

消費者契約法

Consumer Contract Act

(平成十二年五月十二日法律第六十一号)
(Act No. 61 of May 12, 2000)

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第一章 総則
Chapter I General Provisions

（目的）
(Purpose)

第一条 この法律は、消費者と事業者との間の情報の質及び量並びに交渉力の格差に鑑み、事業者の一定の行為により消費者が誤認し、又は困惑した場合等について契約の申込み又はその承諾の意思表示を取り消すことができることとするとともに、事業者の損害賠償の責任を免除する条項その他の消費者の利益を不当に害することとなる条項の全部又は一部を無効とするほか、消費者の被害の発生又は拡大を防止するため適格消費者団体が事業者等に対し差止請求をすることができることとするにより、消費者の利益の擁護を図り、もって国民生活の安定向上と国民経済の健全な発展に寄与することを目的とする。

Article 1 The purpose of this Act is to protect the interests of consumers and thereby contribute to the stabilization and improvement of the general welfare and lives of the people and to the sound development of the national economy, in consideration of the disparity in the quality and quantity of information and negotiating power between consumers and traders, by permitting a consumer to rescind the manifestation of an intention to be bound by the offer of a contract or by the acceptance of an offer for such a contract in situations such as when the consumer has misunderstood or was distressed by certain actions by the trader, and by fully or partially nullifying any clauses that exempt a trader from liability for damages or otherwise unfairly harm the interests of consumers, beyond providing qualified consumer organizations with the ability to demand an injunction against a trader, entrusted party, or agent for the purpose of preventing the occurrence of, or the spreading of damage to, other consumers.

（定義）
(Definitions)

第二条 この法律において「消費者」とは、個人（事業として又は事業のために契約の当事者となる場合におけるものを除く。）をいう。

Article 2 (1) The term "consumer" as used in this Act means an individual (but not one who becomes a party to a contract as a business or for business purposes).

2 この法律（第四十三条第二項第二号を除く。）において「事業者」とは、法人その

他の団体及び事業として又は事業のために契約の当事者となる場合における個人をいう。

(2) The term "trader" as used in this Act (excluding Article 43, paragraph (2), item (ii)) means a corporation or association, or an individual who becomes a party to a contract as a business or for business purposes.

3 この法律において「消費者契約」とは、消費者と事業者との間で締結される契約をいう。

(3) The term "consumer contract" as used in this Act means a contract entered into between a consumer and a trader.

4 この法律において「適格消費者団体」とは、不特定かつ多数の消費者の利益のためにこの法律の規定による差止請求権を行使するのに必要な適格性を有する法人である消費者団体（消費者基本法（昭和四十三年法律第七十八号）第八条の消費者団体をいう。以下同じ。）として第十三条の定めるところにより内閣総理大臣の認定を受けた者をいう。

(4) The term "qualified consumer organization" as used in this Act means a corporation certified by the Prime Minister pursuant to Article 13 as a consumer organization (meaning a consumer organization as referred to in Article 8 of the Basic Consumer Act (Act No. 78 of 1968); the same applies hereinafter) which has the qualifications necessary to exercise the right to seek an injunction as governed by this Act in the interest of a large, non-exclusive group of consumers.

（事業者及び消費者の努力）

(Efforts of Traders and Consumers)

第三条 事業者は、消費者契約の条項を定めるに当たっては、消費者の権利義務その他の消費者契約の内容が消費者にとって明確かつ平易なものになるよう配慮するとともに、消費者契約の締結について勧誘をするに際しては、消費者の理解を深めるために、消費者の権利義務その他の消費者契約の内容についての必要な情報を提供するよう努めなければならない。

Article 3 (1) As well as giving forethought, in drafting a consumer contract, to ensuring that contract details such as consumer rights and obligations are clear and plain to the consumer, a trader must also endeavor to provide the necessary information about those contract details when soliciting a consumer to enter into a consumer contract, in order to deepen consumer understanding.

2 消費者は、消費者契約を締結するに際しては、事業者から提供された情報を活用し、消費者の権利義務その他の消費者契約の内容について理解するよう努めるものとする。

(2) When entering into a consumer contract, a consumer is to endeavor to make use of the information provided by the trader and to understand the details of the contract, such as consumer rights and obligations.

第二章 消費者契約

Chapter II Consumer Contracts

第一節 消費者契約の申込み又はその承諾の意思表示の取消し

Section 1 Rescinding the Manifestation of an Intention to Be Bound by the Offer of a Consumer Contract or by the Acceptance of an Offer for Such a Contract

(消費者契約の申込み又はその承諾の意思表示の取消し)

(Rescinding the Manifestation of an Intention to Be Bound by the Offer of a Consumer Contract or by the Acceptance of an Offer for Such a Contract)

第四条 消費者は、事業者が消費者契約の締結について勧誘をするに際し、当該消費者に対して次の各号に掲げる行為をしたことにより当該各号に定める誤認をし、それによって当該消費者契約の申込み又はその承諾の意思表示をしたときは、これを取り消すことができる。

Article 4 (1) A consumer may rescind the manifestation of an intention to be bound by the offer of a consumer contract or by the acceptance of an offer for such a contract if either of the actions set forth in the following items in which the trader engaged when soliciting the consumer to enter into the consumer contract caused the consumer to be under the mistaken belief prescribed in the relevant item, based on which the consumer manifested the intention to be bound by the offer of that consumer contract or by the acceptance of the offer for such a contract:

一 重要事項について事実と異なることを告げること。 当該告げられた内容が事実であるとの誤認

(i) conveying something that diverges from the truth with regard to a piece of material information: a mistaken belief in the truth of what has been conveyed; or

二 物品、権利、役務その他の当該消費者契約の目的となるものに関し、将来におけるその価額、将来において当該消費者が受け取るべき金額その他の将来における変動が不確実な事項につき断定的判断を提供すること。 当該提供された断定的判断の内容が確実であるとの誤認

(ii) providing a conclusive assessment of future prices, amounts of money that a consumer will receive in the future, or anything else whose behavior in the future is uncertain, in connection with goods, rights, services or other object of a consumer contract: a mistaken belief in the certainty of the conclusive assessment.

2 消費者は、事業者が消費者契約の締結について勧誘をするに際し、当該消費者に対してある重要事項又は当該重要事項に関連する事項について当該消費者の利益となる旨を告げ、かつ、当該重要事項について当該消費者の不利益となる事実（当該告知により当該事実が存在しないと消費者が通常考えるべきものに限る。）を故意に告げなかったことにより、当該事実が存在しないとの誤認をし、それによって当該消費者契約の申込み又はその承諾の意思表示をしたときは、これを取り消すことができる。た

だし、当該事業者が当該消費者に対し当該事実を告げようとしたにもかかわらず、当該消費者がこれを拒んだときは、この限りでない。

(2) A consumer may rescind the manifestation of an intention to be bound by the offer of a consumer contract or by the acceptance of an offer for such a contract if a trader, when soliciting the consumer to enter into the contract, conveys to the consumer that a piece of material information or information related to a piece of material information would be advantageous to the consumer, and also intentionally fails to convey a fact regarding that piece of material information that would be disadvantageous to the consumer (but only a fact that a consumer would normally think to be non-existent based on what has been conveyed), causing the consumer to mistakenly believe that the fact in question does not exist, due to which circumstances the consumer has manifested the intention to be bound by the offer of the consumer contract or by the acceptance of the offer for such a contract; provided, however, that this does not apply if the trader has attempted to convey the relevant fact to the consumer and the consumer has rejected the attempt.

3 消費者は、事業者が消費者契約の締結について勧誘をするに際し、当該消費者に対して次に掲げる行為をしたことにより困惑し、それによって当該消費者契約の申込み又はその承諾の意思表示をしたときは、これを取り消すことができる。

(3) A consumer may rescind the manifestation of an intention to be bound by the offer of a consumer contract or by the acceptance of an offer for such a contract if the consumer manifested that intention as a result of being overwhelmed due to the trader's having engaged in one of the following actions when soliciting the consumer to enter into the consumer contract:

一 当該事業者に対し、当該消費者が、その住居又はその業務を行っている場所から退去すべき旨の意思を示したにもかかわらず、それらの場所から退去しないこと。

(i) failing to leave the consumer's residence or place of business, in defiance of the consumer's request that the trader leave that place; or

二 当該事業者が当該消費者契約の締結について勧誘をしている場所から当該消費者が退去する旨の意思を示したにもかかわらず、その場所から当該消費者を退去させないこと。

(ii) preventing a consumer from leaving the place where the trader is soliciting the consumer to enter into the consumer contract, in defiance of the consumer's request to leave.

4 消費者は、事業者が消費者契約の締結について勧誘をするに際し、物品、権利、役務その他の当該消費者契約の目的となるものの分量、回数又は期間（以下この項において「分量等」という。）が当該消費者にとっての通常分量等（消費者契約の目的となるものの内容及び取引条件並びに事業者がその締結について勧誘をする際の消費者の生活の状況及びこれについての当該消費者の認識に照らして当該消費者契約の目的となるものの分量等として通常想定される分量等をいう。以下この項において同じ。）を著しく超えるものであることを知っていた場合において、その勧誘により当

該消費者契約の申込み又はその承諾の意思表示をしたときは、これを取り消すことができる。事業者が消費者契約の締結について勧誘をするに際し、消費者が既に当該消費者契約の目的となるものと同種のもを目的とする消費者契約（以下この項において「同種契約」という。）を締結し、当該同種契約の目的となるものの分量等と当該消費者契約の目的となるものの分量等とを合算した分量等が当該消費者にとっての通常の分量等を著しく超えるものであることを知っていた場合において、その勧誘により当該消費者契約の申込み又はその承諾の意思表示をしたときも、同様とする。

(4) A consumer may rescind the manifestation of an intention to be bound by the offer of a consumer contract or by the acceptance of an offer for such a contract if the trader knew, when soliciting the consumer to enter into the consumer contract, that the quantity, the frequency, or the duration (hereinafter referred to in this paragraph as a "quantity, frequency, or duration") of the goods, rights, services or other object of the consumer contract greatly exceeded the normal quantity, frequency, or duration for a consumer (meaning the quantity, frequency, or duration that would normally be presumed to be that of the object of such a consumer contract in light of the transaction conditions and substance of the object of the contract, the consumer's situation in life at the time of the trader's solicitation to enter into the contract, and the consumer's awareness of this; hereinafter the same applies in this paragraph), and if the consumer manifested the intention to be bound based on that solicitation. The same applies if a trader knew, when soliciting a consumer to enter into a consumer contract, that the consumer had already entered into another consumer contract whose object was of the same type as the object of the consumer contract whose conclusion the trader was soliciting (hereinafter referred to in this paragraph as the "contract of the same type") and the total quantity, frequency, or duration of the object of the contract of the same type and the object of the consumer contract in question greatly exceeds the normal quantity, frequency, or duration for a consumer, and if the consumer manifested the intention to be bound based on that solicitation.

5 第一項第一号及び第二項の「重要事項」とは、消費者契約に係る次に掲げる事項（同項の場合にあっては、第三号に掲げるものを除く。）をいう。

(5) The term "material information" as used in paragraph (1), item (i) and paragraph (2) means the following information (excluding the information set forth in item (iii) below, in a case provided for in paragraph (2)) in connection with a consumer contract:

一 物品、権利、役務その他の当該消費者契約の目的となるものの質、用途その他の内容であつて、消費者の当該消費者契約を締結するか否かについての判断に通常影響を及ぼすべきもの

(i) the quality, purpose of use, and other details of the goods, rights, services, or other object of the consumer contract which would usually impact a consumer's decision as to whether to enter into that contract;

二 物品、権利、役務その他の当該消費者契約の目的となるものの対価その他の取引条件であって、消費者の当該消費者契約を締結するか否かについての判断に通常影響を及ぼすべきもの

(ii) the price and other conditions of a transaction involving the goods, rights, services, or other object of the consumer contract which would usually impact a consumer's decision as to whether to enter into that contract; and

三 前二号に掲げるもののほか、物品、権利、役務その他の当該消費者契約の目的となるものが当該消費者の生命、身体、財産その他の重要な利益についての損害又は危険を回避するために通常必要であると判断される事情

(iii) circumstances beyond as set forth in the preceding two items, in which the goods, rights, services, or other object of the consumer contract is generally judged to be necessary in order to avoid damage or risk to the consumer's life, person, property, or other material interests.

6 第一項から第四項までの規定による消費者契約の申込み又はその承諾の意思表示の取消しは、これをもって善意の第三者に対抗することができない。

(6) The rescission of the manifestation of an intention to be bound by the offer of a consumer contract or by the acceptance of an offer for such a contract as under paragraphs (1) through (4) may not be asserted against a third party in good faith.

(媒介の委託を受けた第三者及び代理人)

(Third Parties and Agents Entrusted as Intermediaries)

第五条 前条の規定は、事業者が第三者に対し、当該事業者と消費者との間における消費者契約の締結について媒介をすることの委託（以下この項において単に「委託」という。）をし、当該委託を受けた第三者（その第三者から委託（二以上の段階にわたる委託を含む。）を受けた者を含む。以下「受託者等」という。）が消費者に対して同条第一項から第四項までに規定する行為をした場合について準用する。この場合において、同条第二項ただし書中「当該事業者」とあるのは、「当該事業者又は次条第一項に規定する受託者等」と読み替えるものとする。

Article 5 (1) The preceding Article applies mutatis mutandis if a trader entrusts a third party to act as an intermediary in concluding a consumer contract between the trader and a consumer (referred to simply as "entrustment" for purposes of this paragraph), and the third party (including a person entrusted by such a third party (including further entrustment at the second or higher degree of separation from the original entrustment); referred to as a "directly or indirectly entrusted party" hereinafter) acts in any of the ways provided for in paragraphs (1) through (4) of the preceding Article toward the consumer. In such a case, the term "trader" in the proviso to paragraph (2) of the preceding Article is deemed to be replaced with the "trader or a directly or indirectly entrusted party provided for in paragraph (1) of the following Article".

