

特定秘密の保護に関する法律施行令

Order for Enforcement of the Act on the Protection of Specially Designated Secrets

(平成二十六年十月十七日政令第三百三十六号)
(Cabinet Order No. 336 of October 17, 2014)

内閣は、特定秘密の保護に関する法律（平成二十五年法律第百八号）第二条第五号、第三条第一項及び第二項、第四条第二項、第五項及び第七項、第五条第一項、第三項（同法第七条第二項において準用する場合を含む。）、第四項及び第五項（同法第八条第二項において準用する場合を含む。）、第六条第二項、第十条第一項第一号、第十一条第七号、第十二条第一項及び第三項（同法第十五条第二項において準用する場合を含む。）、第十五条第一項、第十六条第一項ただし書、第十七条並びに第二十一条の規定に基づき、この政令を制定する。

The Cabinet hereby enacts this Cabinet Order pursuant to the following provisions of the Act on the Protection of Specially Designated Secrets (Act No. 108 of 2013): Article 2, item (v); Article 3, paragraphs (1) and (2); Article 4, paragraphs (2), (5), and (7); Article 5, paragraph (1); Article 5, paragraph (3) (including as applied mutatis mutandis pursuant to Article 7, paragraph (2) of the same Act); Article 5, paragraph (4); Article 5, paragraph (5) (including as applied mutatis mutandis pursuant to Article 8, paragraph (2) of the same Act); Article 6, paragraph (2), Article 10, paragraph (1), item (i); Article 11, item (vii); Article 12, paragraph (1); Article 12, paragraph (3) (including as applied mutatis mutandis pursuant to Article 15, paragraph (2) of the same Act); Article 15, paragraph (1); the proviso to Article 16, paragraph (1); Article 17; and Article 21.

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第一章 総則

Chapter I General Provisions

(法第二条第五号の政令で定める特別の機関)

(Extraordinary Organ Specified by Cabinet Order as Referred to in Article 2, Item (v) of the Act)

第一条 特定秘密の保護に関する法律（以下「法」という。）第二条第五号の政令で定める特別の機関は、検察庁とする。

Article 1 The extraordinary organ specified by Cabinet Order as referred to in Article 2, item (v) of the Act on the Protection of Specially Designated Secrets (hereinafter referred to as the "Act") is the Public Prosecutors Office.

第二章 特定秘密の指定等

Chapter II Designation of Specially Designated Secrets

第一節 特定秘密の指定

Section 1 Designation of Specially Designated Secrets

(法第三条第一項の政令で定める者)

(Person Specified by Cabinet Order as Referred to in Article 3, Paragraph (1) of the Act)

第二条 法第三条第一項の政令で定める者は、次に掲げる者とする。

Article 2 The person specified by Cabinet Order as referred to in Article 3, paragraph (1) of the Act is the following person:

一 最高検察庁にあっては、検事総長

(i) in the case of the Supreme Public Prosecutors Office, the Prosecutor-General;

二 高等検察庁にあっては、その庁の検事長

(ii) in the case of a high public prosecutors office, the Superintending Prosecutor of the office;

三 地方検察庁にあっては、その庁の検事正

(iii) in the case of a district public prosecutors office, the Chief Prosecutor of the office; and

四 区検察庁にあっては、その庁の対応する簡易裁判所の所在地を管轄する地方裁判所に対応する地方検察庁の検事正

(iv) in the case of a local public prosecutors office, the Chief Prosecutor of the

district public prosecutors office corresponding to the district court having jurisdiction over the location of the summary court corresponding to the local public prosecutors office.

(法第三条第一項ただし書の政令で定める行政機関の長)

(Head of an Administrative Organ Specified by Cabinet Order as Referred to in the Proviso to Article 3, Paragraph (1) of the Act)

第三条 法第三条第一項ただし書の政令で定める行政機関の長は、次に掲げるとおりとする。

Article 3 The head of an administrative organ as referred to in the proviso to Article 3, paragraph (1) of the Act is as follows:

一 法第二条第一号に掲げる機関（内閣官房及び合議制の機関を除く。）、宮内庁、消費者庁、国税庁、文部科学省、スポーツ庁、文化庁、農林水産省、林野庁、水産庁、特許庁、中小企業庁、国土交通省、観光庁、気象庁及び環境省の長

(i) the head of an organ as set forth in Article 2, item (i) of the Act (excluding the Cabinet Secretariat and an organ under the council system) or of the Imperial Household Agency, the Consumer Affairs Agency, the National Tax Agency, the Ministry of Education, Culture, Sports, Science and Technology, the Japan Sports Agency, the Agency for Cultural Affairs, the Ministry of Agriculture, Forestry and Fisheries, the Forestry Agency, the Fisheries Agency, the Japan Patent Office, the Small and Medium Enterprise Agency, the Ministry of Land, Infrastructure, Transport and Tourism, the Japan Tourism Agency, the Japan Meteorological Agency, or the Ministry of the Environment;

二 法第二条第一号に掲げる機関（合議制の機関（国家安全保障会議を除く。）に限る。）、公正取引委員会、個人情報保護委員会、公害等調整委員会、中央労働委員会、運輸安全委員会及び会計検査院

(ii) an organ as set forth in Article 2, item (i) of the Act (limited to an organ under the council system (excluding the National Security Council)), the Japan Fair Trade Commission, Personal Information Protection Commission, the Environmental Dispute Coordination Commission, the Central Labour Relations Commission, the Japan Transport Safety Board, and the Board of Audit of Japan; and

三 前条各号に掲げる者

(iii) a person as set forth in the items of the preceding Article.

(指定に関する記録の作成)

(Preparation of Record Concerning Designation)

第四条 法第三条第二項の規定による同項の指定に関する記録の作成は、法第十八条第一項の基準（以下「運用基準」という。）で定めるところにより、法第三条第一項の規定による指定（以下単に「指定」という。）及びその解除を適切に管理するための

帳簿（磁気ディスク（これに準ずる方法により一定の事項を確実に記録しておくことができる物を含む。）をもって調製するものを含む。以下「特定秘密指定管理簿」という。）に次に掲げる事項を記載し、又は記録することにより行うものとする。

Article 4 Preparation of a record concerning designation as referred to in Article 3, paragraph (2) of the Act under the same paragraph is to be made by entering or recording the following matters in a book for appropriately managing the designation under Article 3, paragraph (1) of the Act (hereinafter simply referred to as "Designation") and its termination (including books in the form of magnetic disks (including media which can securely record certain matters by means equivalent thereto); hereinafter referred to as the "Specifically Designated Secret Designation Management Register"), as provided for by the standards under Article 18, paragraph (1) of the Act (hereinafter referred to as the "Implementation Standards"):

一 指定をした年月日

(i) the date of the Designation;

二 指定の有効期間及びその満了する年月日

(ii) the effective period of the Designation and the date on which the period expires;

三 指定に係る特定秘密の概要

(iii) the outline of the specially designated secret subject to the Designation;

四 指定に係る特定秘密である情報が法別表第一号イからヌまで、第二号イからホまで、第三号イからニまで又は第四号イからニまでのいずれの事項に関するものであるかの別

(iv) whether the information that is a specially designated secret subject to the Designation is the information concerning any of the matters set forth in item (i), (a) through (j), item (ii), (a) through (e), item (iii), (a) through (d), and item (iv), (a) through (d) of the Appended Table of the Act;

五 法第三条第二項の規定により講ずる措置が同項各号のいずれの措置であるかの別

(v) whether the measure taken pursuant to the provisions of Article 3, paragraph (2) of the Act is any of the measures set forth in the items of the same paragraph; and

六 前各号に掲げるもののほか、指定を適切に管理するために必要なものとして運用基準で定める事項

(vi) beyond what is set forth in the preceding items, any matters specified by the Implementation Standards as those necessary for appropriately managing Designation.

