

対内直接投資等に関する政令 Cabinet Order on Inward Direct Investment, etc.

(昭和五十五年十月十一日政令第二百六十一号)
(Cabinet Order No. 261 of October 11, 1980)

内閣は、外国為替及び外国貿易管理法（昭和二十四年法律第二百二十八号）第二十六条、第二十七条、第二十九条、第三十条、第六十七条、第六十九条、第六十九条の三第二項、第六十九条の四及び附則第二条から第四条までの規定に基づき、並びに同法の規定を実施するため、並びに外国為替及び外国貿易管理法の一部を改正する法律（昭和五十四年法律第六十五号）附則第六条の規定に基づき、この政令を制定する。

The Cabinet hereby enacts this Cabinet Order pursuant to the provisions of Article 26, Article 27, Article 29, Article 30, Article 67, Article 69, Article 69-3, paragraph (2), Article 69-4, and Supplementary Provisions Articles 2 to 4 inclusive of the Foreign Exchange and Foreign Trade Control Act (Act No. 228 of 1949) and to the provisions of Article 6 of Supplementary Provisions of the Act on the Partial Revision of the Foreign Exchange and Foreign Trade Control Act (Act No. 65 of 1979) for the purpose of implementing the provisions of the Foreign Exchange and Foreign Trade Control Act.

第一章 総則（第一条）

Chapter I General Provisions (Article 1)

第二章 対内直接投資等（第二条—第四条）

Chapter II Inward Direct Investment, etc. (Article 2 to 4)

第三章 技術導入契約の締結等（第五条—第六条の二）

Chapter III Conclusion of a Technology Introduction Contract, etc. (Article 5 to 6-2)

第三章の二 報告（第六条の三—第六条の五）

Chapter III-II Report (Article 6-3 to 6-5)

第四章 雑則（第七条—第十条）

Chapter IV Miscellaneous Provisions (Article 7 to 10)

附 則

Supplementary Provisions

第一章 総則

Chapter I General Provisions

(趣旨)

(Purpose)

第一条 この政令は、外国為替及び外国貿易法（以下「法」という。）第五章に規定す

る対内直接投資等及び技術導入契約の締結等に関する事項の管理若しくは調整又は報告に関し必要な事項を定めるものとする。

Article 1 This Cabinet Order shall provide for necessary matters concerning the management or adjustment or report of matters relating to inward direct investment, etc. and the conclusion of a technology introduction contract, etc. prescribed in Chapter V of the Foreign Exchange and Foreign Trade Act (hereinafter referred to as the "Act").

第二章 対内直接投資等

Chapter II Inward Direct Investment, etc.

(対内直接投資等の定義に関する事項)

(Matters on the Definition of Inward Direct Investment, etc.)

第二条 法第二十六条第一項第三号に規定する他の会社を通じて間接に保有されるものとして政令で定める会社の議決権の数は、当該会社の株主又は出資者である他の会社（同項第一号又は第二号に掲げるもの（次項及び次条第一項第六号において「外国法人等」という。）の出資比率が百分の五十以上であるものに限る。次条第一項第六号において同じ。）が直接に保有する当該会社の議決権（法第二十六条第一項第三号に規定する議決権をいう。以下同じ。）の数とする。

Article 2 (1) The number of voting rights of a company specified by a Cabinet Order, as investment indirectly held through another company prescribed in Article 26, paragraph (1), item (iii) of the Act, shall be the number of voting rights of said company directly held by the shareholders or other companies which are its capital investors (limited to those listed in item (i) and item (ii) of the same paragraph (referred to as "foreign juridical person, etc." in the next paragraph and paragraph (1), item (vi) of the next Article) whose investment ratio is 50% or more; the same shall apply in paragraph (1), item (vi) of the next Article). (Such voting rights shall mean those prescribed in Article 26, paragraph (1), item (iii) of the Act; the same shall apply hereinafter.).

2 前項の「出資比率」とは、外国法人等が直接に保有する会社の議決権の数が当該会社の総株主又は総社員の議決権の数に占める割合をいう。

(2) The "investment ratio" in the preceding paragraph shall mean the ratio of the number of voting rights of the company directly held by the foreign juridical person, etc. to the number of voting rights held by all shareholders or members of the company.

3 法第二十六条第二項第一号に規定する政令で定める株式は、認可金融商品取引業協会（金融商品取引法（昭和二十三年法律第二十五号）第二条第十三項に規定する認可金融商品取引業協会をいう。）の規則の定めるところにより、店頭売買につき売買値段を公表するものとして登録され又は指定されている株式とする。

(3) The shares specified by a Cabinet Order prescribed in Article 26, paragraph (2), item (i) of the Act shall be the shares registered or designated as those of

which the selling prices are announced for over-the-counter sale pursuant to the provisions of the rules of the Approved Financial Instruments Firms Association (meaning the Approved Financial Instruments Firms Association as provided for in Article 2, paragraph (13) of the Financial Instruments and Exchange Act (Act No. 25 of 1948)).

4 上場会社等（法第二十六条第二項第一号に規定する上場会社等をいう。以下同じ。）の株式を取得したもの（以下この項において「株式取得者」という。）と同条第二項第三号に規定する株式の所有関係等の永続的な経済関係、親族関係その他これらに準ずる特別の関係にあるものとして政令で定める非居住者である個人又は法人その他の団体（同条第一項第二号から第四号までに掲げるものに該当するものに限る。以下この項、第七項第二号及び第九項第一号ニ（2）並びに次条第一項第四号及び第六号において「法人等」という。）は、次に掲げるものとする。

(4) Non-resident individuals or juridical persons or other organizations (limited to those which fall under Article 26, paragraph (1), item (ii) to item (iv) inclusive of the Act, and hereinafter referred to as "juridical person, etc." in this paragraph, paragraph (7), item (ii), paragraph (9), item (i), (d) (2) and paragraph (1), item (iv) and item (vi) of the next Article) specified by a Cabinet Order as being in a permanent economic relationship, kinship or other special relationship equivalent thereto of the ownership, etc. of the shares as provided for in paragraph (2), item (iii) of the same Article, with a person who conducted the acquisition of the shares (hereinafter referred to as "share acquirer") of a listed company, etc. (meaning the listed company, etc. prescribed in Article 26, paragraph (2), item (i) of the Act; the same shall apply hereinafter) shall be listed as follows:

一 株式取得者により総株主又は総社員の議決権の数（以下この項及び第五条第一項第一号ニにおいて「総議決権」という。）の百分の五十以上に相当する議決権の数を直接に保有されている法人等

(i) A juridical person, etc. for which the number of voting rights equivalent to 50% or more of the number of voting rights of all shareholders or members of the company (hereinafter referred to as "total voting rights" in this paragraph and Article 5, paragraph (1), item (i), (d)) is directly held by the share acquirer;

二 株式取得者及び前号に掲げる法人等により総議決権の百分の五十以上に相当する議決権の数を直接に保有されている法人等（前号に掲げるものを除く。）

(ii) A juridical person, etc. (excluding those listed in the preceding item) for which the number of voting rights equivalent to 50% or more of the total voting rights is directly held by the share acquirer and the juridical person, etc. listed in the preceding item;

三 株式取得者が法人等である場合において当該株式取得者の総議決権の百分の五十以上に相当する議決権の数を直接に保有している法人等（前二号に掲げるものを除く。）

(iii) A juridical person , etc. (excluding those listed in the preceding two items) that directly holds the number of voting rights equivalent to 50% or more of the total voting rights of the share acquirer in the cases where said share acquirer is a juridical person, etc;

四 株式取得者が法人等である場合において、当該株式取得者の総議決権の百分の五十未満に相当する議決権の数を直接に保有している法人等が直接に保有している当該株式取得者の議決権の数と当該法人等の総議決権の百分の五十以上に相当する議決権の数を直接に保有している法人等が直接に保有している当該株式取得者の議決権の数とを合算した数が当該株式取得者の総議決権の百分の五十以上となるときにおける当該株式取得者の総議決権の百分の五十未満に相当する議決権の数を直接に保有している法人等（第一号及び第二号に掲げるものを除く。）

(iv) A juridical person, etc. (excluding those listed in item (i) and item (ii)) that directly holds the number of voting rights equivalent to less than 50% of the total voting rights of the share acquirer in the cases where said share acquirer is a juridical person, etc. and the total of the number of voting rights of said share acquirer directly held by a juridical person, etc. that directly holds the number of voting rights equivalent to 50% or more of the total voting rights of said share acquirer and the number of voting rights of said share acquirer directly held by a juridical person, etc. that directly holds the number of voting rights equivalent to 50% or more of the total voting rights of said juridical person, etc. accounts for 50% or more of the total voting rights of said share acquirer;

五 前二号に掲げる法人等の総議決権の百分の五十以上に相当する議決権の数を直接に保有している法人等（前各号に掲げるものを除く。）

(v) A juridical person, etc. (excluding those listed in each of the preceding items) that directly holds the number of voting rights equivalent to 50% or more of the total voting rights of the juridical person, etc. listed in the preceding two items;

六 前号に掲げる法人等により総議決権の百分の五十以上に相当する議決権の数を直接に保有されている法人等（前各号に掲げるものを除く。）

(vi) A juridical person, etc. (excluding those listed in each of the preceding items) for which the number of voting rights equivalent to 50% or more of the total voting rights is directly held by the juridical person, etc. listed in the preceding item;

七 第五号に掲げる法人等及び前号に掲げる法人等により総議決権の百分の五十以上に相当する議決権の数を直接に保有されている法人等（前各号に掲げるものを除く。）

(vii) A juridical person, etc. (excluding those listed in each of the preceding items) for which the number of voting rights equivalent to 50% or more of the total voting rights is directly held by the juridical person, etc. listed in item (v) and the juridical person, etc. listed in the preceding item;

八 第三号に掲げる法人等により総議決権の百分の五十以上に相当する議決権の数を直接に保有されている法人等（前各号に掲げるものを除く。）

(viii) A juridical person, etc. (excluding those listed in each of the preceding items) for which the number of voting rights equivalent to 50% or more of the total voting rights is directly held by the juridical person, etc. listed in item (iii);

九 第三号に掲げる法人等及び前号に掲げる法人等により総議決権の百分の五十以上に相当する議決権の数を直接に保有されている法人等（前各号に掲げるものを除く。）

(ix) A juridical person, etc. (excluding those listed in each of the preceding items) for which the number of voting rights equivalent to 50% or more of the total voting rights is directly held by the juridical person, etc. listed in item (iii) and the juridical person, etc. listed in the preceding item;

十 株式取得者（法人等に限る。）の役員（取締役その他これに準ずるものをいう。以下この項において同じ。）及び前各号に掲げる法人等の役員

(x) Officers (meaning directors and others equivalent thereto; hereinafter the same shall apply in this paragraph) of the share acquirer (limited to juridical persons, etc.) and officers of the juridical person, etc. listed in each of the preceding items;

十一 前号に掲げる者が役員を過半数を占めている法人等（第一号から第九号までに掲げるものを除く。）

(xi) A juridical person, etc. (excluding those listed in item (i) to item (ix)) for which the officers listed in the preceding item account for a majority;

十二 株式取得者の配偶者

(xii) The spouse of the share acquirer;

十三 株式取得者の直系血族

(xiii) A lineal relative of the share acquirer;

十四 株式取得者が我が国以外の国（その一部である地域を含む。以下この号において同じ。）の政府機関若しくは公共団体又はこれらに準ずるものである場合における当該国の他の政府機関若しくは公共団体又はこれらに準ずるもの（第一号から第九号まで及び第十一号に掲げるものを除く。）

(xiv) Other government institutions or public organizations or entities equivalent thereto of a country (including the region which is a part thereof; hereinafter the same shall apply in this item) other than Japan (such institutions, organizations or entities shall exclude those listed in item (i) to item (ix) and item (xi)) in the cases where the share acquirer is a government institution or public organization or an entity equivalent thereto of such country;

十五 株式取得者が、上場会社等の株式を保有する他の非居住者である個人又は法人等と共同して当該上場会社等の株主としての議決権その他の権利を行使することを合意している場合における当該他の非居住者である個人又は法人等（前各号に掲げ

るものを除く。)

(xv) Other non-resident individuals or juridical persons, etc. (excluding those listed in each of the preceding items) who hold the shares of a listed company, etc. in the cases where the share acquirer has agreed to exercise voting rights and other rights as a shareholder of said listed company, etc. jointly with said other non-resident individuals or juridical persons, etc.

