

Offenders Rehabilitation Services Act

(Act No. 86 of May 8, 1995)

Table of Contents

- Chapter I General Provisions (Articles 1 to 3)
- Chapter II Juridical Person for Offenders Rehabilitation
 - Section 1 General Rules (Articles 4 to 9)
 - Section 2 Incorporation (Articles 10 to 15)
 - Section 3 Administration (Articles 16 to 30)
 - Section 4 Dissolution and Mergers (Articles 31 to 40)
 - Section 5 Supervision (Articles 41 to 44)
- Chapter III Offenders Rehabilitation Services
 - Section 1 Operation of Services, etc. (Articles 45 to 50)
 - Section 2 Supervision and Assistance of Services (Articles 51 to 58)
- Chapter IV Miscellaneous Provisions (Articles 59 to 65)
- Chapter V Penal Provisions (Articles 66 to 70)
- Supplementary Provisions

Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is, by determining the fundamental aspects of offenders rehabilitation services, to ensure the appropriate administration of offenders rehabilitation services, promote their sound growth and development and, in conjunction with the Offenders Rehabilitation Act (Act No. 88 of 2007) and other acts related to offenders rehabilitation, help offenders and juvenile delinquents reform and rehabilitate themselves as law-abiding members of society, and thereby contribute to the reform of individual and public welfare.

(Definitions)

Article 2 (1) The term "offenders rehabilitation services" as used in this Act means continuous aid services, temporary aid services, and liaison and assistance services.

(2) The term "continuous aid services" as used in this Act means the services rendered to persons who fall under any one of the following items, and who are in genuine need of aid for reform and rehabilitation, by placing them in offenders rehabilitation facilities and offering aid necessary for their reform and rehabilitation, such as offering accommodation and helping them obtain education and training, medical care or employment, providing them with

vocational guidance, teaching them the life skills necessary to adapt themselves to life in society, and helping them reform or coordinate their living environment.

- (i) A person who has been placed under probation;
 - (ii) A person whose sentence of imprisonment with or without work or misdemeanor imprisonment without work has been served, or the execution thereof has been remitted or stayed;
 - (iii) A person who has been granted suspension of execution of a sentence of imprisonment with or without work and who has been released from the physical restraints imposed through criminal proceedings (any person falling under item (i) is excluded; the same applies in the following item);
 - (iv) A person who has received a sentence to pay a fine or petty fine and released from the physical restraints imposed through criminal proceedings;
 - (v) A person who has been discharged or provisionally released from a workhouse;
 - (vi) A person who has been released from the physical restraints imposed through criminal proceedings upon a ruling not to institute prosecution, due to it being deemed that prosecution is unnecessary;
 - (vii) A person who has been discharged or released on parole from a juvenile training school (any person falling under item (i) is excluded; the same applies in the following item);
 - (viii) A person who has been discharged or released on parole from a women's guidance home;
 - (ix) A person for whom execution of a cooperative sentence has been completed as prescribed by item (i) or (ii) of paragraph (1) of Article 16 of the Act on the Transnational Transfer of Sentenced Persons (Act No. 66 of 2002) or where the execution of said sentence has been remitted pursuant to the provisions of paragraph (2) of Article 25 of the same Act, or where the execution of said sentence has been stayed pursuant to the provisions of Article 480 or 482 of the Code of Criminal Procedure (Act No. 131 of 1948) applied pursuant to the provisions of Article 21 of the same Act.
- (3) The term "temporary aid services" as used in this Act means services rendered to persons prescribed in the preceding paragraph which provide them with the assistance necessary for their reform and rehabilitation such as helping them find accommodation or to obtain medical care or employment, providing them with or lending them money and goods, and providing them with counseling services on their lifestyle (excluding continuous aid services).
- (4) The term "liaison and assistance services" as used in this Act means social education, liaison, coordination, or promotion in relation to continuous aid services, temporary aid services, or other services aimed at aiding the reform and rehabilitation of the persons listed in each item of paragraph (2).

- (5) The term "person receiving aid" as used in this Act means a person subject to continuous aid services or temporary aid services.
- (6) The term "juridical person for offenders rehabilitation" as used in this Act means a juridical person established pursuant to the provisions of this Act with the objective of conducting offenders rehabilitation services.
- (7) The term "offenders rehabilitation facilities" as used in the Act means, among the facilities which provide aid necessary for the reform and rehabilitation of persons receiving aid, those which have a building(s) and equipment for the purpose of providing accommodation for persons receiving aid.

(Measures by the State, etc.)

- Article 3 (1) Taking the view that offenders rehabilitation services are to fulfill an important role in the smooth and effective enforcement of probation, urgent aftercare of discharged offenders and other services for their reform and rehabilitation which are to be rendered as the responsibility of the State, the State is to take measures to ensure the adequate operation of offenders rehabilitation services and to promote their sound growth and development.
- (2) Taking the view that offenders rehabilitation services are to help the reform and rehabilitation of offenders and juvenile delinquents, thereby contributing to the prevention of crime, a greater level of safety in the community, and the welfare of the public, the local government may render necessary cooperation to offenders rehabilitation services within its area.
 - (3) Any person who conducts offenders rehabilitation services is required to, in rendering those services, pay due respect to the human rights of the persons receiving aid, maintain seamless coordination among measures for their reform and rehabilitation implemented by the State, and other related policies such as social welfare, medical treatment, health, and labor; implement original concepts and schemes suited to the region, and make an effort to obtain the understanding and cooperation of local residents.

Chapter II Juridical Person for Offenders Rehabilitation

Section 1 General Rules

(Restriction on Use of the Name)

Article 4 No person other than a juridical person for offenders rehabilitation is to use the words "juridical person for offenders rehabilitation" in its name.

(Assets)

Article 5 The juridical person for offenders rehabilitation is required to have assets necessary for conducting offenders rehabilitation services.

(Principle of Operation)

Article 5-2 In order to ensure certain, effective, and adequate performance of offenders rehabilitation services, the juridical person for offenders rehabilitation is to endeavor of its own accord to improve its services, such as those for the treatment of persons receiving aid, and is required to strengthen its financial base and ensure transparency in its operations.

(Public Benefit Services and Profit-making Business)

Article 6 (1) A juridical person for offenders rehabilitation may operate services intended for public benefit (hereinafter referred to as "public benefit services") or conduct business intending to allocate its profits to offenders rehabilitation services or to public benefit services (limited to those specified by Ordinance of the Ministry of Justice as contributing to the reform and rehabilitation of offenders and juvenile delinquents or the prevention of crime; the same applies in item (ii) of Article 42) (hereinafter referred to as "profit-making business") provided that said operation does not hinder its offenders rehabilitation services.

(2) The accounting for the public benefit services or the profit-making business is to be separated, respectively, from the accounting for offenders rehabilitation services operated by the juridical person for offenders rehabilitation and is required to be managed as a special account.