(特定秘密の表示の方法)

(Methods of Marking as Specially Designated Secret)

第五条 法第三条第二項第一号の規定による特定秘密の表示（電磁的記録（電子的方式、磁氣的方式その他の知覚によっては認識することができない方式で作られる記録を

いう。以下同じ。) には、当該表示の記録を含む。以下「特定秘密表示」という。) は、次の各号に掲げる特定秘密文書等 (特定秘密である情報を記録する文書、図画、電磁的記録若しくは物件又は当該情報を化体する物件をいう。以下同じ。) の区分に応じ、当該各号に定めるところによりするものとする。

Article 5 A marking as a specially designated secret under Article 3, paragraph (2), item (i) of the Act (in the case of an Electronic or Magnetic Record (meaning a record made by an electronic method, a magnetic method, or any other method not recognizable to human senses; the same applies hereinafter), including a record of the marking; hereinafter referred to as the "Marking as a Specially Designated Secret") is to be affixed pursuant to the following items according to the respective categories of the Document Containing a Specially Designated Secret, etc. (meaning a document, picture, Electronic or Magnetic Record, or object which records the information that is a specially designated secret or any object which embodies that information; the same applies hereinafter) set forth in those items:

一 特定秘密である情報を記録する文書又は図画 別記第一様式に従い、その見やすい箇所に、印刷、押印その他これらに準ずる確実な方法によりすること。この場合において、当該文書又は図画のうち当該情報を記録する部分を容易に区分することができるときは、当該表示は、当該部分にすること。

(i) a document or picture which records the information that is a specially designated secret: affixing a marking on an easily visible position by printing, affixing a seal, or using a secure method equivalent to these in accordance with Appended Form 1; in this case, if the part recording that information can be easily segmented from the rest of the document or picture, affixing the marking on the part;

二 特定秘密である情報を記録する電磁的記録 当該電磁的記録のうち当該情報を記録する部分を電子計算機の映像面上において視覚により認識することができる状態にしたときに、別記第一様式の「特定秘密」の文字及び枠を共に認識することができるようにすること。

(ii) an Electronic or Magnetic Record which records the information that is a specially designated secret: affixing the text "specially designated secret" and the frame set forth in Appended Form 1 in such a manner that both are recognizable when the Electronic or Magnetic Record is in a state where its part recording that information is visually recognizable on a computer screen; and

三 特定秘密である情報を記録し、又は化体する物件 別記第一様式に従い、その見やすい箇所 (見やすい箇所がないときは、その保管に用いる容器又は包装の外部) に、刻印、ラベルの貼付けその他これらに準ずる確実な方法によりすること。この場合において、当該物件のうち当該情報を記録し、又は化体する部分を容易に区分することができるときは、当該表示は、当該部分にすること。

(iii) an object which records or embodies the information that is a specially

designated secret: affixing a marking on an easily visible position (if there is no easily visible position, the outside part of the container or package used to store the object) by stamping, labeling, or using a secure method equivalent to these in accordance with Appended Form 1; in this case, if the part recording or embodying that information can be easily segmented from the rest of the object, affixing a marking on the part.

(通知の方法)

(Method of Notice)

第六条 法第三条第二項第二号の規定による通知は、特定秘密である情報について第四条第二号及び第三号に掲げる事項（同条第二号に掲げる事項にあつては、指定の有効期間が満了する年月日に限る。第十二条第三項において同じ。）を記載した書面により行うものとする。

Article 6 A notice under Article 3, paragraph (2), item (ii) of the Act is to be given by means of a document including the matters set forth in Article 4, items (ii) and (iii) with regard to the information that is a specially designated secret (the matter set forth in item (ii) of the same Article is limited to the date on which the effective period of the Designation expires; the same applies in Article 12, paragraph (3)).

(法第三条第三項の規定により講じた措置の記録)

(Recording of Measure Taken Pursuant to Article 3, Paragraph (3) of the Act)

第七条 行政機関の長（法第三条第一項本文に規定する行政機関の長をいう。以下同じ。）は、同条第三項の規定により同条第二項第一号に掲げる措置を講じたときは、特定秘密指定管理簿にその旨を記載し、又は記録するものとする。

Article 7 If the head of an administrative organ (meaning the head of an administrative organ prescribed in the main clause of Article 3, paragraph (1) of the Act; the same applies hereinafter) takes the measure set forth in paragraph (2), item (i) of the same Article pursuant to paragraph (3) of the same Article, the head of an administrative organ is to enter or record such fact in the Book for Managing Designation of Specially Designated Secrets.

第二節 指定の有効期間及び解除

Section 2 Effective Period and Termination of Designation

(指定の有効期間の満了に伴う措置)

(Measures upon Expiration of Effective Period of Designation)

第八条 行政機関の長は、指定をした場合において、その有効期間（延長された場合にあつては、延長後の有効期間。以下同じ。）が満了したときは、次に掲げる措置を講ずるものとする。

Article 8 (1) If the head of an administrative organ makes a Designation and the

effective period (if the period has been extended, the extended effective period; the same applies hereinafter) of the Designation expires, the head of an administrative organ is to take the following measures:

一 当該指定に係る旧特定秘密文書等（特定秘密であった情報を記録する文書、図画、電磁的記録若しくは物件又は当該情報を化体する物件をいう。以下同じ。）について、特定秘密表示の抹消（電磁的記録にあつては、当該電磁的記録のうち当該情報を記録する部分を電子計算機の映像面上において視覚により認識することができる状態にしたときに、別記第一様式の「特定秘密」の文字及び枠を認識することができないようにすることを含む。以下同じ。）をした上で、指定有効期間満了表示をすること。

(i) affixing a marking indicating expiration of the effective period of the Designation on the Former Document Containing a Specially Designated Secret, etc. (meaning a document, picture, Electronic or Magnetic Record, or object which records the information that was a specially designated secret or any object which embodies that information; the same applies hereinafter) subject to the Designation, after deleting the Marking as a Specially Designated Secret (in the case of an Electronic or Magnetic Record, including making the text "specially designated secret" and the frame set forth in Appended Form 1 unrecognizable when the Electronic or Magnetic Record is in a state where its part recording that information is visually recognizable on a computer screen; the same applies hereinafter);

二 次に掲げる者に対し、当該指定の有効期間が満了した旨を書面により通知すること。

(ii) giving notice to the following persons of the fact that the effective period of the Designation has expired in writing:

イ 当該指定について法第三条第二項第二号又は第五条第二項若しくは第四項の規定による通知を受けた者

(a) the person that receives notice under Article 3, paragraph (2), item (ii) or Article 5, paragraph (2) or (4) of the Act with regard to the Designation;
and

ロ 法第六条第一項、第七条第一項、第八条第一項、第九条、第十条第一項又は第十八条第四項後段の規定により当該行政機関の長から当該指定に係る特定秘密の提供を受けた者

(b) the person that is provided with the specially designated secret subject to the Designation from the head of an administrative organ pursuant to Article 6, paragraph (1), Article 7, paragraph (1), Article 8, paragraph (1), Article 9, Article 10, paragraph (1), or the second sentence of Article 18, paragraph (4) of the Act; and

三 特定秘密指定管理簿に当該指定の有効期間が満了した旨を記載し、又は記録すること。

(iii) entering or recording the fact that the effective period of the Designation

has expired in Specifically Designated Secret Designation Management Register.