5 法第二十六条第二項第三号に規定する政令で定める率は、百分の十とする。

(5) The ratio specified by a Cabinet Order prescribed in Article 26, paragraph (2), item (iii) of the Act shall be 10%.

6 法第二十六条第二項第五号に規定する政令で定める設置又は変更は、次に掲げる事業に係る本邦における支店、工場その他の事業所（以下「支店等」という。）の設置又は本邦にある支店等の種類若しくは事業目的の実質的な変更以外の当該支店等の設置又は当該実質的な変更とする。

(6) The establishment or change specified by a Cabinet Order prescribed in Article 26, paragraph (2), item (v) of the Act shall be the establishment of a branch office, a factory or other places of business (hereinafter referred to as "branch office, etc.") in Japan pertaining to the businesses listed as follows, or shall be the establishment or substantial change of a branch office, etc. already existing in Japan other than the substantial change of the kind or business purpose of said branch office, etc:

一 銀行法（昭和五十六年法律第五十九号）第二条第二項に規定する銀行業（同法第三条の規定により銀行業とみなされた営業を含む。）

(i) The banking business prescribed in the provisions of Article 2, paragraph (2) of the Banking Act (Act No. 59 of 1981) (including businesses which are deemed as the banking business pursuant to the provisions of Article 3 of the same Act);

二 保険業法（平成七年法律第百五号）第二条第七項に規定する外国保険会社等の事業

(ii) The business of foreign insurance companies, etc. prescribed in Article 2, paragraph (7) of the Insurance Business Act (Act No. 105 of 1995);

三 ガス事業法（昭和二十九年法律第五十一号）第二条第十項に規定するガス事業

(iii) The gas business prescribed in Article 2, paragraph (10) of the Gas Business Act (Act No. 51 of 1954);

四 電気事業法（昭和三十九年法律第百七十号）第二条第一項第九号に規定する電気事業

(iv) The electricity utility prescribed in Article 2, paragraph (1), item (ix) of the Electricity Business Act (Act No. 170 of 1964);

五 金融商品取引法第二条第九項に規定する金融商品取引業者であつて、同法第二十八条第一項に規定する第一種金融商品取引業又は同条第四項に規定する投資運用業を行う者の事業

(v) The business of financial instruments business operators prescribed in

Article 2, paragraph (9) of the Financial Instruments and Exchange Act who conduct Type I financial instruments business prescribed in Article 28, paragraph (1) of the same Act or investment management business prescribed in paragraph (4) of the same Article;

六 信託業法（平成十六年法律第百五十四号）第二条第六項に規定する外国信託会社の事業

(vi) The business of foreign trust companies prescribed in Article 2, item (vi) of the Trust Business Act (Act No. 154 of 2004).

7 法第二十六条第二項第六号に規定する政令で定める金額は、次の各号に掲げる場合の区分に応じ、当該各号に定める金額とする。

(7) The amount specified by a Cabinet Order prescribed in Article 26, paragraph (2), item (vi) of the Act shall be an amount specified in each of the following items in accordance with the classification of the cases listed in those items:

一 本邦に主たる事務所を有する法人に対する法第二十六条第二項第六号に規定する金銭の貸付け（以下「金銭の貸付け」という。）後における当該法人に対する金銭の貸付けの残高が一億円を下らない金額で主務省令で定める金額以下である場合
当該主務省令で定める金額

(i) In the cases where the outstanding balance of loans to a juridical person having its principal office in Japan after providing loans prescribed in Article 26, paragraph (2), item (vi) of the Act (hereinafter referred to as "provision of loans") to said juridical person is not less than 100 million yen and not more than the amount specified by an ordinance of the competent ministry: The amount specified by said ordinance of the competent ministry;

二 本邦に主たる事務所を有する法人に対する金銭の貸付け後における当該法人に対する金銭の貸付けの残高が前号の主務省令で定める金額を超える場合 当該金銭の貸付け後における当該法人の負債の額として主務省令で定める額の百分の五十に相当する金額から当該金銭の貸付けの残高と当該法人（会社に限る。）が発行した第九項第一号に規定するその募集が特定のものに対してされた社債（以下この号において「社債」という。）で当該金銭の貸付けを行つたものが保有するものの残高の合計額（当該金銭の貸付けを行つたものを第四項の株式取得者とした場合に同項各号に掲げるものに該当することとなる非居住者である個人又は法人等が行つた金銭の貸付けの残高と取得した社債の残高の合計額を含み、当該金銭の貸付けの金額を除く。）を控除した金額（当該金額が零に満たない場合にあつては、零）

(ii) In the cases where the outstanding balance of loans to a juridical person having its principal office in Japan after provision of loans exceeds the amount specified by the ordinance of the competent ministry set forth in the preceding item: The amount obtained by deducting the total of the outstanding balance of said loans and the outstanding balance of bonds issued by said juridical person (limited to a company) and offered to specified parties as prescribed in paragraph (9), item (i) (hereinafter referred to as "bonds" in this item) which are held by a person who has provided said loans

(such total shall include the total of the outstanding balance of loans provided and the outstanding balance of bonds acquired by non-resident individuals or juridical persons, etc. who fall under those listed in each item of paragraph (4) when deeming the person who has provided said loans to be the share acquirer set forth in the same paragraph, and shall exclude the amount of said loans) from the amount equivalent to 50% of the amount specified by an ordinance of the competent ministry as the amount of liabilities of said juridical person after said provision of loans (in the cases where said obtained amount is less than zero, the amount shall be zero).

8 法第二十六条第二項第六号に規定する政令で定める金融機関は、次に掲げる金融機関とする。

(8) Financial institutions specified by a Cabinet Order prescribed in Article 26, paragraph (2), item (vi) of the Act shall be the financial institutions listed as follows:

一 信託業、保険業又は金融商品取引業を営む者

(i) Persons who operate trust business, insurance business or financial instruments business;

二 国際復興開発銀行及びアメリカ合衆国輸出入銀行

(ii) International Bank for Reconstruction and Development and the U.S. Import-Export Bank;

三 前二号に掲げる者のほか、業としての金銭の貸付け（物品の売買、運送、保管又は売買の媒介を業とする者がこれらの取引に付随して行うものを除く。）を主として行う者

(iii) Persons who provide loans as their primary business (excluding the cases where persons whose business is the sale, transport or storage of goods or a sales intermediary provide loans in association with these transactions) in addition to those listed in the preceding items;

四 前三号に掲げる者のいずれかに準ずるものとして主務省令で定める者

(iv) Persons specified by an ordinance of the competent ministry who are equivalent to any of those listed in the preceding three items.

9 法第二十六条第二項第七号に規定する政令で定める行為は、次に掲げる行為とする。

(9) The acts specified by a Cabinet Order prescribed in Article 26, paragraph (2), item (vii) of the Act shall be as follows:

一 会社の発行する社債でその募集が法第二十六条第一項各号に掲げるもののうち特定のものに対してされるものの取得。ただし、次のいずれかに該当する社債の取得を除く。

(i) The acquisition of bonds issued by a company which are offered to specified parties among those listed in each item of Article 26, paragraph (1) of the Act; provided, however, that the acquisition of bonds which fall under any of the following is excluded:

イ 銀行業を営む者又は前項第一号若しくは第三号に掲げる者が業として行う社債

の取得

(a) The acquisition of bonds by persons who operate banking business or persons listed in item (i) or item (iii) of the preceding paragraph;

ロ 法第二十六条第一項第三号又は第四号に掲げるものが行う本邦通貨をもつて表示される社債の取得

(b) The acquisition of Japanese currency-denominated bonds by parties listed in Article 26, paragraph (1), item (iii) or item (iv) of the Act;

ハ 取得の日から元本の償還の日までの期間が一年以下である社債の取得

(c) The acquisition of bonds for which the period from the date of acquisition to the date of principal redemption is not more than one year;

ニ 取得の金額が次の(1)又は(2)に掲げる場合の区分に応じ、当該(1)又は(2)に定める金額以下である社債の取得

(d) The acquisition of bonds for which the acquisition amount is not more than the amount prescribed in 1. or 2. below in accordance with the classification of the cases listed in 1. or 2. below:

(1) 取得の後において保有することとなる当該会社の社債の残高の金額が一億円を下らない金額で主務省令で定める金額以下である場合 当該主務省令で定める金額

1. In the cases where the outstanding balance of bonds of said company to be held after the acquisition is not less than 100 million yen and not more than the amount specified by an ordinance of the competent ministry: The amount specified by said ordinance of the competent ministry;

(2) 取得の後において保有することとなる当該会社の社債の残高の金額が(1)の主務省令で定める金額を超える場合 当該取得の後における当該会社の負債の額として主務省令で定める額の百分の五十に相当する金額から当該社債の残高と当該社債を取得したものによる当該会社に対する金銭の貸付けの残高の合計額(当該社債を取得したものを第四項の株式取得者とした場合に同項各号に掲げるものに該当することとなる非居住者である個人又は法人等が取得した社債の残高とこれらのものが行った金銭の貸付けの残高の合計額を含み、当該取得の金額を除く。)を控除した金額(当該金額が零に満たない場合にあつては、零)

2. In the cases where the outstanding balance of bonds of said company to be held after the acquisition exceeds the amount specified by the ordinance of the competent ministry set forth in (i): The amount obtained by deducting the total of the outstanding balance of said bonds and the outstanding balance of loans provided to said company by a person that has acquired said bonds (such total shall include the total of the outstanding balance of bonds acquired and the outstanding balance of loans provided by non-resident individuals or juridical persons, etc. who fall under those listed in each item of paragraph (4)

when deeming the person who has acquired said bonds to be the share acquirer set forth in the same paragraph, and shall exclude said acquisition amount) from the amount equivalent to 50% of the amount specified by an ordinance of the competent ministry as the amount of liabilities of said juridical person after said acquisition (in the cases where said obtained amount is less than zero, the amount shall be zero).

ホ その他主務省令で定める社債の取得

(e) Other acquisitions of bonds specified by an ordinance of the competent ministry;

二 特別の法律により設立された法人の発行する出資証券の取得

(ii) The acquisition of investment securities which are issued by juridical persons established under special acts.

