

# Act on the Prevention of Spousal Violence and the Protection of Victims

(Act No. 31 of April 13, 2001)

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As respect for individuality and equality under law is stipulated in the Constitution of Japan, efforts have been made in Japan for the protection of human rights and the realization of equality between women and men.

Nevertheless, even though spousal violence constitutes a serious violation of human rights that can involve criminal acts, efforts to help victims have not always been adequate. In addition, the majority of victims of spousal violence are women. When women who find it difficult to achieve economic self-reliance are subject to violence from their spouses, it adversely affects respect for individuality and impedes the realization of equality between women and men.

In order to improve these conditions and to achieve the protection of human rights and the realization of equality between women and men, measures to prevent spousal violence and protect victims need to be established. This action is also in line with efforts taken by the international community to eradicate violence against women.

This Act has been established in order to prevent spousal violence and protect victims through the establishment of a system to deal with spousal violence, providing for notification, counseling, protection, and support for self-reliance, etc.

## **Chapter I General Provisions**

### **(Definitions)**

- Article 1 (1) The term "spousal violence" as used in this Act means physical violence caused by one spouse (illegal physical attacks that threaten the other spouse's life or person; the same applies hereinafter) or words and deeds by one spouse that cause the same level of psychological or physical harm to the other spouse (hereinafter collectively referred to as "physical violence, etc." in this paragraph and Article 28-2), and includes cases where a spouse has, subsequent to being subjected to physical violence, etc. by the other spouse, obtained a divorce or annulment of marriage but continues to be subjected to physical violence, etc. by the former spouse.
- (2) The term "victim" as used in this Act means a person who has been subjected to spousal violence.
- (3) The term "spouse" as used in this Act includes persons who are in a de facto state of marriage that has not been legally registered. The term "divorce" includes the circumstances of persons who were in a de facto state of marriage that was not legally registered, and whose situation has changed to a de facto state of divorce.

### **(Responsibilities of the National Government and Local Public Entities)**

- Article 2 The national government and local public entities have the responsibility of preventing spousal violence and protecting victims (including supporting their self-reliance; the same applies hereinafter).

## **Chapter I-2 Basic Policy and Prefectural Basic Plans**

### **(Basic Policy)**

- Article 2-2 (1) The Prime Minister, the National Public Safety Commission, the Minister of Justice, and the Minister of Health, Labour and Welfare (hereinafter collectively referred to as the "competent ministers" in this Article and paragraph (5) of the following Article) must establish a basic policy concerning measures for the prevention of spousal violence and the protection of victims (hereinafter the "basic policy" in this Article and paragraphs (1) and (3) of the following Article).
- (2) The basic policy is to establish guidelines for the prefectural basic plans set forth in paragraph (1) of the following Article and the municipal basic plans set forth in paragraph (3) of the same Article with regard to the following matters:
- (i) basic matters related to the prevention of spousal violence and the protection of victims;
  - (ii) matters related to the contents of measures for the prevention of spousal

- violence and the protection of victims;
- (iii) matters related to coordination and cooperation among the national government, local public entities, and private-sector organizations necessary to implement measures for the prevention of spousal violence and the protection of victims; and
  - (iv) beyond what is set forth in the preceding three items, important matters related to measures for the prevention of spousal violence and the protection of victims.
- (3) When establishing or revising the basic policy, the competent ministers must consult in advance with the heads of the relevant administrative organs.
- (4) Upon establishing or revising the basic policy, the competent ministers must publicize it without delay.

(Prefectural Basic Plans)

- Article 2-3 (1) In line with the basic policy, prefectures must establish their own basic plans concerning the implementation of measures for the prevention of spousal violence and the protection of victims within their jurisdiction (hereinafter "prefectural basic plans" in this Article).
- (2) Prefectural basic plans are to provide the following matters:
- (i) a basic policy for the prevention of spousal violence and the protection of victims;
  - (ii) matters related to the details of implementing measures for the prevention of spousal violence and the protection of victims;
  - (iii) matters related to coordination and cooperation among the prefecture, relevant local public entities, and private-sector organizations necessary to implement measures for the prevention of spousal violence and the protection of victims; and
  - (iv) beyond what is set forth in the preceding three items, important matters related to the implementation of measures for the prevention of spousal violence and the protection of victims.
- (3) In line with the basic policy and by taking into consideration prefectural basic plans, municipalities (including special wards; the same applies hereinafter) must endeavor to establish their own basic plans concerning the implementation of measures for the prevention of spousal violence and the protection of victims within their jurisdiction (hereinafter "municipal basic plans" in this Article).
- (4) Upon establishing or revising a prefectural basic plan or municipal basic plan, the prefecture or municipality must publicize it without delay.
- (5) The competent ministers must endeavor to provide prefectures and municipalities with advice and other assistance needed to establish prefectural basic plans and municipal basic plans.

## Chapter II Spousal Violence Counseling and Support Centers

(Spousal Violence Counseling and Support Centers)

- Article 3 (1) Prefectures are to ensure that women's counseling and support centers and other appropriate facilities they have established function as spousal violence counseling and support centers.
- (2) Municipalities are to endeavor to ensure that appropriate facilities they have established function as spousal violence counseling and support centers.
- (3) In order to prevent spousal violence and protect victims, spousal violence counseling and support centers are to undertake the following activities:
- (i) providing victims with counseling regarding the various problems affecting them or introducing them to women's counseling and support officers or organizations that provide the counseling;
  - (ii) providing victims with medical or psychological guidance or other required guidance in order to help them with their psychological and physical recovery;
  - (iii) securing safety in an emergency and providing temporary protection for victims (when a victim is accompanied by family members, for the family members as well as the victim; the same applies in the following item, item (vi), Article 5, Article 8-3, and Article 9);
  - (iv) providing information, advice, and liaison and coordination with relevant organizations, as well as other forms of assistance, concerning measures including employment promotion, housing procurement, and the use of systems for social assistance in order to facilitate independent living for victims;
  - (v) providing information, advice, and liaison with relevant organizations, as well as other forms of assistance concerning the use of the protection order system prescribed in Chapter IV; and
  - (vi) providing information, advice, and liaison and coordination with relevant organizations, as well as other forms of assistance concerning the use of facilities for housing and protecting victims.
- (4) Temporary protection referred to in item (iii) of the preceding paragraph is to be provided directly by women's counseling and support centers or entrusted to parties that meet criteria specified by the Minister of Health, Labour and Welfare.
- (5) Parties currently or previously entrusted under the provisions of the preceding paragraph or their current or former officers or employees must not divulge any secret learned in the course of those entrusted duties, without legitimate grounds for doing so.
- (6) In performing their duties, spousal violence counseling and support centers

are to endeavor to collaborate, as required, with private-sector organizations that are engaged in activities to prevent spousal violence and protect victims.