(Address)

Article 7 The address of the juridical person for offenders rehabilitation is to be the place where its principal office is located.

(Registration)

Article 8 (1) The juridical person for offenders rehabilitation is required to be registered as specified by Cabinet Order.

(2) The particulars which are to be registered pursuant to the provisions of the preceding paragraph may not be asserted against a third party before they have been duly registered.

(Application Mutatis Mutandis of the Act on General Incorporated Associations and General Incorporated Foundations)

Article 9 The provisions of Article 78 of the Act on General Incorporated Associations and General Incorporated Foundations (Act No. 48 of 2006) applies mutatis mutandis to the juridical person for offenders rehabilitation.

Section 2 Incorporation

(Approval for Incorporation)

Article 10 Any person who intends to incorporate a juridical person for offenders rehabilitation is required to, pursuant to the provisions of Ordinance of the Ministry of Justice, submit a written application and articles of incorporation to the Minister of Justice and obtain the Minister's approval for incorporation.

(Articles of Incorporation)

Article 11 (1) The articles of incorporation of a juridical person for offenders rehabilitation is required to include the following items:

- (i) Purpose;
 - (ii) Name;
 - (iii) Type of offenders rehabilitation services;
 - (iv) Location of office;
 - (v) Particulars concerning the officers;
 - (vi) Particulars concerning meetings;
 - (vii) Particulars concerning assets;
 - (viii) Particulars concerning accounting;
 - (ix) Particulars concerning the board of councilors, if such a board is to be established;
 - (x) Type of public benefit services, if such services are to be conducted;
 - (xi) Type of profit-making business, if such business is to be conducted;
 - (xii) Particulars concerning dissolution;
 - (xiii) Particulars concerning amendment of the articles of incorporation; and
 - (xiv) Means of public notice.
- (2) The officers at the time of incorporation are required to be designated in the articles of incorporation.
- (3) If a provision concerning a person in whom residual assets are vested is to be included in the particulars listed in item (xii) of paragraph (1), said person is required to be chosen from among the persons who operate continuous aid services under the approval referred to in Article 45, or the juridical persons for offenders rehabilitation which conduct temporary aid services or liaison and assistance services by submitting the notice referred to in Article 47-2.

(Criteria for Approval)

Article 12 When the Minister of Justice finds that the application for approval referred to in Article 10 conforms with the following items respectively, the Minister are required to grant approval:

- (i) That the procedure for incorporation and the contents of the written application and articles of incorporation conform to the provisions of laws and regulations;
- (ii) That there are no false statements in the written application and articles of

- incorporation;
- (iii) That the assets of the juridical person for offenders rehabilitation pertaining to the submitted application satisfy the requirements under Article 5; and
 - (iv) That it is deemed certain that the services will be conducted adequately.

(Supplement to the Articles of Incorporation)

Article 13 When a person who intends to incorporate a juridical person for offenders rehabilitation dies before designating the particulars listed in items (ii) to (xiv) in paragraph (1) of Article 11, the Minister of Justice is required to, at the request of an interested party, or ex officio, designate said particulars.

(Timing of Incorporation)

Article 14 The incorporation of a juridical person for offenders rehabilitation will be established when it has been registered at the location of its principal office.

(Preparation and Keeping an Inventory of Assets)

Article 14-2 The juridical person for offenders rehabilitation is required to prepare an inventory of its assets at the time of its incorporation, and keep said assets at its principal office at all times.

(Application Mutatis Mutandis of the Act on General Incorporated Associations and General Incorporated Foundations)

Article 15 The provisions of Article 158 and Article 164 of the Act on General Incorporated Associations and General Incorporated Foundations apply mutatis mutandis to the incorporation of a juridical person for offenders rehabilitation.

Section 3 Administration

(Officers)

Article 16 (1) The juridical person for offenders rehabilitation is required to appoint five or more directors and two or more auditors as its officers.
(2) One of the directors is to be the president pursuant to the provisions of the articles of incorporation.

(Duties of the President and the Directors)

Article 17 (1) The president represents the juridical person for offenders rehabilitation and preside over its business.
(2) The directors, pursuant to the provisions of the articles of incorporation, assist the president in the management of the business of the juridical person

for offenders rehabilitation, represent the president when circumstances obstruct them from performing their duties, and perform said duties when the position of president is vacant.

(Business Decisions)

Article 18 When the articles of incorporation do not specifically prescribe otherwise, the business affairs of the juridical person for offenders rehabilitation is decided by a majority of the directors.

(Delegation of Authority of the President)

Article 18-2 The president may delegate the authority for a specified act to another person, unless said delegation is prohibited by the articles of incorporation.

(Provisional Director)

Article 18-3 If there is a vacancy in the office of a director and damage is likely to occur due to an administrative delay in business affairs, the Minister of Justice is required to appoint a provisional director at the request of any interested person, or ex officio.

(Duties of the Auditors)

Article 19 The auditors perform the following duties:

- (i) Inspect the status of the director's execution of business;
- (ii) Audit the state of the assets of the juridical person for offenders rehabilitation;
- (iii) Report on pertinent particulars to the Minister of Justice (to the board of councillors, if one exists) when the auditor has found, in the course of inspection or auditing pursuant to the provisions of the two preceding items, that there has been a wrongful act concerning the business or assets of the juridical person for offenders rehabilitation or that a material fact related thereto is in violation of laws, regulations, or the articles of incorporation;
- (iv) Request that the president convene a meeting of the board of councillors, if it is necessary for the report set forth in the preceding item; and
- (v) State their opinion to the president concerning the status of the director's execution of business or of the assets of the juridical person for offenders rehabilitation.

(Prohibition of Concurrent Appointment by an Auditor)

Article 20 An auditor must not concurrently hold the position of director, councillor, or employee of the juridical person for offenders rehabilitation.

(Disqualification as an Officer)

Article 21 Any person who falls under any of the following items cannot become an officer of a juridical person for offenders rehabilitation:

- (i) An adult ward or a person under curatorship;
- (ii) A bankrupt person whose rights have not been restored;
- (iii) A person who has been sentenced to punishment for violating any provision of this Act and for whom five years have not yet passed since the day on which the execution of the sentence was completed, or since said person came to no longer be subject to the execution of the sentence;
- (iv) A person who has been sentenced to imprisonment or more severe punishment and for whom five years have not yet passed since the day on which the execution of the sentence was completed, or since said person came to no longer be subject to the execution of the sentence, in addition to any person falling under the preceding item;
- (v) A person who was an officer, at the time of dissolution, of a juridical person for offenders rehabilitation whose dissolution was ordered pursuant to the provisions of Article 43, when five years have not yet passed since the time of said order.

(Exclusion of the Officer's Relatives)

Article 22 With regard to any given individual officer, a group consisting of said officer, and that officer's spouse and/or that officer's relatives within the third degree of kinship must not account for more than one-third of the total number of officers.

