

# Prices Control Ordinance

(Imperial Ordinance No. 118 of March 3, 1946)

Article 1 The purpose of this Ordinance is to deal with the situation after the end of World War II and ensure the stability of prices, thereby maintaining social and economic order, and achieving the stability of the lives of the citizenry.

Article 2 The term "Price, etc." as used in this Ordinance means the price, freight charge, storage fee, insurance premium, rent, processing fee, repair fee, and other payment made as consideration for performance.

Article 3 (1) If there is a regulated amount as prescribed in Articles 4 and 7 with regard to a Price, etc., it is not permitted to make a contract for or pay or receive the Price, etc. which is higher than the regulated amount; provided, however, that this excludes a case relating to the regulated amount prescribed in Article 7, paragraph (1) and does not apply to a case when the payer or recipient of the Price, etc. obtains permission from the competent minister as provided for by Cabinet Order.

(2) When the regulated amount in an area where performance is to be provided in exchange for a Price, etc. differs from the regulated amount for said Price, etc. in another area, unless the competent minister specifies otherwise for said performance, the regulated amount in the area where said performance is to be provided is to be the regulated amount in the case referred to in the preceding paragraph.

Article 4 (1) When prices rise or are likely to rise and the competent minister finds it difficult to ensure the stability of a Price, etc. by any other measures, except in the case prescribed in Article 7, the competent minister may designate a regulated amount for said Price, etc. as provided for by Cabinet Order.

Articles 5 and 6 Deleted.

Article 7 (1) When there is an amount specified by another law or regulation or an amount for which an administrative organ or a prefectural governor has made a decision, order, permission, approval, or any other disposition under another law or regulation with regard to a Price, etc., said amount is to be the regulated amount for said Price, etc.

(2) When the amount prescribed in the preceding paragraph is only applicable

to a Price, etc. to be paid for performance provided by a specific person, unless the competent minister specifies otherwise, the amount prescribed in said paragraph is to be the regulated amount also for a Price, etc. paid for the same type of performance provided by a person other than said specific person.

(3) The other laws and regulations referred to in paragraph (1) are provided for by Cabinet Order.

Article 8 The designation referred to in Article 4 and the dispositions referred to in paragraph (1) of the preceding Article do not influence a contract which exists at the time of implementation of any of these dispositions and which falls under any of the following items:

- (i) in relation to the price of an ordered product, a contract for which a producer has commenced production;
- (ii) in relation to any other price, a contract for which a buyer or any other payer has received delivery of the subject matter;
- (iii) a contract for which a person who provides performance in exchange for a freight charge, processing fee, repair fee, or any other payment (excluding a price, storage fee, insurance premium, and rent; the same applies hereinafter) has received delivery of the subject matter;
- (iv) a contract for which a person who provides performance in exchange for a freight charge, processing fee, repair fee, or any other payment has commenced provision of performance in exchange for said payment; or
- (v) in relation to a storage fee, insurance premium, or rent, a contract for which a payer is delaying performance.

Article 8-2 With regard to a contract which exists at the time of implementation of the permission referred to in the proviso to Article 3, paragraph (1), the designation referred to in Article 4, or any of the dispositions referred to in Article 7, paragraph (1) and which falls under any of the items of the preceding Article (hereinafter referred to as a "Contract in Progress"), if there was an amount specified by the competent minister in line with the permission referred to in the proviso to Article 3, paragraph (1) or the regulated amount prescribed in Article 4 or 7 at the time of conclusion of the Contract in Progress, it is not permitted to make a contract to change or extinguish the Contract in Progress for the purpose of paying or receiving a Price, etc. that is higher than such amount or to pay or receive a Price, etc. that is higher than such amount; provided, however, that this does not apply when the competent minister specifies otherwise or when permission of the competent minister is obtained.

Article 9 It is not permitted to commit an act of evading the prohibition under Article 3 under any name.

Article 9-2 It is not permitted to make a contract for or pay or receive a Price, etc. which is unreasonably high.

Article 10 No person may make a contract for obtaining a Price, etc. that should be regarded as an excessive profit or receive a Price, etc. that should be regarded as an excessive profit.

Article 11 The provisions of Article 3 and the preceding two Articles do not apply to a party to a contract who does not make said contract for profit; provided, however, that this does not apply when said contract is made as part of the party's own business.