2 前項第一号に規定する「指定有効期間満了表示」とは、次の各号に掲げる旧特定秘密文書等の区分に応じ、当該各号に定めるところによりする指定の有効期間が満了した旨の表示（電磁的記録にあっては、当該表示の記録を含む。）をいう。

(2) The "marking indicating expiration of the effective period of the Designation" prescribed in item (i) of the preceding paragraph means the marking indicating the fact that the effective period of a Designation has expired (in the case of an Electronic or Magnetic Record, including a record of the marking) affixed pursuant to the following items according to the respective categories of the Former Document Containing a Specially Designated Secret, etc. set forth in those items:

一 特定秘密であった情報を記録する文書又は図画 別記第二様式に従い、その見やすい箇所に、印刷、押印その他これらに準ずる確実な方法によりすること。この場合において、当該文書又は図画のうち当該情報を記録する部分を容易に区分することができるときは、当該表示は、当該部分にすること。

(i) a document or picture which records the information that was a specially designated secret: affixing a marking on an easily visible position by printing, affixing a seal, or using a secure method equivalent to these in accordance with Appended Form 2; in this case, if the part recording that information can be easily segmented from the rest of the document or picture, affixing the marking on the part;

二 特定秘密であった情報を記録する電磁的記録 当該電磁的記録のうち当該情報を記録する部分を電子計算機の映像面上において視覚により認識することができる状態にしたときに、別記第二様式の「特定秘密指定有効期間満了」の文字及び枠を共に認識することができるようにすること。

(ii) an Electronic or Magnetic Record which records the information that was a specially designated secret: affixing the text "effective period of Designation of specially designated secret expired" and the frame set forth in Appended Form 2 in such a manner that both are recognizable when the Electronic or Magnetic Record is in a state where its part recording that information is visually recognizable on a computer screen; and

三 特定秘密であった情報を記録し、又は化体する物件 別記第二様式に従い、その見やすい箇所（見やすい箇所がないときは、その保管に用いる容器又は包装の外側）に、刻印、ラベルの貼付けその他これらに準ずる確実な方法によりすること。この場合において、当該物件のうち当該情報を記録し、又は化体する部分を容易に区分することができるときは、当該表示は、当該部分にすること。

(iii) an object which records or embodies the information that was a specially designated secret: affixing a marking on an easily visible position (if there is no easily visible position, the outside part of the container or package used to store the object) by stamping, labeling, or using a secure method equivalent

to these in accordance with Appended Form 2; in this case, if the part recording or embodying that information can be easily segmented from the rest of the object, affixing a marking on the part.

(指定の有効期間の延長に伴う措置)

(Measures upon Extension of Effective Period of Designation)

第九条 行政機関の長は、法第四条第二項の規定により指定の有効期間を延長したときは、次に掲げる措置を講ずるものとする。

Article 9 If the head of an administrative organ extends the effective period of a Designation pursuant to Article 4, paragraph (2) of the Act, the head of an administrative organ is to take the following measures:

一 次に掲げる者に対し、当該指定の有効期間を延長した旨及び延長後の当該指定の有効期間が満了する年月日を書面により通知すること。

(i) giving notice to the following persons of the fact that the effective period of the Designation has been extended and the date on which the extended effective period of the Designation expires in writing:

イ 当該指定について法第三条第二項第二号又は第五条第二項若しくは第四項の規定による通知を受けた者

(a) the person that receives notice under Article 3, paragraph (2), item (ii) or Article 5, paragraph (2) or (4) of the Act with regard to the Designation; and

ロ 法第六条第一項、第七条第一項、第八条第一項、第九条、第十条第一項又は第十八条第四項後段の規定により当該行政機関の長から当該指定に係る特定秘密の提供を受けた者

(b) the person that is provided with the specially designated secret subject to the Designation from the head of an administrative organ pursuant to Article 6, paragraph (1), Article 7, paragraph (1), Article 8, paragraph (1), Article 9, Article 10, paragraph (1), or the second sentence of Article 18, paragraph (4) of the Act; and

二 特定秘密指定管理簿に当該指定の有効期間を延長した旨、延長後の当該指定の有効期間及びその満了する年月日並びに法第四条第四項の内閣の承認を得たときはその旨及び当該承認の年月日を記載し、又は記録すること。

(ii) entering or recording the fact that the effective period of the Designation has been extended, the date on which the extended effective period of the Designation expires, and, if the head of an administrative organ has obtained the approval of the Cabinet as referred to in Article 4, paragraph (4) of the Act, such fact and the date of the approval in the Book for Managing Designation of Specially Designated Secrets.

(内閣に特定秘密を提示する場合の措置)

(Measure in Case of Presenting Specially Designated Secret to Cabinet)

第十条 法第四条第五項の政令で定める措置は、収納物を外部から見るができないような運搬容器に特定秘密文書等を収納し、施錠した上で、行政機関の長が当該行政機関において当該特定秘密の取扱いの業務を行わせる職員のうちから指名するものに当該運搬容器を携行させることとする。

Article 10 The measure specified by Cabinet Order as referred to in Article 4, paragraph (5) of the Act is storing a Document Containing a Specially Designated Secret, etc. in a carrying container which prevents the stored object from being seen from the outside, locking the container, and having an official, who is nominated by the head of an administrative organ from among the officials who are assigned to perform the duty of handling the specially designated secret at the administrative organ, carry the carrying container.

(指定の解除に伴う措置)

(Measures upon Termination of Designation)

第十一条 行政機関の長は、法第四条第七項の規定により指定を解除したときは、次に掲げる措置を講ずるものとする。

Article 11 (1) If the head of an administrative organ terminates a Designation pursuant to Article 4, paragraph (7) of the Act, the head of an administrative organ is to take the following measures:

一 当該指定に係る旧特定秘密文書等について、特定秘密表示の抹消をした上で、指定解除表示をすること。

(i) affixing a marking indicating termination of the Designation on the Former Document Containing a Specially Designated Secret, etc. subject to the Designation, after deleting the Marking as a Specially Designated Secret;

二 次に掲げる者に対し、当該指定を解除した旨及びその年月日を書面により通知すること。

(ii) giving notice to the following persons of the fact that the Designation has been terminated and the date of the termination in writing:

イ 当該指定について法第三条第二項第二号又は第五条第二項若しくは第四項の規定による通知を受けた者

(a) the person that receives notice under Article 3, paragraph (2), item (ii) or Article 5, paragraph (2) or (4) of the Act with regard to the Designation; and

ロ 法第六条第一項、第七条第一項、第八条第一項、第九条、第十条第一項又は第十八条第四項後段の規定により当該行政機関の長から当該指定に係る特定秘密の提供を受けた者

(b) the person that is provided with the specially designated secret subject to the Designation from the head of an administrative organ pursuant to Article 6, paragraph (1), Article 7, paragraph (1), Article 8, paragraph (1), Article 9, Article 10, paragraph (1), or the second sentence of Article 18, paragraph (4) of the Act; and

三 特定秘密指定管理簿に当該指定を解除した旨及びその年月日を記載し、又は記録すること。

(iii) entering or recording the fact that the Designation has been terminated and the date of the termination in Specifically Designated Secret Designation Management Register.

2 前項第一号に規定する「指定解除表示」とは、次の各号に掲げる旧特定秘密文書等の区分に応じ、当該各号に定めるところによりする指定を解除した旨の表示（電磁的記録にあっては、当該表示の記録を含む。）をいう。

(2) The "marking indicating termination of the Designation" prescribed in item (i) of the preceding paragraph means the marking indicating the fact that the Designation has been terminated (in the case of an Electronic or Magnetic Record, including a record of the marking) affixed pursuant to the following items according to the respective categories of the Former Document

Containing a Specially Designated Secret, etc. set forth in those items:

一 特定秘密であった情報を記録する文書又は図画 別記第三様式に従い、その見やすい箇所に、印刷、押印その他これらに準ずる確実な方法によりすること。この場合において、当該文書又は図画のうち当該情報を記録する部分を容易に区分することができるときは、当該表示は、当該部分にすること。

(i) a document or picture which records the information that was a specially designated secret: affixing a marking on an easily visible position by printing, affixing a seal, or using a secure method equivalent to these in accordance with Appended Form 3; in this case, if the part recording that information can be easily segmented from the rest of the document or picture, affixing the marking on the part;

二 特定秘密であった情報を記録する電磁的記録 当該電磁的記録のうち当該情報を記録する部分を電子計算機の映像面上において視覚により認識することができる状態にしたときに、別記第三様式の「特定秘密指定解除」の文字及び枠を共に認識することができるようにすること。

(ii) an Electronic or Magnetic Record which records the information that was a specially designated secret: affixing the text "Designation of specially designated secret terminated" and the frame set forth in Appended Form 3 in such a manner that both are recognizable when the Electronic or Magnetic Record is in a state where its part recording that information is visually recognizable on a computer screen; and

三 特定秘密であった情報を記録し、又は化体する物件 別記第三様式に従い、その見やすい箇所（見やすい箇所がないときは、その保管に用いる容器又は包装の外部）に、刻印、ラベルの貼付けその他これらに準ずる確実な方法によりすること。この場合において、当該物件のうち当該情報を記録し、又は化体する部分を容易に区分することができるときは、当該表示は、当該部分にすること。

(iii) an object which records or embodies the information that was a specially designated secret: affixing a marking on an easily visible position (if there is

no easily visible position, the outside part of the container or package used to store the object) by stamping, labeling, or using a secure method equivalent to these in accordance with Appended Form 3; in this case, if the part recording or embodying that information can be easily segmented from the rest of the object, affixing the marking on the part.