(Counseling by Women's Counseling and Support Officers)

Article 4 Women's counseling and support officers may provide counseling and necessary assistance to victims.

(Protection at Women's Self-support Facilities)

Article 5 Prefectures may provide protection to victims at women's self-support facilities.

(Councils)

Article 5-2 (1) Prefectures must endeavor, either independently or jointly, to organize councils comprised of relevant organizations, relevant groups, persons engaged in professional duties for the prevention of spousal violence and the protection of victims, and other relevant persons (referred to as "relevant organizations, etc." in paragraph (5)) with the aim of preventing spousal violence and protecting victims (hereinafter "councils").

(2) Municipalities may organize councils, either independently or jointly.

(3) In addition to sharing information on victims and other information necessary for the protection of victims, councils are to deliberate on the details of support for victims.

(4) When a council is organized, the local public entity must make a public announcement to that effect pursuant to the provisions of Cabinet Office Order.

(5) When a council finds it necessary for sharing information or deliberating as prescribed in paragraph (3), it may ask relevant organizations, etc. to provide materials or information, present opinions, or provide other necessary cooperation.

(Duty of Confidentiality)

Article 5-3 Persons who engage or engaged in the administrative processes of a council must not divulge any secret learned in the course of those administrative processes, without legitimate grounds for doing so.

(Matters Prescribed by Councils)

Article 5-4 Beyond what is provided for in the preceding two Articles, councils are to prescribe necessary matters concerning their organization and operation.

### **Chapter III Protection of Victims**

(Notification by Persons Discovering Spousal Violence)

Article 6 (1) Persons who discover that someone has been subject to spousal violence (limited to physical violence by a spouse or former spouse; hereinafter the same applies in this Chapter) must endeavor to make a notification to that effect to a spousal violence counseling and support center or police officer.

(2) Physicians or other medical personnel that, during the course of their duties, come across a person which they consider has suffered an injury or medical condition as a result of spousal violence may make a notification to that effect to a spousal violence counseling and support center or police officer. In this case, they are to endeavor to respect the wishes of the person.

(3) The provisions of the Penal Code (Act No. 45 of 1907) concerning unlawful disclosure of confidential information and the provisions of other laws concerning confidentiality obligations must not be construed as preventing notification pursuant to the preceding two paragraphs.

(4) Physicians or other medical personnel who, during the course of their duties, come across a person whom they consider has suffered an injury or medical condition as a result of spousal violence must endeavor to provide the person with information they have concerning the use of spousal violence counseling and support centers, etc.

(Explanation about Protection Provided by Spousal Violence Counseling and Support Centers)

Article 7 When receiving notification or being consulted about a victim, where necessary, the spousal violence counseling and support center is to give an explanation and advice regarding the services provided by spousal violence counseling and support centers pursuant to the provisions of Article 3, paragraph (3) and recommend the victim receive any necessary protection.

(Harm Prevention by Police Officers)

Article 8 If a police officer finds that spousal violence has been committed based on a notification or other means, pursuant to the provisions of the Police Act (Act No. 162 of 1954), Police Duties Execution Act (Act No. 136 of 1948), and other laws and regulations, the officer must endeavor to take necessary measures to stop the violence, protect the victim, and otherwise prevent harm caused by spousal violence.

(Assistance by the Chief of the Prefectural Police Headquarters)

Article 8-2 If a request is received from a person subjected to spousal violence for assistance in personally preventing harm from spousal violence, and if that request is found to be reasonable, pursuant to the provisions of the Rules of the National Public Safety Commission, the Superintendent General of the Metropolitan Police Department, the chief of prefectural police headquarters

(or the chief of area headquarters for an area that does not include the location of the Hokkaido Prefectural Police Headquarters; the same applies in Article 15, paragraph (3)), or the chief of a police station is to advise the person subjected to spousal violence on measures to personally prevent the harm and offer other necessary assistance to prevent the person from suffering harm from spousal violence.

(Self-Reliance Support by Welfare Offices)

Article 8-3 Offices handling welfare affairs as prescribed by the Social Welfare Act (Act No. 45 of 1951) (referred to as "welfare offices" in the following Article) must endeavor to take any necessary measures to support victims to become self-reliant pursuant to the provisions of the Public Assistance Act (Act No. 144 of 1950), the Child Welfare Act (Act No. 164 of 1947), the Act on Welfare of Mothers with Dependents, Fathers with Dependents, and Widows (Act No. 129 of 1964), and other laws and regulations.

(Cooperation Among Relevant Organizations for the Protection of Victims)

Article 9 In providing protection to victims, spousal violence counseling and support centers, prefectural police, welfare offices, child guidance centers, other relevant prefectural or municipal organizations, and other relevant organizations are to endeavor to coordinate and cooperate with each other so that appropriate protection is provided.

(Appropriate and Prompt Processing of Complaints)

Article 9-2 When a complaint is received from a victim regarding the performance of duties by personnel in charge of the protection of victims, the relevant organizations referred to in the preceding Article are to endeavor to process the complaints appropriately and promptly.

## **Chapter IV Protection Orders**

(Stay-away Orders)

Article 10 (1) When the life, body, or mind of a victim (limited to a victim who has been subjected to physical violence or declared threats of harm to life, body, freedom, reputation, or property by the spouse (hereinafter "physical violence, etc." in this Chapter); hereinafter the same applies in this Article and in Article 12, paragraph (1), items (iii) and (iv)) is highly likely to be seriously harmed due to further physical violence, etc. by the spouse (including a former spouse when the victim has obtained a divorce or annulment of marriage subsequent to being subjected to physical violence, etc. by the spouse; hereinafter the same applies in this Article and in Article 12, paragraph (1),

items (ii) through (iv)), the court, upon petition by the victim, is to order the spouse to refrain from approaching the victim at the victim's residence (excluding residences where the victim and spouse share a principal place of daily activity; hereinafter the same applies in this paragraph) or any other place, or from loitering in the vicinity of the residence, workplace, or any other location normally frequented by the victim, for a one-year period from the day on which the order comes into effect.