2 消費者契約の締結に係る消費者の代理人（復代理人（二以上の段階にわたり復代理

人として選任された者を含む。)を含む。以下同じ。)、事業者の代理人及び受託者等の代理人は、前条第一項から第四項まで(前項において準用する場合を含む。次条から第七条までにおいて同じ。)の規定の適用については、それぞれ消費者、事業者及び受託者等とみなす。

(2) The agent of a consumer (including a subagent (including any person appointed as a subagent at the second or higher degree of separation from the original agent); the same applies hereinafter), trader, or directly or indirectly entrusted party involved in the conclusion of a consumer contract is deemed to be the consumer, trader, or directly or indirectly entrusted party in relation to the application of paragraphs (1) through (4) of the preceding Article (including as applied mutatis mutandis pursuant to the preceding paragraph; the same applies to Articles from the following Article through Article 7).

(解釈規定)

(Interpretative Provisions)

第六条 第四条第一項から第四項までの規定は、これらの項に規定する消費者契約の申込み又はその承諾の意思表示に対する民法(明治二十九年法律第八十九号)第九十六条の規定の適用を妨げるものと解してはならない。

Article 6 Article 4, paragraphs (1) through (4) must not be interpreted as precluding the application of Article 96 of the Civil Code (Act No. 89 of 1896) to the manifestation of an intention to be bound by the offer of a consumer contract or by the acceptance of an offer for such a contract falling under these paragraphs.

(取消権を行使した消費者の返還義務)

(Payment Refund Obligation of a Consumer Exercising the Right to Rescind)

第六条の二 民法第百二十一条の二第一項の規定にかかわらず、消費者契約に基づく債務の履行として給付を受けた消費者は、第四条第一項から第四項までの規定により当該消費者契約の申込み又はその承諾の意思表示を取り消した場合において、給付を受けた当時その意思表示が取り消すことができるものであることを知らなかったときは、当該消費者契約によって現に利益を受けている限度において、返還の義務を負う。

Article 6-2 Notwithstanding Article 121-2, paragraph (1) of the Civil Code, a consumer who has received payment in performance of an obligation under a consumer contract is obliged to refund this to the extent actually enriched by the consumer contract, if the consumer has rescinded the manifestation of an intention to be bound by the offer of a consumer contract or by the acceptance of an offer for such a contract pursuant to the provisions of Article 4, paragraphs (1) through (4), and if, at the time of receiving the payment, the consumer did not know that the manifestation of the intention to be bound was rescindable.

(取消権の行使期間等)

(Period for Exercising the Right to Rescind)

第七条 第四条第一項から第四項までの規定による取消権は、追認をすることができる時から一年間行わないときは、時効によって消滅する。当該消費者契約の締結の時から五年を経過したときも、同様とする。

Article 7 (1) The right to rescind under Article 4, paragraphs (1) through (4) lapses by prescription if it is not exercised within one year from the time that ratification becomes possible. The same applies once five years have elapsed since the conclusion of a consumer contract.

2 会社法（平成十七年法律第八十六号）その他の法律により詐欺又は強迫を理由として取消しをすることができないものとされている株式若しくは出資の引受け又は基金の拠出が消費者契約としてされた場合には、当該株式若しくは出資の引受け又は基金の拠出に係る意思表示については、第四条第一項から第四項までの規定によりその取消しをすることができない。

(2) If a subscription for shares or equity or a contribution of funds that the Companies Act (Act No. 86 of 2005) or any other Act establishes may not be rescinded on the grounds of fraud or duress is undertaken as a consumer contract, the consumer may not rescind, pursuant to Article 4, paragraphs (1) through (4), the manifestation of an intention to be bound by the subscription for shares or equity or by the contribution of funds.

第二節 消費者契約の条項の無効

Section 2 Nullity of Consumer Contract Clauses

(事業者の損害賠償の責任を免除する条項の無効)

(Nullity of Clauses Exempting a Trader from Liability for Damages)

第八条 次に掲げる消費者契約の条項は、無効とする。

Article 8 (1) The following consumer contract clauses are void:

一 事業者の債務不履行により消費者に生じた損害を賠償する責任の全部を免除する条項

(i) clauses completely exempting a trader from liability to compensate a consumer for damage arising from default by the trader;

二 事業者の債務不履行（当該事業者、その代表者又はその使用する者の故意又は重大な過失によるものに限る。）により消費者に生じた損害を賠償する責任の一部を免除する条項

(ii) clauses partially exempting a trader from liability to compensate for damage arising from default by the trader (limited to default which arises due to an intentional act or gross negligence on the part of the trader or the trader's representative or employee);

三 消費者契約における事業者の債務の履行に際してされた当該事業者の不法行為により消費者に生じた損害を賠償する責任の全部を免除する条項

(iii) clauses completely exempting a trader from liability to compensate for damage to a consumer arising from a tort committed by the trader during the trader's performance of the consumer contract;

四 消費者契約における事業者の債務の履行に際してされた当該事業者の不法行為（当該事業者、その代表者又はその使用する者の故意又は重大な過失によるものに限る。）により消費者に生じた損害を賠償する責任の一部を免除する条項

(iv) clauses partially exempting a trader from liability to compensate for damage to a consumer arising from a tort committed by the trader (limited to cases in which this arises due to an intentional act or gross negligence on the part of the trader or the trader's representative or employee) during the trader's performance of the consumer contract; and

五 消費者契約が有償契約である場合において、当該消費者契約の目的物に隠れた瑕疵があるとき（当該消費者契約が請負契約である場合には、当該消費者契約の仕事の目的物に瑕疵があるとき。次項において同じ。）に、当該瑕疵により消費者に生じた損害を賠償する事業者の責任の全部を免除する条項

(v) clauses completely exempting the trader from liability to compensate the consumer for damage that the consumer incurs due to a latent defect in the subject matter of a consumer contract that constitutes a contract for value (or due to a defect in the subject matter of the work under a consumer contract that constitutes a contract for work; the same applies in the following paragraph).

2 前項第五号に掲げる条項については、次に掲げる場合に該当するときは、同項の規定は、適用しない。

(2) The preceding paragraph does not apply to clauses as provided in item (v) of the preceding paragraph if:

一 当該消費者契約において、当該消費者契約の目的物に隠れた瑕疵があるときに、当該事業者が瑕疵のない物をもってこれに代える責任又は当該瑕疵を修補する責任を負うこととされている場合

(i) the consumer contract provides that in the event of a latent defect in the subject matter of that contract, the trader is responsible for delivering non-defective goods in their place or for repairing the defect; and

二 当該消費者と当該事業者の委託を受けた他の事業者との間の契約又は当該事業者と他の事業者との間の当該消費者のためにする契約で、当該消費者契約の締結に先立って又はこれと同時に締結されたものにおいて、当該消費者契約の目的物に隠れた瑕疵があるときに、当該他の事業者が、当該瑕疵により当該消費者に生じた損害を賠償する責任の全部若しくは一部を負い、瑕疵のない物をもってこれに代える責任を負い、又は当該瑕疵を修補する責任を負うこととされている場合

(ii) a previously or simultaneously concluded contract between the contracting consumer and another trader entrusted by the contracting trader, or a previously or simultaneously concluded contract made between the contracting trader and another trader for the benefit of the consumer

provides that, in the event of any latent defect in the subject matter of the consumer contract, the other trader is fully or partially responsible for compensating the consumer for damage that the consumer incurs due to that defect, for delivering non-defective goods in place of the defective subject matter, or for repairing the defect.

(消費者の解除権を放棄させる条項の無効)

(Nullity of Clauses That Force Consumers to Waive Their Right to Cancel)

第八条の二 次に掲げる消費者契約の条項は、無効とする。

Article 8-2 The following consumer contract clauses are void:

一 事業者の債務不履行により生じた消費者の解除権を放棄させる条項

(i) clauses that force the consumer to waive the right to cancel that arises if the trader defaults; and

二 消費者契約が有償契約である場合において、当該消費者契約の目的物に隠れた瑕疵があること（当該消費者契約が請負契約である場合には、当該消費者契約の仕事の目的物に瑕疵があること）により生じた消費者の解除権を放棄させる条項

(ii) clauses forcing the consumer to waive the right to cancel that arises if there is a latent defect in the subject matter of a consumer contract that constitutes a contract for value (or if there is a defect in the subject matter of the work under a consumer contract that constitutes a contract for work).

(消費者が支払う損害賠償の額を予定する条項等の無効)

(Nullity of Clauses Stipulating the Amount of Damages to Be Paid by a Consumer)

第九条 次の各号に掲げる消費者契約の条項は、当該各号に定める部分について、無効とする。

Article 9 The following consumer contract clauses are void to the extent provided in each item:

一 当該消費者契約の解除に伴う損害賠償の額を予定し、又は違約金を定める条項であって、これらを合算した額が、当該条項において設定された解除の事由、時期等の区分に応じ、当該消費者契約と同種の消費者契約の解除に伴い当該事業者が生ずべき平均的な損害の額を超えるもの 当該超える部分

(i) clauses stipulating liquidated damages or a fixed penalty for contract cancellation in a total amount that exceeds the average amount of damage that the trader would incur from the cancellation of a consumer contract of the same type, as a function of the categories of circumstances established in those clauses such as the reason for or timing of the cancellation: the part of the stipulated damages or penalty that exceeds the average amount that would be incurred; and

二 当該消費者契約に基づき支払うべき金銭の全部又は一部を消費者が支払期日（支払回数が二以上である場合には、それぞれの支払期日。以下この号において同

じ。)までに支払わない場合における損害賠償の額を予定し、又は違約金を定める条項であって、これらを合算した額が、支払期日の翌日からその支払をする日までの期間について、その日数に応じ、当該支払期日に支払うべき額から当該支払期日に支払うべき額のうち既に支払われた額を控除した額に年十四・六パーセントの割合を乗じて計算した額を超えるもの 当該超える部分

(ii) clauses stipulating liquidated damages or a fixed penalty for if the customer fails to pay all or part of an amount of money under the contract by the due date for payment (or by each of the due dates for payment, if there are two or more payments; hereinafter the same applies in this item), in a total amount that exceeds the amount arrived at when the amount owing on the due date less the part of that amount that has actually been paid as of the due date is multiplied by 14.6% per annum, based on the number of days in the period from the day after the due date for payment until the day on which the money is paid: the part of the stipulated damages or penalty that exceeds the amount so calculated.

(消費者の利益を一方的に害する条項の無効)

(Nullity of Clauses Unilaterally Prejudicial to Consumers' Interests)

第十条 消費者の不作为をもって当該消費者が新たな消費者契約の申込み又はその承諾の意思表示をしたものとみなす条項その他の法令中の公の秩序に関しない規定の適用による場合に比して消費者の権利を制限し又は消費者の義務を加重する消費者契約の条項であって、民法第一条第二項に規定する基本原則に反して消費者の利益を一方的に害するものは、無効とする。

Article 10 A consumer contract clause is void if it deems a consumer's inaction to constitute the manifestation of an intention to be bound by the offer of a consumer contract or by the acceptance of an offer for such a contract, or if it otherwise restricts a consumer's rights or expands a consumer's obligations beyond as when legal or regulatory provisions unrelated to public order are applied, unilaterally prejudicing the interests of the consumer in violation of the fundamental principle provided in Article 1, paragraph (2) of the Civil Code.

第三節 補則

Section 3 Auxiliary Provisions

(他の法律の適用)

(Application of Other Acts)

第十一条 消費者契約の申込み又はその承諾の意思表示の取消し及び消費者契約の条項の効力については、この法律の規定によるほか、民法及び商法（明治三十二年法律第四十八号）の規定による。

Article 11 (1) Beyond as prescribed in this Act, rescission of the manifestation of an intention to be bound by the offer of a consumer contract or by the

acceptance of an offer for such a contract and the validity of clauses in a consumer contract are governed by the Civil Code and the Commercial Code (Act No. 48 of 1899).

2 消費者契約の申込み又はその承諾の意思表示の取消し及び消費者契約の条項の効力について民法及び商法以外の他の法律に別段の定めがあるときは、その定めるところによる。

(2) If a law or regulation other than the Civil Code and the Commercial Code specifically provides for rescission of the manifestation of an intention to be bound by the offer of a consumer contract or by the acceptance of an offer for such a contract and the validity of clauses in a consumer contract, that law or regulation supersedes this Act.

第三章 差止請求

Chapter III Claims Seeking Injunctions

第一節 差止請求権

Section 1 Right to Seek an Injunction

(差止請求権)

(Right to Seek an Injunction)

第十二条 適格消費者団体は、事業者、受託者等又は事業者の代理人若しくは受託者等の代理人（以下「事業者等」と総称する。）が、消費者契約の締結について勧誘をするに際し、不特定かつ多数の消費者に対して第四条第一項から第四項までに規定する行為（同条第二項に規定する行為にあつては、同項ただし書の場合に該当するものを除く。次項において同じ。）を現に行い又は行うおそれがあるときは、その事業者等に対し、当該行為の停止若しくは予防又は当該行為に供した物の廃棄若しくは除去その他の当該行為の停止若しくは予防に必要な措置をとることを請求することができる。ただし、民法及び商法以外の他の法律の規定によれば当該行為を理由として当該消費者契約を取り消すことができないときは、この限りでない。

Article 12 (1) If, when soliciting a large, non-exclusive group of consumers to conclude consumer contracts, a trader, a directly or indirectly entrusted party, or the agent of a trader or directly or indirectly entrusted party (hereinafter referred to as a "trader, entrusted party, or agent") has been engaging in or is likely to engage in an action provided for in Article 4, paragraphs (1) through (4) (other than in a case falling under the proviso to paragraph (2) of that Article; the same applies in the following paragraph), a qualified consumer organization may demand that the trader, entrusted party, or agent cease or prevent that action or dispose of or remove materials used in it, and may otherwise take the necessary measures to stop that action or prevent it; provided, however, that this does not apply if laws other than the Civil Code and the Commercial Code do not permit the consumer contract to be rescinded on the grounds of that action.