(対内直接投資等の届出及び変更勧告の送達等)

(A notification of inward direct investment, etc. and change of the service of a recommendation of a change)

第三条 法第二十六条第二項に規定する対内直接投資等（以下「対内直接投資等」という。）であつて、法第二十七条第一項及び法第五十五条の五第一項に規定する相続、遺贈、法人の合併その他の事情を勘案して政令で定めるものは、次に掲げる行為に該当する対内直接投資等とする。

Article 3 (1) An inward direct investment, etc. prescribed in Article 26, paragraph (2) of the Act (hereinafter referred to as "inward direct investment, etc."), which is specified by a Cabinet Order by considering inheritance, testamentary gift, merger of juridical persons or other circumstances, prescribed in Article 27, paragraph (1) and Article 55-5, paragraph (1) of the Act shall be the inward direct investment, etc. which falls under the acts listed as follows:

一 相続又は遺贈による会社の株式又は持分の取得

(i) The acquisition of shares or equity of a company through inheritance or testamentary gift;

二 上場会社等以外の会社（次号及び第三号において「非上場会社」という。）の株式又は持分を所有する法人の合併により合併後存続する法人又は新たに設立される法人が当該株式又は持分を取得する場合における当該取得

(ii) The acquisition in the cases where, as a result of the merger of juridical persons which own the shares or equity of a company other than a listed company, etc. (referred to as a "non-listed company" in the next item and item (iii)), the juridical person that continues to exist after the merger or a newly established juridical person acquires said shares and equity;

三 非上場会社の株式又は持分を所有する法人の分割により分割後新たに設立される法人又は事業を承継する法人が当該株式又は持分を取得する場合における当該取得

(iii) Acquisition in the cases where, as a result of the demerger of a juridical person that owns the shares or equity of a non-listed company, a newly established juridical person after the demerger or the juridical person which assumes the business acquires said shares or equity;

四 非上場会社の株式又は持分の取得（当該取得に係る当該非上場会社の株式の数若しくは出資の金額（以下この号において「株式等」という。）の当該非上場会社の発行済株式の総数若しくは出資の金額の総額（以下この号において「発行済株式等」という。）に占める割合又は当該取得をしたものが当該取得の後において所有することとなる当該非上場会社の株式等と当該取得をしたものを前条第四項の株式取得者とした場合に同項各号に掲げるものに該当することとなる非居住者である個人若しくは法人等が所有する当該非上場会社の株式等を合計した株式等の当該非上場会社の発行済株式等に占める割合が百分の十以上となる場合の当該取得を除く。）であつて、次項各号に掲げる対内直接投資等に該当する非上場会社の株式又は持分の取得（上場会社等の株式に準ずるものとして主務省令で定める株式の取得を除く。）以外のもの

(iv) The acquisition of the shares or equity of a non-listed company (excluding the acquisition in the cases where the proportion accounted for in the total issued shares or the total investment amount of said non-listed company (hereinafter referred to as "issued shares, etc." in this item) by the number of shares or the investment amount of said non-listed company pertaining to said acquisition (hereinafter referred to as "shares, etc." in this item), or the proportion accounted for in the total issued shares, etc. of said non-listed company by the sum of the shares, etc. of said non-listed company which the party having conducted said acquisition is to hold after said acquisition and the shares, etc. of said non-listed company held by the non-resident individuals or juridical persons which shall fall under those listed in each item of paragraph (4) of the preceding Article in the cases where the party having conducted said acquisition was treated as the share acquirer referred to in paragraph (4) of the preceding Article is 10% or more), which is other than the acquisition of the shares or equity falling under the inward direct investments, etc. listed in each item of the next paragraph (excluding the acquisition of the shares specified by an ordinance of the competent ministry as those equivalent to the shares of a listed company, etc.);

五 株式の分割又は併合により発行される新株の取得

(v) The acquisition of new shares issued as a result of the split or consolidation of shares;

六 法第二十六条第一項第三号に掲げるもののうち上場会社等であつて、当該上場会社等の各株主（外国法人等又は他の会社に限る。）が直接に保有する当該上場会社等の株式の数（当該株主を前条第四項の株式取得者とした場合に同項各号に掲げるものに該当することとなる非居住者である個人又は法人等が保有する当該株式の数を含む。）の当該上場会社等の発行済株式の総数に占める割合のいずれもが百分の

十未満であるものが行う法第二十六条第二項第一号、第三号、第四号若しくは第六号に掲げる行為又は前条第九項各号に掲げる行為

(vi) The acts listed in Article 26, paragraph (2), item (i), item (iii), item (iv) or item (vi) of the Act or the acts listed in each item of paragraph (9) of the preceding Article conducted by a listed company, etc. among those listed in Article 26, paragraph (1), item (iii) of the Act, for which the proportion of the number of shares of said listed company, etc. directly held by each shareholder of said listed company, etc. (limited to a foreign juridical person, etc. or other companies) (such number of shares include the number of said shares held by non-resident individuals or juridical persons, etc. who fall under each item of paragraph (4) of the preceding Article when deeming said shareholder to be the share acquirer set forth in the same paragraph) accounts for less than 10% of the total number of issued shares of said listed company, etc;

七 前各号に掲げるもののほか、主務省令で定める行為

(vii) The acts specified by an ordinance of the competent ministry in addition to what is listed in each of the preceding items.

2 法第二十七条第一項に規定する審査が必要となる対内直接投資等に該当するおそれがあるものとして政令で定めるものは、次の各号のいずれかに該当する対内直接投資等とする。

(2) What is specified by a Cabinet Order as being likely to fall under inward direct investment, etc. which requires examination prescribed in Article 27, paragraph (1) of the Act shall be the inward direct investment, etc. which falls under any of the following items:

一 イ又はロのいずれかに該当する業種として主務省令で定める業種に係る対内直接投資等（法第二十六条第二項第一号から第四号まで及び前条第九項第一号に掲げる対内直接投資等にあつては、これらの規定に規定する会社の子会社（会社法（平成十七年法律第八十六号）第二条第三号に規定する子会社をいい、本邦にあるものに限る。以下同じ。）並びに当該会社が財務及び営業又は事業の方針の決定に対して重要な影響を与えることができる他の法人等として主務省令で定めるもの（子会社を除く。）が当該主務省令で定める業種に属する事業を営んでいる場合を含む。）

(i) Inward direct investment, etc. pertaining to the business types specified by an ordinance of the competent ministry as the business types which fall under either (a) or (b) (with regard to inward direct investment, etc. listed in Article 26, paragraph (2), item (i) to item (iv) of the Act and paragraph (9), item (i) of the preceding Article, including the cases where a subsidiary company of a company prescribed in these provisions (meaning subsidiary companies prescribed in Article 2, item (iii) of the Companies Act (Act No. 86 of 2005) and limited to those located in Japan; the same shall apply hereinafter) and those specified by an ordinance of the competent ministry as other juridical persons, etc. said company can have a material influence on

the determination of their financial, operational or business policies (excluding subsidiary companies) operate business in the business types specified by said ordinance of the competent ministry):

イ 国の安全を損ない、公の秩序の維持を妨げ、又は公衆の安全の保護に支障を来すことになるおそれがある対内直接投資等に係る業種

(a) Business types pertaining to inward direct investment, etc. which are likely to impair national security, disturb the maintenance of public order or hinder the protection of public safety;

ロ 我が国が経済協力開発機構の資本移動の自由化に関する規約第二条 b の規定に基づき留保している対内直接投資等に係る業種

(b) Business types pertaining to inward direct investment, etc. which Japan has reserved pursuant to the provision of Article 2-b of the Code of Liberalization of Capital Movements of the Organization of Economic Cooperation and Development;

二 法第二十七条第三項第二号に掲げる対内直接投資等に該当するおそれがあるものとして主務省令で定める対内直接投資等

(ii) Inward direct investment, etc. specified by an ordinance of the competent ministry as being likely to fall under the inward direct investment, etc. listed in Article 27, paragraph (3), item (ii) of the Act;

三 外国為替令（昭和五十五年政令第二百六十号）第十一条第一項の規定による財務大臣の指定に係る資本取引に当たるおそれがあるものとして主務省令で定める対内直接投資等

(iii) Inward direct investment, etc. specified by an ordinance of the competent ministry as being likely to be equivalent to the capital transaction pertaining to the designation by the Minister of Finance pursuant to Article 11, paragraph (1) of the Foreign Exchange Order (Cabinet Order No.260 of 1980).

3 法第二十七条第一項の規定による届出は、対内直接投資等を行おうとする日前三月以内に、主務省令で定める手続により、しなければならない。

(3) The notification pursuant to the provision of Article 27, paragraph (1) of the Act shall be given pursuant to the procedure specified by an ordinance of the competent ministry within 30 days before the day when an inward direct investment is intended to be made.

4 法第二十七条第一項の規定による届出をしなければならない法第二十六条第一項に規定する外国投資家（以下「外国投資家」という。）が同項第一号又は第二号に掲げるものに該当する場合には、当該外国投資家は、居住者である代理人（第七項及び第十二項の規定により送達される文書を受理する権限を有するものに限る。）により当該届出をしなければならない。

(4) In the cases where a foreign investor prescribed in Article 26, paragraph (1) of the Act, who shall give the notification pursuant to the provision of Article 27, paragraph (1) of the Act (hereinafter referred to as "foreign investor"), falls under the cases listed in Article 26, paragraph (1), item (i) or item (ii), said

foreign investor shall give said notification through an agent who is a resident (limited to persons who have the authority to receive the documents to be served pursuant to the provisions of paragraph (7) and paragraph (12)).

5 法第二十七条第一項に規定する政令で定める事項は、次に掲げる事項とする。

(5) The matters specified by a Cabinet Order prescribed in Article 27, paragraph (1) shall be the matters listed as follows:

一 届出者の氏名、住所又は居所、国籍及び職業（法人その他の団体にあつては、その名称、主たる事務所の所在地、営んでいる事業の内容、資本金及び代表者の氏名）

(i) The name, domicile or residence, nationality and occupation of the person who gives the notification (in the case of juridical persons and other organizations, their name, the location of their principal office, the content of business being operated, stated capital and the name of the representative);

二 対内直接投資等に係る事業目的

(ii) The business purpose pertaining to an inward direct investment, etc.;

三 対内直接投資等の金額及び実行の時期

(iii) The amount of the inward direct investment, etc. and its timing of implementation;

四 対内直接投資等を行おうとする理由

(iv) The reason for making the inward direct investment, etc.;

五 その他主務省令で定める事項

(v) Other matters specified by an ordinance of the competent ministry.

6 法第二十七条第三項第一号に規定する政令で定めるものは、経済協力開発機構条約（同条約第五条（a）の規定に基づき決定された資本移動の自由化に関する規約に係る部分に限る。）及び世界貿易機関を設立するマラケシュ協定附属書一Bサービスの貿易に関する一般協定とする。

(6) What is specified by a Cabinet Order prescribed in Article 27, paragraph (3), item (i) of the Act shall be the Treaty of Organization of Economic Cooperation and Development (limited to the part pertaining to the Code of Liberalization of Capital Movements decided pursuant to the provision of Article 5- (a) of said Treaty) and Annex B: General Agreement on Trade in Services to the Marrakesh agreements which establish the World Trade Organization

7 法第二十七条第三項又は第六項の規定による対内直接投資等を行つてはならない期間の延長は、郵便若しくは民間事業者による信書の送達に関する法律（平成十四年法律第九十九号）第二条第六項に規定する一般信書便事業者若しくは同条第九項に規定する特定信書便事業者による同条第二項に規定する信書便（以下この条及び第五条において「郵便等」という。）による送達又は交付送達により、その送達を受けるべきものの住所、居所又は営業所に当該延長の期間を記載した文書を送達して行く。ただし、外国投資家が居住者である代理人により当該対内直接投資等の届出をしている場合には、当該代理人の住所、居所又は営業所に送達するものとする。

(7) The period in which inward direct investment, etc. is prohibited pursuant to

the provision of Article 27, paragraph (3) or paragraph (6) of the Act is extended by serving a document entered with said extension of the period to the domicile or residence or business office of the person who should receive such service, through service by mail or via correspondence delivery service prescribed in Article 2, paragraph (2) of the Act on Correspondence Delivery by Private Business Operators (Act No. 99 of 2004) conducted by an ordinary correspondence delivery business prescribed in paragraph (6) of the same Article or a specified correspondence delivery business prescribed in paragraph (9) of the same Article (hereinafter referred to as "mail, etc." in this Article and Article 5), or through personal delivery service; provided, however, that in the cases where the foreign investor gave said notification of inward direct investment, etc. through an agent who is a resident, such document shall be served to the domicile or residence or business office of said agent.