- (2) In the case referred to in the preceding paragraph, upon petition by the victim, the court that will issue or has issued an order under the same paragraph (hereinafter a "stay-away order") is to, on or after the day the order comes into effect, order the spouse to refrain from carrying out the following acts against the victim during a period up to the day on which one year has elapsed from the day on which the stay-away order comes into effect:
- (i) requesting a meeting;
  - (ii) telling or making known matters suggesting that the spouse is monitoring the victim's activities;
  - (iii) speaking or acting in an extremely rude or violent manner;
  - (iv) making silent phone calls, or making phone calls, sending documents, transmitting messages or other information (including the sender, recipient, and transmission date and time of telecommunications (meaning telecommunications prescribed in Article 2, item (i) of the Telecommunications Business Act (Act No. 86 of 1984); hereinafter the same applies in this item and in paragraph (6), items (i)) and other information necessary for conducting telecommunications; hereinafter "messages, etc." in this Article) by fax, or sending electronic mail, etc., incessantly, except in emergency or unavoidable circumstances;
  - (v) making phone calls, transmitting messages, etc. by fax, or sending electronic mail, etc. between 10 p.m. and 6 a.m., except in emergency or unavoidable circumstances;
  - (vi) sending or making known excrement, animal carcasses, or other extremely disgusting or repulsive materials;
  - (vii) telling or making known matters that impair the victim's reputation;
  - (viii) telling or making known matters that are sexually humiliating to the victim, sending or making known documents, pictures, recording media or other objects pertaining to an electronic or magnetic record (meaning a record used in computerized information processing which is created in electronic form, magnetic form, or any other form that cannot be perceived by the human senses; hereinafter the same applies in this item) that are sexually humiliating to the victim, or sending or making known electronic or magnetic records or other records that are sexually humiliating to the victim;
  - (ix) acquiring the positional information pertaining to the location of a

positional information recording/transmitting device (meaning a device specified by Cabinet Order that has the function of recording or sending positional information (meaning positional information prescribed in Article 2, paragraph (1), item (i) of the Basic Act on the Advancement of Utilizing Geospatial Information (Act No. 63 of 2007); hereinafter the same applies in this item) pertaining to the location of the device; hereinafter the same applies in this item and the following item) (including positional information recording/transmitting devices for which acts prescribed in the following item have been committed) which is recorded or transmitted by the positional information recording/transmitting device which is in the victim's possession, by a method specified by Cabinet Order and without the consent of the victim; and

- (x) attaching a positional information recording/transmitting device to an object in the victim's possession, delivering an object to which a positional information recording/transmitting device is attached, or otherwise committing an act specified by Cabinet Order as an act that enables the positional information recording/transmitting device to move in accordance with the victim's movement, without the consent of the victim.
- (3) In the case referred to in paragraph (1), if the victim lives with a child who has not yet attained the age of majority (hereinafter simply referred to as a "child" in this paragraph, the following paragraph, and Article 12, paragraph (1), item (iii)), and if the court that will issue or has issued a stay-away order finds it necessary for preventing the victim from being compelled to meet the spouse with regard to the child who lives with the victim because the spouse has said or done something or there are other circumstances sufficient to cause the victim to suspect that the spouse will take the young child away, upon petition by the victim, the court is to, on or after the day the order comes into effect, order the spouse to refrain from approaching the child at the child's residence (excluding residences where the child and spouse share a principal place of daily activity; hereinafter the same applies in this paragraph), the school the child attends, or any other place, or from loitering in the vicinity of the child's residence, school, or any other location normally frequented by the child, and to refrain from carrying out the acts set forth in items (ii) through (x) of the preceding paragraph against the child (in the case of the acts set forth in item (v) of the same paragraph, limited to making phone calls and transmitting messages, etc. by fax), for a one-year period from the day on which the stay-away order comes into effect; however, if the child is 15 years of age or older, this provision applies only if the child gives consent.
- (4) In the case referred to in paragraph (1), if the court that will issue or has issued a stay-away order finds it necessary for preventing the victim from being compelled to meet the spouse with regard to a relative of the victim or

another person with whom the victim has a close social relationship (excluding a child who lives with the victim and a person who lives with the spouse; hereinafter a "relative, etc." in this paragraph, the following paragraph, and Article 12, paragraph (1), item (iv)) because the spouse has visited the residence of the relative, etc. uninvited and has spoken or acted in an extremely rude or violent manner, or there are other circumstances, upon petition by the victim, the court is to, on or after the day the order comes into effect, order the spouse to refrain from approaching the relative, etc. at the their residence (excluding residences where the relative, etc. and spouse share a principal place of daily activity; hereinafter the same applies in this paragraph) or any other place, or from loitering in the vicinity of the residence, workplace, or any other location normally frequented by the relative, etc., for a one-year period from the day on which the stay-away order comes into effect.

- (5) A petition referred to in the preceding paragraph may be filed only when the relative, etc. (excluding a child of the victim under 15 years of age; hereinafter the same applies in this paragraph) gives consent (if the relative, etc. is a person under 15 years of age or an adult ward, only when their legal representative gives consent).
- (6) The term "sending electronic mail, etc." as used in paragraph (2), items (iv) and (v) means either of the following acts (excluding making phone calls and transmitting messages, etc. by fax):
- (i) sending an electronic mail (meaning electronic mail prescribed in Article 2, item (i) of the Act on Regulation of Transmission of Specified Electronic Mail (Act No. 26 of 2002)) or other telecommunication that is used to communicate information to a specified recipient; or
  - (ii) beyond what is set forth in the preceding item, transmitting messages, etc. by means of an electronic information processing system or other information and communications technology as specified by Cabinet Office Order.