2 適格消費者団体は、次の各号に掲げる者が、消費者契約の締結について勧誘をするに際し、不特定かつ多数の消費者に対して第四条第一項から第四項までに規定する行為を現に行い又は行うおそれがあるときは、当該各号に定める者に対し、当該各号に掲げる者に対する是正の指示又は教唆の停止その他の当該行為の停止又は予防に必要な措置をとることを請求することができる。この場合においては、前項ただし書の規定を準用する。

(2) If, when soliciting a large, non-exclusive group of consumers to conclude consumer contracts, a person set forth in one of the following items has been engaging in or is likely to engage in an action provided for in Article 4, paragraphs (1) through (4), a qualified consumer organization may demand that the person provided for in the relevant item instruct the person set forth in that item to rectify this or stop the person set forth in that item from inducing customers into consumer contracts, and may otherwise take the necessary measures to stop that action or prevent it. In such a case, the proviso of the preceding paragraph applies *mutatis mutandis*:

一 受託者等 当該受託者等に対して委託（二以上の段階にわたる委託を含む。）をした事業者又は他の受託者等

(i) a directly or indirectly entrusted party: the trader or the other directly or indirectly entrusted party that entrusted the relevant directly or indirectly entrusted party (including entrustment at the second or higher degree of separation from the original entrustment); and

二 事業者の代理人又は受託者等の代理人 当該代理人を自己の代理人とする事業者若しくは受託者等又はこれらの他の代理人

(ii) the agent of a trader or of a directly or indirectly entrusted party: the trader or directly or indirectly entrusted party that appointed the relevant agent as its own agent, or any other agent of such a trader or directly or indirectly entrusted party.

3 適格消費者団体は、事業者又はその代理人が、消費者契約を締結するに際し、不特定かつ多数の消費者との間で第八条から第十条までに規定する消費者契約の条項（第八条第一項第五号に掲げる消費者契約の条項にあつては、同条第二項各号に掲げる場合に該当するものを除く。次項において同じ。）を含む消費者契約の申込み又はその承諾の意思表示を現に行い又は行うおそれがあるときは、その事業者又はその代理人に対し、当該行為の停止若しくは予防又は当該行為に供した物の廃棄若しくは除去その他の当該行為の停止若しくは予防に必要な措置をとることを請求することができる。ただし、民法及び商法以外の他の法律の規定によれば当該消費者契約の条項が無効とされないときは、この限りでない。

(3) If, when entering into consumer contracts with a large, non-exclusive group of consumers, a trader or its agent has been manifesting or is likely to manifest the intention to be bound by the offer of a consumer contract that includes any clause as referred to in Articles 8 through 10 (excluding a consumer contract clause under Article 8, paragraph (1), item (v) that falls under one of the items

of paragraph (2) of that Article; the same applies to the following paragraph) or to be bound by the acceptance of an offer for such a contract, a qualified consumer organization may demand that the trader or its agent cease or prevent that action or dispose of or remove materials used in it, and may otherwise take the necessary measures to stop that action or prevent it; provided, however, that this does not apply if, based on laws other than the Civil Code and the Commercial Code, the relevant clauses are not nullified.

4 適格消費者団体は、事業者の代理人が、消費者契約を締結するに際し、不特定かつ多数の消費者との間で第八条から第十条までに規定する消費者契約の条項を含む消費者契約の申込み又はその承諾の意思表示を現に行い又は行うおそれがあるときは、当該代理人を自己の代理人とする事業者又は他の代理人に対し、当該代理人に対する是正の指示又は教唆の停止その他の当該行為の停止又は予防に必要な措置をとることを請求することができる。この場合においては、前項ただし書の規定を準用する。

(4) If, when entering into consumer contracts with a large, non-exclusive group of consumers, a trader's agent has been manifesting or is likely to manifest the intention to be bound by the offer of a consumer contract that includes any clause as referred to in Articles 8 through 10 or by the acceptance of an offer for such a contract, a qualified consumer organization may demand that the trader or the other agent whose agent it is, instruct that agent to rectify this or stop that agent from inducing consumers into consumer contracts, and may otherwise take the necessary measures to stop that action or prevent it. In such a case, the proviso of the preceding paragraph applies mutatis mutandis.

(差止請求の制限)

(Restrictions on Claims Seeking Injunctions)

第十二条之二 前条、不当景品類及び不当表示防止法（昭和三十七年法律第百三十四号）第十条又は特定商取引に関する法律（昭和三十七年法律第五十七号）第五十八条の四から第五十八条の九までの規定による請求（以下「差止請求」という。）は、次に掲げる場合には、することができない。

Article 12-2 (1) It is not permissible to file a claim based on the preceding Article, Article 10 of the Act against Unjustifiable Premiums and Misleading Representations (Act No. 134 of 1962), or Article 58-4 through 58-9 of the Act on Specified Commercial Transactions (Act No. 57 of 1976) (hereinafter referred to as a "claim seeking an injunction") if:

一 当該適格消費者団体若しくは第三者の不正な利益を図り又は当該差止請求に係る相手方に損害を加えることを目的とする場合

(i) this is done with the intention of obtaining an unjustifiable profit for the qualified consumer organization or a third party, or to cause damage to the adverse party against which the filer is filing the claim; and

二 他の適格消費者団体を当事者とする差止請求に係る訴訟等（訴訟並びに和解の申立てに係る手続、調停及び仲裁をいう。以下同じ。）につき既に確定判決等（確定

判決及びこれと同一の効力を有するものをいい、次のイからハまでに掲げるものを除く。以下同じ。)が存する場合において、請求の内容及び相手方が同一である場合。ただし、当該他の適格消費者団体について、当該確定判決等に係る訴訟等の手続に関し、次条第一項の認定が第三十四条第一項第四号に掲げる事由により取り消され、又は同条第三項の規定により同号に掲げる事由があった旨の認定がされたときは、この限りでない。

(ii) the substance of the claim and the adverse party are the same as those for which a final judgment or equally binding disposition (meaning a final and binding judgment or anything with the same effect; this excludes what is set forth in (a) through (c) below; hereinafter the same applies) already exists from previous legal proceedings (meaning litigation, proceedings connected with petitions for settlement, mediation, and arbitration; the same applies hereinafter) to which another qualified consumer organization was party and in which a claim seeking an injunction was filed; provided, however, that this does not apply if that other qualified consumer organization has had its certification as referred to in paragraph (1) of the following Article rescinded in connection with the legal proceedings leading to the final and binding judgment on the grounds set forth in Article 34, paragraph (1), item (iv), nor does it apply if, pursuant to paragraph (3) of that Article, a finding is reached that there were grounds as set forth in that item as regards that other organization, in connection with those proceedings:

イ 訴えを却下した確定判決

(a) a final and binding judgment dismissing the lawsuit without prejudice;

ロ 前号に掲げる場合に該当することのみを理由として差止請求を棄却した確定判決及び仲裁判断

(b) a final and binding judgment or an arbitration award dismissing the claim for an injunction only on the grounds provided in the preceding item;
or

ハ 差止請求をする権利（以下「差止請求権」という。）の不存在又は差止請求権に係る債務の不存在の確認の請求（第二十四条において「差止請求権不存在等確認請求」という。）を棄却した確定判決及びこれと同一の効力を有するもの

(c) a final and binding judgment or any other judgment with an equivalent effect that dismisses a claim seeking a declaratory judgment confirming that there is no right to file a claim seeking an injunction (hereinafter referred to as a "right to seek an injunction") or that no obligation exists in connection with a person's right to seek an injunction (referred to as a "claim seeking a judgment declaring the non-existence of a right to seek an injunction or a related obligation" in Article 24).

2 前項第二号本文の規定は、当該確定判決に係る訴訟の口頭弁論の終結後又は当該確定判決と同一の効力を有するものの成立後に生じた事由に基づいて同号本文に掲げる場合の当該差止請求をすることを妨げない。

- (2) The main clause of item (ii) of the preceding paragraph does not preclude a person from filing a claim seeking an injunction in a case as set forth in the main clause of that item based on grounds arising after the conclusion of oral arguments in the lawsuit subject to the final and binding judgment in question, or based on grounds arising after the establishment of anything with the same effect as such a final and binding judgment.

第二節 適格消費者団体

Section 2 Qualified Consumer Organizations

第一款 適格消費者団体の認定等

Subsection 1 Certification of Qualified Consumer Organizations; Related Matters

(適格消費者団体の認定)

(Certification of Qualified Consumer Organizations)

第十三条 差止請求関係業務（不特定かつ多数の消費者の利益のために差止請求権を行使する業務並びに当該業務の遂行に必要な消費者の被害に関する情報の収集並びに消費者の被害の防止及び救済に資する差止請求権の行使の結果に関する情報の提供に係る業務をいう。以下同じ。）を行おうとする者は、内閣総理大臣の認定を受けなければならない。

Article 13 (1) A person seeking to provide services connected with the right to seek an injunction (meaning the service of exercising the right to seek an injunction to protect the interests of a large, non-exclusive group of consumers; the collection of the necessary information on damage to consumers in order to perform that service; and services involved in providing information on the results of its exercise of the right to seek an injunction which contributes to prevention and remediation of harm to consumers; the same applies hereinafter) must be certified to do so by the Prime Minister.

2 前項の認定を受けようとする者は、内閣総理大臣に認定の申請をしなければならない。

(2) A person seeking to be certified as referred to in the preceding paragraph must apply to the Prime Minister for certification.

3 内閣総理大臣は、前項の申請をした者が次に掲げる要件のすべてに適合しているときに限り、第一項の認定をすることができる。

(3) The Prime Minister may grant certification as referred to in paragraph (1) to a person applying for certification as referred to in the preceding paragraph only if that person meets all of the following requirements:

一 特定非営利活動促進法（平成十年法律第七号）第二条第二項に規定する特定非営利活動法人又は一般社団法人若しくは一般財団法人であること。

(i) it is a specified non-profit corporation as provided in Article 2, paragraph (2) of the Act to Promote Specified Non-profit Activities (Act No. 7 of 1998) or a

general incorporated association or general incorporated foundation;

二 消費生活に関する情報の収集及び提供並びに消費者の被害の防止及び救済のための活動その他の不特定かつ多数の消費者の利益の擁護を図るための活動を行うことを主たる目的とし、現にその活動を相当期間にわたり継続して適正に行っていると認められること。

(ii) as its main objective, it engages in activities such as collecting and providing information on consumer affairs, preventing and remedying harm to consumers, and other activities to protect the interests of a large, non-exclusive group of consumers, and it is found to have been properly carrying out those activities for a reasonable period of time;

三 差止請求関係業務の実施に係る組織、差止請求関係業務の実施の方法、差止請求関係業務に関して知り得た情報の管理及び秘密の保持の方法その他の差止請求関係業務を適正に遂行するための体制及び業務規程が適切に整備されていること。

(iii) it has in place the proper systems and methods for implementing services connected with the right to seek an injunction, the proper methods for managing and maintaining the confidentiality of information obtained in the course of those services, and other organizational frameworks and rules of operation to appropriately carry out those services;

四 その理事に関し、次に掲げる要件に適合するものであること。

(iv) it meets the following requirements with regard to its directors:

イ 差止請求関係業務の執行を決定する機関として理事をもって構成する理事会が置かれており、かつ、定款で定めるその決定の方法が次に掲げる要件に適合していると認められること。

(a) it has in place a council consisting of directors to perform the decision-making functions related to providing services connected with the right to seek an injunction, and the decision-making process is established in the articles of incorporation in conformity with the following requirements:

(1) 当該理事会の決議が理事の過半数又はこれを上回る割合以上の多数決により行われるものとされていること。

1. council resolutions are reached by a simple majority of the directors or by a majority vote exceeding this proportion; and

(2) 第四十一条第一項の規定による差止請求、差止請求に係る訴えの提起その他の差止請求関係業務の執行に係る重要な事項の決定が理事その他の者に委任されていないこと。

2. decisions related to claims seeking injunctions as under Article 41, paragraph (1), the filing of lawsuits involving claims seeking injunctions, and other important matters related to the provision of services connected with the right to seek an injunction are not delegated to specific directors or other persons.

ロ 理事の構成が次の(1)又は(2)のいずれかに該当するものでないこと。この場合において、第二号に掲げる要件に適合する者は、次の(1)又は(2)に

規定する事業者に該当しないものとみなす。

(b) the composition of the directors is not such as falls under either 1 or 2 below; in this, a person meeting the requirements set forth in item (ii) is deemed not to be a trader falling under 1 or 2 below:

(1) 理事の数のうちに占める特定の事業者（当該事業者との間に発行済株式の総数の二分の一以上の株式の数を保有する関係その他の内閣府令で定める特別の関係のある者を含む。）の関係者（当該事業者及びその役員又は職員である者その他の内閣府令で定める者をいう。（2）において同じ。）の数の割合が三分の一を超えていること。

1. more than one third of the total number of directors are the affiliates of a specific trader (a "specific trader" includes any person whose affiliation with the relevant trader involves half or more of the total number of either of their issued shares being held by the other, and also includes any other person affiliated with the relevant trader through a special relationship that Cabinet Office Order prescribes) (an "affiliate" means a person that constitutes the trader itself, its officer or employee, or any other person that Cabinet Office Order prescribes; the same applies in 2., below); and

(2) 理事の数のうちに占める同一の業種（内閣府令で定める事業の区分をいう。）に属する事業を行う事業者の関係者の数の割合が二分の一を超えていること。

2. more than half of the total number of the directors are the affiliates of traders that engage in the same type of business (according to the classifications provided by Cabinet Office Order).

五 差止請求の要否及びその内容についての検討を行う部門において次のイ及びロに掲げる者（以下「専門委員」と総称する。）が共にその専門的な知識経験に基づいて必要な助言を行い又は意見を述べる体制が整備されていることその他差止請求関係業務を遂行するための人的体制に照らして、差止請求関係業務を適正に遂行することができる専門的な知識経験を有すると認められること。

(v) it is found to have the expertise and professional experience necessary to properly provide services connected with the right to seek an injunction, in light of the fact that it has in place a framework under which the persons set forth in (a) and (b) as follows (hereinafter referred to as "expert advisers") are able to jointly provide the necessary advice and opinions, based on their expertise and professional experience, in the department that reviews the necessity of claims seeking injunctions and the contents thereof, or in light of any other human resources system that the person has for performing services connected with the right to seek an injunction:

イ 消費生活に関する消費者と事業者との間に生じた苦情に係る相談（第四十条第一項において「消費生活相談」という。）その他の消費生活に関する事項について専門的な知識経験を有する者として内閣府令で定める条件に適合する者

(a) persons meeting the requirements that Cabinet Office Order prescribes, as persons with expertise and professional experience in providing consultations regarding complaints arising between consumers and traders (referred to as "consumer affairs consultations" in Article 40, paragraph (1)) and other consumer affairs matters; and

ロ 弁護士、司法書士その他の法律に関する専門的な知識経験を有する者として内閣府令で定める条件に適合する者

(b) attorneys, judicial scriveners, and other persons meeting the requirements that Cabinet Office Order prescribes, as persons with professional expertise and experience in the law.

