, which come under any of the followings (except for acts which come under item (v) (limited to the part relating to (d) of that item));
 - (a) acts committed in connection with a civil aircraft which is deemed to be a civil aircraft in service pursuant to Article 2, item (b) of the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (the aircraft in question is referred to as a "civil aircraft in service" in (b));
 - (b) acts committed in connection with civil aircraft (except for an aircraft which comes under the category of a civil aircraft in service) located at an international airport (limited to those that are likely to endanger the safety at that international airport);
 - (c) acts committed in connection with a civil ship in navigation;
- (ix) acts stated in item (ii), (d) of the preceding paragraph or item (iii) of that paragraph, which are committed by a method of releasing radiation or conducting other similar actions (except for acts that come under item (v) (limited to the part relating to (d) and (e) of that paragraph) and those which come under the preceding item);
- (x) acts that destroy or cause serious damage to any of the objects stated in (a) through (c) below by detonating explosives, arson, or any other means which are likely to cause serious harm to those objects, and that have any of the risks as provided for in the (a) through (c) below;
 - (a) aerodrome facilities or air navigation facilities used for the operation of a civil aircraft: a risk of endangering the safe flight of a civil aircraft;
 - (b) navigation aids used for the navigation of a civil ship (meaning the navigation aids as provided for in Article 1, paragraph (2) of the Navigation Aids Act (Act No. 99 of 1949)): a risk of endangering the safe navigation of a civil ship;
 - (c) fixed platforms: a risk of endangering the safety of those fixed platforms.

(Collection of Funds or Other Benefits by a Person who Intends to Commit an Act of Public Intimidation or Other Specified Act)

- Article 2 (1) If a person who intends to commit an act of public intimidation or a specified act has funds or other benefits that may contribute to its commission of the act in question (those benefits mean benefits other than funds including, but not limited to, land, building, goods and service; the same applies hereinafter) provided to that person by inducing or requesting the provision of those funds or benefits or by any other method in order to utilize those funds or benefits for committing the act in question is to be punished by imprisonment for not more than 12 years or a fine of not more than 12,000,000 yen, or both.
- (2) Any person who attempts to commit the offence referred to in the preceding paragraph is also to be punished.

(Provision of Funds or Other Benefits and Other Related Activities by a Person Other Than Those who Intend to Commit an Act of Public Intimidation or Other Specified Act)

- Article 3 (1) Any person who, with the aim of facilitating the commission of an act of public intimidation or other specified act, provides another who intends to commit that act with funds or other benefits that may contribute to its commission is to be punished by imprisonment for not more than 12 years or a fine of not more than 12,000,000 yen.
- (2) Any person who, with the aim of facilitating the commission of an act of public intimidation or other specified act, provides another who intends to commit the offence referred to in the preceding paragraph in connection with the act of public intimidation or other specified act with funds or other benefits that may contribute to the commission of the act is to be punished by imprisonment for not more than 10 years or a fine of not more than 10,000,000 yen. If a person who intends to commit the offence referred to in the preceding paragraph in connection with the act of public intimidation or other specified act accepts those funds or other benefits with the aim of utilizing them for committing the offence is to be punished by imprisonment for not more than 10 years or a fine of not more than 10,000,000 yen, or both.
- (3) Beyond what is provided for in the second sentence of the preceding paragraph, if a person who intends to commit the offence referred to in paragraph (1) has funds or other benefits that may contribute to the commission of the offence provided to that person by inducing or requesting the provision of those funds or benefits or by any other method, in order to utilize those funds or benefits for committing the offense, is to be punished by imprisonment for not more than 7 years or a fine of not more than 7,000,000 yen, or both.
- (4) Any person who attempts to commit the offence referred to in the preceding

three paragraphs is also to be punished.

Article 4 (1) Any person who provides another who intends to commit the offence referred to in paragraph (1) of the preceding Article with funds or other benefits that may contribute to the commission of the offence, in order to facilitate its commission, is to be punished by imprisonment for not more than 7 years or a fine of not more than 7,000,000 yen.

(2) Any person who attempts to commit the offence referred to in the preceding paragraph is also to be punished.

Article 5 (1) Beyond what is provided for in the preceding two Articles, any person who provides funds or other benefits, with the intention or the knowledge that such funds or other benefits could be used for commission of an act of public intimidation or other specified act, is to be punished by imprisonment for not more than 5 years or a fine of not more than 5,000,000 yen.

(2) Beyond what is provided for in Article 3, any person who, by inducing or requesting the provision of funds or other benefits, or by any other methods, has such funds or other benefits provided with the intention or the knowledge that such funds or other benefits could be used for the commission of an act of public intimidation or other specified act, is to be punished by imprisonment for not more than 5 years or a fine of not more than 5,000,000 yen, or both.

(3) Any person who attempts to commit the offence referred to in the preceding two paragraphs is also to be punished.

(Surrender)

Article 6 Punishment of a person who has committed any of the offences referred to in Articles 2 through 5 and surrenders to the authorities concerned before the commencement of an act of public intimidation or other specified act related to the relevant offence is to be reduced or waived.

(Offences Committed Outside Japan)

Article 7 The offences referred to in Articles 2 through 5 are to be dealt with according to the provisions of Articles 3 and 4-2 of the Penal Code (Law No. 45 of 1907).

(Dual Criminal Liability Provisions)

Article 8 If a representative of a corporation, or an agent, employee or any other worker of a corporation or person has committed any of the offences stated in Articles 2 through 5 with regard to the business of that corporation or person, in addition to the offender being subject to punishment, the corporation or

person is to be punished by the fine prescribed in the relevant Article.