(Filling an Officer Vacancy)

Article 23 Vacant positions are required to be filled without delay when the positions of more than one-third of the fixed number of directors or auditors have become vacant.

(Officer's Term of Office)

Article 24 The officer's term of office is provided for in the articles of incorporation, with a limit of three years.

(Restriction on the Right to Represent)

Article 25 In any matter in which there is a conflict of interest between the juridical person for offenders rehabilitation and the president, the president does not have the right to represent the juridical person. In such a case, the auditor will represent the juridical person for offenders rehabilitation.

(Board of Councillors)

Article 26 (1) The juridical person for offenders rehabilitation may have a board of councillors.

(2) The board of councillors is to consist of a greater number of councillors than the fixed number of directors.

(3) Meetings of the board of councillors are to be convened by the president.

(4) The board of councillors may state its opinions to officers, give advice in response to consultations from officers, or request that officers give reports in relation to the status of business affairs or assets of the juridical person for offenders rehabilitation or of an officer's execution of business.

(5) Amendments of the articles of incorporation, the disposition of important assets, mergers, dissolution, and other important particulars concerning the operation of the juridical person for offenders rehabilitation may be designated by the articles of incorporation as matters requiring a resolution by the board of councillors.

(Amendments to the Articles of Incorporation)

Article 27 (1) Amendments to the articles of incorporation (except for those pertaining to the particulars prescribed by Ordinance of the Ministry of Justice) do not come into effect unless they have been approved by the Minister of Justice.

(2) The provisions of Article 12 apply mutatis mutandis to the approval set forth in the preceding paragraph.

(3) The juridical person for offenders rehabilitation is required to notify the Minister of Justice of pertinent particulars without delay when it has amended its articles of incorporation pertaining to the particulars prescribed by Ordinance of the Ministry of Justice referred to in paragraph (1).

(Fiscal Year)

Article 28 The fiscal year of the juridical person for offenders rehabilitation begins on April 1 each year and ends on March 31 of the following year.

(Keeping of an Inventory of Assets, etc.)

Article 29 (1) The juridical person for offenders rehabilitation is required to, pursuant to the provisions of Ordinance of the Ministry of Justice, prepare a business report, inventory of assets, balance sheet, and income and expenditure statement (or, for profit-making business, a statement of profits and losses) within two months after the end of each fiscal year, and keep them in its principal office.

(2) The president is required to submit the documents set forth in the preceding paragraph to the auditor.

(3) The juridical person for offenders rehabilitation is required to submit the

documents referred to in paragraph (1) for inspection whenever so requested.

Article 30 Deleted

Section 4 Dissolution and Mergers

(Causes of Dissolution)

Article 31 (1) Dissolution of a juridical person for offenders rehabilitation will occur on the following grounds:

- (i) On the consent of two-thirds or more of the directors, and in addition, on the resolution of the board of councillors when the articles of incorporation require such a resolution;
 - (ii) The occurrence of grounds for dissolution provided for in the articles of incorporation;
 - (iii) The impossibility of achieving its business purpose;
 - (iv) Merger;
 - (v) Order for commencement of bankruptcy proceedings; or
 - (vi) A dissolution order under the provisions of Article 43.
- (2) Dissolution on the grounds listed in item (i) of the preceding paragraph does not come into effect unless it has been approved by the Minister of Justice, and dissolution on the grounds listed in item (iii) of the same paragraph does not come into effect unless it has been certified by the Minister of Justice.
- (3) When the juridical person for offenders rehabilitation has been dissolved on grounds listed in item (iii) or (v) of paragraph (1), the liquidator is required to notify the Minister of Justice of this fact without delay.

(Commencement of Bankruptcy Proceedings for a Juridical Person for Offenders Rehabilitation)

Article 31-2 (1) In cases when a juridical person for offenders rehabilitation becomes unable to pay its debts in full out of its assets, the court will issue a ruling to commence bankruptcy proceedings, upon filing of a petition by the president or a creditor or by exercising the court's own authority.

(2) In the case prescribed in the preceding paragraph, the president is required to immediately file a petition for the commencement of bankruptcy proceedings.

(Capacity of a Juridical Person for Offenders Rehabilitation under Liquidation Proceedings)

Article 31-3 A dissolved juridical person for offenders rehabilitation is deemed to continue to exist for the purpose of liquidation until the completion of said liquidation.

(Liquidator)

Article 31-4 When a juridical person for offenders rehabilitation is dissolved, its president becomes the liquidator except in cases of dissolution by a ruling for the commencement of bankruptcy proceedings; provided, however, that this does not apply when otherwise provided for in the articles of incorporation.

(Appointment of a Liquidator by the Court)

Article 31-5 If no liquidator is identified pursuant to the provisions of the preceding Article, or if any damage is likely to occur due to a vacancy in the position of liquidator, the court may appoint a liquidator at the request of any interested party or a public prosecutor, or by exercising the court's own authority.

(Dismissal of Liquidator)

Article 31-6 If there are material grounds, the court may dismiss a liquidator at the request of any interested party, at the request of a public prosecutor, or by exercising its own authority.

(Notification by the Liquidator)

Article 31-7 A liquidator who has assumed office during the course of the liquidation is required to report the liquidator's name and address to the Minister of Justice.

(Duties and Authority of the Liquidator)

Article 31-8 (1) The duties of a liquidator are as follows:

- (i) Conclusion of outstanding business;
- (ii) Collection of claims and performance of obligations; and
- (iii) Delivery of residual assets.

(2) The liquidator may perform any and all acts necessary to perform the duties listed in items of the preceding paragraph.

(Request for Filing Claims)

Article 31-9 (1) Within two months from the day on which the liquidator assumes office, the liquidator is required to request the relevant creditors, by releasing a public notice on at least three occasions, to file their claims within a stated period of time. In such a case, said period must not be less than two months.

(2) The public notice set forth in the preceding paragraph is required to carry a supplementary note to the effect that if any creditor fails to file their claim within the stated period, their claim will be excluded from the liquidation process; provided, however, that the liquidator may not exclude any known

creditor.

- (3) The liquidator is required to request each known creditor to file their claims individually.
- (4) The public notice pursuant to the provisions of paragraph (1) is given by publication in the official gazette.

(Filing of Claims after Expiration of the Stated Period)

Article 31-10 Any creditor who submits their claim after the expiration of the period referred to in paragraph (1) of the preceding Article is entitled to make their claim only against the assets which, after all debts of the juridical person for offenders rehabilitation have been fully paid, have not yet been delivered to persons with vested rights.