(Eviction Orders)

Article 10-2 If the life or person of a victim (limited to a victim who has been subjected to physical violence or life-threatening intimidation, etc. (meaning declared threats of harm to the victim's life or person; hereinafter the same applies in this Chapter) by a spouse; hereinafter the same applies in this Article and Article 18, paragraph (1)) is highly likely to be seriously harmed as a result of further physical violence by the spouse (including a former spouse when the victim has obtained a divorce or annulment of marriage subsequent to being subjected to physical violence or life-threatening intimidation, etc. by the spouse; hereinafter the same applies in this Article, Article 12, paragraph (2), item (ii), and Article 18, paragraph (1)), upon petition by the victim, the court is to order the spouse to leave the residence where the victim and spouse

share a principal place of daily activity and to refrain from loitering in the vicinity of the residence for a two-month period from the day on which the order comes into effect (or a six-month period if the victim is the sole owner or lessee of the building or condominium unit (meaning a condominium unit prescribed in Article 2, item (xxii) of the Real Property Registration Act (Act No. 123 of 2004)) that is used by the victim and the spouse as their principal place of daily activity, and if the victim has filed a petition); however this is limited to cases where the victim and spouse share the same principal place of daily activity at the time of the petition.

(Court with Jurisdiction)

Article 11 (1) Cases pertaining to a petition for a stay-away order and an order under the provisions of the preceding Article (hereinafter an "eviction order") are subject to the jurisdiction of the district court that has jurisdiction over the locality of the opposite party's domicile (or residence if the opposite party does not have a domicile in Japan or the domicile of the opposite party is unknown).

(2) A petition for a stay-away order may be filed in a district court that has jurisdiction over the places set forth in the following items:

- (i) the locality of the petitioner's domicile or residence; or
- (ii) the place where the physical violence, etc. by the spouse to which the petition pertains took place.

(3) A petition for an eviction order may be filed in a district court that has jurisdiction over the places set forth in the following items:

- (i) the locality of the petitioner's domicile or residence; or
- (ii) the place where the physical violence or life-threatening intimidation, etc. by the spouse to which the petition pertains took place.

(Petition for Stay-away Orders)

Article 12 (1) A petition for a stay-away order and an order under the provisions of Article 10, paragraphs (2) through (4) must be made in writing and specify the following matters:

- (i) the circumstances in which the victim was subjected to physical violence, etc. by the spouse (including the circumstances in which the victim was subjected to the physical violence, etc. by a former spouse after the victim had obtained a divorce or annulment of marriage subsequent to being subjected to physical violence, etc. by the former spouse);
- (ii) beyond what is set forth in the preceding item, sufficient circumstances at the time of the petition to find that there is a high likelihood of serious harm to the life, body, or mind of the victim due to further physical violence, etc. by the spouse;
- (iii) when filing a petition for an order under Article 10, paragraph (3)

- (hereinafter referred to as a "paragraph (3) order" in this item and in Article 17, paragraphs (3) and (4)), sufficient circumstances at the time of the petition to find it necessary to issue the paragraph (3) order to prevent the victim from being compelled to meet the spouse with regard to the child who lives with the victim;
- (iv) when filing a petition for an order under Article 10, paragraph (4), sufficient circumstances at the time of the petition to find it necessary to issue the order to prevent the victim from being compelled to meet the spouse with regard to the relative, etc.; and
  - (v) whether the victim has received counseling or requested assistance or protection from the staff of a spousal violence counseling and support center or police personnel concerning the matters set forth in the preceding items, and, if so, the following matters:
    - (a) the name of the spousal violence counseling and support center or the police station to which the police personnel belongs;
    - (b) the date, time and location of the counseling or request for assistance or protection;
    - (c) the details of the counseling or the requested assistance or protection; and
    - (d) the details of the measures taken in response to the counseling or the petitioner's request.
- (2) A petition for an eviction order must be made in writing and specify the following matters:
- (i) the circumstances in which the victim was subjected to physical violence or life-threatening intimidation, etc. by the spouse (including circumstances in which the victim was subjected to physical violence or life-threatening intimidation, etc. by a former spouse after the victim had obtained a divorce or annulment of marriage subsequent to being subjected to physical violence or life-threatening intimidation, etc. by the former spouse);
  - (ii) beyond what is set forth in the preceding item, sufficient circumstances at the time of the petition to find that there is a high likelihood of serious harm to the life or body of the victim as a result of further physical violence by the spouse; and
  - (iii) whether the victim has received counseling or requested assistance or protection from the staff of a spousal violence counseling and support center or police personnel concerning the matters set forth in the preceding two items, and, if so, the following matters:
    - (a) the name of the spousal violence counseling and support center or the police station to which the police personnel belongs;
    - (b) the date, time and location of the counseling or request for assistance or protection;
    - (c) the details of the counseling or the requested assistance or protection; and

(d) the details of the measures taken in response to the counseling or the petitioner's request.

(3) If a written document referred to in the preceding two paragraphs (hereinafter a "written petition") does not contain a matter set forth in paragraph (1), items (v), (a) through (d) or in items (iii), (a) through (d) of the preceding paragraph, the petitioner must attach to the written petition documents containing statements by the petitioner with regard to the matters set forth in paragraph (1), items (i) through (iv) or items (i) and (ii) of the preceding paragraph certified pursuant to the provisions of Article 58-2, paragraph (1) of the Notary Act (Act No. 53 of 1908).

(Prompt Judicial Decision)

Article 13 The court is to render judicial decisions promptly on cases pertaining to petitions for stay-away orders, orders under the provisions of Article 10, paragraphs (2) through (4), and eviction orders (hereinafter "protection order").

(Proceedings for Protection Order Cases)

Article 14 (1) A protection order may not be issued before a date for oral arguments or for a hearing which the opposite party can attend; however, this does not apply when circumstances are such that waiting until that date would prevent the purpose of the petition for the protection order from being achieved.

(2) When a written petition contains the matters set forth in Article 12, paragraph (1), items (v), (a) through (d) or Article 12, paragraph (2), items (iii), (a) through (d), the court is to request the chief of the relevant spousal violence counseling and support center or police station to submit a document stating the circumstances at the time when the petitioner received counseling or requested assistance or protection, as well as the details of the measures taken in response. In this case, the chief of the relevant spousal violence counseling and support center or police station is to respond promptly.

(3) If the court finds it necessary to do so, it may ask the chief of the spousal violence counseling and support center or police station referred to in the preceding paragraph or the personnel from whom the petitioner received counseling or requested assistance or protection to further explain the matters for which the court requested the submission of documents pursuant to the provisions of the same paragraph.

(Summons for Appearance Date)

Article 14-2 (1) A summons for an appearance date in the proceedings for a protection order is to be made by serving a writ of summons, making an announcement of the date to a person who has appeared in connection with the case in question, or any other method that is found to be reasonable.