六 差止請求関係業務を適正に遂行するに足りる経理的基礎を有すること。

(vi) it has a sufficient financial basis to properly provide services connected with the right to seek an injunction; and

七 差止請求関係業務以外の業務を行う場合には、その業務を行うことによって差止請求関係業務の適正な遂行に支障を及ぼすおそれがないこと。

(vii) if it also provides services other than services connected with the right to seek an injunction, it is unlikely that those services will interfere with its provision of services connected with the right to seek an injunction.

4 前項第三号の業務規程には、差止請求関係業務の実施の方法、差止請求関係業務に関して知り得た情報の管理及び秘密の保持の方法その他の内閣府令で定める事項が定められていなければならない。この場合において、業務規程に定める差止請求関係業務の実施の方法には、同項第五号の検討を行う部門における専門委員からの助言又は意見の聴取に関する措置及び役員、職員又は専門委員が差止請求に係る相手方と特別の利害関係を有する場合の措置その他業務の公正な実施の確保に関する措置が含まれていなければならない。

(4) The rules of operation mentioned in item (iii) of the preceding paragraph must set forth the way of implementing services connected with the right to seek an injunction, the way of managing and maintaining the confidentiality of information obtained in the course of providing those services, and the other information that Cabinet Office Order prescribes. In this, the way of implementing services connected with the right to seek an injunction set forth in the rules of operation must include measures for obtaining advice from and hearing the opinions of an expert adviser in the department responsible for the reviews provided for in item (v) of the preceding paragraph; measures for if an officer, employee, or expert advisor holds a special interest in the adverse party against which a claim seeking an injunction is filed, and other measures for ensuring that services are implemented fairly.

5 次のいずれかに該当する者は、第一項の認定を受けることができない。

(5) A person falling under one of the following items may not be certified as referred to in paragraph (1):

一 この法律その他消費者の利益の擁護に関する法律で政令で定めるもの若しくはこ

これらの法律に基づく命令の規定又はこれらの規定に基づく処分に違反して罰金の刑に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から三年を経過しない法人

(i) a corporation that has been sentenced to a fine for violating this Act, any other consumer protection law that Cabinet Order prescribes, an Order based on this Act or on such a law, or measures based on such an Order, if it has not been three years since the day on which the corporation completed the sentence or ceased to be subject to its enforcement;

二 第三十四条第一項各号に掲げる事由により第一項の認定を取り消され、又は同条第三項の規定により同条第一項第四号に掲げる事由があった旨の認定がされ、その取消し又は認定の日から三年を経過しない法人

(ii) a corporation that has had its certification as referred to in paragraph (1) rescinded on the grounds set forth in one of the items of Article 34, paragraph (1) or with respect to which a finding has been reached, pursuant to paragraph (3) of that Article, that there were grounds as set forth in item (iv) of that paragraph, if three years have not yet passed since the day of the rescission or the finding;

三 暴力団員による不当な行為の防止等に関する法律（平成三年法律第七十七号）第二条第六号に規定する暴力団員（以下この号において「暴力団員」という。）又は暴力団員でなくなった日から五年を経過しない者（次号及び第六号ハにおいて「暴力団員等」という。）がその事業活動を支配する法人

(iii) a corporation whose business activities are controlled by a member of an organized crime group as provided in Article 2, item (vi) of the Act on Preventing Improperities by Members of Organized Crime Groups (Act No. 77 of 1991) (hereinafter referred to as a "member of an organized crime group" in this item) or by a person that has not yet gone five years without being a member of an organized crime group (referred to as "current or former member of an organized crime group" in the following item and item (vi)(c));

四 暴力団員等をその業務に従事させ、又はその業務の補助者として使用するおそれのある法人

(iv) a corporation likely to engage or use as an assistant in its business activities a current or former member of an organized crime group;

五 政治団体（政治資金規正法（昭和二十三年法律第百九十四号）第三条第一項に規定する政治団体をいう。）

(v) a political organization (meaning a political organization as provided under Article 3, paragraph (1) of the Political Funds Control Act (Act No. 194 of 1948));

六 役員のうち次のいずれかに該当する者のある法人

(vi) a corporation with an officer falling under one of the following items:

イ 禁錮以上の刑に処せられ、又はこの法律その他消費者の利益の擁護に関する法

律で政令で定めるもの若しくはこれらの法律に基づく命令の規定若しくはこれらの規定に基づく処分に違反して罰金の刑に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から三年を経過しない者

(a) a person sentenced to imprisonment without work or a heavier punishment, or a person sentenced to a fine for violating this Act, any other consumer protection law that Cabinet Order prescribes, an Order based on this Act or on such a law, or measures based on such an Order, if it has not yet been three years since the day on which the person completed the sentence or ceased to be subject to its enforcement;

ロ 適格消費者団体が第三十四条第一項各号に掲げる事由により第一項の認定を取り消され、又は同条第三項の規定により同条第一項第四号に掲げる事由があった旨の認定がされた場合において、その取消し又は認定の日前六月以内に当該適格消費者団体の役員であった者でその取消し又は認定の日から三年を経過しないもの

(b) a person that, during the six months prior to the rescission or finding in question, was the officer of a qualified consumer organization that has had its certification as referred to in paragraph (1) rescinded on the grounds set forth in one of the items of Article 34, paragraph (1) or for which a finding has been reached, pursuant to paragraph (3) of that Article, that there were grounds as set forth in item (iv) of that paragraph, if three years have not yet passed since the day of the rescission or the finding;

ハ 暴力団員等

(c) the current or former member of an organized crime group.

(認定の申請)

(Applying for Certification)

第十四条 前条第二項の申請は、次に掲げる事項を記載した申請書を内閣総理大臣に提出してしなければならない。

Article 14 (1) To apply for certification as referred to in paragraph (2) of the preceding Article, a person must submit a written application containing the following information to the Prime Minister:

一 名称及び住所並びに代表者の氏名

(i) the person's name and address, and the name of its representative;

二 差止請求関係業務を行おうとする事務所の所在地

(ii) the location of the office at which it seeks to provide the services connected with the right to seek an injunction; and

三 前二号に掲げるもののほか、内閣府令で定める事項

(iii) information that Cabinet Office Order prescribes, beyond what is set forth in the preceding two items.

2 前項の申請書には、次に掲げる書類を添付しなければならない。

(2) The following documents must accompany an application as referred to in the

preceding paragraph:

一 定款

(i) the articles of incorporation;

二 不特定かつ多数の消費者の利益の擁護を図るための活動を相当期間にわたり継続して適正に行っていることを証する書類

(ii) a document evidencing that the applicant has been properly engaging in activities related to protecting the interests of a large, non-exclusive group of consumers for a considerable period of time;

三 差止請求関係業務に関する業務計画書

(iii) a written business plan for services connected with the right to seek an injunction;

四 差止請求関係業務を適正に遂行するための体制が整備されていることを証する書類

(iv) a document evidencing that the applicant has in place a framework for providing services connected with the right to seek an injunction;

五 業務規程

(v) the rules of operation;

六 役員、職員及び専門委員に関する次に掲げる書類

(vi) the documents set forth in the following items concerning the applicant's officers, employees, and expert advisers:

イ 氏名、役職及び職業を記載した書類

(a) a document giving their names, positions, and occupations; and

ロ 住所、略歴その他内閣府令で定める事項を記載した書類

(b) a document giving their addresses, brief biographical outlines, and other information that Cabinet Office Order prescribes.

七 前条第三項第一号の法人の社員について、その数及び個人又は法人その他の団体の別（社員が法人その他の団体である場合にあっては、その構成員の数を含む。）を記載した書類

(vii) a document setting forth the number of members of the corporation referred to in Article 13, paragraph (3), item (i) and whether they are individuals, corporations, or other bodies (including the number of members if the members are corporations or other bodies);

八 最近の事業年度における財産目録、貸借対照表、収支計算書その他の経理的基礎を有することを証する書類

(viii) recent years' inventories of property, balance sheets, income and expenditure statements, and other financial records evidencing the applicant's financial basis;

九 前条第五項各号のいずれにも該当しないことを誓約する書面

(ix) a document in which the applicant states that it does not fall under any of the items of Article 13, paragraph (5);

十 差止請求関係業務以外の業務を行う場合には、その業務の種類及び概要を記載し

た書類

(x) if the applicant provides any services other than services connected with the right to seek an injunction, a document giving information on the type of services and a brief description of those services; and

十一 その他内閣府令で定める書類

(xi) other documents that Cabinet Office Order prescribes.

(認定の申請に関する公告及び縦覧等)

(Public Notice and Inspection of Applications for Certification)

第十五条 内閣総理大臣は、前条の規定による認定の申請があった場合には、遅滞なく、内閣府令で定めるところにより、その旨並びに同条第一項第一号及び第二号に掲げる事項を公告するとともに、同条第二項各号（第六号ロ、第九号及び第十一号を除く。）に掲げる書類を、公告の日から二週間、公衆の縦覧に供しなければならない。

Article 15 (1) Pursuant to Cabinet Office Order and without delay after a person has applied for certification under Article 14, beyond issuing public notice of this and of the information set forth in Article 14, paragraph (1), items (i) and (ii), the Prime Minister must make the documents set forth in the items of Article 14, paragraph (2) (excluding item (vi)(b), item (ix), and item (xi)) available for public inspection for two weeks after the public notice.

2 内閣総理大臣は、第十三条第一項の認定をしようとするときは、同条第三項第二号に規定する事由の有無について、経済産業大臣の意見を聴くものとする。

(2) Before granting a certification as referred to in Article 13, paragraph (1), the Prime Minister is to hear the opinion of the Minister of Economy, Trade and Industry regarding whether there are grounds as provided in Article 13, paragraph (3), item (ii).

3 内閣総理大臣は、前条の規定による認定の申請をした者について第十三条第五項第三号、第四号又は第六号ハに該当する疑いがあると認めるときは、警察庁長官の意見を聴くものとする。

(3) If the Prime Minister suspects a person applying for certification under the preceding Article to fall under Article 13, paragraph (5), item (iii) or (iv) or item (vi)(c), the Prime Minister is to seek the opinion of the Director-General of the National Police Agency.

(認定の公示等)

(Public Notice of Certification)

第十六条 内閣総理大臣は、第十三条第一項の認定をしたときは、内閣府令で定めるところにより、当該適格消費者団体の名称及び住所、差止請求関係業務を行う事務所の所在地並びに当該認定をした日を公示するとともに、当該適格消費者団体に対し、その旨を書面により通知するものとする。

Article 16 (1) Pursuant to Cabinet Office Order, once the Prime Minister has certified a qualified consumer organization as referred to in Article 13,

paragraph (1), beyond issuing public notice of its name and address, the office address at which it will provide services connected with the right to seek an injunction, and the date of the certification, the Prime Minister is to notify the qualified consumer organization of this in writing.

2 適格消費者団体は、内閣府令で定めるところにより、適格消費者団体である旨を、差止請求関係業務を行う事務所において見やすいように掲示しなければならない。

(2) Pursuant to Cabinet Office Order, a qualified consumer organization must post an easily visible indication that it is a qualified consumer organization somewhere in the office at which it provides the services connected with the right to seek an injunction.

3 適格消費者団体でない者は、その名称中に適格消費者団体であると誤認されるおそれのある文字を用い、又はその業務に関し、適格消費者団体であると誤認されるおそれのある表示をしてはならない。

(3) A person that is not a qualified consumer organization must not use any letters or characters in its name that would likely cause it to be mistaken for a qualified consumer organization, and must not give any indication regarding its operations that would likely cause it to be mistaken for a qualified consumer organization.

(認定の有効期間等)

(Valid Term of Certification)

第十七条 第十三条第一項の認定の有効期間は、当該認定の日から起算して六年とする。

Article 17 (1) The certification referred to in Article 13, paragraph (1) is valid for six years from the date of the certification.

2 前項の有効期間の満了後引き続き差止請求関係業務を行おうとする適格消費者団体は、その有効期間の更新を受けなければならない。

(2) A qualified consumer organization seeking to continue to provide services connected with the right to seek an injunction after the end of the term of validity referred to in the preceding paragraph must apply to renew the term of validity.

3 前項の有効期間の更新を受けようとする適格消費者団体は、第一項の有効期間の満了の日の九十日前から六十日前までの間（以下この項において「更新申請期間」という。）に、内閣総理大臣に有効期間の更新の申請をしなければならない。ただし、災害その他やむを得ない事由により更新申請期間にその申請をすることができないときは、この限りでない。

(3) A qualified consumer organization seeking to renew, as referred to in the preceding paragraph, a term of validity as referred to in paragraph (1) must apply to the Prime Minister for renewal of this term during the period from 60 to 90 days prior to the day on which it expires (hereinafter referred to as "renewal application period"); provided, however, that this does not apply if the person cannot apply for a renewal during the renewal application period due to

a disaster or other compelling reason.

4 前項の申請があった場合において、第一項の有効期間の満了の日までにその申請に対する処分がされないときは、従前の認定は、同項の有効期間の満了後もその処分がされるまでの間は、なお効力を有する。

(4) If a person has applied for a renewal as referred to in the preceding paragraph but the application is not processed by the day on which the term of validity referred to in paragraph (1) expires, the prior certification remains valid even after the term of validity expires, until such time as the application is processed.

5 前項の場合において、第二項の有効期間の更新がされたときは、その認定の有効期間は、従前の認定の有効期間の満了の日の翌日から起算するものとする。

(5) In a case as referred to in the preceding paragraph, when the term of validity is renewed as referred to in paragraph (2), the term of validity of that certification is to start from the day following the date on which the term of validity for the prior certification expires.