Article 12 No person may, when making a contract for obtaining a Price, etc. in business, impose a burden to require concurrent purchase of another article or to require provision of an article other than money or any other burden, unless there are reasonable grounds.

Article 13 No person may make a contract to receive or may receive anything other than money as consideration for performance provided in exchange for a Price, etc., unless there are reasonable grounds.

Article 13-2 (1) Goods may not be possessed for the purpose of trading said goods in violation of Article 3, 9-2, 10, or 12, or the preceding Article.

(2) The provisions of Article 11 apply mutatis mutandis to the case referred to in the preceding paragraph.

Article 14 No person may buy up or hold back sales of articles for gaining unjust enrichment in business.

Article 15 The competent minister may order a person engaged in the business of providing performance in exchange for a Price, etc. matters necessary for indicating the amount of the Price, etc.

Article 16 When the competent minister finds it necessary, the competent minister may order a person engaged in the business of providing performance in exchange for a Price, etc. to make notification of the amount of the Price, etc.

Article 17 When the competent minister finds it necessary, the competent minister may impose restriction or prohibition with regard to the standards, quality, method of sale, place of sale, or the like of goods.

Article 18 When the competent minister finds it necessary, the competent minister may cause a person to calculate the cost constituting the Price, etc., as provided for by Cabinet Order.

Article 19 Deleted.

Article 20 (1) The competent minister may order a person engaged in the business of providing performance in exchange for a Price, etc. to add a special extra amount to the Price, etc. to be paid for performance provided by said person, as provided for by Cabinet Order.

(2) The Minister of Finance may cause the person referred to in the preceding paragraph to pay an amount equivalent to said extra amount in whole or in part to the national treasury, as provided for by Cabinet Order.

Article 21 The Minister of Finance may issue a necessary order with regard to the accounting of the income equivalent to the extra amount referred to in the preceding Article to the person prescribed in said Article.

Article 22 The amount to be paid pursuant to the provisions of Article 20 is to be included in the necessary expenses or the deductions in the year or business year in which the income equivalent to said extra amount arose, when calculating income pursuant to the Income Tax Act, income pursuant to the Corporation Tax Act, surplus pursuant to the Special Corporation Tax Act, profit pursuant to the Extraordinary Income Tax Act, and income in the case of imposing an enterprise tax pursuant to the Local Tax Act (Act No. 110 of 1948).

Article 23 The money to be paid under the provisions of Article 20 is to be collected in accordance with the rules governing collection of national tax; provided, however, that the priority order of a statutory lien of said money follows that of national tax and local tax.

Articles 24 and 25 Deleted.

Article 26 A person who is engaged in maintaining the price order and who is specified by Cabinet Order may ask questions or collect reports on matters necessary for performing the person's duties.

Article 27 Deleted.

Article 28 The person set forth in Article 26 is deemed to be an official engaged

in public service under laws and regulations.

Article 29 Deleted.

Article 30 (1) When the competent minister, the head of a local administrative organ, or a prefectural governor finds it necessary, he/she may collect reports, order preparation of books, or, as provided for by Cabinet Order, cause relevant officials to visit necessary places and inspect the status of business, books and documents, and any other articles, with regard to prices.

(2) The affairs to be processed by a prefectural government pursuant to the provisions of the preceding paragraph are to be the "item (i) statutory entrusted functions" prescribed in Article 2, paragraph (9), item (i) of the Local Autonomy Act (Act No. 67 of 1947).

Article 31 (1) A part of the affairs under the authority granted to the competent minister by this Ordinance may be carried out by a prefectural governor, as provided for by Cabinet Order.

(2) The competent minister may cause the head of a local administrative organ to exercise a part of the competent minister's authority prescribed in this Ordinance, as provided for by Cabinet Order.

Article 32 The competent minister concerning enforcement of this Ordinance is to be the minister having jurisdiction over administration relating to performance to be provided in exchange for a Price, etc.