8 通常の取扱いによる郵便等によつて前項に規定する文書を発送した場合には、その郵便物又は民間事業者による信書の送達に関する法律第二条第三項に規定する信書便物は、通常到達すべきであつた時に送達があつたものと推定する。

(8) In the cases where the document prescribed in the preceding paragraph was sent by mail, etc. with ordinary handling, the postal item or the item of correspondence delivery prescribed in Article 2, paragraph (3) of the Act on Correspondence Delivery by Private Business Operators is presumed to have been served at the time it should normally arrive.

9 財務大臣及び事業所管大臣は、通常の取扱いによる郵便等によつて第七項に規定する文書を発送する場合には、当該文書の送達を受けるべきもの（同項ただし書の場合にあつては、代理人。次項及び第十一項において同じ。）の氏名（法人その他の団体にあつては、その名称）、あて先及び当該文書の発送の年月日を確認するに足りる記録を作成しておかなければならない。

(9) In the cases where the document prescribed in paragraph (7) is sent by mail, etc. with ordinary handling, the Minister of Finance and the minister having jurisdiction over the business shall prepare in advance a record by means of which it will be sufficient to ascertain the name (in the case of juridical persons or other organizations, their name) of the person who should receive the service of said document (in the case of the proviso of the same paragraph, the agent; the same shall apply in the next paragraph and paragraph (11)), the destination and the date on which said document was sent.

10 第七項の交付送達は、当該行政機関の職員（法第六十九条第一項の規定に基づき第十条第三号に掲げる事務に従事する日本銀行の職員を含む。）が第七項に規定する文書を送達すべき場所において、その送達を受けるべきものに当該文書を交付して行う。ただし、その送達を受けるべきものに異議がないときは、その他の場所において当該文書を交付することができる。

(10) The delivery service referred to in paragraph (7) shall be conducted by an official of said administrative organ (including officials of the Bank of Japan

engaging in the affairs listed in Article 10, item (iii) pursuant to the provision of Article 69, paragraph (1) of the Act) who delivers said document to the person who should receive the service at the place to which the document prescribed in paragraph (7) should be served; provided, however, that said document may be delivered at other places when the person who should receive the service has no objection.

1 1 次の各号に掲げる場合には、第七項の交付送達は、前項の規定による交付に代え、当該各号に定める行為により行うことができる。

(11) In the cases listed in each of the following items, the delivery service referred to in paragraph (7) may be conducted by replacing the delivery prescribed in the preceding paragraph with the acts specified in each of said items:

一 送達すべき場所において第七項に規定する文書の送達を受けるべき者に会わない場合 その使用人その他の従業者又は同居の者で当該文書の受領について相当のわきまえのあるもの（次号において「使用人等」という。）に当該文書を交付すること。

(i) In the cases where the person who should receive the service of the document prescribed in paragraph (7) cannot be met with at the place on which the service should be made, said document shall be delivered to a person who is his/her employee or worker or one living together and has the capacity to receive said document (referred to as "employee, etc." in the next item);

二 第七項に規定する文書の送達を受けるべき者その他使用人等が送達すべき場所にいない場合又はこれらの者が正当な理由なく当該文書の受領を拒んだ場合 送達すべき場所に当該文書を差し置くこと。

(ii) In the cases where the person who should receive the service of the document prescribed in paragraph (7) and his/her employee, etc. are not available in the place to which the service should be made or where these people refused to receive said document without any justifiable grounds, said document shall be placed in the place on which the service should be made.

1 2 法第二十七条第五項又は第十項の規定による勧告又は命令は、郵便等による送達又は交付送達により、その送達を受けるべきものの住所、居所又は営業所に当該勧告又は命令の内容を記載した文書を送達して行う。ただし、外国投資家が居住者である代理人により当該対内直接投資等の届出をしている場合には、当該代理人の住所、居所又は営業所に送達するものとする。

(12) The recommendation or order pursuant to the provision of Article 27, paragraph (5) and paragraph (10) of the Act shall be implemented by serving a document entered with the content of said recommendation or order to the domicile or residence or business office of the person who should receive the service, through service by Mail, etc. or delivery service; provided, however, that in the cases where the foreign investor gave said notification of inward

direct investment, etc. through an agent who is a resident, such document shall be served to the domicile or residence or business office of said agent.

1 3 第八項から第十一項までの規定は、前項に規定する勧告又は命令の内容を記載した文書について準用する。この場合において、第八項中「前項」とあり、及び第九項中「第七項」とあるのは「第十二項」と、第十項中「第七項」とあるのは「第十二項」と、「第十条第三号」とあるのは「第十条第四号又は第六号」と、第十一項中「第七項」とあるのは「次項」と読み替えるものとする。

(13) The provision of paragraph (8) to paragraph (11) inclusive shall apply mutatis mutandis to the document entered with the content of the recommendation or order prescribed in the preceding paragraph. In this case, the term "the preceding paragraph" in paragraph (8) and the term "paragraph (7)" in paragraph (9) shall be deemed to be replaced with "paragraph (12)"; the terms "paragraph (7)" and "Article 10, item (iii)" in paragraph (10) with "paragraph (12)" and "Article 10, item (iv) or item (vi)," respectively; the term "paragraph (7)" in paragraph (11) with "the next paragraph."

1 4 法第二十七条第七項の規定による通知は、主務省令で定める手続により、しなければならない。

(14) The notice prescribed in Article 27, paragraph (7) of the Act shall be made pursuant to the procedure specified by an ordinance of the competent ministry.

第四条 削除

Article 4 Deleted.

第三章 技術導入契約の締結等

Chapter III Conclusion of a Technology Introduction Contract, etc.

(技術導入契約の締結等の届出及び変更勧告の送達等)

(Notification of Conclusion of a Technology Introduction Contract, etc. and service of a recommendation of a change, etc.)

第五条 法第三十条第一項に規定する技術導入契約の締結等（以下「技術導入契約の締結等」という。）であつて、同項に規定する政令で定めるものは、次の各号のいずれかに該当する技術導入契約の締結等とする。

Article 5 (1) The conclusion of a technology introduction contract, etc. prescribed in Article 30, paragraph (1) (hereinafter referred to as "conclusion of a technology introduction contract, etc."), which is specified by a Cabinet Order prescribed in the same paragraph, shall be the conclusion of a technology introduction contract, etc. which falls under any of the following items:

一 イからニまでに掲げる技術導入契約の締結等に係る契約の締結（技術導入契約の締結等に係る契約の一方の当事者の変更によるものを除く。）であつて、指定技術（国の安全を損ない、公の秩序の維持を妨げ、又は公衆の安全の保護に支障を来すことになるおそれがある技術導入契約の締結等に係る技術として主務省令で定める

- 技術をいう。以下この項及び第六条の四第二項第二号において同じ。)に係るもの
- (i) The conclusion of a contract pertaining to the conclusion of a technology introduction contract, etc. listed in (a) to (d) inclusive (excluding the case of the change of a party concerned to the contract pertaining to the conclusion of a technology introduction contract, etc.), which pertains to the specified technology (meaning the technology specified by an ordinance of the competent ministry as technology pertaining to the Conclusion of a Technology Contract, etc. which is likely to impair national security, disturb the maintenance of public order or hinder the protection of public safety; hereinafter the same shall apply in this paragraph and Article 6-4, paragraph (2), item (ii)):
- イ 技術導入契約の締結等に基づき契約の相手方である非居住者（非居住者の本邦にある支店等を含む。以下この号において同じ。）に支払うべき対価（渡航費及び本邦における滞在費を除く。以下この項において「技術導入契約の対価」という。）の額が一億円に相当する額を超える技術導入契約の締結等
- (a) The conclusion of a technology introduction contract, etc. of which the amount of the consideration (excluding travel expenses and sojourn expenses in Japan; hereinafter referred to as "consideration of the technology introduction contract") to be paid pursuant to the conclusion of a technology introduction contract, etc. to a non-resident (including the non-resident's branch office, etc. in Japan; hereinafter the same shall apply in this item) who is the other party to the contract exceeds an amount equivalent to 100 million yen;
- ロ 技術導入契約の対価の額が確定していない技術導入契約の締結等
- (b) The conclusion of a technology introduction contract, etc. in which the consideration of the technology introduction contract has not been determined;
- ハ 居住者が技術導入契約の対価として工業所有権その他の技術に関する権利の譲渡、これらに関する使用权の設定又は事業の経営に関する技術の指導を行おうとする技術導入契約の締結等
- (c) The conclusion of a technology introduction contract, etc. in which a resident intends to transfer industrial property and other rights relating to the technology, establish the right of use relating thereto or give guidance on the technology relating to business operation as the consideration of the technology introduction contract;
- ニ 技術導入契約の締結等の相手方である非居住者により総議決権の百分の五十以上の議決権の数を直接に保有されている会社である居住者が当該非居住者との間でしようとする技術導入契約の締結等
- (d) The conclusion of a technology introduction contract, etc. in which a resident, who is a company in which 50% or more of the total voting rights are directly held by a non-resident who is the other party to the conclusion

of a technology introduction contract, etc. intends to conclude with said non-resident;

二 前号イからニまでに掲げる技術導入契約の締結等に係る契約の条項の変更（指定技術を新たに追加するものに限る。）

(ii) The change of clause of the contract pertaining to the conclusion of a technology introduction contract, etc. listed (a) to (d) inclusive of the preceding item (limited to the contract to which the specified technology is newly added);

三 技術導入契約の締結等（第一号ロからニまでに掲げるものを除く。）に係る契約の条項の変更により技術導入契約の対価の額が一億円に相当する額を超えることとなるものであつて指定技術に係るもの

(iii) The contract in which the amount of the consideration of the technology introduction contract exceeds an amount equivalent to 100 million yen as a result of the change of clause of the contract pertaining to the conclusion of the technology introduction contract, etc. (excluding those listed in (b) to (d) inclusive of item (i)), which pertains to the specified technology.

2 法第三十条第一項の規定による届出は、技術導入契約の締結等をしようとする日前三月以内に、主務省令で定める手続により、しなければならない。

(2) The notification pursuant to the provision of Article 30, paragraph (1) of the Act shall be given pursuant to the procedure specified by an ordinance of the competent ministry within three months before the day when the conclusion of a technology introduction contract, etc. is intended to be made.