(Commencement of Bankruptcy Proceedings for Juridical Persons for Offenders Rehabilitation under Liquidation Proceedings)

Article 31-11 (1) When it has become apparent in the course of liquidation that the assets of the juridical person for offenders rehabilitation are not sufficient to fully pay its debts, the liquidator is required to immediately file a petition for the commencement of bankruptcy proceedings and make a public notice of such fact.

- (2) In the event that a juridical person for offenders rehabilitation under liquidation proceedings has become subject to an order for commencement of bankruptcy proceedings, when the administration of the relevant proceedings has been transferred to the bankruptcy trustee, the liquidator is deemed to have completed their duties.
- (3) In the case prescribed in the preceding paragraph, if the juridical person for offenders rehabilitation under liquidation proceedings has already paid any money to the creditors, or has delivered any assets to persons with vested rights, the bankruptcy trustee may retrieve said money or assets.
- (4) The public notice pursuant to the provisions of paragraph (1) is given by publication in the official gazette.

(Ownership of Residual Assets)

Article 32 (1) Except for cases of dissolution based on mergers and orders of commencement of bankruptcy proceedings, the residual assets of the dissolved juridical person for offenders rehabilitation become vested in the person in whom they are to be vested pursuant to the provisions of the articles of incorporation at the point in time of the notification of the completion of liquidation to the Minister of Justice.

- (2) When the articles of incorporation lack provisions concerning the person in whom the residual assets are to be vested, or the person in whom the residual

assets are to be vested pursuant to the provisions of the articles of incorporation does not exist, the liquidator may, upon the approval of the Minister of Justice, transfer said assets to a person who operates continuous aid services under the approval referred to in Article 45 or to a juridical person for offenders rehabilitation which operates temporary aid services or liaison and assistance services by making notification referred to in Article 47-2.

(3) Assets which are not disposed of pursuant to the provisions of the preceding two paragraphs are vested in the national treasury.

(Supervision by the Court)

Article 32-2 (1) The dissolution and liquidation of a juridical person for offenders rehabilitation is subject to the supervision of the court.

(2) The court may, by its own authority, conduct any inspection which may be necessary for the supervision set forth in the preceding paragraph.

(3) The court supervising the dissolution and liquidation of the juridical person for offenders rehabilitation may seek the opinions of, or commission an investigation by the government agency supervising the business of the juridical person for offenders rehabilitation.

(4) The government agency prescribed in the preceding paragraph may state its opinion to the court prescribed in the same paragraph.

(Notification of Completion of Liquidation)

Article 32-3 When liquidation has been completed, the liquidator is required to notify the Minister of Justice to that effect.

(Jurisdiction over Cases Concerning Supervision of Dissolution and Liquidation, etc.)

Article 32-4 Cases concerning the supervision of the liquidator and of the dissolution and liquidation of a juridical person for offenders rehabilitation are subject to the jurisdiction of the district court with jurisdiction over the location of the principle office of the said juridical person for offenders rehabilitation.

(Restriction on Appeals)

Article 32-5 No appeal may be entered against any judicial decision on the appointment of liquidators.

(Remuneration for Court-Appointed Liquidators)

Article 32-6 In cases where the court has appointed a liquidator pursuant to the provisions of Article 31-5, the court may prescribe the amount of remuneration that the juridical person for offenders rehabilitation pays to said liquidator. In

such cases, the court is required to hear statements from said liquidator and from the auditors.

Article 32-7 Deleted

(Appointment of an Inspector)

Article 32-8 (1) The court may appoint an inspector in order to have necessary investigations carried out for supervising the dissolution and liquidation of a juridical person for offenders rehabilitation.

(2) The provisions of Article 32-5 and Article 32-6 apply mutatis mutandis when the court has appointed an inspector pursuant to the provisions of the preceding paragraph. In this case, the term "liquidator and the auditors" in the same Article is deemed to be replaced with "juridical person for offenders rehabilitation and the inspector".

(Merger)

Article 33 A juridical person for offenders rehabilitation may merge with other juridical person(s) for offenders rehabilitation.

(Merger Procedures)

Article 34 (1) A merger of juridical persons for offenders rehabilitation is required to be preceded by the consent of two-thirds or more of the directors, and in addition, by a resolution of the board of councillors when said resolution is required by the articles of incorporation.

(2) The merger does not come into effect unless it is approved by the Minister of Justice.

(3) The provisions of Article 12 apply mutatis mutandis to the approval set forth in the preceding paragraph.

Article 35 (1) When the approval under paragraph (2) of the preceding Article has been granted, the juridical person for offenders rehabilitation is required to, within two weeks from the date of approval, prepare an inventory of assets and a balance sheet pursuant to the provisions of Ordinance of the Ministry of Justice, and keep them in its principal office.

(2) The juridical person for offenders rehabilitation must give public notice to its creditors within the period set forth in the preceding paragraph to the effect that they should state any objection they may have to the merger within a specified period, and are required to individually notify each known creditor to that effect. In such a case, this period is not to be less than two months.

Article 36 (1) If a creditor fails to state their objection within the period referred

to in paragraph (2) of the preceding Article, said creditor is deemed to have approved the merger.

(2) When a creditor has stated an objection, the juridical person for offenders rehabilitation is required to make payment or provide equivalent security to said creditor, or entrust equivalent assets to a trust company or a financial institution engaged in trust business for the purpose of having the creditor receive payment; provided, however, that this does not apply when the merger is unlikely to be detrimental to said creditor.

Article 37 When a juridical person for offenders rehabilitation is to be incorporated through a merger, the preparation of the articles of incorporation and other work concerning the incorporation of a juridical person for offenders rehabilitation is required to be performed through the concerted action of the persons who have been appointed by each juridical person for offenders rehabilitation respectively.

(Effects of Mergers)

Article 38 The juridical person for offenders rehabilitation which continues to exist after a merger or is incorporated by a merger succeeds to the rights and obligations of the juridical person for offenders rehabilitation which has ceased to exist due to the merger (including the rights and obligations which the said juridical person for offenders rehabilitation had in relation to its services, under the approval or other dispositions of an administrative agency).

(Timing of Mergers)

Article 39 A merger of a juridical person for offenders rehabilitation comes into effect when it has been registered at the place where the principal office of the juridical person for offenders rehabilitation which continues to exist after the merger, or is incorporated by the merger, is located.

Article 40 Deleted

Section 5 Supervision

(Order for Improvement, etc.)

Article 41 (1) When the Minister of Justice finds that a juridical person for offenders rehabilitation has violated laws, regulations, or a disposition rendered by an administrative agency pursuant to laws, regulations, or the articles of incorporation, or finds that the operations of said juridical person are not appropriate, they may order the juridical person for offenders rehabilitation to take any necessary measures within a fixed period of time.