6 第十三条（第一項及び第五項第二号を除く。）、第十四条、第十五条及び前条第一項の規定は、第二項の有効期間の更新について準用する。ただし、第十四条第二項各号に掲げる書類については、既に内閣総理大臣に提出されている当該書類の内容に変更がないときは、その添付を省略することができる。

(6) Article 13 (excluding paragraph (1) and paragraph (5), item (ii)), Article 14, Article 15, and paragraph (1) of the preceding Article apply mutatis mutandis to the renewal of a term of validity as referred to in paragraph (2); provided, however, that documents as set forth in the items of Article 14, paragraph (2) need not accompany the renewal application if the substance of the documents that have already been submitted to the Prime Minister has not changed.

(変更の届出)

(Filing Notification of a Change)

第十八条 適格消費者団体は、第十四条第一項各号に掲げる事項又は同条第二項各号（第二号及び第十一号を除く。）に掲げる書類に記載した事項に変更があったときは、遅滞なく、内閣府令で定めるところにより、その旨を記載した届出書を内閣総理大臣に提出しなければならない。ただし、その変更が内閣府令で定める軽微なものであるときは、この限りでない。

Article 18 If information as set forth in one of the items of Article 14, paragraph (1) or information given in a document as set forth in one of the items of paragraph (2) of that Article (excluding items (ii) and (xi)) has changed, a qualified consumer organization must file a written notification of this with the Prime Minister without delay and pursuant to Cabinet Office Order; provided, however, that this does not apply if the change is one that Cabinet Office Order prescribes as being minor.

(合併の届出及び認可等)

(Filing Notification of a Merger; Approval of a Merger; Related Matters)

第十九条 適格消費者団体である法人が他の適格消費者団体である法人と合併をしたときは、合併後存続する法人又は合併により設立された法人は、合併により消滅した法人のこの法律の規定による適格消費者団体としての地位を承継する。

Article 19 (1) If a corporation that is a qualified consumer organization merges with another corporation that is a qualified consumer organization, the corporation remaining in existence after the merger or the corporation incorporated in the merger succeeds to the status that the corporation disappearing in the merger held as a qualified consumer organization under this Act.

2 前項の規定により合併により消滅した法人のこの法律の規定による適格消費者団体としての地位を承継した法人は、遅滞なく、その旨を内閣総理大臣に届け出なければならない。

(2) A corporation that has succeeded, pursuant to the preceding paragraph, to the status that a corporation disappearing in a merger held as a qualified consumer organization under this Act must notify the Prime Minister of this without delay.

3 適格消費者団体である法人が適格消費者団体でない法人と合併をした場合には、合併後存続する法人又は合併により設立された法人は、その合併について内閣総理大臣の認可がされたときに限り、合併により消滅した法人のこの法律の規定による適格消費者団体としての地位を承継する。

(3) If a corporation that is a qualified consumer organization merges with a corporation that is not a qualified consumer organization, the corporation remaining in existence after the merger or the corporation incorporated in the merger succeeds to the status that the corporation disappearing in the merger held as a qualified consumer organization under this Act only if the Prime Minister has approved the merger.

4 前項の認可を受けようとする適格消費者団体は、その合併がその効力を生ずる日の九十日前から六十日前までの間（以下この項において「認可申請期間」という。）に、内閣総理大臣に認可の申請をしなければならない。ただし、災害その他やむを得ない事由により認可申請期間にその申請をすることができないときは、この限りでない。

(4) A qualified consumer organization seeking the approval referred to in the preceding paragraph must apply to the Prime Minister for the approval during the period from 60 to 90 days before the date on which the merger is to take effect (hereinafter referred to in this paragraph as "approval application period"); provided, however, that this does not apply if the organization cannot apply for approval during the approval application period due to a disaster or other compelling reason.

5 前項の申請があった場合において、その合併がその効力を生ずる日までにその申請に対する処分がされないときは、合併後存続する法人又は合併により設立された法人

は、その処分がされるまでの間は、合併により消滅した法人のこの法律の規定による適格消費者団体としての地位を承継しているものとみなす。

(5) If an organization has applied for approval as referred to in the preceding paragraph but the application is not processed by the date on which the merger takes effect, the corporation remaining in existence after the merger or the corporation incorporated in the merger is deemed to succeed to the status that the corporation disappearing in the merger held as a qualified consumer organization under this Act, until such time as the application is processed.

6 第十三条（第一項を除く。）、第十四条、第十五条及び第十六条第一項の規定は、第三項の認可について準用する。

(6) Article 13 (excluding paragraph (1)), Article 14, Article 15, and Article 16, paragraph (1) apply mutatis mutandis to the approval referred to in paragraph (3).

7 適格消費者団体である法人は、適格消費者団体でない法人と合併をする場合において、第四項の申請をしないときは、その合併がその効力を生ずる日までに、その旨を内閣総理大臣に届け出なければならない。

(7) If a corporation that is a qualified consumer organization merges with a corporation that is not a qualified consumer organization but does not apply for the approval referred to in paragraph (4), it must file a notification of this with the Prime Minister by the day on which the merger takes effect.

8 内閣総理大臣は、第二項又は前項の規定による届出があったときは、内閣府令で定めるところにより、その旨を公示するものとする。

(8) If a person has filed a notification as under paragraph (2) or the preceding paragraph, the Prime Minister is to issue public notice of this pursuant to Cabinet Office Order.

（事業の譲渡の届出及び認可等）

(Filing Notification of a Business Transfer; Approval of a Business Transfer; Other Matters)

第二十条 適格消費者団体である法人が他の適格消費者団体である法人に対し差止請求関係業務に係る事業の全部の譲渡をしたときは、その譲渡を受けた法人は、その譲渡をした法人のこの法律の規定による適格消費者団体としての地位を承継する。

Article 20 (1) If a corporation that is a qualified consumer organization transfers the entirety of its business involving services connected with the right to seek an injunction to another corporation that is a qualified consumer organization, the transferee succeeds to the status that the transferor held as a qualified consumer organization under this Act.

2 前項の規定によりその譲渡をした法人のこの法律の規定による適格消費者団体としての地位を承継した法人は、遅滞なく、その旨を内閣総理大臣に届け出なければならない。

(2) A corporation that has succeeded, pursuant to the preceding paragraph, to the

status that the transferor held as a qualified consumer organization under this Act must notify the Prime Minister of this without delay.

3 適格消費者団体である法人が適格消費者団体でない法人に対し差止請求関係業務に係る事業の全部の譲渡をした場合には、その譲渡を受けた法人は、その譲渡について内閣総理大臣の認可がされたときに限り、その譲渡をした法人のこの法律の規定による適格消費者団体としての地位を承継する。

(3) If a corporation that is a qualified consumer organization transfers the entirety of its business involving services connected with the right to seek an injunction to another corporation that is not a qualified consumer organization, the transferee succeeds to the status that the transferor held as a qualified consumer organization under this Act only if the Prime Minister has approved the transfer.

4 前項の認可を受けようとする適格消費者団体は、その譲渡の日の九十日前から六十日前までの間（以下この項において「認可申請期間」という。）に、内閣総理大臣に認可の申請をしなければならない。ただし、災害その他やむを得ない事由により認可申請期間にその申請をすることができないときは、この限りでない。

(4) A qualified consumer organization seeking the approval referred to in the preceding paragraph must apply to the Prime Minister for the approval during the period from 60 to 90 days before the date of the transfer (hereinafter referred to in this paragraph as the "approval application period"); provided, however, that this does not apply if the organization cannot apply for approval during the approval application period due to a disaster or other compelling reason.

5 前項の申請があった場合において、その譲渡の日までにその申請に対する処分がされないときは、その譲渡を受けた法人は、その処分がされるまでの間は、その譲渡をした法人のこの法律の規定による適格消費者団体としての地位を承継しているものとみなす。

(5) If a person has applied for approval as referred to in the preceding paragraph but the application is not processed by the date of the transfer, the transferee is deemed to succeed to the status that the transferor held as a qualified consumer organization under this Act, until such time as the application is processed.

6 第十三条（第一項を除く。）、第十四条、第十五条及び第十六条第一項の規定は、第三項の認可について準用する。

(6) Article 13 (excluding paragraph (1)), Article 14, Article 15, and Article 16, paragraph (1) apply mutatis mutandis to the approval referred to in paragraph (3).

7 適格消費者団体である法人は、適格消費者団体でない法人に対し差止請求関係業務に係る事業の全部の譲渡をする場合において、第四項の申請をしないときは、その譲渡の日までに、その旨を内閣総理大臣に届け出なければならない。

(7) If a corporation that is a qualified consumer organization transfers the

entirety of its business involving services connected with the right to seek an injunction to another corporation that is not a qualified consumer organization, but does not apply for the approval referred to in paragraph (4), it must file notification of this with the Prime Minister by the date of the transfer.

8 内閣総理大臣は、第二項又は前項の規定による届出があったときは、内閣府令で定めるところにより、その旨を公示するものとする。

(8) If a person has filed a notification as under paragraph (2) or the preceding paragraph, the Prime Minister is to issue public notice of this pursuant to Cabinet Office Order.

(解散の届出等)

(Filing Notification of a Dissolution or Discontinuation of Services)

第二十一条 適格消費者団体が次の各号に掲げる場合のいずれかに該当することとなったときは、当該各号に定める者は、遅滞なく、その旨を内閣総理大臣に届け出なければならない。

Article 21 (1) If a qualified consumer organization comes to fall under one of the following items, the person set forth in that item must file notification of this with the Prime Minister without delay:

一 破産手続開始の決定により解散した場合 破産管財人

(i) it undergoes a dissolution due to an order commencing bankruptcy proceedings: the bankruptcy trustee;

二 合併及び破産手続開始の決定以外の理由により解散した場合 清算人

(ii) it undergoes a dissolution for any reason other than a merger or a bankruptcy commencement ruling: the liquidator; and

三 差止請求関係業務を廃止した場合 法人の代表者

(iii) it discontinues its services connected with the right to seek an injunction: a representative of the corporation.

2 内閣総理大臣は、前項の規定による届出があったときは、内閣府令で定めるところにより、その旨を公示するものとする。

(2) If a person has filed a notification as under the preceding paragraph, the Prime Minister is to issue public notice of this pursuant to Cabinet Office Order.

(認定の失効)

(Lapse of Certification)

第二十二条 適格消費者団体について、次のいずれかに掲げる事由が生じたときは、第十三条第一項の認定は、その効力を失う。

Article 22 If any of the following grounds arise with regard to a qualified consumer organization, the certification referred to in Article 13, paragraph (1) ceases to be valid:

一 第十三条第一項の認定の有効期間が経過したとき (第十七条第四項に規定する場

合にあっては、更新拒否処分がされたとき）。

(i) the term of validity of its certification as referred to in Article 13, paragraph (1) has passed (or its certification has become subject to a disposition denying renewal of the term of validity, in a case as prescribed in Article 17, paragraph (4));

二 適格消費者団体である法人が適格消費者団体でない法人と合併をした場合において、その合併が第十九条第三項の認可を経ずにその効力を生じたとき（同条第五項に規定する場合にあっては、その合併の不認可処分がされたとき）。

(ii) the corporation that constitutes that qualified consumer organization merges with a corporation that is not a qualified consumer organization, and the merger takes effect without passing through the approval referred to in Article 19, paragraph (3) (or takes effect after the issuance of a disposition denying approval for the merger, in a case as prescribed in paragraph (5) of that Article);

三 適格消費者団体である法人が適格消費者団体でない法人に対し差止請求関係業務に係る事業の全部の譲渡をした場合において、その譲渡が第二十条第三項の認可を経ずにされたとき（同条第五項に規定する場合にあっては、その譲渡の不認可処分がされたとき）。

(iii) the corporation that constitutes that qualified consumer organization transfers the entirety of its business involving services connected with the right to seek an injunction to another corporation that is not a qualified consumer organization, and the transfer is made without passing through the approval referred to in Article 20, paragraph (3) (or is made after the issuance of a disposition denying approval for the transfer, in the case as prescribed in paragraph (5) of that Article); or

四 適格消費者団体が前条第一項各号に掲げる場合のいずれかに該当することとなったとき。

(iv) the qualified consumer organization has come to fall under one of the items set forth in paragraph (1) of the preceding Article.

第二款 差止請求関係業務等

Subsection 2 Services Connected with the Right to Seek an Injunction

（差止請求権の行使等）

(Exercising the Right to Seek an Injunction)

第二十三条 適格消費者団体は、不特定かつ多数の消費者の利益のために、差止請求権を適切に行使しなければならない。

Article 23 (1) A qualified consumer organization must appropriately exercise its right to seek an injunction in the interest of a large, non-exclusive group of consumers.

2 適格消費者団体は、差止請求権を濫用してはならない。

(2) A qualified consumer organization must not abuse its right to seek an injunction.

3 適格消費者団体は、事案の性質に応じて他の適格消費者団体と共同して差止請求権を行使するほか、差止請求関係業務について相互に連携を図りながら協力するように努めなければならない。

(3) Beyond exercising their right to seek an injunction jointly as a function of the nature of the case, qualified consumer organizations must endeavor to cooperate and coordinate with one another in providing services connected with the right to seek an injunction.