3 法第三十条第一項に規定する政令で定める事項は、次に掲げる事項とする。

(3) The matters specified by a Cabinet Order prescribed in Article 31, paragraph (1) of the Act shall be the matters listed as follows:

一 届出者の氏名、住所又は居所及び職業（法人にあつては、その名称、主たる事務所所在地、営んでいる事業の内容、資本金及び代表者の氏名）

(i) The name, domicile or residence, and occupation of the person who gives the notification (in the case of juridical persons and other organizations, their name, the location of their principal office, the content of business being operated, stated capital and the name of the representative);

二 技術導入契約の締結等に係る技術の種類及び対価

(ii) The kind and consideration of the technology pertaining to the conclusion of a technology introduction contract, etc.;

三 技術導入契約の締結等の実行の時期

(iii) The timing to implement the conclusion of a technology introduction contract, etc.;

四 技術導入契約の締結等をしようとする理由

(iv) The reason for the intention to make the conclusion of a technology introduction contract, etc.;

五 前各号に掲げるもののほか、技術導入契約の締結等に係る契約の条項その他主務

省令で定める事項

- (v) In addition to what is listed in each of the preceding items, the clauses of the contract pertaining to the conclusion of a technology introduction contract, etc. and other matters specified by an ordinance of the competent ministry.
- 4 法第三十条第三項に規定する政令で定めるものは、経済協力開発機構条約（同条約第五条（a）の規定に基づき決定された経常的貿易外取引の自由化に関する規約に係る部分に限る。）とする。
- (4) What is specified by a Cabinet Order prescribed in Article 30, paragraph (3) of the Act shall be the Treaty of Organization of Economic Cooperation and Development (limited to the part pertaining to the Code of Liberalization of Current Invisible Operations decided pursuant to the provision of Article 5- (a) of said Treaty).
- 5 法第三十条第三項又は第六項の規定による技術導入契約の締結等をしてはならない期間の延長は、郵便等による送達又は交付送達により、その送達を受けるべき者の住所、居所又は営業所に当該延長の期間を記載した文書を送達して行う。
- (5) The period in which the conclusion of a technology introduction contract, etc. is prohibited pursuant to the provision of Article 30, paragraph (3) or paragraph (6) shall be extended by serving a document entered with said extension of the period to the domicile or residence or business office of the person who should receive the service, through service by mail, etc. or delivery service.
- 6 第三条第八項から第十一項までの規定は、前項に規定する延長の期間を記載した文書について準用する。この場合において、同条第八項中「前項」とあり、及び同条第九項から第十一項までの規定中「第七項」とあるのは、「第五条第五項」と読み替えるものとする。
- (6) The provision of Article 3, paragraph (8) to paragraph (11) inclusive shall apply mutatis mutandis to the document entered with the extension of the period prescribed in the preceding paragraph. In this case, the term "the preceding paragraph" in paragraph (8) of the same Article and the term "paragraph (7)" in paragraph (9) to paragraph (11) inclusive of the same Article shall be deemed to be replaced with "Article 5, paragraph (5)."
- 7 法第三十条第五項の規定又は同条第七項において準用する法第二十七条第十項の規定による勧告又は命令は、郵便等による送達又は交付送達により、その送達を受けるべき者の住所、居所又は営業所に当該勧告又は命令の内容を記載した文書を送達して行う。
- (7) The recommendation or order pursuant to the provision of Article 30, paragraph (5) of the Act or the provision of Article 27, paragraph (10) of the Act which is applied mutatis mutandis to paragraph (7) of the same Article shall be implemented by serving a document entered with the content of said recommendation or order to the domicile or residence or business office of the

person who should receive the service, through service by Mail, etc. or delivery service.

8 第三条第八項から第十一項までの規定は、前項に規定する勧告又は命令の内容を記載した文書について準用する。この場合において、同条第八項中「前項」とあり、及び同条第九項中「第七項」とあるのは「第五条第七項」と、同条第十項中「第七項」とあるのは「第五条第七項」と、「第十条第三号」とあるのは「第十条第四号又は第六号」と、同条第十一項中「第七項」とあるのは「第五条第七項」と読み替えるものとする。

(8) The provision of Article 3, paragraph (8) to paragraph (11) inclusive shall apply mutatis mutandis to the document entered with the content of the recommendation or order prescribed in the preceding paragraph. In this case, the term "the preceding paragraph" in paragraph (8) of the same Article and the term "paragraph (7)" in paragraph (9) of the same Article shall be deemed to be replaced with "Article 5, paragraph (7)"; the terms "paragraph (7)" and "Article 10, item (iii)" in paragraph (10) of the same Article with "Article 5, paragraph (7)" and "Article 10, item (iv) or item (vi)," respectively; the term "paragraph (7)" in paragraph (11) of the same Article with "Article 5, paragraph (7)."

9 法第三十条第七項において準用する法第二十七条第七項の規定による通知は、主務省令で定める手続により、しなければならない。

(9) The notice prescribed in Article 27, paragraph (7) of the Act which applies mutatis mutandis to Article 30, paragraph (7) of the Act shall be made pursuant to the procedure specified by an ordinance of the competent ministry.

(法第二十七条の技術的読替え)

(Technical Replacement Deemed to Be Made for Article 27 of the Act)

第六条 法第三十条第七項の規定による技術的読替えは、次の表のとおりとする。

Article 6 The technical replacement deemed to be made pursuant to the provision of Article 30, paragraph (7) of the Act shall be as in the following table.

読み替える規定 Provision for which a term is deemed to be replaced	読み替えられる字句 Term deemed to be replaced	読み替える字句 Term used to replace with
第二十七条第七項 Article 27, paragraph (7)	第五項 Paragraph (5)	第三十条第五項 Article 30, paragraph (5)

第二十七条第八項 Article 27, paragraph (8)	対内直接投資等を行わなければならない shall make an inward direct investment, etc.	技術導入契約の締結等を行わなければならない shall make the conclusion of a technology introduction contract, etc.
第二十七条第九項 Article 27, paragraph (9)	第三項又は第六項 Paragraph (3) or paragraph (6)	第三十条第三項又は第六項 Article 30, paragraph (3) or paragraph (6)
	当該対内直接投資等 said inward direct investment, etc.	当該技術導入契約の締結等 said conclusion of a technology introduction contract, etc.
	対内直接投資等を行う make an inward direct investment, etc.	技術導入契約の締結等をする make the conclusion of a technology introduction contract, etc.
第二十七条第十項 Article 27, paragraph (10)	第五項 paragraph (5)	第三十条第五項 Article 30, paragraph (5)
	対内直接投資等に係る内容 content pertaining to the inward direct investment, etc.	技術導入契約の締結等に係る条項の全部若しくは一部 all or part of the clause pertaining to the conclusion of a technology introduction contract, etc.
	第三項又は第六項 paragraph (3) or paragraph (6)	同条第三項又は第六項 paragraph (3) or paragraph (6) of the same Article

<p>第二十七条第十一項 Article 27, paragraph (11)</p>	<p>第一項の規定による届出に係る対内直接投資等が国の安全等に係る対内直接投資等 inward direct investment, etc. pertaining to a notification pursuant to the provision of paragraph (1)inward direct investment, etc. pertaining to national security, etc.</p>	<p>第三十条第一項の規定による届出に係る技術導入契約の締結等が同条第三項に規定する国の安全等に係る技術導入契約の締結等 the conclusion of a technology introduction contract, etc. pertaining to a notification pursuant to the provision of Article 30, paragraph (1).....conclusion of a technology introduction contract, etc. pertaining to national security, etc. prescribed in paragraph (3) of the same Article</p>
	<p>対内直接投資等に係る内容 content pertaining to inward direct investment, etc.</p>	<p>技術導入契約の締結等に係る条項の全部若しくは一部 all or part of the clause pertaining to the conclusion of a technology introduction contract, etc.</p>
<p>第二十七条第十二項 Article 27, paragraph (12)</p>	<p>第五項から前項までに定めるもののほか、対内直接投資等に係る内容 In addition to what is prescribed in paragraph (5) to paragraph (11) inclusive, content pertaining to inward direct investment, etc.</p>	<p>第七項から前項まで並びに第三十条第五項及び第六項に定めるもののほか、技術導入契約の締結等に係る条項の全部若しくは一部 In addition to what is prescribed in paragraph (7) to the preceding paragraph inclusive and Article 30, paragraph (5) and paragraph (6),all or part of the clause pertaining to the conclusion of a technology introduction contract, etc.</p>

(適用除外)

(Exclusion from Application)

第六条の二 法第三十条第八項に規定する政令で定める技術導入契約の締結等は、事業

の経営に関する技術の指導に係る技術導入契約の締結等とする。

Article 6-2 The conclusion of a technology introduction contract, etc. specified by a Cabinet Order prescribed in Article 30, paragraph (8) shall be the conclusion of a technology introduction contract, etc. pertaining to the guidance on the technology relating to business operation.

第三章の二 報告

Chapter III-II Report

(対内直接投資等の報告)

(Report of Inward Direct Investment, etc.)

第六条の三 法第五十五条の五第一項の規定による報告は、対内直接投資等を行った日から起算して十五日以内に、主務省令で定める手続により、しなければならない。

Article 6-3 (1) The report pursuant to the provision of the Article 55, paragraph (1) of the Act shall be made pursuant to the procedure specified by an ordinance of the competent ministry within 15 days from the date on which an inward direct investment was made.

2 法第五十五条の五第一項の規定による報告をしなければならない外国投資家が法第二十六条第一項第一号又は第二号に掲げるものに該当する場合には、当該外国投資家は、居住者である代理人により当該報告をしなければならない。

(2) In the cases where a foreign investor, who shall give the notification pursuant to the provision of Article 55, paragraph (1) of the Act, falls under the cases listed in Article 26, paragraph (1), item (i) or item (ii), said foreign investor shall give said notification through an agent who is a resident.

3 法第五十五条の五第一項に規定する政令で定める事項は、次に掲げる事項とする。

(3) The matters specified by a Cabinet Order prescribed in the provision of Article 55, paragraph (1) of the Act shall be the matters listed as follows:

一 報告者の氏名、住所又は居所、国籍及び職業（法人その他の団体にあつては、その名称、主たる事務所の所在地、営んでいる事業の内容、資本金及び代表者の氏名）

(i) The name, domicile or residence, nationality and occupation of the person who makes the report (in the case of juridical persons and other organizations, their name, the location of their principal office, the content of business being operated, stated capital and the name of the representative);

二 対内直接投資等に係る事業目的

(ii) The business purpose pertaining to the inward direct investment, etc.;

三 対内直接投資等の金額及び実行の日

(iii) The amount of the inward direct investment, etc. and its date of implementation;

四 その他主務省令で定める事項

(iv) Other matters specified by an ordinance of the competent ministry.

(技術導入契約の締結等の報告)

(Report of Conclusion of a Technology Introduction Contract, etc.)

第六条の四 法第五十五条の六第一項の規定による報告は、技術導入契約の締結等をした日から起算して十五日以内に、主務省令で定める手続により、しなければならない。

Article 6-4 (1) The report pursuant to the provision of Article 55-6, paragraph (1) of the Act shall be made pursuant to the procedure specified by an ordinance of the competent ministry within 15 days from the date on which the conclusion of a technology introduction contract, etc. was made.

2 法第五十五条の六第二項に規定する政令で定める技術導入契約の締結等は、次に掲げる技術導入契約の締結等とする。

(2) The conclusion of a technology introduction contract, etc. specified by a Cabinet Order prescribed in Article 55-6, paragraph (2) shall be the conclusion of a technology introduction contract, etc. listed as follows:

一 事業の経営に関する技術の指導に係る技術導入契約の締結等

(i) The conclusion of a technology introduction contract, etc. pertaining to guidance on the technology relating to business operation;

二 指定技術以外の技術導入契約の締結等

(ii) The conclusion of a technology introduction contract, etc. other than the specified technology.