Article 33 A person who falls under any of the following items is punished by imprisonment with required labor for not more than ten years or a fine of not more than five million yen; provided, however, that, with regard to a person who falls under item (i) or (iii), if the amount obtained by tripling the difference between the amount of the Price, etc. in violation and the amount of a Price, etc. compliant with the regulated amount, or by tripling an amount equivalent to such difference, exceeds five million yen, and, with regard to a person who falls under item (ii), if the amount obtained by tripling the difference between the amount of the Price, etc. in violation and the amount specified by the competent minister in line with the permission referred to in the proviso to Article 3, paragraph (1) or the regulated amount prescribed in Article 4 or 7 at the time of conclusion of the Contract in Progress, or by tripling an amount equivalent to such difference, exceeds five million yen, the fine is to be not more than the amount obtained by tripling said difference or said equivalent amount:

(i) a person who violates the provisions of Article 3;

- (ii) a person who violates the provisions of Article 8-2; or
- (iii) a person who violates the provisions of Article 9.

Article 34 A person who violates the provisions of Article 9-2 or 10 is punished by imprisonment with required labor for not more than ten years or a fine of not more than five million yen.

Article 35 A person who violates the provisions of Article 12 or 13, Article 13-2, paragraph (1), or Article 14 is punished by imprisonment with required labor for not more than five years or a fine of not more than three million yen.

Article 36 Imprisonment with required labor and a fine may be cumulatively imposed on a person who commits any of the offenses set forth in the preceding three Articles, depending on the circumstances.

Article 37 A person who falls under any of the following items is punished by imprisonment with required labor for not more than one year or a fine of not more than 200,000 yen:

- (i) a person who violates an order issued under Article 15 or 16;
- (ii) a person who violates restriction or prohibition imposed under Article 17;
- (iii) a person who, in violation of Article 30, fails to make a report or makes a false report, or fails to prepare books, or states false matters in books; or
- (iv) a person who refuses, obstructs, or evades an inspection under Article 30.

Article 37-2 A person who, in violation of an order issued under Article 21, evades or attempts to evade payment of the extra amount in whole or in part is punished by imprisonment with required labor for not more than one year or a fine of not more than an amount obtained by tripling the extra amount evaded or attempted to be evaded.

Article 38 A relevant official, a person as set forth in Article 26, or a person who was formerly in either of these positions, who divulges or misappropriates a secret that such person came to know in relation to performance of duties under this Ordinance is punished by imprisonment with required labor for not more than two years or a fine of not more than 100,000 yen.

Article 39 A person who, in violation of the provisions of Article 26, fails to answer questions asked by the person set forth in said Article, makes false statements thereto, or fails to make a report, or makes a false report, is punished by a fine of not more than 100,000 yen.

Article 40 When a representative of a corporation, or an agent, employee, or any other worker of a corporation or an individual commits an act of violation set forth in Articles 33 through 35, Article 37, items (i) through (iii), Article 37-2, or the preceding Article with regard to the business of said corporation or individual, not only the offender is to be punished but also said corporation or individual is to be punished by the fines prescribed in the respective Articles.

### **Supplementary Provisions**

Article 41 This Ordinance comes into effect as of the date of promulgation; provided, however, that the provisions of Article 11, paragraph (2) and Articles 13 through 36, the provisions of Articles 34 through 35 relating to Article 13, and the provisions of Article 40 relating to an act in violation of the provisions of Article 13 and the violation set forth in Article 36 are to come into effect as of March 11, 1946, and the effective date of the provisions of Articles 24 through 29 and Article 39, the provisions of Article 38 relating to a member or any other official of the Price Stability Committee or a member of the Price Surveillance Committee, or a person who was formerly in either of these positions, and the provisions of Article 40 relating to the violation set forth in Article 39 is to be provided for separately.

Article 42 The Price, etc. Control Ordinance is to be repealed.

Article 43 (1) Designation of the amount of a Price, etc. made by a relevant administrative authority pursuant to Article 7, paragraph (1) of the Former Ordinance is to be deemed to be designation of a regulated amount made by the corresponding administrative authority pursuant to Article 4 or 31 with regard to said Price, etc.

(2) In designation that is deemed to be designation of a regulated amount pursuant to the provisions of the preceding paragraph, if the amount of the Price, etc. is designated as one that is only applied to performance provided by a specific person, said designation is deemed to be designation of a regulated amount, made by a corresponding administrative authority pursuant to the provisions of Article 4 or 31, for a Price, etc. paid for the same type of performance provided by a person other than said specific person in the area relating to said designation.

(3) In the case where the competent minister has designated a regulated amount pursuant to the provisions of Article 4 by the time this Ordinance comes into effect, the regulated amount in the case referred to in the preceding two paragraphs for the Price, etc. relating to said designation is to be deemed to have been revised to a regulated amount designated by said designation.