4 適格消費者団体は、次に掲げる場合には、内閣府令で定めるところにより、遅滞なく、その旨を他の適格消費者団体に通知するとともに、その旨及びその内容その他内閣府令で定める事項を内閣総理大臣に報告しなければならない。この場合において、当該適格消費者団体が、当該通知及び報告に代えて、すべての適格消費者団体及び内閣総理大臣が電磁的方法（電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法をいう。以下同じ。）を利用して同一の情報を閲覧することができる状態に置く措置であつて内閣府令で定めるものを講じたときは、当該通知及び報告をしたものとみなす。

(4) Beyond notifying other qualified consumer organizations without delay and pursuant to Cabinet Office Order in any of the following cases, a qualified consumer organization must report that the following is the case to the Prime Minister, giving the details of the case and any other information that Cabinet Office Order prescribes. If, in such a case, instead of notifying the other qualified consumer organizations and reporting to the Prime Minister, the qualified consumer organization takes the measures that Cabinet Office Order prescribes to put the same information into a format that all of the qualified consumer organizations and the Prime Minister can access by electronic or magnetic means (meaning through the use of an electronic data processing system or any other application of information and communications technology; the same applies hereinafter), it is deemed to have notified those organizations of the case in question and reported it to the Prime Minister:

一 第四十一条第一項（同条第三項において準用する場合を含む。）の規定による差止請求をしたとき。

(i) if it files a claim seeking an injunction under Article 41, paragraph (1) (including as applied *mutatis mutandis* pursuant to paragraph (3) of that Article);

二 前号に掲げる場合のほか、裁判外において差止請求をしたとき。

(ii) if it files a claim seeking an injunction outside of court, other than as prescribed in the preceding item;

三 差止請求に係る訴えの提起（和解の申立て、調停の申立て又は仲裁合意を含む。）又は仮処分命令の申立てがあつたとき。

(iii) if an action (including a petition for settlement or mediation or an

- arbitration agreement) has been filed involving a claim seeking an injunction, or a petition has been filed for a provisional disposition order;
- 四 差止請求に係る判決の言渡し（調停の成立、調停に代わる決定の告知又は仲裁判断を含む。）又は差止請求に係る仮処分命令の申立てについての決定の告知があったとき。
- (iv) when a judgment is rendered in connection with a claim seeking an injunction (including settlement by mediation, notification of a decision in lieu of mediation, or an arbitration award) or upon notification of a ruling on a petition for a provisional disposition order connected with a claim seeking an injunction;
- 五 前号の判決に対する上訴の提起（調停に代わる決定に対する異議の申立て又は仲裁判断の取消しの申立てを含む。）又は同号の決定に対する不服の申立てがあったとき。
- (v) upon the filing of an appeal against a judgment as referred to in the preceding item (including the filing of an objection to a decision in lieu of mediation or the filing of a request for rescission of an arbitration award) or upon the filing of an appeal against a ruling as referred to in the preceding item;
- 六 第四号の判決（調停に代わる決定又は仲裁判断を含む。）又は同号の決定が確定したとき。
- (vi) when a judgment as referred to in item (iv) (including a decision in lieu of mediation or an arbitration award) or a ruling as referred to in that item becomes final and binding;
- 七 差止請求に係る裁判上の和解が成立したとき。
- (vii) when a judicial settlement is reached in connection with a claim seeking an injunction;
- 八 前二号に掲げる場合のほか、差止請求に係る訴訟（和解の申立てに係る手続、調停手続又は仲裁手続を含む。）又は差止請求に係る仮処分命令に関する手続が終了したとき。
- (viii) when a lawsuit involving a claim seeking an injunction (including proceedings involving a petition for settlement, mediation proceedings, or arbitration proceedings) or proceedings involving a provisional disposition order in connection with a claim seeking an injunction have ended, other than as set forth in items (vi) and (vii);
- 九 差止請求に係る裁判外の和解が成立したときその他差止請求に関する相手方との間の協議が調ったとき、又はこれが調わなかったとき。
- (ix) when an extra-judicial settlement has been reached involving a claim seeking an injunction, or when any other agreement has been reached or failed to be reached with an adverse party in connection with a claim seeking an injunction;
- 十 差止請求に関し、請求の放棄、和解、上訴の取下げその他の内閣府令で定める手

続に係る行為であって、それにより確定判決及びこれと同一の効力を有するものが存することとなるものをしようとするとき。

(x) before it seeks to take any action with respect to a claim seeking an injunction that would involve the waiver of the claim, a settlement, the withdrawal of an appeal, or any other proceedings that Cabinet Office Order prescribes, and that would result in a final and binding judgment or anything with the same effect; or

十一 その他差止請求に関し内閣府令で定める手続に係る行為がされたとき。

(xi) if it has taken any other action that Cabinet Office Order prescribes in connection with proceedings involving a claim seeking an injunction.

5 内閣総理大臣は、前項の規定による報告を受けたときは、すべての適格消費者団体並びに内閣総理大臣及び経済産業大臣が電磁的方法を利用して同一の情報を閲覧することができる状態に置く措置その他の内閣府令で定める方法により、他の適格消費者団体及び経済産業大臣に当該報告の日時及び概要その他内閣府令で定める事項を伝達するものとする。

(5) Having received a report under the preceding paragraph, the Prime Minister is to communicate the date and time of the report, an outline thereof, and any other information that Cabinet Office Order prescribes to the other qualified consumer organizations and to the Ministry of Economy, Trade and Industry, by taking measures to put the same information into a format that all of the qualified consumer organizations as well as the Prime Minister and the Minister of Economy, Trade and Industry can access by electronic or magnetic means, or in any other way that Cabinet Office Order prescribes.

6 適格消費者団体について、第十二条の二第一項第二号本文の確定判決等で強制執行をすることができるものが存する場合には、当該適格消費者団体は、当該確定判決等に係る差止請求権を放棄することができない。

(6) If there is an enforceable final judgment or equally binding disposition as referred to in the main clause of Article 12-2, paragraph (1), item (ii) a qualified consumer organization may not waive the right to seek an injunction underlying it.

(消費者の被害に関する情報の取扱い)

(Handling of Information on Harm to Consumers)

第二十四条 適格消費者団体は、差止請求権の行使（差止請求権不存在等確認請求に係る訴訟を含む。第二十八条において同じ。）に関し、消費者から収集した消費者の被害に関する情報をその相手方その他の第三者が当該被害に係る消費者を識別することができる方法で利用するに当たっては、あらかじめ、当該消費者の同意を得なければならない。

Article 24 A qualified consumer organization must first obtain consent from the consumer before using information in connection with its exercise of the right to seek an injunction (including a lawsuit involving a request to confirm the

absence of a right to seek an injunction or a related obligation; the same applies to Article 28) that it has collected from a consumer on harm suffered by that consumer, if it will use this in such a way that the adverse party or third parties can identify the consumer suffering the harm.

(秘密保持義務)

(Duty of Confidentiality)

第二十五条 適格消費者団体の役員、職員若しくは専門委員又はこれらの職にあった者は、正当な理由がなく、差止請求関係業務に関して知り得た秘密を漏らしてはならない。

Article 25 It is prohibited for the past or present officer, employee, or expert advisor of a qualified consumer organization to disclose confidential information learned while providing services connected with the right to seek an injunction, without legitimate grounds for doing so.

(氏名等の明示)

(Disclosure of Names)

第二十六条 適格消費者団体の差止請求関係業務に従事する者は、その差止請求関係業務を行うに当たり、相手方の請求があったときは、当該適格消費者団体の名称、自己の氏名及び適格消費者団体における役職又は地位その他内閣府令で定める事項を、その相手方に明らかにしなければならない。

Article 26 A person engaged in providing services connected with the right to seek an injunction at a qualified consumer organization must disclose the name of the organization, the person's name and title or position at the organization, and other information that Cabinet Office Order prescribes to the adverse party upon request, when providing those services.

(判決等に関する情報の提供)

(Provision of Information Related to Judgments)

第二十七条 適格消費者団体は、消費者の被害の防止及び救済に資するため、消費者に対し、差止請求に係る判決（確定判決と同一の効力を有するもの及び仮処分命令の申立てについての決定を含む。）又は裁判外の和解の内容その他必要な情報を提供しよう努めなければならない。

Article 27 A qualified consumer organization must endeavor to inform consumers of the contents of judgments involving claims seeking injunctions (including anything with the same effect as a final and binding judgment, and also including decisions on petitions for provisional disposition orders) or of extra-judicial settlements, and other necessary information.

(財産上の利益の受領の禁止等)

(Prohibition on Receiving Economic Benefits)

第二十八条 適格消費者団体は、次に掲げる場合を除き、その差止請求に係る相手方から、その差止請求権の行使に関し、寄附金、賛助金その他名目のいかなを問わず、金銭その他の財産上の利益を受けてはならない。

Article 28 (1) Except in the following cases, it is prohibited for a qualified consumer organization to receive an economic benefit from the adverse party to a claim seeking an injunction, in the form of a contribution or donation or under any other name, in connection with its exercise of the right to seek an injunction:

一 差止請求に係る判決（確定判決と同一の効力を有するもの及び仮処分命令の申立てについての決定を含む。以下この項において同じ。）又は民事訴訟法（平成八年法律第百九号）第七十三条第一項の決定により訴訟費用（和解の費用、調停手続の費用及び仲裁手続の費用を含む。）を負担することとされた相手方から当該訴訟費用に相当する額の償還として財産上の利益を受けるとき。

(i) if it receives an economic benefit as reimbursement in an amount equivalent to its court costs from an adverse party that has been ordered to bear the court costs (or the costs of settlement, mediation, or arbitration proceedings) in a judgment on a claim seeking an injunction (including anything with the same effect as a final and binding judgment or a ruling on a petition for a provisional disposition order; hereinafter the same applies in this paragraph) or in a ruling as referred to in Article 73, paragraph (1) of the Code of Civil Procedure (Act No. 109 of 1996);

二 差止請求に係る判決に基づいて民事執行法（昭和五十四年法律第四号）第一百七十二条第一項の規定により命じられた金銭の支払として財産上の利益を受けるとき。

(ii) if it receives an economic benefit in the form of a monetary payment ordered pursuant to Article 172, paragraph (1) of the Civil Execution Act (Act No. 4 of 1979) based on a judgment on a claim seeking an injunction;

三 差止請求に係る判決に基づく強制執行の執行費用に相当する額の償還として財産上の利益を受けるとき。

(iii) if it receives an economic benefit in the form of a reimbursement of the costs to enforce a judgment on a claim seeking an injunction; and

四 差止請求に係る相手方の債務の履行を確保するために約定された違約金の支払として財産上の利益を受けるとき。

(iv) if it receives an economic benefit as the payment of a penalty agreed upon to ensure the performance of the obligations of the adverse party to a claim seeking an injunction.

2 適格消費者団体の役員、職員又は専門委員は、適格消費者団体の差止請求に係る相手方から、その差止請求権の行使に関し、寄附金、賛助金その他名目のいかなを問わず、金銭その他の財産上の利益を受けてはならない。

(2) It is prohibited for the officer, employee, or expert advisor of a qualified consumer organization to receive money or any other economic benefit from the adverse party to a claim seeking an injunction filed by the qualified consumer

organization, in the form of a contribution or donation or under any other name, in connection with the organization's exercise of the right to seek an injunction.

3 適格消費者団体又はその役員、職員若しくは専門委員は、適格消費者団体の差止請求に係る相手方から、その差止請求権の行使に関し、寄附金、賛助金その他名目のいかんを問わず、金銭その他の財産上の利益を第三者に受けさせてはならない。

(3) It is prohibited for a qualified consumer organization or its officer, employee, or expert advisor to have a third party receive money or any other economic benefit from the adverse party to a claim seeking an injunction filed by the qualified consumer organization, in the form of a contribution or donation or under any other name, in connection with the organization's exercise of the right to seek an injunction.

4 前三項に規定する差止請求に係る相手方からその差止請求権の行使に関して受け又は受けさせてはならない財産上の利益には、その相手方がその差止請求権の行使に関してした不法行為によって生じた損害の賠償として受け又は受けさせる財産上の利益は含まれない。

(4) An economic benefit that a qualified consumer organization is prohibited from receiving or from having a third party receive from the adverse party to a claim seeking an injunction in connection with the organization's exercise of the right to seek an injunction as provided in the preceding three paragraphs does not include an economic benefit that it has received or had a third party receive as compensation for damage caused by a tort committed by the adverse party with respect to which the organization exercised the right to seek an injunction.

5 適格消費者団体は、第一項各号に規定する財産上の利益を受けたときは、これに相当する金額を積み立て、これを差止請求関係業務に要する費用に充てなければならない。

(5) If a qualified consumer organization receives an economic benefit as provided in one of the items of paragraph (1), it must set aside an equivalent amount of money to cover the costs required for the services connected with the right to seek an injunction.

6 適格消費者団体は、その定款において、差止請求関係業務を廃止し、又は第十三条第一項の認定の失効（差止請求関係業務の廃止によるものを除く。）若しくは取消しにより差止請求関係業務を終了した場合において、積立金（前項の規定により積み立てられた金額をいう。）に残余があるときは、その残余に相当する金額を、他の適格消費者団体（第三十五条の規定により差止請求権を承継した適格消費者団体がある場合にあつては、当該適格消費者団体）があるときは当該他の適格消費者団体に、これがないときは第十三条第三項第二号に掲げる要件に適合する消費者団体であつて内閣総理大臣が指定するもの又は国に帰属させる旨を定めておかななければならない。

(6) A qualified consumer organization must establish in its articles of incorporation that if it discontinues its services connected with the right to seek an injunction or stops providing those services due to the expiration (except for due to a discontinuation of services connected with the right to seek

an injunction) or rescission of the certification referred to in Article 13, paragraph (1) while a surplus (meaning an amount set aside pursuant to the preceding paragraph) remains, that surplus belongs to another qualified consumer organization (if a qualified consumer organization has succeeded to the right to seek an injunction pursuant to Article 35, that qualified consumer organization) if there is one, and if not, to a consumer organization that conforms to the requirements set forth in Article 13, paragraph (3), item (ii) and specified by the Prime Minister or to the National Treasury.

(業務の範囲及び区分経理)

(Scope of Services and Separation of Accounting)

第二十九条 適格消費者団体は、その行う差止請求関係業務に支障がない限り、定款の定めるところにより、差止請求関係業務以外の業務を行うことができる。

Article 29 (1) A qualified consumer organization may engage in services other than services connected with the right to seek an injunction in accordance with the articles of incorporation, to the extent that it does not adversely affect services connected with the right to seek an injunction.

2 適格消費者団体は、次に掲げる業務に係る経理をそれぞれ区分して整理しなければならない。

(2) A qualified consumer organization must separately prepare the accounting for the services set forth below:

一 差止請求関係業務

(i) services connected with the right to seek an injunction;

二 不特定かつ多数の消費者の利益の擁護を図るための活動に係る業務（前号に掲げる業務を除く。）

(ii) services involved in its activities to protect the interests of a large, non-exclusive group of consumers (other than services as set forth in the preceding item); and

三 前二号に掲げる業務以外の業務

(iii) services other than those set forth in the preceding items (i) and (ii).