(法第五十五条の八の規定に基づく報告)

(Report pursuant to Article 55-8 of the Act)

第六条の五 財務大臣又は財務大臣及び事業所管大臣は、法第五十五条の八の規定に基づき、法第二十六条、法第二十七条、法第三十条、法第五十五条の五又は法第五十五条の六の規定及びこの政令の施行に必要な限度において、これらの規定の適用を受ける取引若しくは行為を行い、若しくは行つた者又は関係人に対し、当該取引又は行為の内容、実行の時期その他当該取引又は行為に関連する事項について報告を求める場合には、財務省令又は主務省令で定めるところにより、当該報告を求める事項を指定するものとする。

Article 6-5 (1) In the cases where, to the extent necessary for enforcing the provisions in Article 26, Article 27, Article 30, Article 55-5 or Article 55-6 of the Act and this Cabinet Order, pursuant to the provisions of Article 55-8 of the Act, the relevant persons conducting or having conducted any transaction or act governed by these provisions are required to make a report on the content of said transaction or act, the timing of implementation and other matters related to said transaction or act, the Minister of Finance or the Minister of Finance and the minister having jurisdiction over the business shall designate the matter of requiring said report pursuant to what is specified by an Ordinance of the Ministry of Finance or an ordinance of the competent ministry.

2 前項の規定により指定された事項の報告を求められた者は、財務省令又は主務省令で定める手続により、当該報告をしなければならない。

(2) The person who is required to make a report on the designated matter prescribed in the preceding paragraph shall make said report pursuant to the procedure specified by an Ordinance of the Ministry of Finance or an ordinance of the competent ministry.

第四章 雑則

Chapter IV Miscellaneous Provisions

(事業所管大臣)

(Minister Having Jurisdiction over the Business)

第七条 法及びこの政令における事業所管大臣は、次の各号に掲げる事項の区分に応じ、当該各号に定める大臣とする。

Article 7 The minister having jurisdiction over the business in the Act and this Cabinet Order, in accordance with the classification of the matters listed in each of the following items, shall be the minister specified respectively in those items:

一 会社（特別の法律により設立された法人を含む。）の株式若しくは持分の取得若しくは譲渡又は事業目的の実質的な変更に関する事項 当該会社の営む事業の所管大臣（その子会社又は第三条第二項第一号に規定する主務省令で定めるものが同号に規定する主務省令で定める業種に属する事業を営んでいる場合にあっては、当該事業の所管大臣を含む。第五号において同じ。）

(i) Matters concerning the acquisition or transfer of the shares or equity of a company (including juridical persons established pursuant to the special acts) or a substantial change of the business purpose: The minister having jurisdiction over the business which said company operates (in the cases where said company's subsidiary company or any of those specified by the ordinance of the competent ministry prescribed in Article 3, paragraph (2), item (i) operates business in the business types specified by the ordinance of the competent ministry prescribed in the same item, including the minister having jurisdiction over said business; the same shall apply in item (v));

二 本邦における支店等の設置又は本邦にある支店等の種類若しくは事業目的の実質的な変更に関する事項 当該支店等の営む事業の所管大臣

(ii) Matters concerning the establishment of a branch office, etc. in Japan or a substantial change of the kind of branch office, etc. or the business purpose: The minister having jurisdiction over the business which said branch office, etc. operates;

三 本邦に主たる事務所を有する法人に対する金銭の貸付けに関する事項 当該法人の営む事業の所管大臣

(iii) Matters concerning loans lent to a juridical person having its principal

office in Japan: the minister having jurisdiction over the business which said juridical person operates;

四 技術導入契約の締結等に関する事項 当該技術導入契約の締結等に係る技術を受け入れる事業の所管大臣

(iv) Matters concerning the conclusion of a technology introduction contract, etc.: the minister having jurisdiction over the business of accepting the technology pertaining to said conclusion of a technology introduction contract, etc.;

五 会社の発行する社債の取得に関する事項 当該会社の営む事業の所管大臣

(v) Matters concerning the acquisition of bonds issued by a company: the minister having jurisdiction over the business which said company operates.

(主務省令)

(Ordinance of the Competent Ministry)

第七条の二 この政令における主務省令は、財務大臣及び事業所管大臣の発する命令とする。

Article 7-2 Ordinances of the competent ministry in this Cabinet Order shall be the orders which the Minister of Finance and the minister having jurisdiction over the business issue.

(告示の方法)

(Method of Public Notice)

第八条 この政令の規定に基づく告示は、官報で行う。

Article 8 Public notices prescribed in this Cabinet Order shall be made through the official gazette.

(換算の方法)

(Method of Conversion)

第九条 法（第五章、第五十五条の五、第五十五条の六及び第五十五条の八（この政令の第六条の五に係る部分に限る。次条において同じ。）に限る。）及びこの政令並びにこれらに基づく命令の規定を適用する場合における外国通貨の本邦通貨への換算は、主務省令で定める区分に応じ主務省令で定める方法による場合を除き、当該規定においてその額について当該換算をすべき取引又は行為が行われる日における法第七条第一項に規定する基準外国為替相場又は裁定外国為替相場を用いて行うものとする。

Article 9 The conversion of a foreign currency to Japanese currency in the cases where the provisions of the Act (limited to Chapter V, Article 55-5, Article 55-6 and Article 55-8 (limited to the part pertaining to Article 6-5 of this Cabinet Order; hereinafter the same shall apply in the next Article)), this Cabinet Order and the order based thereon apply, shall be made by using the basic foreign exchange rate or arbitrated foreign exchange rate prescribed in Article 7, paragraph (1) of the Act on the day of conducting a transaction or an act in

which said conversion should be made concerning the amount under said provisions, except where the conversion is made by using the method specified by an ordinance of the competent ministry in accordance with the classification specified by an ordinance of the competent ministry.

(事務の委任)

(Delegation of affairs)

第十条 財務大臣又は財務大臣及び事業所管大臣が法第六十九条第一項の規定に基づき日本銀行に取り扱わせる法（第五章、第五十五条の五、第五十五条の六及び第五十五条の八に限る。）の施行に関する事務は、次に掲げる事務とする。ただし、財務大臣又は財務大臣及び事業所管大臣が必要と認めるときは、財務省令又は主務省令で定めるところにより、自らその事務を取り扱うことを妨げない。

Article 10 The affairs relating to the enforcement of the Act (limited to Chapter V, Article 55-5, Article 55-6 and Article 55-8) which the Minister of Finance or the Minister of Finance and the minister having jurisdiction over the business have the Bank of Japan handle pursuant to the provision of Article 69, paragraph (1) of the Act shall be listed as follows; provided, however, that when the Minister of Finance or the Minister of Finance and the minister having jurisdiction over the business find necessary, this shall not preclude them from handling said affair of their own accord as is governed by an Ordinance of the Ministry of Finance or an ordinance of the competent ministry:

一 法第二十七条第一項及び法第三十条第一項の規定に基づく届出の受理

(i) Acceptance of the notification pursuant to the provision of Article 27, paragraph (1) and Article 30, paragraph (1) of the Act;

二 法第二十七条第二項及び第四項並びに法第三十条第二項及び第四項の規定に基づく期間の短縮の通知その他当該期間の短縮に関する事務で財務大臣及び事業所管大臣が定めるもの

(ii) Notice of the shortening of the period pursuant to the provision of Article 27, paragraph (2) and paragraph (4) and Article 30, paragraph (2) and paragraph (4) of the Act and or other affairs relating to said shortening of the period, as is specified by the Minister of Finance and the minister having jurisdiction over the business;

三 法第二十七条第三項及び第六項並びに法第三十条第三項及び第六項の規定に基づく延長の期間を記載した文書の送付

(iii) Sending of the document entered with the extension of the period pursuant to the provision of Article 27, paragraph (3) and paragraph (7) and Article 30, paragraph (3) and paragraph (6) of the Act;

四 法第二十七条第五項及び法第三十条第五項の規定に基づく勧告の内容を記載した文書の送付

(iv) Sending of the document entered with the content of a recommendation

- pursuant to the provision of Article 27, paragraph (5) and Article 30, paragraph (5) of the Act;
- 五 法第二十七条第七項（法第三十条第七項において準用する場合を含む。）の規定に基づく応諾に関する通知の受理
- (v) Acceptance of the notice relating to the compliance pursuant to the provision of Article 27, paragraph (7) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 30, paragraph (7) of the Act);
- 六 法第二十七条第十項（法第三十条第七項において準用する場合を含む。）の規定に基づく命令の内容を記載した文書の送付
- (vi) Sending of the document entered with the content of an order pursuant to the provision of Article 27, paragraph (10) of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 30, paragraph (7) of the Act);
- 七 法第二十七条第十一項（法第三十条第七項において準用する場合を含む。）の規定に基づく取消しの通知
- (vii) Notice of the rescission pursuant to the provision of Article 27, paragraph (11) (including the cases where it is applied mutatis mutandis pursuant to Article 30, paragraph (7) of the Act);
- 八 法第五十五条の五第一項及び法第五十五条の六第一項の規定に基づく報告の受理
- (viii) Acceptance of the report pursuant to the provision of Article 55-5, paragraph (1) and Article 55-6, paragraph (1) of the Act;
- 九 第三条第九項（同条第十三項並びに第五条第六項及び第八項において準用する場合を含む。）の規定に基づく記録の作成
- (ix) Preparation of a record pursuant to the provision of Article 3, paragraph (9) (including the cases where it is applied mutatis mutandis pursuant to paragraph (13) of the same Article and Article 5, paragraph (6) and paragraph (8));
- 十 第六条の五の規定に基づく報告の受理
- (x) Acceptance of a report pursuant to the provision of Article 6-5;
- 十一 前各号に掲げる事務に附帯する事務
- (xi) Affairs incidental to the affairs listed in the preceding items.

附 則

Supplementary Provisions

(施行期日)

(Effective Date)

第一条 この政令は、外国為替及び外国貿易管理法の一部を改正する法律（昭和五十四年法律第六十五号）の施行の日（昭和五十五年十二月一日）から施行する。

Article 1 This Cabinet Order shall come into effect as from the date of enforcement (December 1, 1980) of the Act on the Partial Revision of the

Foreign Exchange and Foreign Trade Control Act (Act No. 65 of 1979).

(外資に関する法律の規定に基く認可の基準の特例等に関する政令等の廃止)

(Repeal of Cabinet Order on Special Provisions of Standard for Approval, etc.
pursuant to the Provision of the Act on Foreign Capital)

第二条 次に掲げる政令は、廃止する。

Article 2 The Cabinet Orders listed as follows shall be repealed:

一 外資に関する法律第二十条の規定による聴聞の手續に関する政令（昭和二十五年政令第百八十二号）

(i) Cabinet Order on Hearing Procedure pursuant to the Provision of Article 20 of the Act on Foreign Capital (Cabinet Order No. 82 of 1950);

二 外資に関する法律の規定に基く認可の基準の特例等に関する政令（昭和二十七年政令第二百二十一号）

(ii) Cabinet Order on Special Provisions of Standard for Approval, etc.
pursuant to the Provision of the Act on Foreign Capital (Cabinet Order No. 221 of 1952);

三 外資に関する法律の規定により日本銀行に取り扱わせる事務の範囲を定める政令（昭和二十七年政令第四百十二号）

(iii) Cabinet Order on Specifying the Scope of Affairs Bank of Japan is to Handle pursuant to the Act on Foreign Capital (Cabinet Order No.412 of 1952);

四 外国投資家預金勘定に関する政令（昭和二十七年政令第四百二十七号）

(iv) Cabinet Order on the Deposit Account of a Foreign Investor (Cabinet Order No. 427 of 1952).

