

Cabinet Office Ordinance Stipulating the Form of Identification Cards, etc., to be Carried by Officials of the Securities and Exchange Surveillance Commission when Conducting Inspections and Investigating Criminal Cases

(Ordinance of the Ministry of Finance No. 68 of July 20, 1992)

For the purpose of enforcing the Securities and Exchange Act (Act No. 25 of 1948), the Act on Foreign Securities Dealers (Act No. 5 of 1971) and the Financial Futures Trading Act (Act No. 77 of 1988), a Ministerial Ordinance Stipulating the Form of Identification Cards, etc., to be Carried by Officials of the Securities and Exchange Surveillance Commission when Conducting Inspections and Investigating Criminal Cases is established as follows.

(Form of Identification Card to be Carried when Conducting Inspections)

Article 1 An identification card or certificate to be carried by an official of the Securities and Exchange Surveillance Commission (hereinafter referred to as "Commission") (including an official who receives an order from the Director-General of a Local Finance Bureau or the Director-General of a Local Finance Branch Bureau delegated by the Commission) to prove his/her status when conducting an inspection pursuant to the provisions of Article 190, paragraph (1) of the Financial Instruments and Exchange Act (Act No. 25 of 1948), Article 22, paragraph (2) of the Act on Investment Trusts and Investment Corporations (Act No. 198 of 1951) (including as applied mutatis mutandis pursuant to Article 213, paragraph (6) of that Act), Article 217, paragraph (2) of the Act on the Securitization of Assets (Act No.105 of 1998) (including as applied mutatis mutandis pursuant to Article 209 of that Act (including as applied mutatis mutandis pursuant to Article 286, paragraph (1) of that Act)), Article 20, paragraph (2) of the Act on Book-Entry of Company Bonds, Shares, etc. (Act No. 75 of 2001) and Article 14, paragraph (2) of the Act for Prevention of Transfer of Criminal Proceeds (Act No. 22 of 2007), shall be as prescribed in the following items according to the respective categories of inspections under the provisions of the laws listed in those items.

- (i) Inspections under the provisions of the following laws: Appended form 1
 - (a) The provisions of Article 56-2 of the Financial Instruments and Exchange Act, paragraphs (1) (including as applied mutatis mutandis pursuant to Article 65-3, paragraph (3) of that Act) to (4), Article 60-11, Article 63, paragraph (8), Article 66-22, Article 66-45, paragraph (1), Article 75,

- Article 79-4, Article 79-77, Article 103-4, Article 106-6, paragraph (1) (including as applied mutatis mutandis pursuant to paragraph (2) of that Article), Article 106-16, Article 106-20, paragraph (1) (including as applied mutatis mutandis pursuant to paragraph (2) of that Article), Article 106-27 (including as applied mutatis mutandis pursuant to Article 109 of that Act), Article 151 (including as applied mutatis mutandis pursuant to Article 153-4 of that Act), Article 155-9, Article 156-15, Article 156-34, Article 156-58 and Article 187
- (b) The provisions of Article 22, paragraph (1) and Article 213, paragraphs (1) to (4) inclusive of the Act on Investment Trusts and Investment Corporations
 - (c) The provisions of Article 217, paragraph (1) of the Act on the Securitization of Assets (including as applied mutatis mutandis pursuant to Article 209, paragraph (2) of that Act (including as applied mutatis mutandis pursuant to Article 286, paragraph (1) of that Act))
 - (d) The provisions of Article 20, paragraph (1) of the Act on Book-Entry of Company Bonds, Shares, etc. (including as applied mutatis mutandis pursuant to Article 43, paragraph (3) of that Act)
 - (e) The provisions of Article 14, paragraph (1) of the Act for Prevention of Transfer of Criminal Proceeds
 - (ii) Inspections under the provisions of Article 26 of the Financial Instruments and Exchange Act (including as applied mutatis mutandis pursuant to Article 27 of that Act), Article 27-22, paragraphs (1) (including as applied mutatis mutandis pursuant to Article 27-22-2, paragraph (2) of that Act) and (2), Article 27-30, paragraph (1), Article 27-35, and Article 177, item (ii): Appended form 1-2

(Form of Identification Card to be Carried when Investigating Criminal Cases)

Article 2 An identification card to be carried by an official of the Commission (including an official of a Local Finance Bureau or a Local Finance Branch Bureau regarded as an official of the Commission under the provisions of Article 224, paragraph (2) of the Financial Instruments and Exchange Act (including as applied mutatis mutandis pursuant to Article 29 of the Act for Prevention of Transfer of Criminal Proceeds)) to prove his/her status when investigating a criminal case pursuant to the provisions of Article 214 of the Financial Instruments and Exchange Act (including as applied mutatis mutandis pursuant to Article 29 of the Act for Prevention of Transfer of Criminal Proceeds) shall be in accordance with Appended form 2.