第三節 特定秘密の保護措置

Section 3 Protective Measures for Specially Designated Secrets

(行政機関の長による特定秘密の保護措置)

(Protective Measures for Specially Designated Secrets Taken by Head of Administrative Organ)

第十二条 行政機関の長は、特定秘密を適切に保護するために、運用基準で定めるところにより、次に掲げる措置の実施に関する規程を定めるものとする。

Article 12 (1) In order to protect specially designated secrets appropriately, the head of an administrative organ is to formulate rules for the conduct of the following measures pursuant to the provisions of the Implementation Standards:

一 特定秘密の保護に関する業務を管理する者の指名

(i) nomination of a person that manages the duties concerning the protection of specially designated secrets;

二 職員に対する特定秘密の保護に関する教育

(ii) education concerning the protection of specially designated secrets for the administrative organ's officials;

三 特定秘密の保護のために必要な施設設備の設置

(iii) installation of facilities and equipment necessary for the protection of specially designated secrets;

四 法第十一条の規定により特定秘密の取扱いの業務を行うことができることとされる者のうちからの特定秘密の取扱いの業務を行わせる職員の範囲の決定

(iv) determination of the scope of officials to be assigned to perform the duty of handling specially designated secrets from among persons who are qualified to perform the duty of handling specially designated secrets pursuant to Article 11 of the Act;

五 特定秘密を取り扱う場所への立入り及び機器の持込みの制限

(v) restrictions on the entry and bringing of any device into the place where specially designated secrets are handled;

六 特定秘密を取り扱うために使用する電子計算機の使用の制限

(vi) restrictions on the use of a computer to be used for handling specially designated secrets;

七 前二号に掲げるもののほか、特定秘密文書等の作成、運搬、交付、保管、廃棄その他の取扱いの方法の制限

- (vii) beyond what is set forth in the preceding two items, restrictions on methods for creation, transport, delivery, custody, destruction, and any other handling of a Document Containing a Specially Designated Secret, etc.;
- 八 特定秘密の伝達（特定秘密文書等の交付以外の方法によるものに限る。第十八条第八号において同じ。）の方法の制限
- (viii) restrictions on methods for communication of specially designated secrets (limited to communication by methods other than the delivery of a Document Containing a Specially Designated Secret, etc.; the same applies in Article 18, item (viii));
- 九 特定秘密の取扱いの業務の状況の検査
- (ix) inspection of the status of the duty of handling specially designated secrets;
- 十 特定秘密文書等の奪取その他特定秘密の漏えいのおそれがある緊急の事態に際し、その漏えいを防止するため他に適当な手段がないと認められる場合における焼却、破砕その他の方法による特定秘密文書等の廃棄
- (x) destruction of a Document Containing a Specially Designated Secret, etc. by incinerating or shredding it or by any other methods if, in an emergency posing the risk of the Document Containing a Specially Designated Secret, etc. being stolen or any other risk of unauthorized disclosure of specially designated secrets, it is deemed that there is no other appropriate means to prevent such unauthorized disclosure;
- 十一 特定秘密文書等の紛失その他の事故が生じた場合における被害の発生の防止その他の措置
- (xi) prevention of the occurrence of damage or any other measures in the event of a loss of a Document Containing a Specially Designated Secret, etc. or any other incidents; and
- 十二 前各号に掲げるもののほか、特定秘密の保護に関し必要なものとして運用基準で定める措置
- (xii) beyond what is set forth in the preceding items, measures specified by the Implementation Standards as being necessary for the protection of specially designated secrets.
- 2 法第五条第一項の政令で定める措置は、前項の規程に従い、当該特定秘密に関し同項各号に掲げる措置を講ずることとする。
- (2) The measures specified by Cabinet Order as referred to in Article 5, paragraph (1) of the Act are taking the measures set forth in the items of the preceding paragraph with regard to the relevant specially designated secret in accordance with the rules referred to in the same paragraph.
- 3 法第五条第二項又は第四項の規定による通知は、当該通知に係る特定秘密である情報について第四条第二号及び第三号に掲げる事項を記載した書面により行うものとする。
- (3) The notice under the provisions of Article 5, paragraph (2) or paragraph (4) of

the Act is to be given by means of a document including the matters set forth in Article 4, items (ii) and (iii) with regard to the information that is a specially designated secret subject to the notice.

(都道府県警察による特定秘密の保護措置)

(Protective Measures for Specially Designated Secrets Taken by Prefectural Police)

第十三条 法第五条第三項の政令で定める事項は、当該都道府県警察の警視総監又は道府県警察本部長（以下この項及び第二十条において「警察本部長」という。）による次に掲げる措置及び当該特定秘密に関する前条第一項各号に掲げる措置の実施に関する事項とする。

Article 13 (1) The matters specified by Cabinet Order as referred to in Article 5, paragraph (3) of the Act are matters concerning the conduct of the following measures and the measures set forth in the items of paragraph (1) of the preceding Article with regard to the relevant specially designated secret taken by the Superintendent General or the Chief of the Prefectural Police Headquarters (hereinafter referred to as the "Chief of Police" in this paragraph and Article 20):

一 当該特定秘密である情報について講ずる法第三条第二項各号のいずれかに掲げる措置

(i) the measures set forth in any of the items of Article 3, paragraph (2) of the Act to be taken with regard to the information that is the specially designated secret;

二 当該特定秘密の指定の有効期間が満了した場合に講ずる次に掲げる措置

(ii) the following measures to be taken when the effective period of the Designation of the specially designated secret expires:

イ 当該指定に係る旧特定秘密文書等について、特定秘密表示の抹消をした上で、第八条第二項に規定する指定有効期間満了表示（第十五条第一項第二号イ及び第十七条第二号イにおいて単に「指定有効期間満了表示」という。）をすること。

(a) affixing the marking indicating expiration of the effective period of the Designation as prescribed in Article 8, paragraph (2) (simply referred to as "marking indicating expiration of the effective period of the Designation" in Article 15, paragraph (1), item (ii), (a) and Article 17, item (ii), (a)) on the Former Document Containing a Specially Designated Secret, etc. subject to the Designation, after deleting the Marking as a Specially Designated Secret; and

ロ 次に掲げる者に対し、当該指定の有効期間が満了した旨を書面により通知すること。

(b) giving notice to the following persons of the fact that the effective period of the Designation has expired in writing:

(1) 法第五条第三項後段の規定により当該警察本部長から前号に掲げる措置

(法第三条第二項第二号に掲げる措置に限る。)を受けた者

1. the person that receives the measure set forth in the preceding item (limited to the measure set forth in Article 3, paragraph (2), item (ii) of the Act) from the Chief of Police pursuant to the second sentence of Article 5, paragraph (3) of the Act; and

(2) 法第十条第二項の規定により当該警察本部長から当該特定秘密の提供を受けた者

2. the person that is provided with the specially designated secret from the Chief of Police pursuant to Article 10, paragraph (2) of the Act;

三 当該特定秘密の指定の有効期間が延長された場合において、前号ロ(1)及び(2)に掲げる者に対し、当該指定の有効期間が延長された旨及び延長後の当該指定の有効期間が満了する年月日を書面により通知すること。

(iii) if the effective period of the Designation of the specially designated secret is extended, giving notice to the persons set forth in (b), 1. and 2. of the preceding item of the fact that the effective period of the Designation has been extended and the date on which the extended effective period of the Designation expires in writing; and

四 当該特定秘密の指定が解除された場合に講ずる次に掲げる措置

(iv) the following measures to be taken if the Designation of the specially designated secret is terminated:

イ 当該指定に係る旧特定秘密文書等について、特定秘密表示の抹消をした上で、第十一条第二項に規定する指定解除表示(第十五条第一項第四号イ及び第十七条第四号イにおいて単に「指定解除表示」という。)をすること。

(a) affixing the marking indicating termination of the Designation as prescribed in Article 11, paragraph (2) (simply referred to as the "marking indicating termination of the Designation" in Article 15, paragraph (1), item (iv), (a) and Article 17, item (iv), (a)) on the Former Document Containing a Specially Designated Secret, etc. subject to the Designation, after deleting the Marking as a Specially Designated Secret; and

ロ 第二号ロ(1)及び(2)に掲げる者に対し、当該指定が解除された旨及びその年月日を書面により通知すること。

(b) giving notice to the persons set forth in item (ii), (b), 1. and 2. of the fact that the Designation has been terminated and the date of the termination in writing.