- (2) When the juridical person for offenders rehabilitation does not comply with the order set forth in the preceding paragraph, the Minister of Justice may order the juridical person for offenders rehabilitation to suspend its services in whole or in part for a fixed period of time, or may recommend the removal of an officer.
- (3) When the Minister of Justice intends to recommend the removal of an officer pursuant to the provisions of the preceding paragraph, said Minister is required to give the juridical person for offenders rehabilitation an opportunity to give an explanation before an official designated by the Minister of Justice. In such a case, the juridical person for offenders rehabilitation is required to be notified in writing and in advance of the date, time and venue for the said explanation, and of the cause for the recommendation.
- (4) A juridical person for offenders rehabilitation which has received the notification set forth in the preceding paragraph may have a representative appear and submit evidence in its favor.
- (5) The official who has heard the explanation pursuant to the provisions of paragraph (3) is to make a record of the hearing, and a written report stating their opinion concerning whether the recommendation is necessary or not, and is required to submit these documents to the Minister of Justice.

(Suspension of Public Benefit Services or Profit-making Business)

Article 42 When the Minister of Justice finds a fact falling under any of the following items concerning a juridical person for offenders rehabilitation which operates public benefit services or profit-making business pursuant to the provisions of paragraph (1) of Article 6, the Minister may order the juridical person for offenders rehabilitation to suspend its services or business for a fixed period, within the limit of one year.

- (i) The juridical person for offenders rehabilitation is conducting services other than those provided for in its articles of incorporation;
- (ii) The juridical person for offenders rehabilitation is using the profits brought about by its profit-making business for a purpose other than its own offenders rehabilitation services or public benefit services;
- (iii) The continuation of said public benefit services or profit-making business is detrimental to the offenders rehabilitation services operated by the juridical person for offenders rehabilitation.

(Dissolution Order)

Article 43 When a juridical person for offenders rehabilitation has violated laws, regulations, or a disposition rendered by an administrative agency pursuant to laws, regulations, or the articles of incorporation, and when the objectives of the supervision cannot be met by any other means, or when the juridical

person for offenders rehabilitation does not operate its intended services for one year or more without justifiable grounds, the Minister of Justice may order its dissolution.

(Report and Inspection)

Article 44 (1) The Minister of Justice may, within the limit necessary for enforcement of this Act, require a juridical person for offenders rehabilitation to report on the status of its services or assets, or send an official of the Ministry of Justice to enter the offices or other facilities of the juridical person for offenders rehabilitation in order to inspect the status of its services or assets, books, documents, or other items.

(2) The official who enters the premises for inspection pursuant to the provisions of the preceding paragraph is required to carry a certificate for identification and show it to the relevant parties.

(3) The authority to enter the premises for inspection under paragraph (1) is not to be construed as being granted for the purpose of criminal investigation.

Chapter III Offenders Rehabilitation Services

Section 1 Operation of Services, etc.

(Approval of Continuous Aid Services)

Article 45 Any person, except for the national and local governments, which intends to operate continuous aid services is required to submit a written application specifying the following particulars to the Minister of Justice and obtain the Minister's approval pursuant to the provisions of Ordinance of the Ministry of Justice:

(i) Name;

(ii) Location of office;

(iii) Nature of continuous aid services;

(iv) Methods of treatment for persons receiving aid;

(v) Scale and structure of offenders rehabilitation facilities and the authority to use them;

(vi) The names and personal histories of executive personnel who are to be engaged in practical business affairs; and

(vii) For persons other than the juridical persons for offenders rehabilitation, in addition to the particulars listed in the preceding items, the articles of incorporation and other basic stipulations, accounting policies, the status of assets, and also the name, personal history and status of assets of the person in charge of management.

(Criteria for Approval, etc.)

Article 46 (1) When the Minister of Justice finds that the application for approval under the preceding Article satisfies each of the following items, the Minister shall grant approval:

- (i) The methods of treatment for the persons receiving aid conform to the standards of Article 49-2;
 - (ii) The scale and structure of offenders rehabilitation facilities conform to the criteria prescribed by Ordinance of the Ministry of Justice;
 - (iii) The executive personnel who are to be engaged in practical business affairs possess the qualifications or experience prescribed by Ordinance of the Ministry of Justice, and the enthusiasm and ability to treat the persons receiving aid;
 - (iv) When a person intends to conduct employment placement businesses on their own accord, said person has obtained permission to conduct employment placement businesses pursuant to the provisions of the Employment Security Act (Act No. 141 of 1947);
 - (v) For persons other than juridical persons for offenders rehabilitation, in addition to what is listed in each of the preceding items, that the organization for management and the accounting policies is identical or equivalent to those of a general incorporated association or general incorporated foundation, that the financial basis for conducting the services is secure, and that the person responsible for management has the trust of the public.
- (2) In granting the approval set forth in the preceding paragraph, the Minister of Justice may attach the conditions that the Minister finds necessary for ensuring adequate operation of said continuous aid services.

(Alteration in Particulars Pertaining to Approval and Abolition of Services)

Article 47 (1) When a person who has been granted the approval under Article 45 intends to alter any particular listed in the items of the same Article (except for the particulars prescribed by Ordinance of the Ministry of Justice), it is required to obtain the approval of the Minister of Justice.

- (2) The provisions of the preceding Article apply to the approval set forth in the preceding paragraph.
- (3) When an approved services operator (meaning a person who operates continuous aid services under the approval of Article 45; the same applies hereinafter) intends to discontinue its services, it is to, in advance, make clear the reasons therefor, the measures to be taken for the persons receiving aid and the way in which the assets are to be disposed of, and is required to obtain the approval of the Minister of Justice with regard to the time of the discontinuance of said services.

(Notification of Temporary Aid Services and Liaison and Assistance Services)

Article 47-2 Any person, except for the national and local governments, which intends to operate temporary aid services or liaison and assistance services is required to, in advance and pursuant to the provisions of Ordinance of the Ministry of Justice, notify the Minister of Justice of the following particulars. The same applies when an alteration in particulars for which notification has been given or the abolition of services is intended.

(i) Name;

(ii) Location of office;

(iii) Type and nature of services; and

(iv) For persons other than juridical persons for offenders rehabilitation, in addition to what is listed in the preceding items, that the articles of incorporation and other basic stipulations, the accounting policies, the status of assets and also the name, personal history and the status of assets of the person responsible for management.

(Offenders Rehabilitation Services Operated by the Local Government)

Article 48 (1) The local government may operate offenders rehabilitation services.

(2) When the local government intends to operate continuous aid services, it is required to, in advance, notify the Minister of Justice of the particulars listed in items (i) to (vi) inclusive of Article 45. The same applies when it intends to make an alteration in the particulars for which notice has been given, or to abolish the services.

(3) When the local government has started temporary aid services or liaison and assistance services, it is required to, without delay, notify the Minister of Justice of the particulars listed in items (i) to (iii) inclusive of Article 47-2. The same applies when it has altered any of the particulars for which notification has been given, or discontinued the services.