(経過措置)

(Transitional Measures)

第三条 外国為替管理令（昭和五十五年政令第二百六十号。以下「新管理令」という。）による廃止前の外国為替管理令（昭和二十五年政令第二百三号。次項において「旧管理令」という。）第十七条又は第二十六条の規定に基づき認められ又は許可を受けた取引又は行為については、新管理令附則第三条第一項の規定の定めるところによる。

Article 3 (1) The transactions or acts recognized or permitted pursuant to the provision of Article 17 or 26 of the Foreign Exchange Control Order (Cabinet Order No.203 of 1950, hereinafter referred to as "Old Control Order" in the next paragraph) prior to its repeal by the Foreign Exchange Control Order (Cabinet Order No.260 of 1980, hereinafter referred to as "New Control Order") shall be governed by the provision of Article 3, paragraph (1) of the Supplementary Provisions of New Control Order.

2 この政令の施行の際現に旧管理令第十七条の規定によりされている許可の申請に係る取引又は行為のうち外国為替及び外国貿易管理法の一部を改正する法律（以下「改

正法」という。)による改正後の法(以下この項において「新法」という。)第二十九条第一項の規定により届け出なければならないものについては、当該申請は、この政令の施行の日(以下「施行日」という。)に同項の規定によりされた届出とみなして、新法(第三章、第四章及び第六章を除く。)及びこの政令の規定を適用する。

(2) Of the transactions or acts pertaining to the application for a permission which have actually been made pursuant to the provision of Article 17 of the Old Control Order at the time of the enforcement of this Cabinet Order, with regard to those for which a notification shall be given pursuant to the provision of Article 29, paragraph (1) of the Act after the revision (hereinafter referred to as "New Act" in this paragraph) by the Act on the Partial Revision of the Foreign Exchange and Foreign Trade Control Act (hereinafter referred to as "Act on Revision"), said application shall be deemed to be the notification given pursuant to the provision of the same paragraph on the date of enforcement of this Cabinet Order (hereinafter referred to as "date of enforcement"), and the New Act (excluding Chapters III, IV and VI) and the provision of this Cabinet Order shall apply.

第四条 法第十一条に規定する外国為替公認銀行が改正法による廃止前の外資に関する法律(昭和二十五年法律第百六十三号。以下「旧外資法」という。)第九条の二第一項の規定により開設された外国投資家預金勘定の施行日の前日における残高を他の預金勘定と区分して経理する場合には、当該残高が区分して経理されている間、当該外国投資家預金勘定の残高の払戻しについては、新管理令第十一条の規定は、適用しない。

Article 4 In the cases where a bank authorized to conduct foreign exchange operations prescribed in Article 11 of the Act separates from other deposit accounts the outstanding balance of a foreign investor's deposit account on a date prior to the date of enforcement, which was opened pursuant to the provision of Article 9-2, paragraph (1) of the Act on Foreign Capital (Act No. 163 of 1950. Hereinafter referred to as "Old Foreign Capital Act") prior to the revision by the Act of Revision, and treats it in terms of accounting, with regard to the refund of the outstanding balance of said foreign investor's deposit account, the provision of Article 11 of the New Control Order shall not apply while said outstanding balance is being separated and treated in terms of accounting.

第五条 旧外資法の規定による認可、指定又は確認に際して旧外資法第十四条第一項の規定により付された条件については、あらかじめ主務大臣(旧外資法の規定による主務大臣をいう。)の承認を受けるべき旨を定めている条件のうち施行日において大蔵大臣及び事業所管大臣(第十一条の規定による事業所管大臣をいう。)が指定するものに限り、この政令の施行後においても、なお効力を有するものとし、その他の条件は、この政令の施行後においては、効力を失うものとする。

Article 5 With regard to the conditions attached pursuant to the provision of Article 14, paragraph (1) of the Old Foreign Capital Act at the time of the approval, designation or confirmation prescribed in the Old Foreign Capital Act, of the conditions which require that acceptance be received in advance from the minister having jurisdiction over the business (which shall mean the minister having jurisdiction over the business prescribed in the Old Foreign Capital Act), only those which the Minister of Finance and the minister having jurisdiction over the business (which shall mean the minister having jurisdiction over the business pursuant to the provision of Article 11) designate on the date of enforcement shall remain in force even after the enforcement of this Cabinet Order, and the other conditions shall lose their effect after the enforcement of this Cabinet Order.

第六条 この政令の施行の際現に旧外資法第十条、第十一条第一項、第十二条第一項、第十三条第一項、第十三条の二又は第十三条の三の規定によりされている申請又は届出に係る取引又は行為については、この政令による廃止前の外資に関する法律の規定に基く認可の基準の特例等に関する政令（以下「旧特例政令」という。）及び外資に関する法律の規定により日本銀行に取り扱わせる事務の範囲を定める政令（以下「旧委任政令」という。）は、この政令の施行後においても、なお効力を有する。

Article 6 With regard to the transactions or acts pertaining to an application or a notification which have actually been made pursuant to the provision of Article 10, Article 11, paragraph (1), Article 12, paragraph (1), Article 13, paragraph (1), Article 13-2 or Article 13-3 of the Old Foreign Capital Act at the time of the enforcement of this Cabinet Order, the Cabinet Order on Special Provisions of Standard for Approval, etc. pursuant to the Provision of the Act on Foreign Capital (hereinafter referred to as "Old Cabinet Order on Special Provisions") and Cabinet Order on Specifying the Scope of Affairs Bank of Japan is to Handle Pursuant to the Act on Foreign Capital (hereinafter referred to as "Old Cabinet Order on Delegation") prior to their repeal by this Cabinet Order shall still remain in force even after the enforcement of this Cabinet Order.

第七条 旧外資法第十三条の二に規定する株式等又は旧外資法第十三条の三に規定する対価等若しくは対価等の請求権でその取得の日が施行日前であるものについては、旧特例政令第五条並びに旧委任政令第七号、第八号及び第十二号の規定は、この政令の施行後においても、なお効力を有する。

Article 7 With regard to the shares, etc. prescribed in Article 13-2 of the Old Foreign Capital Act or the consideration, etc. or the right to the consideration, etc. prescribed in Article 13-3 of Old Foreign Capital Act of which their date of acquisition is earlier than the date of enforcement, the provision of Article 5 of the Old Cabinet Order on Special Provisions and the provision of item (vii),

item (viii) and item (xii) of the Old Cabinet Order on Delegation shall remain in force even after the enforcement of this Cabinet Order.

(厚生省組織令の一部改正)

(Partial Revision of Order for Organization of Ministry of Health and Welfare)

第八条 厚生省組織令（昭和二十七年政令第三百八十八号）の一部を次のように改正する。

Article 8 Order for Organization of Ministry of Health and Welfare (Cabinet Order No. 388 of 1952) shall be partially revised as follows.

第三十四条第三号中「外資に関する法律（昭和二十五年法律第百六十三号）」を「外国為替及び外国貿易管理法（昭和二十四年法律第二百二十八号）」に改める。

"Act on Foreign Capital (Act No. 163 of 1950)" in Article 34, paragraph (3) shall be replaced with "Foreign Exchange and Foreign Trade Control Act (Act No. 228 of 1949)."

(通商産業省組織令の一部改正)

(Partial Revision of Order for Organization of Ministry of International Trade and Industry)

第九条 通商産業省組織令（昭和二十七年政令第三百九十号）の一部を次のように改正する。

Article 9 Order for Organization of Ministry of International Trade and Industry (Cabinet Order No. 390 of 1952) shall be partially revised as follows.

第四十三条第二号中「技術援助契約」を「技術導入契約」に、「行なう」を「行う」に改め、同条第三号中「財産の取得」を「財産の取得等」に、「行なう」を「行う」に改める。

"Technical assistance contract" in Article 43, item (ii) shall be replaced with "Technology Introduction Contract," and "acquisition of property" in item (iii) of the same Article with "acquisition of property, etc."

(運輸省組織令の一部改正)

(Partial revision of Order for Organization of Ministry of Transport)

第十条 運輸省組織令（昭和二十七年政令第三百九十一号）の一部を次のように改正する。

Article 10 Order for Organization of Ministry of Transport (Cabinet Order No. 391 of 1952) shall be partially revised as follows.

運輸省組織令第一章中「株式等の取得」を「株式の取得等」に、「技術援助契約」を「技術導入契約」に改める。

"Acquisition of shares, etc." and "technical assistance contract" in Chapter I of the Order for Organization of Ministry of Transport shall be replaced with "acquisition, etc. of shares" and "Technology Introduction Contract," respectively.

附 則 〔昭和五十六年九月二十六日政令第二百九十一号〕

Supplementary Provisions [Cabinet Order No. 291 of September 26, 1981]

この政令は、昭和五十六年十月一日から施行する。

This Cabinet Order shall come into effect as from October 1, 1981.

附 則 〔昭和五十七年三月二十七日政令第四十八号〕 〔抄〕

Supplementary Provisions [Extract from Cabinet Order No. 48 of March 27, 1982] [Extract]

1 この政令は、銀行法の施行の日（昭和五十七年四月一日）から施行する。

(1) This Cabinet Order shall come into effect as from the date of enforcement of the Bank Act (April 1, 1982).

附 則 〔昭和五十九年六月十九日政令第百九十五号〕

Supplementary Provisions [Cabinet Order No. 195 of June 19, 1984]

この政令は、調和ある対外経済関係の形成を図るための国際通貨基金及び国際復興開発銀行への加盟に伴う措置に関する法律等の一部を改正する法律第五条の規定の施行の日（昭和五十九年七月一日）から施行する。

This Cabinet Order shall come into effect as from the date of enforcement of the provision of Article 5 of the Act of Partial Revision of the Act on Measures Accompanying the Accession to the International Monetary Fund and International Bank for Reconstruction and Development for the Purpose of Forming a Harmonized Foreign Economic Relationship (July 1, 1984).

附 則 〔平成三年三月二十五日政令第四十八号〕

Supplementary Provisions [Cabinet Order No. 48 of March 25, 1991]

（施行期日）

（Effective date）

1 この政令は、平成三年四月一日から施行する。

(1) This Cabinet Order shall come into effect as from April 1, 1991.

（対内直接投資等に関する政令の一部改正に伴う経過措置）

（Transitional Measures Accompanying the Partial Revision of the Cabinet Order on Inward Direct Investment, etc.）

2 商法等の一部を改正する法律（平成二年法律第六十四号）附則第十一条の規定によりなお従前の例によることとされる新株の発行に際し第四条の規定による改正前の対内直接投資等に関する政令第二条第十三項第三号に規定する新株を取得する場合及び

同法附則第十七条の規定によりなお従前の例によることとされる利益の処分により同項第五号に規定する新株を取得する場合については、なお従前の例による。

- (2) With regard to the cases where the new shares prescribed in Article 2, paragraph (13), item (ii) of the Cabinet Order on Inward Direct Investment, etc. prior to the revision by the provision of Article 4 are acquired at the time of the issue of new shares for which the provisions then in force still remain applicable pursuant to the provision of Supplementary Provisions, Article 11 of the Act on the Partial Revision of the Commercial Code, etc. (Act No. 64 of 1990), and the cases where the new shares prescribed in the provision of item (v) of the same paragraph are acquired due to the appropriation of profit for which the provisions then in force still remain applicable pursuant to the provision of Supplementary Provisions, Article 17 of the same Act, the provisions then in force shall remain applicable.
- 3 この政令の施行前にした行為に対する罰則の適用については、なお従前の例による。
- (3) With regard to the penal provision concerning the act conducted prior to the enforcement of this Cabinet Order, the provisions then in force shall remain applicable.