(2) If a summons for an appearance date is made other than through the service of a writ of summons or an announcement of the date to a person who has appeared in connection with the case in question, no legal sanction or other disadvantage may be attributed to a person who does not appear on that date; however, this does not apply if the relevant person has submitted a document stating that the person has received a summons for the appearance date.

(Means of Effecting Service by Publication)

Article 14-3 Service by publication in the proceedings for a protection order is effected by the posting, in the posting area for the court, of notice that the court clerk has retained the document to be served and will deliver it to the person that is to be served at any time.

(Filing Petitions by Means of an Electronic Data Processing System)

Article 14-4 (1) A petition or other statement in the proceedings for a protection order (hereinafter referred to as a "petition, etc." in this Article) which, pursuant to the provisions of this Act or other laws and regulations concerning the petition, etc., is to be filed or entered with the court specified by the Supreme Court (including one to be filed or entered with that court's presiding judge, authorized judge, commissioned judge, or court clerk) by means of a paper document, etc. (meaning a paper document, a transcript, extract, authenticated copy, or duplicate of a document, a duplicate of a bill or note, or any other paper or other tangible object into which information that can be perceived with the human senses, such as characters and shapes, has been entered; hereinafter the same applies in the following paragraph and in paragraph (4)), may be filed or entered using an electronic data processing system (meaning an electronic data processing system that connects a computer (including its input and output devices; hereinafter the same applies in this paragraph and in paragraph (3)) used by the court and the computer used by the person filing the petition, etc. over telecommunication lines) as provided for by the Rules of the Supreme Court, notwithstanding the provisions of the relevant laws and regulations.

(2) A petition, etc. filed pursuant to the provisions of the preceding paragraph is deemed to have been filed by means of a paper document, etc. prescribed in the provisions of the laws and regulations relevant to the petition, etc., in which it is provided that the petition, etc. is to be filed by means of a paper document, etc., and the provisions of the laws and regulations relevant to the petition, etc. apply.

(3) A petition, etc. filed pursuant to the provisions of paragraph (1) is deemed to have arrived at the court as referred to in that paragraph when it is recorded in a file stored on the computer used by that court.

- (4) Notwithstanding the provisions of other laws and regulations relevant to the petition, etc., in the case referred to in paragraph (1), a person filing a petition, etc. that is to bear a signature, etc. (meaning the relevant person's signature, name, or seal or other inclusion of the relevant person's name or trade name in the paper document, etc.; hereinafter the same applies in this paragraph) pursuant to the provisions of those laws and regulations, in lieu of affixing this signature, etc., is to take measures to clarify the name or trade name of the person filing the petition, etc., as provided for by the Rules of the Supreme Court.
- (5) When a petition, etc. filed pursuant to the provisions of paragraph (1) has been recorded in the file prescribed in paragraph (3), the court as referred to in paragraph (1) is to output the contents of the data recorded in the file in the form of a paper document.
- (6) The inspection or copying of a case record or issuance of an authenticated copy, transcript, or extract of a case record under the provisions of this Act or other laws and regulations in relation to a petition, etc. filed pursuant to the provisions of paragraph (1) is to be effected by means of a paper document as referred to in the preceding paragraph. The same applies to service or delivery of a document in connection with the petition, etc.

(Decision on a Petition for a Protection Order)

- Article 15 (1) A decision on a petition for a protection order must contain the reasons therefor; however, if the decision is reached without oral arguments, it is sufficient to indicate the gist of the reasons.
- (2) A protection order becomes effective when the written decision is delivered to the opposite party or when the decision has been rendered on the date of oral arguments or a hearing which the opposite party attended.
  - (3) When a protection order has been issued, the court clerk is to promptly notify the Superintendent General of the Metropolitan Police Department or the chief of the prefectural police headquarters with jurisdiction over the domicile or residence of the petitioner of this fact and the details thereof.
  - (4) If a protection order has been issued, and it is known that the petitioner has received counseling or requested assistance or protection from personnel at a spousal violence counseling and support center, and the written petition contains the matters set forth in Article 12, paragraph (1), items (v), (a) through (d) or Article 12, paragraph (2), items (iii), (a) through (d) pertaining to the relevant facts, the court clerk is to promptly notify the chief of the spousal violence counseling and support center whose name is stated in the written petition (if the names of two or more spousal violence counseling and support centers are stated in the written petition, the one where the petitioner most recently received counseling or requested assistance or protection from

the personnel) of the fact that the protection order has been issued and the details thereof.

(5) A protection order is not enforceable.

(Immediate Appeals against Rulings)

Article 16 (1) An immediate appeal may be lodged against a judicial decision on a petition for a protection order.

(2) An immediate appeal referred to in the preceding paragraph has no impact on the validity of the protection order.

(3) When an immediate appeal against a ruling has been lodged, a court in charge of an appeal may order, upon a petition, the suspension of the validity of the protection order until the judicial decision on the immediate appeal against a ruling becomes effective only if a prima facie showing is made with regard to circumstances that are clearly grounds for revocation of the protection order. The court of prior instance may also order this disposition if the case records are still in its possession.

(4) When ordering the suspension of the validity of a stay-away order pursuant to the provisions of the preceding paragraph, the court must also order the suspension of the validity of any order issued pursuant to the provisions of Article 10, paragraphs (2) through (4).

(5) No appeal may be entered against a judicial decision under the provisions of the preceding two paragraphs.

(6) When revoking a stay-away order, the court in charge of an appeal must also revoke any order issued pursuant to the provisions of Article 10, paragraphs (2) through (4).

(7) Regarding a protection order for which a notification under paragraph (4) of the preceding Article has been made, if the court has ordered the suspension of the validity of the order or the court in charge of an appeal has revoked the order pursuant to the provisions of paragraph (3) or (4), the court clerk is to promptly notify the chief of the spousal violence counseling and support center to which the notification was made of this fact and the details thereof.

(8) The provisions of paragraph (3) of the preceding Article apply mutatis mutandis to the cases referred to in paragraphs (3) and (4) and when the court in charge of an appeal has revoked a protection order.