Article 44 (1) Approval of the amount of a Price, etc. made by a relevant administrative authority pursuant to the provisions of Article 3, paragraph (1) or Article 4-4, paragraph (1) of the Former Ordinance is deemed to be designation of a regulated amount made by the corresponding administrative authority pursuant to the provisions of Article 4 or 31 for said Price, etc.

(2) If a disposition has been made by a relevant administrative authority pursuant to the provisions of Article 3, paragraph (2) or Article 4-4, paragraph (3) of the Former Order with regard to a Price, etc. relating to the approval prescribed in the preceding paragraph, said disposition is to be deemed to be designation of a regulated amount made by the corresponding administrative authority pursuant to the provisions of Article 4 or 31 for the Price, etc. to be paid for performance provided by the person for whom said disposition was made.

(3) The provisions of paragraph (3) of the preceding Article apply *mutatis mutandis* to the case referred to in the preceding two paragraphs.

Article 45 (1) Designation of the amount of a Price, etc. made by a relevant administrative authority pursuant to the provisions of the proviso to Article 2, paragraph (3) of the Former Ordinance (including the cases where applied *mutatis mutandis* pursuant to Article 4-3 of said Ordinance) is deemed to be designation of a regulated amount made by the corresponding administrative authority pursuant to the provisions of Article 4 or 31 for said Price, etc.

(2) The provisions of Article 43, paragraph (3) apply *mutatis mutandis* to the case referred to in the preceding paragraph.

Article 46 In the case where a relevant administrative authority has designated the amount of a Price, etc. pursuant to the provisions of Article 7, paragraph (1) of the Former Ordinance, if the relevant administrative authority has made approval pursuant to the provisions of the proviso to said paragraph for said Price, etc., said approval is deemed to be approval made by the corresponding administrative authority for said Price, etc. pursuant to the provisions of the proviso to Article 3, paragraph (1) or Article 31.

Article 47 In the case where a relevant administrative authority has approved the amount of a Price, etc. pursuant to the provisions of Article 3, paragraph (1) or Article 4-4, paragraph (1) of the Former Ordinance, if the relevant administrative authority has made approval pursuant to the provisions of the proviso to Article 2, paragraph (1) or the proviso to Article 4-4, paragraph (1) of said Ordinance for said Price, etc., said approval is deemed to be approval made by the corresponding administrative authority for said Price, etc. pursuant to the provisions of the proviso to Article 3, paragraph (1) or Article



31.

Article 48 In the case where a relevant administrative authority has designated the amount of a Price, etc. pursuant to the provisions of the proviso to Article 2, paragraph (3) of the Former Ordinance (including the cases where applied mutatis mutandis pursuant to Article 4-3 of said Ordinance), if the relevant administrative authority has made approval pursuant to the provisions of the proviso to Article 2, paragraph (1) of said Ordinance (including the cases where applied mutatis mutandis pursuant to Article 4-3 of said Ordinance) for said Price, etc., said approval is deemed to be approval made by the corresponding administrative authority for said Price, etc. pursuant to the provisions of the proviso to Article 3, paragraph (1) or Article 31.

Article 49 (1) Except for the cases prescribed in the preceding two Articles, if approval has been made by a relevant administrative authority pursuant to the provisions of Article 2, paragraph (1) of the Former Ordinance for a Price, etc., the amount relating to said approval is deemed to be a regulated amount designated by the corresponding administrative authority pursuant to the provisions of Article 4 or 31 for said Price, etc.

(2) The provisions of Article 43, paragraph (3) apply mutatis mutandis to the case referred to in the preceding paragraph.

Article 50 With regard to application of penal provisions to acts committed prior to the enforcement of this Ordinance, the provisions of the Former Ordinance remain in force after the enforcement of this Ordinance.

#### **Supplementary Provisions [Act No. 382 of August 12, 1946] [Extract]**

(1) This Imperial Ordinance comes into effect as of the date of promulgation.

(3) The Prime Minister may cause a governor or the head of any other local government to carry out a part of the affairs under the authority granted to the Price Agency by the provisions of the preceding paragraph, as specified by the Prime Minister.

#### **Supplementary Provisions [Act No. 133 of April 16, 1947]**

(1) This Imperial Ordinance comes into effect as of the date of promulgation.