(Provision of Aid)

Article 49 The aid in continuous aid services or temporary aid services is to be provided when it is commissioned by the director of probation office pursuant to the provisions of the laws and regulations, or at the request of the person receiving aid.

(Standards of Treatment in Offenders Rehabilitation Facilities)

Article 49-2 The treatment of the persons receiving aid in offenders rehabilitation facilities is required to be carried out in accordance with the following standards:

(i) Due consideration is to be paid to the human rights of the persons receiving

aid;

- (ii) A treatment plan for the persons receiving aid is to be devised, the mental and physical state and changes in the living environment of the persons receiving aid are to be reviewed constantly, and adequate aid suited to the condition of the persons receiving aid is to be provided;
- (iii) The persons receiving aid are to be adequately guided to prompt them to reflect on their responsibility to help themselves, to acquire the ability to adjust to life in society and, with regard to a person who has been placed under probation in particular, to abide by the conditions of said probation;
- (iv) Other particulars prescribed by Ordinance of the Ministry of Justice.

(Request for Cooperation)

Article 50 An approved services operator or a juridical person for offenders rehabilitation which operates temporary aid services following the notification under Article 47-2 may, when necessary for the treatment of a person receiving aid, make inquiries with and request cooperation from the local government, the Public Employment Security Office, or other pertinent public or private organizations or agencies, and may also, when particularly necessary, provide employment placement services of its own account pursuant to the provisions of the Employment Security Act.

Section 2 Supervision and Assistance for Services

(Report on Results of Services, etc.)

Article 51 The approved services operator is required to, within two months after the end of each fiscal year, report the status of its accounts and the results of its services for the closed fiscal year to the Minister of Justice, pursuant to the provisions of Ordinance of the Ministry of Justice.

(Keeping of Books)

Article 52 An approved services operator is required to keep the following books in its own office, make entries of the necessary items therein, and preserve them pursuant to the provisions of Ordinance of the Ministry of Justice:

- (i) Record describing the status of treatment of persons receiving aid;
- (ii) Name list of persons receiving aid;
- (iii) Ledger of money and goods in custody;
- (iv) Account book; and
- (v) Book clarifying contributors and sums of donations.

(Compliance Order)

Article 53 When an approved services operator is found to have failed to conform

to any of the items of Article 46, paragraph (1), the Minister of Justice may order the approved services operator to take the necessary measures to conform.

(Revocation of Approval, etc.)

Article 54 (1) When the Minister of Justice finds that an approved services operator falls under any of the following items, the Minister of Justice may order the approved services operator to restrict or suspend the offenders rehabilitation services for a fixed period within a limit of one year, or may revoke their approval under Article 45:

- (i) Any one of the conditions set forth under Article 46, paragraph (2) or Article 60, paragraph (2) has been violated;
 - (ii) The provisions of Article 47, paragraph (1) have been violated;
 - (iii) The report under Article 51 has been omitted or a false report has been made;
 - (iv) In violation of the provisions of Article 52, the keeping, entries or preservation of the book has been omitted or a false entry has been made;
 - (v) The order under the preceding Article has been violated;
 - (vi) The report under paragraph (1) of the following Article has been omitted, a false report has been made, or the inspection under the same paragraph has been rejected, hindered or evaded.
- (2) The provisions in the preceding paragraph apply when any approved services operator, except for a juridical person for offenders rehabilitation, has improperly attempted to gain profits in relation to offenders rehabilitation services.
- (3) The same provisions of paragraph (1) apply when an executing officer such as the representative of the approved services operator (including a person stipulated as the representative or administrator of an organization that is not a juridical person) has improperly attempted to gain personal profit through operation of offenders rehabilitation services.

(Report and Inspection)

Article 55 (1) The Minister of Justice may, within the limits necessary for enforcement of this Act, require the approved services operator to report on the services or send an official of the Ministry of Justice to enter the offices or other facilities of said operator, to inspect the status of the operation of services or facilities, books, documents, or other items.

- (2) The provisions of paragraphs (2) and (3) of Article 44 apply *mutatis mutandis* to on-site inspections conducted pursuant to the provisions of the preceding paragraph.

(Advice, Guidance or Recommendations)

Article 56 When the Minister of Justice finds it necessary in order to ensure the adequate treatment of persons receiving aid, or to realize the sound growth and development of the approved services operator, the Minister may offer the necessary advice, guidance, or recommendations concerning the services.

(Supervision of Notified Services Operators)

Article 56-2 (1) The provisions of Article 51, Article 52, Article 55 and the preceding Article apply mutatis mutandis to services operators who have been given notification (meaning a person who operates temporary aid services or liaison and assistance services following the notification referred to in Article 47-2; the same applies hereinafter).

- (2) When the Minister of Justice finds that a notified services operator falls under any of the following items, the Minister may order the notified services operator to restrict or suspend its offenders rehabilitation services for a fixed period, within a limit of one year:
- (i) Improper treatment of a person receiving aid has occurred;
 - (ii) The report under the provisions of Article 51, as applied mutatis mutandis pursuant to the provisions of the preceding paragraph, has been omitted or a false report has been made;
 - (iii) In violation of the provisions of Article 52, as applied mutatis mutandis pursuant to the provisions of the preceding paragraph, the keeping, entries or preservation of the books has been omitted or a false entry has been made;
 - (iv) The report under the provisions of Article 55, paragraph (1) as applied mutatis mutandis pursuant to the provisions of the preceding paragraph, has been omitted, a false report has been made, or the inspection prescribed in the same paragraph has been rejected, hindered, or evaded; or
 - (v) Any one of the conditions pursuant to the provisions of Article 60, paragraph (2) has been violated.
- (3) The provisions of the preceding paragraph apply when any services operator who has been given notification, other than a juridical person for offenders rehabilitation, has improperly attempted to gain profit in relation to offenders rehabilitation services.
- (4) The same provisions as those of paragraph (2) apply when the representative of a notified services operator or any other executing officer (including persons stipulated as the representative or administrator of an organization which is not a juridical person) has improperly attempted to gain personal profit through operation of offenders rehabilitation services.

(Duty of the Local Government Managing Offenders Rehabilitation Services to Report)

Article 57 The provisions of Article 51 (limited to reports on the results of services) and Article 55 (limited to reports on the services) apply mutatis mutandis to the local government managing offenders rehabilitation services.

(Supervision of Other Services Operators)

Article 57-2 (1) When a person who is neither an approved services operator nor a notified services operator (excluding the national and local government) and operates offenders rehabilitation services (in this Article referred to as "other services operator"), has improperly attempted to gain a profit in relation to said services or has acted improperly in relation to the treatment of a person receiving aid, the Minister of Justice may order said person to restrict or suspend its offenders rehabilitation services for a fixed period, within a limit of one year.