2 前項の規定は、法第七条第二項において準用する法第五条第三項の政令で定める事項について準用する。この場合において、前項第一号中「について講ずる法第三条第二項各号のいずれか」とあるのは「に係る特定秘密文書等であつて当該都道府県警察において作成したものについて講ずる法第三条第二項第一号に掲げる措置又は当該情報について講ずる同項第二号」と、同項第二号ロ(1)中「第五条第三項後段」とあるのは「第七条第二項において準用する法第五条第三項後段」と読み替えるものとする。

(2) The provisions of the preceding paragraph apply mutatis mutandis to the matters specified by Cabinet Order as referred to in Article 5, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 7, paragraph (2) of the Act. In this case, the phrase "the measures set forth in any of the items of Article 3, paragraph (2) to be taken with regard to the information that is the specially designated secret" in item (i) of the preceding paragraph is deemed to be replaced with "the measure set forth in Article 3, paragraph (2), item (i) of the Act to be taken with regard to a Document Containing a Specially Designated Secret, etc. which concerns the information that is the specially designated secret and which has been prepared by the Prefectural Police or, the measure set forth in item (ii) of the same paragraph to be taken with regard to that information" and the phrase "the second sentence of Article 5, paragraph (3)" in item (ii), (b), 1. of the preceding paragraph is deemed to be replaced with "the second sentence of Article 5, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 7, paragraph (2)."

(適合事業者に関する基準)

(Criteria Concerning Eligible Contractor)

第十四条 法第五条第四項の政令で定める基準は、第十二条第一項第一号、第三号及び第五号から第十二号までに掲げる措置並びに次に掲げる措置の実施に関する規程を定めており、かつ、当該規程に従ってこれらの措置を講ずることにより、特定秘密を適切に保護することができることと認められることとする。

Article 14 The criteria specified by Cabinet Order as referred to in Article 5, paragraph (4) of the Act provide the rules concerning the conduct of the measures set forth in Article 12, paragraph (1), items (i), (iii) and (v) through (xii) and the following measures, and by taking those measures in accordance with those rules, specially designated secrets are found to be appropriately protected:

一 代表者、代理人、使用人その他の従業者（次号及び次条第一項第五号において単に「従業者」という。）に対する特定秘密の保護に関する教育

(i) education concerning the protection of specially designated secrets for the representative, agents, employees, and any other workers (simply referred to as "workers" in the following item and paragraph (1), item (v) of the following Article); and

二 法第十一条の規定により特定秘密の取扱いの業務を行うことができることとされる者のうちからの特定秘密の取扱いの業務を行わせる従業者の範囲の決定

(ii) determination of the scope of workers to be assigned to perform the duty of handling specially designated secrets from among persons who are qualified to perform the duty of handling specially designated secrets pursuant to Article 11 of the Act.

(適合事業者による特定秘密の保護措置)

(Protective Measures for Specially Designated Secrets Taken by Eligible Contractor)

第十五条 法第五条第五項の政令で定める事項は、当該適合事業者による次に掲げる措置並びに当該特定秘密に関する第十二条第一項第一号、第三号及び第五号から第十二号まで並びに前条各号に掲げる措置の実施に関する事項とする。

Article 15 (1) The matters specified by Cabinet Order as referred to in Article 5, paragraph (5) of the Act are matters concerning the conduct of the following measures and the measures set forth in Article 12, paragraph (1), items (i), (iii) and (v) through (xii), and the items of the preceding Article with regard to the relevant specially designated secret taken by the relevant eligible contractor:

一 当該特定秘密である情報について講ずる法第三条第二項各号のいずれかに掲げる措置

(i) the measures set forth in any of the items of Article 3, paragraph (2) to be taken with regard to the information that is the specially designated secret;

二 当該特定秘密の指定の有効期間が満了した場合に講ずる次に掲げる措置

(ii) the following measures to be taken when the effective period of the Designation of the specially designated secret expires:

イ 当該指定に係る旧特定秘密文書等について、特定秘密表示の抹消をした上で、指定有効期間満了表示をすること。

(a) affixing a marking indicating expiration of the effective period of the Designation on the Former Document Containing a Specially Designated Secret, etc. subject to the Designation, after deleting the Marking as a Specially Designated Secret; and

ロ 次に掲げる者に対し、当該指定の有効期間が満了した旨を書面により通知すること。

(b) giving notice to the following persons of the fact that the effective period of the Designation has expired in writing:

(1) 法第五条第六項の規定により当該適合事業者から前号に掲げる措置（法第三条第二項第二号に掲げる措置に限る。）を受けた者

1. the person that receives the measure set forth in the preceding item (limited to the measure set forth in Article 3, paragraph (2), item (ii) of the Act) from the eligible contractor pursuant to Article 5, paragraph (6) of the Act; and

(2) 法第十条第三項の規定により当該適合事業者から当該特定秘密の提供を受けた者

2. the person that is provided with the specially designated secret from the eligible contractor pursuant to Article 10, paragraph (3) of the Act;

三 当該特定秘密の指定の有効期間が延長された場合において、前号ロ（1）及び（2）に掲げる者に対し、当該指定の有効期間が延長された旨及び延長後の当該指定の有効期間が満了する年月日を書面により通知すること。

(iii) if the effective period of the Designation of the specially designated secret is extended, giving notice to the persons set forth in (b), 1. and 2. of the preceding item of the fact that the effective period of the Designation has been extended and the date on which the extended effective period of the Designation expires in writing; and

四 当該特定秘密の指定が解除された場合に講ずる次に掲げる措置

(iv) the following measures to be taken if the Designation of the specially designated secret is terminated:

イ 当該指定に係る旧特定秘密文書等について、特定秘密表示の抹消をした上で、指定解除表示をすること。

(a) affixing a marking indicating termination of the Designation on the Former Document Containing a Specially Designated Secret, etc. subject to the Designation, after deleting the Marking as a Specially Designated Secret; and

ロ 第二号ロ（１）及び（２）に掲げる者に対し、当該指定が解除された旨及びその年月日を書面により通知すること。

(b) giving notice to the persons set forth in item (ii), (b), 1. and 2. of the fact that the Designation has been terminated and the date of the termination in writing.

五 当該特定秘密の取扱いの業務を行う従業者について、法第十二条第一項第三号に規定する事情があると認められた場合における当該特定秘密の指定をした行政機関の長に対する報告その他の措置

(v) if a worker assigned to perform the duty of handling the specially designated secret is found to have the circumstances prescribed in Article 12, paragraph (1), item (iii) of the Act, reporting to the head of an administrative organ who has made the Designation of the specially designated secret or any other measures.

2 前項の規定は、法第八条第二項において準用する法第五条第五項の政令で定める事項について準用する。この場合において、前項第一号中「について講ずる法第三条第二項各号のいずれか」とあるのは「に係る特定秘密文書等であって当該適合事業者において作成したものについて講ずる法第三条第二項第一号に掲げる措置又は当該情報について講ずる同項第二号」と、同項第二号ロ（１）中「第五条第六項」とあるのは「第八条第二項において準用する法第五条第六項」と、同項第五号中「指定」とあるのは「提供」と読み替えるものとする。

(2) The provisions of the preceding paragraph apply mutatis mutandis to the matters specified by Cabinet Order as referred to in Article 5, paragraph (5) of the Act as applied mutatis mutandis pursuant to Article 8, paragraph (2) of the Act. In this case, the phrase "the measures set forth in any of the items of Article 3, paragraph (2) to be taken with regard to the information that is the specially designated secret" in item (i) of the preceding paragraph is deemed to be replaced with "the measure set forth in Article 3, paragraph (2), item (i) of

the Act to be taken with regard to a Document Containing a Specially Designated Secret, etc. which concerns the information that is the specially designated secret and which has been prepared by the eligible contractor, or the measure set forth in item (ii) of the same paragraph to be taken with regard to the information," the phrase "Article 5, paragraph (6)" in item (ii), (b), 1. of the preceding paragraph is deemed to be replaced with "Article 5, paragraph (6) of the Act as applied mutatis mutandis pursuant to Article 8, paragraph (2)," and the phrase "made the Designation of" in item (v) of the preceding paragraph is deemed to be replaced with "provided."