(2) With regard to application of penal provisions to acts committed prior to the enforcement of this Imperial Ordinance, the provisions then in force remain applicable.

**Supplementary Provisions [Act No. 110 of July 7, 1948] [Extract]**

Article 141 This Act comes into effect as of the date of promulgation.

**Supplementary Provisions [Act No. 317 of October 7, 1948] [Extract]**

- (1) This Cabinet Order comes into effect as of the date of promulgation.
- (2) The Ordinance for the Administrative Organization of the Price Stability Committee (Imperial Ordinance No. 383 of 1946) is to be repealed.

**Supplementary Provisions [Act No. 36 of February 3, 1949]**

- (1) This Cabinet Order comes into effect as of the date of promulgation.
- (2) Any regulated amount as prescribed in Article 5 of the Prices Control Ordinance prior to the amendment which exists at the time of enforcement of this Cabinet Order continues to remain valid.
- (3) In the case where designation under Article 4 is made with regard to a Price, etc. for which a control price to which the provisions of the preceding paragraph apply exists, the amount relating to said designation is to be the regulated amount for said Price, etc.; provided, however, that this does not preclude providing for otherwise at the time of the designation.

**Supplementary Provisions [Act No. 164 of May 31, 1949] [Extract]**

- (1) This Act comes into effect as of June 1, 1950.

**Supplementary Provisions [Act No. 161 of May 10, 1950] [Extract]**

- (1) The provisions of this Act amending Article 4, item (iv), Article 5, items (xvi), (xxiv), (xxv), and (xxx), Article 15, Article 34-3, paragraph (1), item (iii), and Article 34-7, and paragraphs (2) through (11) of the Supplementary Provisions of the Act for Establishment of the Economic Stabilization Board come into effect as of the date of promulgation, and any other provisions come into effect as of June 1, 1950. In this case, until May 31, 1950, with regard to application of the provisions of Article 34-3, paragraph (1), item (iii) and Article 34-7, the term "District Economic Bureau" is deemed to be replaced with "District Economic Research Agency" and the term "Regional Economic Research Bureau" is deemed to be replaced with "Regional Economic Research Agency."
- (5) With regard to any gains resulting from a revision of the regulated amount of a Price, etc. made on or prior to November 30, 1949, the provisions of Article 19 and Articles 21 through 23 of the Prices Control Ordinance prior to the

amendment remain in force, notwithstanding the provisions of the preceding paragraph. In this case, the term "Director-General of the Economic Stabilization Board" is deemed to be replaced with the "Minister of Finance."

- (6) With regard to the application of penal provisions of acts in violation of the provisions of Article 21 of the Prices Control Ordinance prior to the amendment which are to remain in force pursuant to the provisions of the preceding paragraph with regard to the gains prescribed in said paragraph, the provisions then in force remain applicable, notwithstanding the provisions of Article 37-2 of the amended Prices Control Ordinance.

**Supplementary Provisions [Act No. 215 of July 1, 1950]**

This Cabinet Order comes into effect as of the date of promulgation.

**Supplementary Provisions [Act No. 40 of March 31, 1952] [Extract]**

- (1) This Act comes into effect as of April 1, 1952.

**Supplementary Provisions [Act No. 284 of July 31, 1952] [Extract]**

- (1) This Act comes into effect as of August 1, 1952.

**Supplementary Provisions [Act No. 148 of April 20, 1959] [Extract]**

(Effective Date)

- (1) This Act comes into effect as of the date of promulgation of the National Tax Collection Act (Act No. 147 of 1959).

(Transitional Measures Concerning Revision of the Priority Order of Statutory Liens of Public Charges)

- (7) The provisions of laws and regulations (limited to the parts relating to the priority order of a statutory lien of a surcharge) as amended by the provisions of Chapter II apply to the case where a distribution procedure through the compulsory selling-out procedure prescribed in Article 2, item (xxii) of the National Tax Collection Act is commenced after the enforcement of this Act, and with regard to the priority order of a statutory lien of a surcharge as prescribed in the provisions of said laws and regulations in the case where said distribution procedure is commenced prior to the enforcement of this Act, the provisions then in force remain applicable.

**Supplementary Provisions [Act No. 67 of April 2, 1962] [Extract]**

(Effective Date)

Article 1 This Act is to come into effect as of April 1, 1962.

**Supplementary Provisions [Act No. 121 of December 22, 1973] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the date of promulgation.