(Revocation of Protection Orders)

Article 17 (1) A court that has issued a protection order must revoke the order when the person who petitioned for the order has filed a petition for its revocation; the same applies if the person subject to a protection order files a petition for the revocation of the order and the court confirms that the person who petitioned for the order does not object, on or after the day on which three

months have elapsed from the day on which the stay-away order became effective in the case of a stay-away order or an order under the provisions of Article 10, paragraphs (2) through (4), or on or after the day two weeks have elapsed from the day on which the eviction order became effective in the case of an eviction order.

- (2) The provisions of paragraph (6) of the preceding Article apply mutatis mutandis to cases where the court that issued a stay-away order revokes the stay-away order pursuant to the provisions of the preceding paragraph.
- (3) A person subject to a paragraph (3) order may file a petition for revocation of the paragraph (3) order with the court that issued the paragraph (3) order on the grounds that a requirement prescribed in Article 10, paragraph (3) is no longer being met on or after the day on which six months have elapsed from the day on which the stay-away order became effective or the day on which three months have elapsed from the day on which the paragraph (3) order became effective, whichever comes later.
- (4) When rendering a judicial decision on the revocation referred to in the preceding paragraph, the court must hear the opinion of the person who filed the paragraph (3) order pertaining to the revocation.
- (5) An immediate appeal may be lodged against a judicial decision on a petition for revocation referred to in paragraph (3).
- (6) A judicial decision on the revocation referred to in paragraph (3) does not become effective until it becomes final and binding.
- (7) The provisions of Article 15, paragraph (3) and paragraph (7) of the preceding Article apply mutatis mutandis to the cases referred to in paragraphs (1) through (3).

(Subsequent Petition for Eviction Orders)

Article 18 (1) When an eviction order has been issued and a subsequent petition is filed for an eviction order on the same grounds of physical violence or life-threatening intimidation, etc. as for the petition for the issued eviction order, the court is to issue the subsequent eviction order only where the victim who intends to move from the residence where the victim and spouse share a principal place of daily activity is unable to complete the move within the term of the issued order due to grounds not attributable to the victim, or where there are other circumstances that cause the court to find it necessary to issue another eviction order; however, the court may choose not to issue the eviction order if it finds that issuing the eviction order would cause extreme hindrance to the spouse's daily life.

- (2) With regard to the application of the provisions of Article 12 to cases of filing a subsequent petition referred to in the preceding paragraph, the term "matters" in the main clause in the parts other than the items of Article 12,

paragraph (2) is deemed replaced with "matters and the circumstances referred to in the main clause of Article 18, paragraph (1)", "the matters" in Article 12, paragraph (2), item (iii) is deemed to be replaced with "the matters and the circumstances referred to in the main clause of Article 18, paragraph (1)", and " the matters" in Article 12, paragraph (3) is deemed to be replaced with "the matters and the circumstances referred to in the main clause of Article 18, paragraph (1)".

(Inspection of Case Records)

Article 19 With regard to procedures concerning a protection order, the party may submit a request to the court clerk for the inspection or a copy of case records, the delivery of case records or a transcript or extract thereof, or the issuance of a certificate of matters concerning the case; however, this does not apply to the opposite party until the date for oral arguments or a hearing summoning the opposite party with regard to the petition for the protection order has been designated or until the protection order has been served to the opposite party.

Article 20 Deleted

(Application Mutatis Mutandis of the Code of Civil Procedure)

Article 21 Except as otherwise provided for by this Act, the provisions of the Code of Civil Procedure (Act No. 109 of 1996) apply mutatis mutandis to procedures for a protection order, unless the application is inconsistent with the nature of protection orders.

(Rules of the Supreme Court)

Article 22 Beyond what is provided for in this Act, any matters necessary for procedures concerning a protection order are provided by the Rules of the Supreme Court.

## **Chapter V Miscellaneous Provisions**

(Consideration by Related Officials)

Article 23 (1) Persons with duties related to the protection of victims, investigations, and judicial decisions pertaining to spousal violence (referred to as "related officials" in the following paragraph) must, in the performance of their duties, take into consideration the psychological and physical circumstances of the victims and the environment, etc. in which they are placed, respect their human rights regardless of their nationality, disabilities, etc., and give due consideration to ensuring their safety and protecting their

privacy.

- (2) The national government and local public entities are to conduct training and enlightenment activities necessary to deepen the related officials' understanding concerning the human rights of victims, the characteristics of spousal violence, etc.

(Education and Enlightenment)

Article 24 The national government and local public entities are to strive for education and enlightenment activities to deepen citizens' understanding concerning the prevention of spousal violence.

(Promotion of Research and Study)

Article 25 In order to contribute to the prevention of spousal violence and the protection of victims, the national government and local public entities are to endeavor to promote research and study concerning methods, etc. for guidance for the rehabilitation of perpetrators and for the restoration of the physical and psychological health of victims, as well as to foster and enhance the qualifications of personnel related to the protection of victims.

(Assistance for Private-Sector Organizations)

Article 26 The national government and local public entities are to endeavor to provide necessary assistance to private-sector organizations that are engaged in activities to prevent spousal violence and protect victims.

(Payment by Prefectures and Municipalities)

Article 27 (1) Prefectures must pay the expenses set forth in the following items:

- (i) expenses needed to operate women's counseling and support centers that perform the activities listed in Article 3, paragraph (3) based on the provisions of the same paragraph (excluding expenses listed in the following item);
- (ii) expenses needed for temporary protection provided by women's counseling and support centers based on the provisions of Article 3, paragraph (3), item (iii) (including when duties are entrusted to persons who meet the criteria specified by the Minister of Health, Labour and Welfare as prescribed in paragraph (4) of the same Article) and expenses needed for the necessary clerical work associated with this temporary protection;
- (iii) expenses needed for the services provided by women's counseling and support officers assigned by prefectures based on the provisions of Article 4; and
- (iv) expenses needed for protection by prefectures based on the provisions of Article 5 (including when the duties are entrusted to municipalities, social

welfare corporations, or other persons whom prefectures find appropriate) and expenses needed for the necessary clerical work associated with this protection.

- (2) Municipalities must pay expenses needed for the services provided by women's counseling and support officers assigned by municipalities based on the provisions of Article 4.

(Expenses Borne or Subsidized by the National Government)

Article 28 (1) Pursuant to the provisions of a Cabinet Order, the national government is to bear one-half of the amount of the expenses listed in items (i) and (ii) of paragraph (1) of the preceding Article that have been paid by prefectures pursuant to the provisions of the same paragraph.

