

# Bill to Partially Amend the Act on Control and Improvement of Amusement Businesses (Outline)

## Background

Female customers who have received entertainment services or being served food and drink at so-called “host clubs” have been made to pay a large amount of debts in the name of accounts receivable, etc., and have been demanded by the hosts or host club managers to engage in prostitution or work at sex-related shops to pay the debts, which has become a social problem.

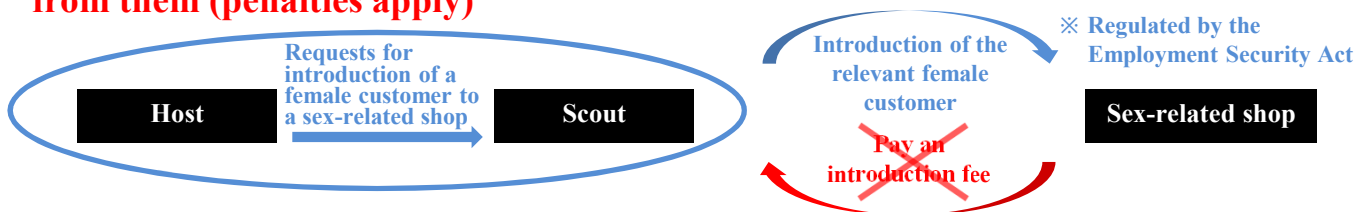
## Outline of the Amendment

### 1 Addition of compliance requirements to be observed and prohibited acts for entertaining and food-and-drink-serving business\*

- ▶ The following actions are prescribed as compliance requirements to be observed for amusement business operators engaged in entertaining and food-and-drink-serving businesses
  - False explanations regarding charges
  - Demanding food, drink, etc., by exploiting customers' romantic feelings
  - Providing food, drink, etc. that has not been ordered by the customer
- ▶ The following actions are prescribed as prohibited acts for operators of entertaining and food-and-drink-serving businesses (penalties apply)
  - Intimidation to induce a customer to place an order or pay charges
  - **Demanding that a customer engage in prostitution (including overseas prostitution), work in a sex-related shop, or performing in pornographic videos, etc. to pay charges, through intimidation or enticement**
    - ※ A business that operates facilities and entertains the customers by providing amusement or serving food and drink

### 2. Prohibition of kickbacks from scouting by sex-related shops

- ▶ **Prohibits sex-related shop operators from paying introduction fees (so-called “kickbacks from scouting”) to scouts, etc. when receiving job applicant referrals from them (penalties apply)**



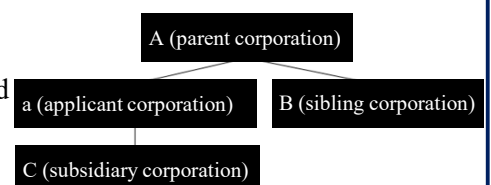
### 3. Strengthen penalties for unlicensed businesses, etc.

- ▶ Strengthen penalties for unlicensed amusement business, etc. (imprisonment for 2 years or less ⇒ 5 years or less fine of 2 million yen or less ⇒ 10 million yen or less)
- ▶ Strengthening of corporate penalties related to the dual criminal liability provisions (fine of 2 million yen or less ⇒ 300 million yen or less)

### 4. Exclusion of unqualified persons from the amusement business

- ▶ The following persons are added to the list of disqualifications grounds for amusement business license

- Corporations whose parent companies, etc. (A, B and C) have had their licenses revoked
- Persons who return a license (in an attempt to evade punishment) after an entry and inspection by the Police
- Persons whose business activities are under substantial influence of individuals likely to engage in violent unlawful acts, etc.



# 風俗営業等の規制及び業務の適正化等に関する法律の一部を改正する法律案（概要）

## 背景

いわゆるホストクラブにおいて遊興又は飲食をした女性客が、売掛金等の名目で多額の債務を負担させられ、ホストやホストクラブ経営者から、その支払のために売春することや性風俗店で稼働すること等を要求される事案が発生し、社会問題化している。

## 改正の概要

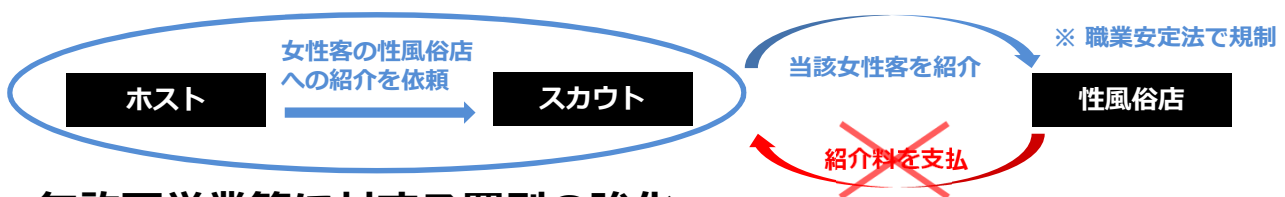
### 1 接待飲食営業\*に係る遵守事項・禁止行為の追加

- ▶ 次の行為を接待飲食営業を営む風俗営業者のしてはならない行為（**遵守事項**）として規定
  - ・ 料金に関する虚偽説明
  - ・ 客の恋愛感情等につけ込んだ飲食等の要求
  - ・ 客が注文していない飲食等の提供
- ▶ 次の行為を接待飲食営業を営む者に係る**禁止行為**として規定（**罰則あり**）
  - ・ 客に注文や料金の支払等をさせる目的での**威迫**
  - ・ **威迫**や**誘惑**による料金の支払等のための**売春（海外売春を含む）、性風俗店勤務、A V出演等の要求**

※ 設備を設けて客の接待をして客に遊興又は飲食をさせる営業

### 2 性風俗店によるスカウトバックの禁止

- ▶ **性風俗店**を営む者がスカウト等から求職者の紹介を受けた場合に**紹介料を支払うこと（いわゆる「スカウトバック」）を禁止（罰則あり）**



### 3 無許可営業等に対する罰則の強化

- ▶ 風俗営業の無許可営業等に対する罰則の強化（2年以下⇒**5年以下の拘禁刑**、200万円以下⇒**1千万円以下の罰金**）
- ▶ 両罰規定に係る法人罰則の強化（200万円以下⇒**3億円以下の罰金**）

### 4 風俗営業からの不適格者の排除

- ▶ 次の者を風俗営業の許可に係る**欠格事由**に追加
  - ・ 親会社等（A、B及びC）が許可を取り消された法人
  - ・ 警察による立入調査後に許可証の返納（処分逃れ）をした者
  - ・ 暴力的不法行為等を行うおそれがある者がその事業活動に支配的な影響力を有する者