(Transitional Measures in Line with Partial Amendment of the Prices Control Ordinance)

Article 4 With regard to designation of a regulated amount for a Price, etc. for which a regulated amount has been designated, by the time of enforcement of this Act, pursuant to the provisions of Article 4 of the Prices Control Ordinance prior to the amendment, the provisions then in force remain applicable until otherwise provided for by law, notwithstanding the provisions of said Article after the amendment.

**Supplementary Provisions [Act No. 87 of July 16, 1999] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2000; provided, however, that the provisions set forth in the following items come into effect as of the dates specified respectively in those items:

- (i) The provisions of Article 1 adding five Articles, a Section title, two Subsections, and Subsection titles after Article 250 of the Local Autonomy Act (limited to the part relating to Article 250-9, paragraph (1) of said Act (limited to the part relating to the gaining of consent of both Houses)), the provisions of Article 40 amending paragraphs (9) and (10) of the Supplementary Provisions of the Natural Parks Act (limited to the part relating to paragraph (10) of the Supplementary Provisions of said Act), the provisions of Article 244 (excluding the part relating to the provisions amending Article 14-3 of the Agricultural Improvement Promotion Act), and the provisions of Article 472 (excluding the part relating to the provisions amending Articles 6, 8, and 17 of the Act on Special Provisions Concerning Merger of Municipalities), and the provisions of Articles 7, 10, and 12, the proviso to Article 59, Article 60, paragraphs (4) and (5), Articles 73 and 77, Article 157, paragraphs (4) through (6), and Articles 160, 163, 164, and 202 of the Supplementary Provisions: the date of promulgation;

(Affairs of the National Government, etc.)

Article 159 In addition to what is provided for in the respective Acts prior to the amendment by this Act, affairs to be managed or performed by an organ of a local government on behalf of the national government, another local government, or other public entity pursuant to Acts or Cabinet Orders based thereon prior to the enforcement of this Act (hereinafter referred to as "Affairs of the National Government, etc." in Article 161 of the Supplementary Provisions) are, after the enforcement of this Act, to be processed by the local government as its own affairs pursuant to Acts or Cabinet Orders based thereon.

(Transitional Measures Concerning Dispositions, Applications, etc.)

Article 160 (1) With regard to dispositions to grant licenses, etc. and other acts conducted, prior to the enforcement of this Act (or the respective provisions set forth in the items of Article 1 of the Supplementary Provisions; hereinafter the same applies in this Article and Article 163 of the Supplementary Provisions), pursuant to the respective Acts prior to the amendment (hereinafter referred to as "Dispositions and Other Acts" in this Article) or applications for licenses, etc. and other acts conducted, prior to the enforcement of this Act, pursuant to the respective Acts prior to the amendment (hereinafter referred to as "Applications and Other Acts" in this Article), if administrative affairs pertaining to these acts come under the jurisdiction of different persons on the date of enforcement of this Act, these acts, except those prescribed in Article 2 of the Supplementary Provisions through the preceding Article or in the provisions of the respective amended Acts (including orders issued based thereon) concerning transitional measures, are deemed, with regard to the application of the respective amended Acts after the date of enforcement of this Act, as Dispositions and Other Acts or Applications and Other Acts conducted pursuant to the relevant provisions of the respective amended Acts.

(2) With regard to matters for which reports, notification, submission or any other procedures are required to be made or taken with organs of the national government or local governments, prior to the enforcement of this Act, pursuant to the respective Acts prior to the amendment, if these procedures have not yet been taken by the date of enforcement of this Act, the provisions of the respective Acts amended by this Act apply to such procedures, except those otherwise provided by this Act or Cabinet Order based thereon, by deeming that reports, notification, submission or any other procedures have not yet been made or taken with regard to matters for which such procedures are to be taken with the corresponding organs of the national government or local governments pursuant to the corresponding provisions of the respective amended Acts.

(Transitional Measures Concerning Appeals)

Article 161 (1) With regard to an appeal filed under the Administrative Appeal Act against a disposition pertaining to Affairs of the National Government, etc. prior to the enforcement date of this Act by an administrative authority (hereinafter referred to as an "administrative authority having made the disposition" in this Article) that has been subordinated to a higher administrative authority as prescribed by said Act (hereinafter referred to as a "higher administrative authority" in this Article) prior to the enforcement date of this Act, the provisions of the Administrative Appeal Act apply to said appeal, by deeming that the administrative authority having made the disposition remains subordinate to the higher administrative authority after the enforcement date of this Act. In this case, the administrative authority that is deemed to be the higher administrative authority of the administrative authority having made the disposition is to be the administrative authority which had been the higher administrative authority of the administrative authority having made the disposition prior to the enforcement date of the Act.