第三章 特定秘密の提供

Chapter III Provision of Specially Designated Secrets

(提供の際の通知)

(Notice upon Provision)

第十六条 法第六条第一項、第七条第一項、第八条第一項、第九条、第十条又は第十八条第四項後段の規定により特定秘密の提供をする者は、当該提供を受ける者に対し、当該特定秘密の指定の有効期間が満了する年月日を書面により通知するものとする。

Article 16 A person that provides a specially designated secret pursuant to Article 6, paragraph (1), Article 7, paragraph (1), Article 8, paragraph (1), Article 9, Article 10, or the second sentence of Article 18, paragraph (4) of the Act is to give notice to the person that is provided with the specially designated secret of the date on which the effective period of the Designation of the specially designated secret expires in writing.

(他の行政機関による特定秘密の保護措置)

(Protective Measures for Specially Designated Secrets Taken by Another Administrative Organ)

第十七条 法第六条第二項の政令で定める事項は、当該他の行政機関の長による次に掲げる措置及び当該特定秘密に関する第十二条第一項各号に掲げる措置の実施に関する事項とする。

Article 17 The matters specified by Cabinet Order as referred to in Article 6, paragraph (2) of the Act are matters concerning the conduct of the following measures and the measures set forth in the items of Article 12, paragraph (1) with regard to the relevant specially designated secret taken by the head of the relevant other administrative organ:

一 当該特定秘密である情報に係る特定秘密文書等であつて当該他の行政機関において作成したものについて講ずる法第三条第二項第一号に掲げる措置又は当該情報について講ずる同項第二号に掲げる措置

(i) the measure set forth in Article 3, paragraph (2), item (i) of the Act to be taken with regard to a Document Containing a Specially Designated Secret,

etc. which concerns the information that is the specially designated secret and which has been prepared by the relevant other administrative organ, or the measure set forth in item (ii) of the same paragraph to be taken with regard to that information;

二 当該特定秘密の指定の有効期間が満了した場合に講ずる次に掲げる措置

(ii) the following measures to be taken when the effective period of the Designation of the specially designated secret expires:

イ 当該指定に係る旧特定秘密文書等について、特定秘密表示の抹消をした上で、指定有効期間満了表示をすること。

(a) affixing a marking indicating expiration of the effective period of the Designation on the Former Document Containing a Specially Designated Secret, etc. subject to the Designation, after deleting the Marking as a Specially Designated Secret; and

ロ 次に掲げる者に対し、当該指定の有効期間が満了した旨を書面により通知すること。

(b) giving notice to the following persons of the fact that the effective period of the Designation has expired in writing:

(1) 法第六条第三項の規定により当該他の行政機関の長から前号に掲げる措置（法第三条第二項第二号に掲げる措置に限る。）を受けた者

1. the person that receives the measure set forth in the preceding item (limited to the measure set forth in Article 3, paragraph (2), item (ii) of the Act) from the head of the relevant other administrative organ pursuant to Article 6, paragraph (3) of the Act; and

(2) 法第六条第一項、第七条第一項、第八条第一項、第九条、第十条第一項又は第十八条第四項後段の規定により当該他の行政機関の長から当該特定秘密の提供を受けた者

2. the person that is provided with the specially designated secret from the head of the relevant other administrative organ pursuant to Article 6, paragraph (1), Article 7, paragraph (1), Article 8, paragraph (1), Article 9, Article 10, paragraph (1), or the second sentence of Article 18, paragraph (4) of the Act; and

三 当該特定秘密の指定の有効期間が延長された場合において、前号ロ（1）及び（2）に掲げる者に対し、当該指定の有効期間が延長された旨及び延長後の当該指定の有効期間が満了する年月日を書面により通知すること。

(iii) if the effective period of the Designation of the specially designated secret is extended, giving notice to the persons set forth in (b), 1. and 2. of the preceding item of the fact that the effective period of the Designation has been extended and the date on which the extended effective period of the Designation expires in writing; and

四 当該特定秘密の指定が解除された場合に講ずる次に掲げる措置

(iv) the following measures to be taken if the Designation of the specially

designated secret is terminated:

イ 当該指定に係る旧特定秘密文書等について、特定秘密表示の抹消をした上で、指定解除表示をすること。

(a) affixing a marking indicating termination of the Designation on the Former Document Containing a Specially Designated Secret, etc. subject to the Designation, after deleting the Marking as a Specially Designated Secret; and

ロ 第二号ロ（１）及び（２）に掲げる者に対し、当該指定が解除された旨及びその年月日を書面により通知すること。

(b) giving notice to the persons set forth in item (ii), (b), 1. and 2. of the fact that the Designation has been terminated and the date of the termination in writing.

(その他公益上の必要による特定秘密の提供を受けた者による特定秘密の保護措置)
(Protective Measures for Specially Designated Secrets Taken by Person That Is Provided with Specially Designated Secrets Based on Other Public Interest Needs)

第十八条 法第十条第一項第一号の政令で定める措置は、同条（同号（イに係る部分を除く。）に係る部分に限る。）の規定により特定秘密の提供を受ける者による次に掲げる措置とする。

Article 18 The measures specified by Cabinet Order as referred to in Article 10, paragraph (1), item (i) of the Act are the following measures taken by a person that is provided with a specially designated secret pursuant to the provisions of the same Article (limited to the part concerning the same item (excluding the part concerning (a))):

一 当該特定秘密を利用し、又は知る者に、その利用し、又は知る情報が特定秘密であることを認識させるために必要な表示（電磁的記録にあっては、当該表示の記録を含む。）又は通知であつて、当該提供の目的である業務の遂行に支障のない範囲内とするものの方法を定めること。

(i) specifying the method of the marking (in the case of an Electronic or Magnetic Record, including a record of the marking) or notice which is necessary for the person that uses or knows the specially designated secret to recognize that the information the person uses or knows is a specially designated secret, and which is made within the scope that does not interfere with the execution of the duty for which the secret was provided;

二 当該特定秘密の保護に関する業務を管理する者を指名すること。

(ii) nominating a person who manages the duties concerning the protection of the specially designated secret;

三 当該特定秘密を利用し、又は知る者に対し、特定秘密の保護の重要性を理解させること。

(iii) having the person who uses or knows the specially designated secret

- understand the importance of protecting specially designated secrets;
- 四 当該特定秘密を利用し、又は知る者の範囲を制限すること。
- (iv) limiting the scope of persons who are to use or know the specially designated secret;
- 五 当該提供の目的である業務以外に当該特定秘密が利用されないようにすること。
- (v) disallowing the use of the specially designated secret for purposes other than the duty for which the secret was provided;
- 六 当該特定秘密を取り扱うために使用する電子計算機の使用を制限すること。
- (vi) restricting the use of a computer to be used for handling the specially designated secret;
- 七 前号に掲げるもののほか、当該特定秘密である情報に係る特定秘密文書等の作成、運搬、交付、保管、廃棄その他の取扱いの方法を制限すること。
- (vii) beyond what is set forth in the preceding items, restricting the methods for creation, transport, delivery, custody, destruction and any other handling of a Document Containing a Specially Designated Secret, etc. concerning the information that is the specially designated secret;
- 八 当該特定秘密の伝達の方法を制限すること。
- (viii) restricting the methods for communication of the specially designated secret;
- 九 当該特定秘密の利用の状況の検査の方法を定めること。
- (ix) specifying the method for inspection of the status of use of the specially designated secret; and
- 十 当該特定秘密である情報に係る特定秘密文書等の紛失その他の事故が生じた場合における当該提供をした者に対する報告の方法を定めること。
- (x) specifying the method for reporting to the person that provided the specially designated secret in the event of a loss of the Document Containing a Specially Designated Secret, etc. concerning the information that is the specially designated secret or any other incidents.