第三款 監督

Subsection 3 Supervision

(帳簿書類の作成及び保存)

(Preparing Books and Documents; Keeping Them on File)

第三十条 適格消費者団体は、内閣府令で定めるところにより、その業務及び経理に関する帳簿書類を作成し、これを保存しなければならない。

Article 30 A qualified consumer organization must prepare books and documents related to its services and accounting and keep them on file pursuant to Cabinet Office Order.

(財務諸表等の作成、備置き、閲覧等及び提出等)

(Preparation, Keeping, Inspection, and Submission of Financial Statements or Records)

第三十一条 適格消費者団体は、毎事業年度終了後三月以内に、その事業年度の財産目録、貸借対照表、収支計算書及び事業報告書（これらの作成に代えて電磁的記録（電子的方式、磁気的方式その他人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であって、電子計算機による情報処理の用に供されるものをいう。以下この条において同じ。）の作成がされている場合における当該電磁的記録を含む。以下「財務諸表等」という。）を作成しなければならない。

Article 31 (1) A qualified consumer organization must prepare an inventory of its property, a balance sheet, an income and expenditure statement, and a business report for the business year (or electronic or magnetic records (meaning records used in computerized data processing which are prepared in electronic form, magnetic form, or any other form that cannot be perceived by the human senses; hereinafter the same applies in this Article), if these are prepared in lieu of written documents (hereinafter referred to as "financial statements or records")), within three months from the last day of every business year.

2 適格消費者団体は、内閣府令で定めるところにより、毎事業年度、その差止請求関係業務その他の業務がこの法律の規定に従い適正に遂行されているかどうかについて、その業務の遂行の状況の調査に必要な学識経験を有する者が行う調査を受けなければならない。

(2) A qualified consumer organization must submit to an inspection by persons with the knowledge and experience necessary to audit its operations every business year, pursuant to Cabinet Office Order, to determine whether the services connected with the right to seek an injunction and other services are being properly performed pursuant to this Act.

3 適格消費者団体の事務所には、内閣府令で定めるところにより、次に掲げる書類を備え置かなければならない。

(3) The following documents must be kept in the office of a qualified consumer organization pursuant to Cabinet Office Order:

一 定款

(i) the articles of incorporation;

二 業務規程

(ii) the rules of operation;

三 役職員等名簿（役員、職員及び専門委員の氏名、役職及び職業その他内閣府令で定める事項を記載した名簿をいう。）

(iii) a roster of officers and employees (including the names, titles and professions of officers, employees, and expert advisors, and other information that Cabinet Office Order prescribes);

四 適格消費者団体の社員について、その数及び個人又は法人その他の団体の別（社員が法人その他の団体である場合にあっては、その構成員の数を含む。）を記載した書類

(iv) a document setting forth the number of members of the qualified consumer organization and whether they are individuals, corporations, or other organizations (including the number of constituent members if members are corporations or other organizations);

五 財務諸表等

(v) financial statements or records;

六 収入の明細その他の資金に関する事項、寄附金に関する事項その他の経理に関する内閣府令で定める事項を記載した書類

(vi) documents setting forth the information on revenue, information on funds and contributions, and other accounting information that Cabinet Office Order prescribes;

七 差止請求関係業務以外の業務を行う場合には、その業務の種類及び概要を記載した書類

(vii) if it engages in services other than services connected with the right to seek an injunction, documents setting forth the type of services and giving a brief description of them; and

八 前項の調査の方法及び結果が記載された調査報告書

(viii) an inspection report that states the methods and results of the inspection referred to in the preceding paragraph.

4 何人も、適格消費者団体の業務時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号に掲げる請求をするには、当該適格消費者団体の定めた費用を支払わなければならない。

(4) Any person may make one of the following requests at any time during the business hours of a qualified consumer organization; provided, however, that when making a request as set forth in item (ii) or (iv), a consumer must pay the fees set forth by the qualified consumer organization:

一 前項各号に掲げる書類が書面をもって作成されているときは、当該書面の閲覧又は謄写の請求

(i) a request to inspect or copy a document set forth in one of the items of the preceding paragraph, if these have been prepared in writing;

二 前号の書面の謄本又は抄本の交付の請求

(ii) a request to be issued a copy or extract of a document referred to in the preceding item;

三 前項各号に掲げる書類が電磁的記録をもって作成されているときは、当該電磁的記録に記録された事項を内閣府令で定める方法により表示したものの閲覧又は謄写の請求

(iii) a request to inspect or copy something that, through the means provided by Cabinet Office Order, has been made to show the information recorded in

a document as set forth in one of the items of the preceding paragraph which has been prepared in the form of an electronic or magnetic record; and

四 前号の電磁的記録に記録された事項を電磁的方法であって内閣府令で定めるものにより提供することの請求又は当該事項を記載した書面の交付の請求

(iv) a request to be provided with the information recorded in an electronic or magnetic record referred to in the preceding item by the electronic or magnetic means that Cabinet Office Order prescribes, or a request to be issued a written document giving that information.

5 適格消費者団体は、前項各号に掲げる請求があったときは、正当な理由がある場合を除き、これを拒むことができない。

(5) A qualified consumer organization may not refuse a request set forth in one of the items of the preceding paragraph except on reasonable grounds.

6 適格消費者団体は、毎事業年度終了後三月以内に、第三項第三号から第六号まで及び第八号に掲げる書類を内閣総理大臣に提出しなければならない。

(6) A qualified consumer organization must submit the documents provided for in paragraph (3), items (iii) through (vi) and (viii) to the Prime Minister within three months from the last day of every business year.

(報告及び立入検査)

(Reporting and On-site Inspections)

第三十二条 内閣総理大臣は、この法律の実施に必要な限度において、適格消費者団体に対し、その業務若しくは経理の状況に関し報告をさせ、又はその職員に、適格消費者団体の事務所に立ち入り、業務の状況若しくは帳簿、書類その他の物件を検査させ、若しくは関係者に質問させることができる。

Article 32 (1) The Prime Minister may have a qualified consumer organization report on its operational and accounting conditions, and may have the relevant officials enter its offices, inspect its operational conditions or books, documents, and other articles, and question the relevant persons, within the limits of what is necessary for implementing this Act.

2 前項の規定により職員が立ち入るときは、その身分を示す証明書を携帯し、関係者に提示しなければならない。

(2) When entering a qualified consumer organization's offices pursuant to the preceding paragraph, an official must carry identification and show this to the relevant persons.

3 第一項に規定する立入検査の権限は、犯罪捜査のために認められたものと解してはならない。

(3) The authority for an on-site inspection provided for in paragraph (1) must not be construed as having been accorded for the purpose of a criminal investigation.

(適合命令及び改善命令)

(Compliance Orders and Improvement Orders)

第三十三条 内閣総理大臣は、適格消費者団体が、第十三条第三項第二号から第七号までに掲げる要件のいずれかに適合しなくなったと認めるときは、当該適格消費者団体に対し、これらの要件に適合するために必要な措置をとるべきことを命ずることができる。

Article 33 (1) On finding that a qualified consumer organization has ceased to meet a requirement set forth in Article 13, paragraph (3), items (ii) through (vii), the Prime Minister may order it to take necessary measures to meet that requirement.

2 内閣総理大臣は、前項に定めるもののほか、適格消費者団体が第十三条第五項第三号から第六号までのいずれかに該当するに至ったと認めるとき、適格消費者団体又はその役員、職員若しくは専門委員が差止請求関係業務の遂行に関しこの法律の規定に違反したと認めるとき、その他適格消費者団体の業務の適正な運営を確保するため必要があると認めるときは、当該適格消費者団体に対し、人的体制の改善、違反の停止、業務規程の変更その他の業務の運営の改善に必要な措置をとるべきことを命ずることができる。

(2) Beyond as prescribed in the preceding paragraph, if the Prime Minister finds that a qualified consumer organization has come to fall under one of Article 13, paragraph (5), items (iii) through (vi); that a qualified consumer organization or its officer, employee, or expert advisor has violated this Act in performing services connected with the right to seek an injunction; or that it is otherwise necessary to do so in order to ensure that a qualified consumer organization provides services properly, the Prime Minister may order the qualified consumer organization to improve its personnel system, stop the violation, modify its rules of operation, or take other measures necessary to improve its operations.

(認定の取消し等)

(Rescinding or Finding That There Were Grounds to Rescind a Certification)

第三十四条 内閣総理大臣は、適格消費者団体について、次のいずれかに掲げる事由があるときは、第十三条第一項の認定を取り消すことができる。

Article 34 (1) The Prime Minister may rescind the certification of a qualified consumer organization as referred to in Article 13, paragraph (1) on the following grounds:

一 偽りその他不正の手段により第十三条第一項の認定、第十七条第二項の有効期間の更新又は第十九条第三項若しくは第二十条第三項の認可を受けたとき。

(i) if it has been certified as referred to in Article 13, paragraph (1), has renewed the term of validity referred to in Article 17, paragraph (2), or has been approved as referred to in Article 19, paragraph (3) or Article 20, paragraph (3) through deception or other wrongful means;

二 第十三条第三項各号に掲げる要件のいずれかに適合しなくなったとき。

- (ii) if it ceases to meet a requirement set forth in one of the items of Article 13, paragraph (3);
- 三 第十三条第五項各号（第二号を除く。）のいずれかに該当するに至ったとき。
- (iii) if it has come to fall under one of the items of Article 13, paragraph (5) (excluding item (ii));
- 四 第十二条の二第一項第二号本文の確定判決等に係る訴訟等の手続に関し、当該訴訟等の当事者である適格消費者団体が、差止請求に係る相手方と通謀して請求の放棄又は不特定かつ多数の消費者の利益を害する内容の和解をしたとき、その他不特定かつ多数の消費者の利益に著しく反する訴訟等の追行を行ったと認められるとき。
- (iv) if a qualified consumer organization that is a party to legal proceedings in which there has been a final judgment or equally binding disposition as referred to in the main clause of Article 12-2, paragraph (1), item (ii), is found to have conspired with the adverse party to the claim seeking an injunction to waive claims or establish a settlement that harms the interests of a large, non-exclusive group of consumers, or has otherwise pursued legal proceedings that are significantly opposed to the interests of a large, non-exclusive group of consumers;
- 五 第十二条の二第一項第二号本文の確定判決等に係る強制執行に必要な手続に関し、当該確定判決等に係る訴訟等の当事者である適格消費者団体がその手続を怠ったことが不特定かつ多数の消費者の利益に著しく反するものと認められるとき。
- (v) if a qualified consumer organization that is a party to legal proceedings on which there is a final judgment or equally binding disposition as referred to in the main clause of Article 12-2, paragraph (1), item (ii), has neglected the necessary procedures for enforcing that judgment or disposition, and this is found to be in significant opposition to the interests of a large, non-exclusive group of consumers;
- 六 前各号に掲げるもののほか、この法律若しくはこの法律に基づく命令の規定又はこれらの規定に基づく処分に違反したとき。
- (vi) if it has violated this Act, an Order based on this Act, or a disposition based on this Act or such an Order, other than as prescribed in one of the preceding items; or
- 七 当該適格消費者団体の役員、職員又は専門委員が第二十八条第二項又は第三項の規定に違反したとき。
- (vii) if its officer, employee, or expert advisor has violated Article 28, paragraph (2) or (3).
- 2 適格消費者団体が、第二十三条第四項の規定に違反して同項の通知又は報告をしないで、差止請求に関し、同項第十号に規定する行為をしたときは、内閣総理大臣は、当該適格消費者団体について前項第四号に掲げる事由があるものとみなすことができる。
- (2) If a qualified consumer organization violates Article 23, paragraph (4) by acting as prescribed in Article 23, paragraph (4), item (x) in connection with a

claim seeking an injunction, without notifying the relevant parties of this and reporting it as referred to in that paragraph, the Prime Minister may deem there to be grounds as provided in paragraph (1), item (iv) with regard to that qualified consumer organization.

3 第十二条の二第一項第二号本文に掲げる場合であつて、当該他の適格消費者団体に係る第十三条第一項の認定が、第二十二條各号に掲げる事由により既に失効し、又は第一項各号に掲げる事由（当該確定判決等に係る訴訟等の手続に関する同項第四号に掲げる事由を除く。）により既に取り消されている場合においては、内閣総理大臣は、当該他の適格消費者団体につき当該確定判決等に係る訴訟等の手続に関し同項第四号に掲げる事由があつたと認められるとき（前項の規定により同号に掲げる事由があるものとみなすことができる場合を含む。）は、当該他の適格消費者団体であつた法人について、その旨の認定をすることができる。

(3) In a case as set forth in the main clause of Article 12-2, paragraph (1), item (ii) if the other qualified consumer organization's Article 13, paragraph (1) certification has already lost effect due to the grounds set forth in one of the items of Article 22, or has already been rescinded due to the grounds set forth in one of the items of paragraph (1) of this Article (other than on the grounds set forth in item (iv) of that paragraph in connection with legal proceedings for which there is a final judgment or equally binding disposition), and the Prime Minister finds that there were grounds as set forth in paragraph (1), item (iv) of this Article as regards that other qualified consumer organization in connection with legal proceedings for which there is a final judgment or equally binding disposition (including if those grounds may be deemed to exist pursuant to paragraph (2)), the Prime Minister may issue a finding that this is the case with regard to the corporation that used to be the other qualified consumer organization.

4 前項に規定する場合における当該他の適格消費者団体であつた法人は、清算が結了した後においても、同項の規定の適用については、なお存続するものとみなす。

(4) The corporation that used to be the other qualified consumer organization provided for in the preceding paragraph is deemed to continue to exist after the conclusion of its liquidation as regards the application of that paragraph.

5 内閣総理大臣は、第一項各号に掲げる事由により第十三条第一項の認定を取り消し、又は第三項の規定により第一項第四号に掲げる事由があつた旨の認定をしたときは、内閣府令で定めるところにより、その旨及びその取消し又は認定をした日を公示するとともに、当該適格消費者団体又は当該他の適格消費者団体であつた法人に対し、その旨を書面により通知するものとする。

(5) Having rescinded a certification as referred to in Article 13, paragraph (1) on the grounds set forth in one of the items of paragraph (1), or having found, pursuant to paragraph (3), that there were grounds as set forth in paragraph (1), item (iv), the Prime Minister is to issue public notice of this and of the date of the rescission or finding pursuant to Cabinet Office Order, and must notify

the qualified consumer organization or the corporation that used to be the other qualified consumer organization of this in writing.