- (2) The national government may, within budgetary limits, provide subsidies for up to one-half of the amount of the expenses set forth in the following items:
- (i) expenses set forth in items (iii) and (iv) of paragraph (1) of the preceding Article that have been paid by prefectures pursuant to the provisions of the same paragraph; and
  - (ii) expenses that have been paid by municipalities pursuant to the provisions of paragraph (2) of the preceding Article.

## **Chapter V-2 Auxiliary Provisions**

(Mutatis Mutandis Application of this Act)

Article 28-2 The provisions of Article 2 and of Chapter I-2 to the preceding Chapter apply mutatis mutandis to violence caused by a partner in a relationship in which the partners share a principal place of daily activity (excluding those who do not live together in a manner similar to that of a marital relationship) (meaning physical violence, etc. by the partner in the relationship, and includes physical violence, etc. that a person continues to be subjected to by someone with whom the person was in a relationship when the person ended the relationship after being subjected to physical violence, etc. by the partner in the relationship) and to the person who has been subjected to the violence. In this case, the term "spousal violence" in these provisions (excluding Article 2) is deemed to be replaced with "violence by a specified related party", and each term listed in the middle column of the following table within the provisions listed in the left-hand column of the same table is deemed to be replaced with the respective term listed in the right-hand column of the same table.

Article 2	spousal violence	violence by a partner in a relationship as prescribed in Article 28-2 (hereinafter referred to as a "specified related party")
	victims	victims (meaning those who have been subjected to violence by a specified related party; the same applies hereinafter)
Article 6, paragraph (1)	spouse or former spouse	specified related party or former specified related party
Article 10, paragraphs (1) through (4), Article 10-2, Article 11, paragraph (2), item (ii) and paragraph (3), item (ii), Article 12, paragraph (1), items (i) through (iv) and paragraph (2), items (i) and (ii), and Article 18, paragraph (1)	spouse	specified related party
Article 10, paragraph (1), Article 10-2, and Article 12, paragraph (1), item (i) and paragraph (2), item (i)	the victim has obtained a divorce or annulment of marriage	the person has ended the relationship as prescribed in Article 28-2

## Chapter VI Penal Provisions

Article 29 A person who violates a protection order (including those under the provisions of Article 10, paragraphs (1) through (4) and Article 10-2 as applied mutatis mutandis pursuant to the preceding Article following the deemed replacement of terms; the same applies in Article 31) is punished by imprisonment under the former Penal Code for not more than 2 years or a fine of not more than 2,000,000 yen.

Article 30 A person who has divulged a secret in violation of Article 3, paragraph (5) or Article 5-3 is punished by imprisonment under the new Penal Code for not more than 1 year or a fine of not more than 500,000 yen.

Article 31 A person who has filed a petition for a protection order with a written petition containing false records with regard to matters to be stated pursuant to the provisions of Article 12, paragraph (1) or (2) (including when the provisions are applied following the deemed replacement of terms pursuant to the provisions of Article 18, paragraph (2)) or the provisions of Article 12, paragraph (1) or (2) as applied mutatis mutandis pursuant to Article 28-2 following the deemed replacement of terms (including when the provisions are applied following the deemed replacement of terms pursuant to the provisions of Article 18, paragraph (2) as applied mutatis mutandis to Article 28-2) is punished by a civil fine of not more than 100,000 yen.

### **Supplementary Provisions [Extract]**

(Effective Date)

Article 1 This Act comes into effect on the day on which six months have elapsed from the date of promulgation; provided that the provisions of Chapter II, Article 6 (limited to the parts pertaining to spousal violence counseling and support centers), Article 7, Article 9 (limited to the parts pertaining to spousal violence counseling and support centers), Article 27, and Article 28 come into effect as of April 1, 2002.

(Transitional Measures)

Article 2 With regard to the application of the provisions of Article 12, paragraph (1), item (iv) and Article 14, paragraphs (2) and (3) to cases concerning a petition for a protection order from a victim who has received counseling from a women's consulting office or requested assistance or protection from a women's consulting office with regard to physical violence by the victim's spouse by March 31, 2002, the term "spousal violence counseling and support center" in these provisions is deemed to be replaced with "women's consulting office".

(Review)

Article 3 Approximately three years after this Act comes into effect, a review of the provisions of this Act is to be conducted by taking into consideration the status of the enforcement of this Act, and necessary measures are to be taken based on the results of that review.

### **Supplementary Provisions [Act No. 64 of June 2, 2004]**

(Effective Date)

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

(Transitional Measures)

Article 2 (1) Prior laws continue to govern cases concerning an order issued prior to the enforcement of this Act under Article 10 of the Act on the Prevention of Spousal Violence and the Protection of Victims prior to amendment by this Act (referred to as the "Former Act" in the following paragraph) pertaining to a petition for an order under the same Article.

(2) With regard to the application of the provisions of Article 18, paragraph (1) of the Act on the Prevention of Spousal Violence and the Protection of Victims amended by this Act (hereinafter the "New Act") to cases in which, after the issuance of an order under Article 10, item (ii) of the Former Act, a petition is filed for an order under Article 10, paragraph (1), item (ii) of the New Act (limited to the first petition filed after the enforcement of this Act) on the same grounds of an illegal physical attack that threatens the other spouse's life or person as for the petition for the first order, the term "two months" in Article 18, paragraph (1) of the New Act is deemed to be replaced with "two weeks".

(Review)

Article 3 Approximately three years after this Act comes into effect, a review of the provisions of the New Act is to be conducted by taking into consideration the status of the enforcement of the New Act, and necessary measures are to be taken based on the results of that review.

### **Supplementary Provisions [Act No. 113 of July 11, 2007] [Extract]**

(Effective Date)

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

(Transitional Measures)

Article 2 Prior laws continue to govern cases concerning an order issued prior to the enforcement of this Act under Article 10 of the Act on the Prevention of Spousal Violence and the Protection of Victims prior to amendment by this Act pertaining to a petition for an order under the same Article.

**Supplementary Provisions [Act No. 72 of July 3, 2013] [Extract]**

(Effective Date)

- (1) This Act comes into effect on the day on which six months have elapsed from the date of promulgation.