第四章 適性評価等

Chapter IV Security Clearance Assessment

(適性評価を受けることを要しない者)

(Persons Who Are Not Required to Undergo Security Clearance Assessment)

第十九条 法第十一条第七号の政令で定める者は、次に掲げる者とする。

Article 19 The person specified by Cabinet Order as referred to in Article 11, item (vii) of the Act is any of the following persons:

一 国家公安委員会委員

(i) members of the National Public Safety Commission;

二 公安審査委員会の委員長及び委員

(ii) the chairman and members of the Public Security Examination

Commission;

三 原子力規制委員会の委員長及び委員

(iii) the chairman and commissioners of the Nuclear Regulation Authority; and

四 都道府県公安委員会委員

(iv) commissioners of prefectural public safety commissions.

(適性評価の実施の方法)

(Method for Conducting Security Clearance Assessment)

第二十条 行政機関の長又は警察本部長は、法第十二条第一項又は第十五条第一項の規定による適性評価の実施に当たっては、評価対象者に法第十二条第二項各号に掲げる事項に関する質問票を交付し、これらの事項についての記載を求めるほか、運用基準で定めるところにより、同項（法第十五条第二項において準用する場合を含む。）の調査を行うものとする。

Article 20 When conducting a security clearance assessment under Article 12, paragraph (1) or Article 15, paragraph (1) of the Act, the head of an administrative organ or the Chief of Police is to deliver a questionnaire concerning the matters set forth in the items of Article 12, paragraph (2) of the Act to the person subject to assessment, request the person to fill out the questionnaire about these matters, and conduct the examination referred to in the same paragraph (including as applied mutatis mutandis pursuant to Article 15, paragraph (2) of the Act) as provided for by the Implementation Standards.

(評価対象者に対する告知等)

(Notification to Person Subject to Assessment)

第二十一条 法第十二条第三項（法第十五条第二項において準用する場合を含む。）の規定による告知及び同意は、書面により行うものとする。

Article 21 The notification and consent under Article 12, paragraph (3) of the Act (including as applied mutatis mutandis pursuant to Article 15, paragraph (2) of the Act) are to be given in writing.

(国家公務員法第三十八条各号等に準ずる事由)

(Grounds Equivalent to Items of Article 38 of the National Public Service Act)

第二十二条 法第十六条第一項ただし書の政令で定める事由は、国家公務員法（昭和二十二年法律第百二十号）第八十一条第二項の規定に基づく人事院規則で定める降任、免職若しくは降給の事由、自衛隊法施行令（昭和二十九年政令第百七十九号）第六十三条の規定による降任若しくは免職の事由又は地方公務員法（昭和二十五年法律第二百六十一号）第二十七条第二項の規定に基づく条例で定める休職若しくは降給の事由若しくは同法第二十九条の二第二項の規定に基づく条例で定める降任、免職若しくは降給の事由とする。

Article 22 The grounds specified by Cabinet Order as referred to in the proviso

to Article 16, paragraph (1) of the Act are the grounds for demotion, dismissal, or reduction of pay provided for by Rules of the National Personnel Authority based on Article 81, paragraph (2) of the National Public Service Act (Act No. 120 of 1947), grounds for demotion or dismissal under Article 63 of the Order for Enforcement of the Self-Defense Forces Act (Cabinet Order No. 179 of 1954), grounds for administrative leave or reduction of pay provided for by Ordinance based on Article 27, paragraph (2) of the Local Public Service Act (Act No. 261 of 1950), or grounds for demotion, dismissal, or reduction of pay provided for by Ordinance based on Article 29-2, paragraph (2) of the same Act.

(権限又は事務の委任)

(Delegation of Authority or Affairs)

第二十三条 行政機関の長は、法第五章に定める権限又は事務のうちその所掌に係るものを、国家公務員法第五十五条第二項の規定により任命権を委任した者（防衛大臣及び防衛装備庁長官にあつては、自衛隊法（昭和二十九年法律第百六十五号）第三十一条第一項の規定により同法第二条第五項に規定する隊員の任免について権限を委任した者）に委任することができる。

Article 23 The head of an administrative organ may delegate the authority or affairs provided for in Chapter V of the Act which fall under the jurisdiction of the head of an administrative organ to the person to whom the appointive power has been delegated pursuant to Article 55, paragraph (2) of the National Public Service Act (in the case of the Minister of Defense or the Commissioner of the Acquisition, Technology and Logistics Agency, to the person to whom the authority over appointment and dismissal of Self-Defense Forces personnel under Article 2, paragraph (5) of the Self-Defense Forces Act (Act No. 165 of 1954) has been delegated pursuant to Article 31, paragraph (1) of the same Act).

附 則

Supplementary Provisions

(施行期日)

(Effective Date)

第一条 この政令は、法の施行の日（平成二十六年十二月十日）から施行する。

Article 1 This Cabinet Order comes into effect as of the date on which the Act comes into effect (December 10, 2014).

(経過措置)

(Transitional Measures)

第二条 法附則第二条の政令で定める日の前日までの間においては、第十二条第一項第四号及び第十四条第二号の規定の適用については、これらの規定中「法第十一条の規

定により特定秘密の取扱いの業務を行うことができることとされる者のうちからの特定秘密」とあるのは、「特定秘密」とする。

Article 2 Until the day preceding the day specified by Cabinet Order as referred to in Article 2 of the Supplementary Provisions of the Act, with regard to the application of Article 12, paragraph (1), item (iv) and Article 14, item (ii), the phrase "specially designated secrets from among persons who are qualified to perform the duty of handling specially designated secrets pursuant to Article 11 of the Act" in these provisions is deemed to be replaced with "specially designated secrets."

(自衛隊法施行令の一部改正)

(Partial Amendment of the Order for Enforcement of the Self-Defense Forces Act)

第三条 自衛隊法施行令の一部を次のように改正する。

Article 3 The Order for Enforcement of the Self-Defense Forces Act is partially amended as follows:

目次中「自衛隊の行動及び権限等」を「自衛隊の行動及び権限」に改め、「第五節 防衛秘密（第百十三条の二―第百十三条の十四）」を削る。

In the table of contents, "Operation and Authority of Self-Defense Forces, etc." is revised as "Operation and Authority of Self-Defense Forces" and "Section 5 Defense Secret (Articles 113-2 to 113-14)" is deleted.

第六章の章名を次のように改める。

The title of Chapter VI is revised as follows:

第六章 自衛隊の行動及び権限

Chapter VI Operation and Authority of Self-Defense Forces

第六章第五節を削る。

Chapter VI, Section 5 is deleted.

第百二十条の十五第一項第一号中「別表第十二」を「別表第十一」に改める。

In Article 120-15, paragraph (1), item (i), "Appended Table 12" is revised as "Appended Table 11."

別表第十一を削り、別表第十二を別表第十一とする。

Appended Table 11 is deleted, and Appended Table 12 is moved to Appended Table 11.

(自衛隊法施行令の一部改正に伴う経過措置)

(Transitional Measures upon Partial Amendment of the Order for Enforcement of the Self-Defense Forces Act)

第四条 この政令の施行の日（以下この条において「施行日」という。）前に法附則第五条の規定により防衛大臣が特定秘密として指定をした情報とみなされる事項を記録する文書、図画若しくは物件又は当該事項を化体する物件について前条の規定による

改正前の自衛隊法施行令（以下この条において「旧自衛隊法施行令」という。）第百十三条の八の規定により防衛秘密管理者が講じた防衛秘密の表示をする措置は、施行日において防衛大臣が当該情報に係る特定秘密文書等についてした特定秘密表示とみなす。

Article 4 (1) A measure of marking as a defense secret, which was taken by a defense secret manager pursuant to Article 113-8 of the Order for Enforcement of the Self-Defense Forces Act prior to its amendment under the preceding Article (hereinafter referred to as the "former Order for Enforcement of the Self-Defense Forces Act" in this Article) on a document, picture, or object recording a matter that is deemed to be information that has been designated by the Minister of Defense as a specially designated secret pursuant to Article 5 of the Supplementary Provisions of the Act prior to the day on which this Cabinet Order comes into effect (hereinafter referred to as the "effective date" in this Article) or an object embodying that matter is deemed to be a Marking as a Specially Designated Secret affixed by the Minister of Defense on the effective date on a Document Containing a Specially Designated Secret, etc. concerning the information.