(2) The provisions of the preceding paragraph also apply when a representative of another services operator or any other executing officer (including a person stipulated as the representative or administrator of an organization which is not a juridical person) has improperly attempted to gain personal profit through the operation of offenders rehabilitation services.

(3) The provisions of Article 55 apply mutatis mutandis to other services operators.

(Assistance)

Article 58 In accordance with the standards determined by the Minister of Justice in consultation with the Minister of Finance, the national government may subsidize juridical persons for offenders rehabilitation, within budget limits, for expenses incurred in the operation of offenders rehabilitation services.

Chapter IV Miscellaneous Provisions

(Hearing of Opinions)

Article 59 The Minister of Justice is required to, in the following cases, hear the opinions of the National Offenders Rehabilitation Commission:

- (i) When the Minister is to grant or refuse approval under Article 10, paragraph (2) of Article 34, or Article 45;
- (ii) When the Minister is to order dissolution pursuant to the provisions of Article 43, or to order the restriction or suspension of services or to revoke approval pursuant to the provisions of Article 54;
- (iii) When the Minister is to order the restriction or suspension of services pursuant to the provisions of Article 56-2, paragraphs (2) to (4), or the provisions of Article 57-2, paragraph (1) or paragraph (2); or

(iv) When the Minister is to prescribe an Ordinance of the Ministry of Justice which is referred to in of Article 46, items (ii) and (iii), paragraph (1) and in Article 49-2, item (iv).

(Raising of Contributions)

Article 60 (1) When a person who operates or seeks to operate offenders rehabilitation services intends to raise contributions to obtain funds necessary for the operation of its services, it is required to submit documents clarifying the period, area, and method of raising funds, and the use of contributions to the Minister of Justice at least one month before the beginning of raising said contributions, and obtain their permission pursuant to the provisions of Ordinance of the Ministry of Justice.

(2) In the permission set forth in the preceding paragraph, conditions may be attached concerning the use of the contributions and the disposition of the assets to be acquired with the contributions.

(3) The person which has raised contributions with the permission set forth in paragraph (1) is required to report the results of raising said contributions to the Minister of Justice pursuant to the provisions of Ordinance of the Ministry of Justice without delay, after the period for raising contribution has expired.

(Commendation)

Article 61 The Minister of Justice is required to pay due regard to commend approved services operators, notified services operators, or their officers and employees whose performance has been especially outstanding, so that the general public may recognize their achievements.

(Securing Personnel, etc.)

Article 61-2 In order that the approved services operators and the notified services operators are able to provide offenders and juvenile delinquents with more adequate aid based on their expert knowledge, the Minister of Justice is required to endeavor to develop policies for said operators, so that said operators are able to secure personnel with expertise and improve in quality.

(Delegation of Authority to Regional Parole Boards)

Article 62 The authority of the Minister of Justice as provided for by this Act may be delegated to regional parole boards; provided, however, that this does not apply to their authority as prescribed in Article 10; Article 31, paragraph (2); Article 34, paragraph (2); Article 41, paragraph (2); Article 42; Article 43; Article 45; Article 54; Article 56-2, paragraphs (2) to (4); and Article 57-2, paragraphs (1) and (2).

Article 63 Deleted

(Delegation to Ordinance)

Article 64 In addition to what is provided for in this Act, particulars necessary for the enforcement of this Act are prescribed by Ordinance of the Ministry of Justice.

(Transitional Measures)

Article 65 In cases where an order is to be established, amended, or abolished based on the provisions of this Act, said order may prescribe the pertinent transitional measures (including transitional measures concerning penal provisions), to the extent considered reasonably necessary for the establishment, amendment or abolition.

Chapter V Penal Provisions

Article 66 Any person who falls under any of the following items is to be punished by imprisonment with work for up to six months, or a fine of up to 500,000 yen:

- (i) A person who has violated the order under of Article 41, paragraph (2), or Article 42;
- (ii) A person who has violated the restriction or suspension order under Article 54; Article 56-2, paragraphs (2) to (4); or Article 57-2, paragraph (1) or (2);
- (iii) A person who has raised contributions without the permission under Article 60, paragraph (1); or
- (iv) A person who, in violation of the conditions attached under Article 60, paragraph (2), has used the contributions or disposed of the assets obtained through the contributions.

Article 67 Any person who falls under any of the following items is to be punished by a fine of up to 200,000 yen:

- (i) A person who, in violation of the provisions of Article 52 (including cases where applied mutatis mutandis pursuant to the provisions of Article 56-2, paragraph (1)), has failed to keep the books or to make entries therein, has made a false entry, or has failed to preserve them;
- (ii) A person who has failed to make reports under Article 55, paragraph (1), as applied mutatis mutandis pursuant to the provisions of Article 57-2, paragraph (3), or who has given a false report, or who has rejected, hindered, or evaded an inspection under the same paragraph; or
- (iii) A person who, in violation of the provisions of Article 60, paragraph (3), has failed to give a report or who has given a false report.

Article 68 (1) When a representative person or an administrator of a juridical person (including an organization which is not a juridical person as stipulated by a representative or administrator; the same applies hereinafter in this paragraph), or an agent, employee, or other worker of a juridical person or of an individual has violated any of the provisions of the preceding two Articles in relation to the business affairs of said juridical person or individual, not only the offender, but also said juridical person or individual is to be punished by the fine prescribed in the respective Articles.

(2) In cases where the preceding paragraph is to apply to an organization which is not a juridical person, the representative or the administrator is to represent the organization with respect to the procedural acts, and the legal provisions concerning criminal proceedings in which a juridical person is the accused or the suspect is to apply *mutatis mutandis*.

Article 69 In a case which falls under any of the following items, the directors, auditors, or liquidator of the juridical person for offenders rehabilitation is subject to a non-criminal fine of up to 200,000 yen:

- (i) Failure to register, in violation of the Cabinet Order prescribed in the provisions of Article 8, paragraph (1);
- (ii) Failure to keep an inventory of assets, to make entries of the particulars to be entered, or making a false entry therein, in violation of the provisions of Article 14-2;
- (iii) Failure to make notification, or false notification, in violation of the provisions of Article 27, paragraph (3);
- (iv) Failure to keep documents, or to make entries of the particulars to be entered therein, or making a false entry therein, in violation of the provisions of Article 29, paragraph (1);
- (v) Failure to file a petition for the commencement of bankruptcy proceedings, in violation of the provisions of Article 31-2, paragraph (2), or Article 31-11, paragraph (1);
- (vi) Failure to give public notice or giving false public notice, in violation of the provisions of Article 31-9, paragraph (1), or Article 31-11, paragraph (1);
- (vii) Failure to prepare documents or to make entries of particulars to be entered therein, or making a false entry therein, in violation of the provisions of Article 35, paragraph (1); or
- (viii) Violation of the provisions of Article 35, paragraph (2), or Article 36, paragraph (2).