**Supplementary Provisions [Act No. 28 of April 23, 2014] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2015; provided that the provisions set forth in the following items come into effect as of the dates prescribed in the respective items:

- (i) Omitted
- (ii) the provisions of Articles 2, 3, 7 through 10, 12, 15 through 18 of the Supplementary Provisions: October 1, 2014

**Supplementary Provisions [Act No. 46 of June 26, 2019] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2020; provided that the provisions set forth in the following items come into effect as of the dates prescribed in the respective items:

- (i) the provisions of Article 4, Article 7, paragraph (1), and Article 8 of the Supplementary Provisions: the date of promulgation

(Delegation of Other Transitional Measures to Cabinet Orders)

Article 4 Beyond what is provided for in the preceding two Articles, transitional measures required for enforcement of this Act are specified by Cabinet Order.

(Review)

Article 8 (1) Approximately three years after the provisions set forth in Article 1, item (i) of these Supplementary Provisions come into effect, the government is to review the forms of spousal violence prescribed in Article 6, paragraph (1) of the Act on the Prevention of Spousal Violence and the Protection of Victims that are subject to notification under paragraphs (1) and (2) of the same Article and expansion of the scope of victims prescribed in Article 10, paragraph (1) of the same Act who may file a petition for an order under the provisions of Article 10, paragraphs (1) through (4) of the same Act, and is to take necessary measures based on the results of that review.

- (2) Approximately three years after the provisions set forth in Article 1, item (i) of these Supplementary Provisions come into effect, the government is to

review the guidance and support for the community rehabilitation of perpetrators of spousal violence prescribed in Article 1, paragraph (1) of the Act on the Prevention of Spousal Violence and the Protection of Victims, and is to take necessary measures based on the results of that review.

**Supplementary Provisions [Act No. 52 of May 25, 2022] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2024; provided that the provisions set forth in the following items come into effect as of the dates prescribed in the respective items:

- (i) the provisions of the following Article and Article 3, Article 5, and Article 38 of the Supplementary Provisions: the date of promulgation

(Delegation to Cabinet Order)

Article 38 Beyond what is provided for in these Supplementary Provisions, transitional measures required for enforcement of this Act are specified by Cabinet Order.

**Supplementary Provisions [Act No. 68 of June 17, 2022] [Extract]**

(Effective Date)

(1) This Act comes into effect as of the date on which the Act on the Partial Amendment of the Penal Code, etc. comes into effect; provided that the provisions set forth in the following items come into effect as of the dates prescribed in the respective items:

- (i) the provisions of Article 509: the date of promulgation

**Supplementary Provisions [Act No. 30 of May 19, 2023] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2024; provided that the provisions set forth in the following items come into effect as of the dates prescribed in the respective items:

- (i) the provisions of Article 7 of the Supplementary Provisions: the date of promulgation; and
- (ii) the provisions amending Article 21: the date on which the provisions set forth in Article 1, item (iv) of the Supplementary Provisions of the Act Partially Amending the Code of Civil Procedure (Act No. 48 of 2022; referred to as the "Code of Civil Procedure Amendment Act" in Article 3 of the Supplementary Provisions) come into effect.

(Transitional Measures Pertaining to Protection Order Cases)

Article 2 (1) The provisions of Articles 10 and 10-2 of the Act on the Prevention of Spousal Violence and the Protection of Victims amended by this Act (hereinafter the "New Act") apply to cases pertaining to a petition for a protection order filed on or after the date on which this Act comes into effect (hereinafter the "date of enforcement" in this Article), and prior laws continue to govern cases pertaining to a petition for a protection order filed before the date of enforcement.

(2) The provisions of Article 11, paragraphs (2) and (3) and Article 12, paragraphs (1) and (2) of the New Act apply to petitions for a protection order filed on or after the date of enforcement, and prior laws continue to govern petitions for a protection order filed before the date of enforcement.

(3) The provisions of Article 18, paragraph (1) of the New Act apply to cases pertaining to a subsequent petition prescribed in the same paragraph and filed on or after the date of enforcement, and prior laws continue to govern cases pertaining to a subsequent petition prescribed in the same paragraph and filed before the date of enforcement.

(Transitional Measures until the Day Preceding the Date on which the Code of Civil Procedure Amendment Act Comes into Effect)

Article 3 (1) The provisions of Articles 14-2 through 14-4 of the New Act do not apply until the day preceding the date on which the Code of Civil Procedure Amendment Act comes into effect.

(2) With regard to the application of the provisions of Article 21 of the New Act during the period from the date on which the provisions prescribed in Article 1, item (ii) of the Supplementary Provisions come into effect until the day preceding the date on which the Code of Civil Procedure Amendment Act comes into effect, the phrase "(excluding the provisions of Article 71, paragraph (2), Article 91-2, Article 92, paragraphs (9) and (10), Article 92-2, paragraph (2), Article 94, Article 100, paragraph (2), Part I, Chapter V, Section 4, Subsection 3, Article 111, Part I, Chapter VII, Article 133-2, paragraphs (5) and (6), Article 133-3, paragraph (2), Article 151, paragraph (3), Article 160, paragraph (2), Article 185, paragraph (3), Article 205, paragraph (2), Article 215, paragraph (2), Article 227, paragraph (2), and Article 232-2 of the same Act) apply mutatis mutandis. In this case, each term listed in the middle column of the following table within the provisions of the same Act listed in the left-hand column of the same table is deemed to be replaced with the respective term listed in the right-hand column of the same table" in the same Article is deemed to be replaced with "(excluding the provisions of Article 87-2) apply mutatis mutandis".

(Transitional Measures concerning Application of Penal Provisions)

Article 4 With regard to the application of the provisions of Article 30 of the New Act during the period until the day preceding the date on which the Act Partially Amending the Penal Code (Act No. 67 of 2022) comes into effect (hereinafter referred to as the "Penal Code enforcement date" in this Article), the term "imprisonment under the new Penal Code" in the same Article is deemed to be replaced with "imprisonment under the former Penal Code". The same applies with regard to the application of the provisions of the same Article on or after the Penal Code enforcement date to acts committed before the Penal Code enforcement date.

(Delegation to Cabinet Order)

Article 7 Beyond what is provided for in these Supplementary Provisions, transitional measures required for enforcement of this Act (including transitional measures concerning penal provisions) are specified by Cabinet Order.

(Review)

Article 8 When three years have elapsed since enforcement of this Act, and when the government finds it necessary while taking into account the status of enforcement of the New Act, the government is to review the provisions of the New Act and take necessary measures based on the results of that review.