2 施行日前に旧自衛隊法施行令第百十三条の十一第一項の規定により防衛大臣が防衛省以外の国の行政機関の職員のうち防衛に関連する職務に従事する者に対して交付させた防衛秘密に係る文書、図画若しくは物件又は伝達させた防衛秘密であつて、施行日の前日において当該行政機関が現に保有するものは、施行日において防衛大臣が法第六条第一項の規定により当該行政機関に提供した特定秘密である情報に係る特定秘密文書等又は当該特定秘密とみなす。この場合における同条第二項の規定の適用については、同項中「あらかじめ」とあるのは、「この法律の施行の日以後遅滞なく」とする。

(2) A document, picture, or object concerning a defense secret which the Minister of Defense has a defense secret manager deliver to the person prescribed in the preceding paragraph, or a defense secret which the Minister of Defense has a defense secret manager communicate to an official of a national administrative organ other than the Ministry of Defense who engages in duties relating to defense, pursuant to Article 113-11, paragraph (1) of the former Order for Enforcement of the Self-Defense Forces Act, prior to the effective date, and which the administrative organ possesses as of the day prior to the effective date is deemed to be a Document Containing a Specially Designated Secret, etc. concerning information that is a specially designated secret which the Minister of Defense provides to the administrative organ on the effective date or the relevant specially designated secret. In this case, with regard to application of paragraph (2) of the same Article, the phrase "in advance" in the same paragraph is deemed to be replaced with "without delay after the day on which this Act comes into effect."

3 この政令の施行の際現に効力を有する防衛省との契約に基づき防衛秘密に係る物件

の製造又は役務の提供を業としている者については、当該契約が終了する日又は法附則第二条の政令で定める日の前日のいずれか早い日までの間は、その者を法第八条第一項に規定する適合事業者と、当該契約を同項に規定する契約とみなして、同項及び同条第二項（法第五条第六項の規定の準用に係る部分に限る。）の規定を適用する。

(3) With regard to a person that is engaged in the business of manufacturing goods or providing services concerning a defense secret on a regular basis under a contract with the Ministry of Defense that is effective at the time this Cabinet Order comes into effect, until the day on which the contract is terminated or until the day preceding the day specified by Cabinet Order as referred to in Article 2 of the Supplementary Provisions of the Act, whichever comes earlier, the provisions of Article 8, paragraph (1) and paragraph (2) (limited to the part concerning application mutatis mutandis of Article 5, paragraph (6) of the Act) of the Act apply by deeming the person as the eligible contractor prescribed in Article 8, paragraph (1) of the Act and the contract as the contract prescribed in the same paragraph.

4 施行日前に旧自衛隊法施行令第百十三条の十一第一項の規定により防衛大臣が前項に規定する者に対して交付させた防衛秘密に係る文書、図画若しくは物件又は伝達させた防衛秘密であって、施行日の前日においてその者が現に保有するものは、施行日において防衛大臣が同項の規定によりみなして適用される法第八条第一項の規定によりその者に提供した特定秘密である情報に係る特定秘密文書等又は当該特定秘密とみなす。

(4) A document, picture, or object concerning a defense secret which the Minister of Defense has a defense secret manager deliver to the person prescribed in the preceding paragraph, or a defense secret which the Minister of Defense has a defense secret manager communicate to the person prescribed in the preceding paragraph pursuant to Article 113-11, paragraph (1) of the former Order for Enforcement of the Self-Defense Forces Act, prior to the effective date, and which the person possesses as of the day prior to the effective date is deemed to be a Document Containing a Specially Designated Secret, etc. concerning information that is a specially designated secret which the Minister of Defense provided to the person on the effective date pursuant to Article 8, paragraph (1) of the Act which is applied, based on such deeming, pursuant to Article 113-11, paragraph (1) of the former Order for Enforcement of the Self-Defense Forces Act, or is deemed to be the relevant specially designated secret.

(内閣官房組織令の一部改正)

(Partial Amendment of the Order for Organization of the Cabinet Secretariat)
第五条 内閣官房組織令（昭和三十二年政令第二百十九号）の一部を次のように改正する。

Article 5 The Order for Organization of the Cabinet Secretariat (Cabinet Order No. 219 of 1957) is partially amended as follows:

第四条第一項を次のように改める。

Article 4, paragraph (1) is revised as follows:

内閣情報調査室においては、次の事務をつかさどる。

The Cabinet Intelligence and Research Office takes charge of the following affairs:

一 内閣の重要政策に関する情報の収集及び分析その他の調査に関する事務（各行政機関の行う情報の収集及び分析その他の調査であつて内閣の重要政策に係るものの連絡調整に関する事務を含む。）

(i) affairs concerning collection, analysis, and any other research of information relating to important policies of the Cabinet (including affairs concerning liaison and coordination of collection, analysis, and any other research of information which are conducted by the respective administrative organs, and which relate to important policies of the Cabinet); and

二 次に掲げる事務のうち特定秘密（特定秘密の保護に関する法律（平成二十五年法律第百八号）第三条第一項に規定する特定秘密をいう。）の保護に関するもの（内閣広報室においてつかさどるものを除く。）

(ii) the following affairs concerning the protection of specially designated secrets (meaning the specially designated secrets prescribed in Article 3, paragraph (1) of the Act on the Protection of Specially Designated Secrets (Act No. 108 of 2013)) (excluding those under charge of the Cabinet Public Relations Office):

イ 内閣の重要政策に関する基本的な方針に関する企画及び立案並びに総合調整に関する事務

(a) affairs concerning the planning, drafting, and overall coordination of basic principles relating to important policies of the Cabinet;

ロ 閣議に係る重要事項に関する企画及び立案並びに総合調整に関する事務

(b) affairs concerning the planning, drafting, and overall coordination of important matters relating to cabinet meetings;

ハ 行政各部の施策の統一を図るために必要となる企画及び立案並びに総合調整に関する事務

(c) affairs concerning the planning, drafting, and overall coordination necessary for achieving uniformity of policies of administrative branches; and

ニ イからハまでに掲げるもののほか、行政各部の施策に関するその統一保持上必要な企画及び立案並びに総合調整に関する事務

(d) beyond what is set forth in (a) through (c), affairs concerning the planning, drafting, and overall coordination relating to policies of administrative branches which are necessary for maintaining the uniformity thereof.

附 則 〔平成二十七年九月十八日政令第三百二十八号〕 〔抄〕
Supplementary Provisions [Cabinet Order No. 328 of September 18, 2015]
[Extract]

(施行期日)

(Effective Date)

- 1 この政令は、平成二十七年十月一日から施行する。
- (1) This Cabinet Order comes into effect as of October 1, 2015.

附 則 〔平成二十七年九月十八日政令第三百三十四号〕 〔抄〕
Supplementary Provisions [Cabinet Order No. 334 of September 18, 2015]
[Extract]

(施行期日)

(Effective Date)

- 1 この政令は、防衛省設置法等の一部を改正する法律の施行の日（平成二十七年十月一日）から施行する。
- (1) This Cabinet Order comes into effect as of the date on which the Act Partially Amending the Act for Establishment of the Ministry of Defense comes into effect (October 1, 2015).

附 則 〔平成二十七年十二月十八日政令第四百二十七号〕 〔抄〕
Supplementary Provisions [Cabinet Order No. 427 of December 18, 2015]
[Extract]

(施行期日)

(Effective Date)

- 1 この政令は、平成二十八年一月一日から施行する。
- (1) This Cabinet Order comes into effect as of January 1, 2016.

別記第一様式（第五条関係）
Appended Form 1 (Re: Article 5)

別記第二様式（第八条関係）
Appended Form 2 (Re: Article 8)

別記第三様式（第十一条関係）
Appended Form 3 (Re: Article 11)