(2) In the case referred to in the preceding paragraph, if the administrative authority that is deemed to be a higher administrative authority is an organ of a local government, the affairs to be processed by said organ pursuant to the provisions of the Administrative Appeal Act are to be the item (i) statutory entrusted functions as prescribed in Article 2, paragraph (9), item (i) of the new Local Autonomy Act.

(Transitional Measures Concerning Fees)

Article 162 With regard to any fees which should have been paid, prior to the enforcement date of this Act, pursuant to the provisions of the respective Acts (including orders based thereon) prior to the amendment by this Act, the provisions then in force remain applicable, unless otherwise provided for by this Act or Cabinet Order based thereon.

(Transitional Measures Concerning Penal Provisions)

Article 163 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force remain applicable.

(Delegation of Other Transitional Measures to Cabinet Order)

Article 164 (1) In addition to what is provided for in these Supplementary Provisions, transitional measures necessary for the enforcement of this Act (including transitional measures concerning penal provisions) are prescribed by Cabinet Order.

(2) Matters necessary for application of the provisions of Articles 18, 51, and 184

of the Supplementary Provisions are prescribed by Cabinet Order.

(Review)

Article 250 Adding new functions to the "item (i) statutory entrusted functions" prescribed in Article 2, paragraph (9), item (i) of the new Local Autonomy Act is to be avoided as much as possible, and the functions set forth in appended table 1 of the new Local Autonomy Act and those provided by Cabinet Order based on the new Local Autonomy Act are to be reviewed from the perspective of promoting decentralization and to be revised as appropriate whenever necessary.

Article 251 In order to enable local governments to execute their affairs and services voluntarily and independently, the government is to review how to secure adequate sources of local tax revenue based on the sharing of roles between the national government and local governments, taking into account the economic trends, and take the necessary measures based on the review results.

Article 252 In line with reforms of the medical insurance system, the pension system, and other systems, the government is to review an ideal administrative processing system for social insurance and a desirable personnel system therefor from the viewpoint of ensuring convenience for the insured and increasing efficiency in administrative processing, and take measures as required based on the review results when it finds it necessary.

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

(Effective Date)

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

#### **Supplementary Provisions [Act No. 53 of June 7, 2006] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2007; provided, however, that the provisions set forth in the following items come into effect as of the dates specified respectively in those items:

(i) the provisions amending Article 195, paragraph (2), Article 196, paragraphs (1) and (2), Article 199-3, paragraphs (1) and (4), Article 252-17, Article 252-22, paragraph (1), and Article 252-23, and the provisions of Articles 4 and 6, Articles 8 through 10, and Article 50 of the Supplementary Provisions: the

date of promulgation; and

(ii) the provisions amending Article 96, paragraph (1), the provisions adding one Article after Article 100, the provisions amending Article 101, Article 102, paragraphs (4) and (5), Articles 109, 109-2, 110, 121, and 123, Article 130, paragraph (3), Article 138, Article 179, paragraph (1), Articles 207, 225, and 231-2, Article 234, paragraphs (3) and (5), Article 237, paragraph (3), Article 238, paragraph (1), Article 238-2, paragraph (2), Articles 238-4, 238-5, and 263-3, and Article 314, paragraph (1), and the provisions of Articles 22 and 32 of the Supplementary Provisions, the provisions of Article 37 of the Supplementary Provisions amending Article 33, paragraph (3) of the Local Public Enterprise Act (Act No. 292 of 1952), the provisions of Article 47 of the Supplementary Provisions amending Article 5-29 of the Former Act on Special Provisions Concerning Merger of Municipalities (Act No. 6 of 1965) which is to remain applicable pursuant to the provisions of Article 2, paragraph (6) of the Supplementary Provisions of said Act, and the provisions of Article 51 of the Supplementary Provisions amending Article 47 of the Act on Special Provisions of the Merger of Municipalities (Act No. 59 of 2004): the day specified by Cabinet Order within a period not exceeding one year from the date of promulgation.