附 則 〔平成三年十一月二十七日政令第三百五十四号〕

Supplementary Provisions [Cabinet Order No. 354 of November 27, 1991]

(施行期日)

(Effective Date)

- 1 この政令は、外国為替及び外国貿易管理法の一部を改正する法律の施行の日（平成四年一月一日）から施行する。
- (1) This Cabinet Order shall come into effect as from the date of enforcement of the Act on the Partial Revision of the Foreign Exchange and Foreign Trade Control Act (January 1, 1992).

(経過措置)

(Transitional Measures)

- 2 この政令の施行前にした行為に対する罰則の適用については、なお従前の例による。
- (2) With regard to the penal provision concerning the act conducted prior to the enforcement of this Cabinet Order, the provisions then in force shall remain applicable.

附 則 〔平成六年十二月二十六日政令第四百十一号〕 〔抄〕

Supplementary Provisions [Extract from Cabinet Order No. 411 of December 26, 1994] [Extract]

(施行期日)

(Effective Date)

第一条 この政令は、ガス事業法の一部を改正する法律（平成六年法律第四十二号）の施行の日（平成七年三月一日）から施行する。

Article 1 This Cabinet Order shall come into effect as from the date of enforcement (March 1, 1995) of the Act on the Partial Revision of the Gas Business Act (Act No. 42 of 1994).

附 則 〔平成六年十二月二十八日政令第四百十九号〕

Supplementary Provisions [Cabinet Order No. 419 of December 28, 1994]

この政令は、世界貿易機関を先立するマラケシュ協定が日本国について効力を生ずる日から施行する。

This Cabinet Order shall come into effect as from the date on which the Marrakesh Agreement preceding the World Trade Organization comes into effect with regard to Japan.

附 則 〔平成七年十月十八日政令第三百五十九号〕〔抄〕

Supplementary Provisions [Extract from Cabinet Order No. 359 of October 18, 1975] [Extract]

(施行期日)

(Effective Date)

第一条 この政令は、電気事業法の一部を改正する法律（以下「改正法」という。）の施行の日（平成七年十二月一日）から施行する。

Article 1 This Cabinet Order shall come into effect as from the date of enforcement (December 1, 1995) of the Act on the Partial Revision of the Electricity Business Act (hereinafter referred to as "Act on Revision").

附 則 〔平成七年十二月二十二日政令第四百二十六号〕

Supplementary Provisions [Cabinet Order No. 426 of December 22, 1995]

この政令は、保険業法の施行の日（平成八年四月一日）から施行する。

This Cabinet Order shall come into effect as from the date of enforcement of the Insurance Business Act (April 1, 1996).

附 則 〔平成九年十二月二十五日政令第三百八十四号〕

Supplementary Provisions [Cabinet Order No. 384 of December 25, 1997]

(施行期日)

(Effective Date)

第一条 この政令は、外国為替及び外国貿易管理法の一部を改正する法律の施行の日

(平成十年四月一日) から施行する。

Article 1 This Cabinet Order shall come into effect as from the date of enforcement of the Act on the Partial Revision of the Foreign Exchange and Foreign Trade Control Act (April 1, 1998).

(経過措置)

(Transitional Measures)

第二条 改正後の対内直接投資等に関する政令第六条の四第二項の規定は、この政令の施行の日以後にする外国為替及び外国貿易法第三十条第一項に規定する技術導入契約の締結等（以下この条において「技術導入契約の締結等」という。）について適用し、同日前にした技術導入契約の締結等については、なお従前の例による。

Article 2 The provision of Article 6-4, paragraph (2) of the Cabinet Order on Inward Direct Investment, etc. after the revision shall apply to the conclusion of a technology introduction contract, etc. prescribed in Article 31, paragraph (1) of the Foreign Exchange and Foreign Trade Act which will be made after the date of enforcement of this Cabinet Order (hereinafter referred to as "conclusion of a technology introduction contract, etc." in this Article), and with regard to the conclusion of a technology introduction contract, etc. which was made prior to said date of enforcement, the provisions then in force shall remain applicable.

第三条 この政令の施行前にした行為及び前条の規定によりなお従前の例によることとされる事項に係るこの政令の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 3 With regard to the penal provision concerning the act conducted prior to the enforcement of this Cabinet Order and the act conducted after the enforcement of this Cabinet Order pertaining to the matters for which the provisions then in force shall remain applicable pursuant to the provision of the preceding Article, the provisions then in force shall remain applicable.

附 則 〔平成十一年十二月二十七日政令第四百三十一号〕 〔抄〕
Supplementary Provisions [Extract from Cabinet Order No. 431 of
December 27, 1999] [Extract]

(施行期日)

(Effective Date)

第一条 この政令は、平成十二年三月二十一日から施行する。

Article 1 This Cabinet Order shall come into effect as from March 21, 2000.

附 則 〔平成十二年六月七日政令第三百七号〕 〔抄〕
Supplementary Provisions [Extract from Cabinet Order No. 307 of June 7,

2000] [Extract]

(施行期日)

(Effective Date)

第一条 この政令は、平成十三年一月六日から施行する。

Article 1 This Cabinet Order shall come into effect as from January 6, 2001.

附 則 [平成十三年三月二十八日政令第七十七号]

Supplementary Provisions [Extract from Cabinet Order No. 77 of March 28, 2001]

(施行期日)

(Effective Date)

1 この政令は、公布の日から施行する。ただし、第三条第一項の改正規定は、平成十三年四月一日から施行する。

(1) This Cabinet Order shall come into effect as from the date of promulgation; provided, however, that the provision of revision of Article 3, paragraph (1) shall come into effect as from April 1, 2001.

(経過措置)

(Transitional Measures)

2 改正後の対内直接投資等に関する政令第六条の四第二項の規定は、この政令の施行の日以後にする外国為替及び外国貿易法第三十条第一項に規定する技術導入契約の締結等（以下この項において「技術導入契約の締結等」という。）について適用し、同日前にした技術導入契約の締結等については、なお従前の例による。

(2) The provision of Article 6-4, paragraph (2) of the Cabinet Order on Inward Direct Investment, etc. after the revision shall apply to the conclusion of a technology introduction contract, etc. prescribed in Article 31, paragraph (1) of the Foreign Exchange and Foreign Trade Act which will be made after the date of enforcement of this Cabinet Order (hereinafter referred to as "conclusion of a technology introduction contract, etc." in this paragraph), and with regard to the conclusion of a technology introduction contract, etc. which was made prior to said date of enforcement, the provisions then in force shall remain applicable.

3 この政令の施行前にした行為及び前項の規定によりなお従前の例によることとされる事項に係るこの政令の施行後にした行為に対する罰則の適用については、なお従前の例による。

(3) With regard to the penal provision concerning the act conducted prior to the enforcement of this Cabinet Order and the act conducted after the enforcement of this Cabinet Order pertaining to the matters for which the provisions then in force shall remain applicable pursuant to the provision of the preceding

Article, the provisions then in force shall remain applicable.

附 則 〔平成十四年三月二十日政令第五十四号〕

Supplementary Provisions [Extract from Cabinet Order No. 54 of March 20, 2002]

(施行期日)

(Effective Date)

1 この政令は、平成十四年四月一日から施行する。

(1) This Cabinet Order shall come into effect as from April 1, 2002.

(転換社債等に関する経過措置)

(Transitional Measures Concerning Convertible Bonds)

2 商法等の一部を改正する法律（平成十三年法律第二百二十八号）附則第七条の規定によりなお従前の例によることとされる転換社債又は新株引受権付社債に係るこの政令による改正前の対内直接投資等に関する政令第三条第一項第六号及び第七号に規定する新株の取得については、なお従前の例による。

(2) With regard to the acquisition of the new shares prescribed in the provision of Article 3, paragraph (1), item (vi) and item (vii) of the Cabinet Order on Inward Direct Investment prior to the revision by this Cabinet Order pertaining to convertible bonds and bonds with preemptive rights for which the provisions then in force shall still remain applicable pursuant to the provision of Supplementary Provisions, Article 7 of the Act on the Partial Revision of the Commercial Code, etc. (Act No. 128 of 2001), the provisions then in force shall remain applicable.

附 則 〔平成十四年十二月十八日政令第三百八十六号〕 〔抄〕

Supplementary Provisions [Extract from Cabinet Order No.386 of December 18, 2002] [Extract]

(施行期日)

(Effective Date)

第一条 この政令は、平成十五年四月一日から施行する。

Article 1 This Cabinet Order shall come into effect as from April 1, 2003.

附 則 〔平成十五年十二月三日政令第四百七十六号〕 〔抄〕

Supplementary Provisions [Extract from Cabinet Order No. 476 of December 3, 2003] [Extract]

この政令は、平成十六年四月一日から施行する。

This Cabinet Order shall come into effect as from April 1, 2004.

附 則 〔平成十六年十二月二十八日政令第四百二十九号〕 〔抄〕
**Supplementary Provisions [Extract from Cabinet Order No. 429 of
December 28, 2004] [Extract]**

(施行期日)

(Effective Date)

第一条 この政令は、法の施行の日（平成十六年十二月三十日）から施行する。

Article 1 This Cabinet Order shall come into effect as from the date of enforcement of the Act (December 30, 2004).

附 則 〔平成十八年三月十七日政令第四十二号〕
Supplementary Provisions [Cabinet Order No. 42 of March 17, 2006]

この政令は、会社法の施行の日から施行する。

This Cabinet Order shall come into effect as from the date of enforcement of the Companies Act.

附 則 〔平成十九年八月三日政令第二百三十三号〕 〔抄〕
**Supplementary Provisions [Extract from Cabinet Order No. 233 of August
3, 2007] [Extract]**

(施行期日)

(Effective Date)

第一条 この政令は、改正法の施行の日から施行する。

Article 1 This Cabinet Order shall come into effect as from the date of enforcement of the Act on Revision.

(罰則の適用に関する経過措置)

(Transitional Measures Concerning Application of Penal Provisions)

第六十四条 施行日前にした行為及びこの附則の規定によりなお従前の例によることとされる場合における施行日以後にした行為に対する罰則の適用については、なお従前の例による。

Article 64 With regard to the penal provision concerning the act conducted prior to the enforcement of this Cabinet Order and the act conducted after the enforcement of this Cabinet Order pertaining to the matters for which the provisions then in force shall remain applicable pursuant to the provisions of the Supplementary Provisions, the provisions then in force shall remain applicable.

附 則 〔平成十九年九月七日政令第二百八十号〕

Supplementary Provisions [Cabinet Order No. 280 of September 7, 2007]

(施行期日)

(Effective Date)

1 この政令は、平成十九年九月二十八日から施行する。

(1) This Cabinet Order shall come into effect as from September 28, 2007.

(経過措置)

(Transitional Measures)

2 この政令の施行の日前に外国為替及び外国貿易法第二十七条第一項の規定によりされた届出及び同法第五十五条の五第一項の規定によりされた報告に係る同法第二十六条第二項に規定する対内直接投資等については、なお従前の例による。

(2) With regard to inward direct investment, etc. prescribed in Article 26, paragraph (2) of the Foreign Exchange and Foreign Trade Act that pertains to a notification given pursuant to Article 27, paragraph (1) of the same Act or a report made pursuant to Article 55-5, paragraph (1) of the same Act prior to the enforcement of this Cabinet Order, the provisions then in force shall remain applicable.

3 この政令の施行前にした行為及び前項の規定によりなお従前の例によることとされる事項に係るこの政令の施行後にした行為に対する罰則の適用については、なお従前の例による。

(3) With regard to the penal provision concerning the act conducted prior to the enforcement of this Cabinet Order and the act conducted after the enforcement of this Cabinet Order pertaining to the matters for which the provisions then in force shall remain applicable pursuant to the provision of the preceding paragraph, the provisions then in force shall remain applicable.