Article 70 Any person who has violated the provisions of Article 4 is subject to a non-criminal fine of up to 100,000 yen.

Supplementary Provisions

(Effective Date)

- (1) This Act comes into effect as of April 1, 1996; provided, however, that the provisions of Article 2, paragraph (6); Article 11, Article 12 and Article 59 come into effect as of the date of its promulgation.

(Review)

- (2) The government is to, approximately five years after the enforcement of this Act, review the trends in crime and other circumstances related to offenders rehabilitation services, the state of enforcement of this Act, and other particulars, is to make an assessment of the provisions of this Act from the viewpoint of facilitating smooth and adequate operations and the sound promotion and development of offenders rehabilitation services, and is to take the necessary measures based on the results thereof.

Supplementary Provisions [Act No. 72 of June 6, 1997] [Act No. 72 of June 6, 1997]

(Effective Date)

- (1) This Act comes into effect as of the date on which the Act for Partial Revision of the Commercial Code, etc. (Act No. 71 of 1997) comes into effect.

(Transitional Measures)

- (2) With regard to any merger pertaining to a merger agreement concluded prior to the enforcement of this Act, the provisions then in force at the time of said merger agreement remain applicable subsequent to the enforcement of this Act.

(Transitional Measures Concerning Application of Penal Provisions)

- (3) With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, as well as to acts committed after the enforcement of this Act, the provisions in force prior to the enforcement of this Act will remain applicable in cases where the provisions of the preceding paragraph apply.

Supplementary Provisions [Act No. 151 of December 8, 1999] [Extract]

(Effective Date)

- Article 1 This Act comes into effect as of April 1, 2000.

Article 4 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions in force at the time of said acts remain applicable.

Supplementary Provisions [Act No. 160 of December 22, 1999] [Extract]

(Effective Date)

Article 1 This Act (excluding Article 2 and Article 3) comes into effect as of January 6, 2001.

Supplementary Provisions [Act No. 46 of May 29, 2002] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding one month from the date of promulgation.

(Transitional Measures Concerning Approval, etc.)

Article 2 (1) A person who has obtained the approval of the Minister of Justice referred to in Article 45 of the Offenders Rehabilitation Services Act before its amendment (hereinafter referred to as the "Former Act") prior to this Act coming into effect (including a person who is deemed to have obtained the approval of the Minister of Justice referred to in Article 45 of the Former Act, pursuant to the provisions of Article 3 of the Act on Enforcement of the Offenders Rehabilitation Services Act and on Development of Related Acts Associated with the Same (Act No. 87 of 1995)) is deemed, at the time when this Act comes into effect, to have obtained the approval of the Minister of Justice granted pursuant to Article 45 of the Offenders Rehabilitation Services Act as amended (hereinafter referred to as the "Current Act") in cases of services to which the same Article applies, or to have made a notification pursuant to the provisions of Article 47-2 of the Current Act in cases of services to which the same Article applies.

(2) The application for approval of the offenders rehabilitation services prescribed in Article 45 of the Former Act having been made prior to this Act coming into effect is considered to be the application made pursuant to the provisions of Article 45 of the Current Act in the case of services to which the same Article applies, or as the notification made pursuant to the provisions of Article 47-2 of the Current Act in the case of services to which the same Article applies.

(Validity of Disposition or Procedure Based on a Former Act)

Article 3 In addition to what is provided for in the preceding Article, approval or

other disposition reached under the Former Act or application or other procedures carried out under the Former Act prior to the day the Current Act comes into effect for which there are corresponding provisions in the Current Act, are deemed to be said approval or other disposition, or application or other procedures made or taken pursuant to the provisions of the Current Act.

(Transitional Measures Concerning Vesting of Residual Assets)

Article 4 The articles of incorporation with provisions vesting the residual assets in a person who operates offenders rehabilitation services by obtaining approval prescribed in Article 45 of the Former Act at the time when this Act comes into effect are deemed to have the provisions vesting the residual assets in a person who operates continuous aid services by obtaining approval prescribed in Article 45 of the Current Act, or a juridical person for offenders rehabilitation which operates temporary aid services or liaison and assistance services by making a notification prescribed in Article 47-2.

(Transitional Measures Concerning Penal Provisions)

Article 5 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions in force at the time of said acts remain applicable.

Supplementary Provisions [Act No. 66 of June 12, 2002] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day on which the Convention comes into effect in Japan.

Supplementary Provisions [Act No. 76 of June 2, 2004] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date on which the Bankruptcy Act (Act No. 75 of 2004; hereinafter referred to as the "New Bankruptcy Act" in paragraph (8) of the following Article and in Article 3, paragraph (8); Article 5, paragraphs (8), (16) and (21); Article 8, paragraph (3); and Article 13 of the Supplementary Provisions) comes into effect.

(Delegation to Cabinet Order)

Article 14 In addition to what is provided for from Article 2 to the preceding Article of the Supplementary Provisions, the transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

Supplementary Provisions [Act No. 147 of December 1, 2004] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

Supplementary Provisions [Act No. 154 of December 3, 2004] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation (hereinafter referred to as the "Effective Date").

(Effect of Dispositions, etc.)

Article 121 Dispositions, procedures, and other acts conducted pursuant to the provisions of the respective Acts (including orders based on them; hereinafter the same applies in this Article) prior to the enforcement of this Act, for which the provisions of the respective Acts after revision have corresponding provisions, are deemed to have been conducted pursuant to the corresponding provisions of the respective Acts after revision, except as otherwise provided by these Supplementary Provisions.

(Transitional Measures Concerning Penal Provisions)

Article 122 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act as well as to acts committed after the enforcement of this Act in cases where the provisions in force at the time of said acts are to remain applicable pursuant to the provisions of these Supplementary Provisions, and where the provisions are to remain in force pursuant to the provisions of these Supplementary Provisions, said provisions remain applicable.

(Delegation of Other Transitional Measures to Cabinet Order).

Article 123 In addition to what is provided for in these Supplementary Provisions, the transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

(Review)

Article 124 The government is to review the status of enforcement of this Act within three years after it comes into effect, and take any required measures based on the results, when the government finds it necessary to do so.

Supplementary Provisions [Act No. 87 of July 26, 2005] [Extract]

This Act comes into effect as of the date on which the Companies Act comes into effect.

Supplementary Provisions [Act No. 50 of June 2, 2006] [Act No. 50 of June 2, 2006]

This Act comes into effect as of the date on which the General Association and Foundation Act comes into effect.

Supplementary Provisions [Act No. 88 of June 15, 2007] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

Supplementary Provisions [Act No. 53 of May 25, 2011] [Act No. 53 of May 25, 2011]

This Act comes into effect as of the date on which the New Non-Contentious Cases Procedures Act comes into effect.

Supplementary Provisions [Act No. 74 of June 24, 2011] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day on which twenty days have elapsed since the date of promulgation.