(差止請求権の承継に係る指定等)

(Designation Pertaining to Succession to the Right to Seek an Injunction)

第三十五条 適格消費者団体について、第十二条の二第一項第二号本文の確定判決等で強制執行をすることができるものが存する場合において、第十三条第一項の認定が、第二十二條各号に掲げる事由により失効し、若しくは前条第一項各号に掲げる事由により取り消されるとき、又はこれらの事由により既に失効し、若しくは既に取り消されているときは、内閣総理大臣は、当該適格消費者団体の有する当該差止請求権を承継すべき適格消費者団体として他の適格消費者団体を指定するものとする。

Article 35 (1) If a qualified consumer organization's Article 13, paragraph (1) certification will lose or has already lost effect due to grounds set forth in one of the items of Article 22, or will be or already has been rescinded due to grounds set forth in one of the items of paragraph (1) of the preceding Article, while there is an outstanding and still enforceable final judgment or equally binding disposition as referred to in the main clause of Article 12-2, paragraph (1), item (ii), the Prime Minister is to designate another qualified consumer organization to succeed to the underlying right to seek an injunction held thereby.

2 前項の規定による指定がされたときは、同項の差止請求権は、その指定の時ににおいて（その認定の失効又は取消しの後にその指定がされた場合にあつては、その認定の失効又は取消しの時にさかのぼって）その指定を受けた適格消費者団体が承継する。

(2) When a designation under the preceding paragraph has been made, the qualified consumer organization that has been designated succeeds to the right to seek an injunction referred to in that paragraph at the time of the designation (if the designation is made after the loss of effect or rescission of a certification, retroactively from the time of its loss of effect or rescission).

3 前項の場合において、同項の規定により当該差止請求権を承継した適格消費者団体が当該差止請求権に基づく差止請求をするときは、第十二条の二第一項第二号本文の規定は、当該差止請求については、適用しない。

(3) In the case referred to in the preceding paragraph, if a qualified consumer organization succeeding to the right to seek an injunction files a claim seeking an injunction based on that right, the main clause of Article 12-2, paragraph (1), item (ii) does not apply to that claim.

4 内閣総理大臣は、次のいずれかに掲げる事由が生じたときは、第一項、第六項又は第七項の規定による指定を受けた適格消費者団体（以下この項から第七項までにおいて「指定適格消費者団体」という。）に係る指定を取り消さなければならない。

(4) The Prime Minister must rescind the designation of a qualified consumer organization that has been designated as under paragraph (1), paragraph (6), or paragraph (7) (hereinafter referred to as a "designated qualified consumer

organization" from this paragraph through paragraph (7)) if one of the following grounds arises:

一 指定適格消費者団体について、第十三条第一項の認定が、第二十二條各号に掲げる事由により失効し、若しくは既に失効し、又は前条第一項各号に掲げる事由により取り消されるとき。

(i) the designated qualified consumer organization's Article 13, paragraph (1) certification will lose or has already lost effect due to grounds set forth in one of the items of Article 22, or its certification will be rescinded due to grounds set forth in one of the items of Article 34, paragraph (1); or

二 指定適格消費者団体が承継した差止請求権をその指定前に有していた者（以下この条において「従前の適格消費者団体」という。）のうち当該確定判決等の当事者であったものについて、第十三条第一項の認定の取消処分、同項の認定の有効期間の更新拒否処分若しくは合併若しくは事業の全部の譲渡の不認可処分（以下この条において「認定取消処分等」という。）が取り消され、又は認定取消処分等の取消し若しくはその無効若しくは不存在の確認の判決（次項第二号において「取消判決等」という。）が確定したとき。

(ii) a disposition rescinding an Article 13, paragraph (1) certification, a disposition denying renewal of the term of validity of the certification referred to in that paragraph, or a disposition denying approval for a merger or for the transfer of all business (hereinafter referred to as "disposition resulting in loss of certification" in this Article) is rescinded, or a judgment rescinding, invalidating, or declaring the non-existence of a disposition resulting in loss of certification (hereinafter referred to as a "judgement negating" such a disposition in item (ii) of the following paragraph) becomes final and binding as regards the party to the relevant final judgment or equally binding disposition that held the right to seek an injunction before the designated qualified consumer organization that succeeded to that right was designated (hereinafter referred to as the "former qualified consumer organization" in this Article).

5 内閣総理大臣は、次のいずれかに掲げる事由が生じたときは、指定適格消費者団体に係る指定を取り消すことができる。

(5) The Prime Minister may rescind the designation of a designated qualified consumer organization if one of the following grounds arises:

一 指定適格消費者団体が承継した差止請求権に係る強制執行に必要な手続に関し、当該指定適格消費者団体がその手続を怠ったことが不特定かつ多数の消費者の利益に著しく反するものと認められるとき。

(i) the designated qualified consumer organization has neglected the necessary procedures for enforcing the right to seek an injunction to which it has succeeded, and this is found to be in significant opposition to the interests of a large, non-exclusive group of consumers; or

二 従前の適格消費者団体のうち指定適格消費者団体であったもの（当該確定判決等

の当事者であったものを除く。) について、前項第一号の規定による指定の取消しの事由となった認定取消処分等が取り消され、若しくはその認定取消処分等の取消判決等が確定したとき、又は前号の規定による指定の取消処分が取り消され、若しくはその取消処分の取消判決等が確定したとき。

(ii) as regards a former qualified consumer organization that was a designated qualified consumer organization (other than the one that was a party to the relevant final judgment or equally binding disposition), the disposition resulting in loss of certification that served as the grounds for the rescission of its designation under item (i) of the preceding paragraph is itself rescinded; a judgment negating such a disposition becomes final and binding; a disposition rescinding its designation under the preceding item is itself rescinded; or a judgment negating such a disposition becomes final and binding.

6 内閣総理大臣は、第四項第一号又は前項第一号に掲げる事由により指定適格消費者団体に係る指定を取り消し、又は既に取り消しているときは、当該指定適格消費者団体の承継していた差止請求権を承継すべき適格消費者団体として他の適格消費者団体を新たに指定するものとする。

(6) If the Prime Minister will rescind or has already rescinded the designation of a designated qualified consumer organization due to grounds set forth in paragraph (4), item (i) or in item (i) of the preceding paragraph, the Prime Minister is to designate another qualified consumer organization to succeed to the right to seek an injunction to which the designated qualified consumer organization whose designation is subject to the rescission has succeeded.

7 内閣総理大臣は、第四項第二号又は第五項第二号に掲げる事由により指定適格消費者団体に係る指定を取り消すときは、当該指定適格消費者団体の承継していた差止請求権を承継すべき適格消費者団体として当該従前の適格消費者団体を新たに指定するものとする。

(7) If the Prime Minister rescinds the designation of a designated qualified consumer organization due to grounds set forth in paragraph (4), item (ii) or paragraph (5), item (ii), the Prime Minister is to designate the former qualified consumer organization to succeed to the right to seek an injunction to which the qualified consumer organization whose designation is subject to the rescission has succeeded.

8 前二項の規定による新たな指定がされたときは、前二項の差止請求権は、その新たな指定の時において（従前の指定の取消し後に新たな指定がされた場合にあつては、従前の指定の取消しの時（従前の適格消費者団体に係る第十三条第一項の認定の失効後に従前の指定の取消し及び新たな指定がされた場合にあつては、その認定の失効の時）にさかのぼって）その新たな指定を受けた適格消費者団体が承継する。

(8) Once a new designation under the preceding two paragraphs is made, the right to seek an injunction referred to in the preceding two paragraphs is succeeded to by the newly designated qualified consumer organization at the

time of the new designation (if the new designation has been made after the rescission of a former designation, the succession is retroactive to the time that the former designation was rescinded (if a former designation was rescinded and a new designation was made after the loss of effect of a former qualified consumer organization's Article 13, paragraph (1) certification, the succession is retroactive to the time that the certification lost effect)).

9 第三項の規定は、前項の場合において、同項の規定により当該差止請求権を承継した適格消費者団体が当該差止請求権に基づく差止請求をするときについて準用する。

(9) The provisions of paragraph (3) apply mutatis mutandis if, in a case as referred to in the preceding paragraph, the qualified consumer organization succeeding to the right to seek an injunction pursuant to the preceding paragraph files a claim seeking an injunction based on that right.

10 内閣総理大臣は、第一項、第六項又は第七項の規定による指定をしたときは、内閣府令で定めるところにより、その旨及びその指定の日を公示するとともに、その指定を受けた適格消費者団体に対し、その旨を書面により通知するものとする。第四項又は第五項の規定により当該指定を取り消したときも、同様とする。

(10) Having made a designation under paragraph (1), (6), or (7), the Prime Minister, pursuant to Cabinet Office Order, must issue public notice of this and of the date of the designation, and must notify the designated qualified consumer organization of this in writing. The same applies if the Prime Minister rescinds such a designation pursuant to paragraph (4) or (5).

第四款 補則

Subsection 4 Auxiliary Provisions

(規律)

(Discipline)

第三十六条 適格消費者団体は、これを政党又は政治的目的のために利用してはならない。

Article 36 A qualified consumer organization may not be utilized for the benefit of a political party or for a political purpose.

(官公庁等への協力依頼)

(Requests for the Cooperation of Public Offices)

第三十七条 内閣総理大臣は、この法律の実施のため必要があると認めるときは、官庁、公共団体その他の者に照会し、又は協力を求めることができる。

Article 37 On finding it to be necessary to do so in order for this Act to be implemented, the Prime Minister may contact government agencies, other public entities, and other persons and request their cooperation.

(内閣総理大臣への意見)

(Expressing an Opinion to the Prime Minister)

第三十八条 次の各号に掲げる者は、適格消費者団体についてそれぞれ当該各号に定める事由があると疑うに足りる相当な理由があるため、内閣総理大臣が当該適格消費者団体に対して適当な措置をとることが必要であると認める場合には、内閣総理大臣に対し、その旨の意見を述べることができる。

Article 38 If one of the following persons finds that, because there is sufficient reason to suspect that there are grounds as prescribed in the relevant of the following items with regard to a qualified consumer organization, it is necessary for the Prime Minister to take proper measures against that qualified consumer organization, the person may express to the Prime Minister the opinion that this is the case:

一 経済産業大臣 第十三条第三項第二号に掲げる要件に適合しない事由又は第三十四条第一項第四号に掲げる事由

(i) the Minister of Economy, Trade and Industry: the grounds that it does not meet the requirements set forth in Article 13, paragraph (3), item (ii) or the grounds set forth in Article 34, paragraph (1), item (iv); and

二 警察庁長官 第十三条第五項第三号、第四号又は第六号ハに該当する事由

(ii) the Director-General of the National Police Agency: grounds that fall under Article 13, paragraph (5), item (iii), item (iv), or item (vi)(c).

(判決等に関する情報の公表)

(Disclosure of Information on Judgments)

第三十九条 内閣総理大臣は、消費者の被害の防止及び救済に資するため、適格消費者団体から第二十三条第四項第四号から第九号まで及び第十一号の規定による報告を受けたときは、インターネットの利用その他適切な方法により、速やかに、差止請求に係る判決（確定判決と同一の効力を有するもの及び仮処分命令の申立てについての決定を含む。）又は裁判外の和解の概要、当該適格消費者団体の名称及び当該差止請求に係る相手方の氏名又は名称その他内閣府令で定める事項を公表するものとする。

Article 39 (1) In order to contribute to preventing and remedying harm to consumers, upon receipt of a report under Article 23, paragraph (4), items (iv) through (ix) and item (xi) from a qualified consumer organization, the Prime Minister is to immediately make public any judgment connected with a claim seeking an injunction (including anything with the same effect as a final and binding judgment and any decision on a petition for a provisional disposition order), a summary of any extra-judicial settlement, the name of the qualified consumer organization in question, the name of the adverse party to the claim seeking an injunction, and other information that Cabinet Office Order prescribes, via the Internet or by other appropriate means.

2 前項に規定する事項のほか、内閣総理大臣は、差止請求関係業務に関する情報を広く国民に提供するため、インターネットの利用その他適切な方法により、適格消費者団体の名称及び住所並びに差止請求関係業務を行う事務所の所在地その他内閣府令で

定める必要な情報を公表することができる。

(2) Beyond the information provided for in the preceding paragraph, the Prime Minister may make public the name and the address of another qualified consumer organization, the location of the office at which it provides services connected with the right to seek an injunction, or any other necessary information that Cabinet Office Order prescribes, via the Internet or by other appropriate means, in order to disseminate information about services connected with the right to seek an injunction to the people at large.

3 内閣総理大臣は、独立行政法人国民生活センターに、前二項の情報の公表に関する業務を行わせることができる。

(3) The Prime Minister may have the National Consumer Affairs Center of Japan (IAA) provide services related to publication of the information prescribed in the preceding paragraphs (1) and (2).

(適格消費者団体への協力等)

(Cooperation with a Qualified Consumer Organization)

第四十条 独立行政法人国民生活センター及び地方公共団体は、内閣府令で定めるところにより、適格消費者団体の求めに応じ、当該適格消費者団体が差止請求権を適切に行使するために必要な限度において、当該適格消費者団体に対し、消費生活相談に関する情報で内閣府令で定めるものを提供することができる。

Article 40 (1) At the request of a qualified consumer organization and pursuant to Cabinet Office Order, the National Consumer Affairs Center of Japan (IAA) and local public entities may provide that qualified consumer organization with the information related to consumer affairs consultations that Cabinet Office Order prescribes, to the extent necessary to enable the qualified consumer organization to properly exercise its right to seek an injunction.

2 前項の規定により情報の提供を受けた適格消費者団体は、当該情報を当該差止請求権の適切な行使の用に供する目的以外の目的のために利用し、又は提供してはならない。

(2) A qualified consumer organization that receives information prescribed in the preceding paragraph may not use or offer that information for any purpose other than to properly exercise its right to seek an injunction.

第三節 訴訟手続等の特例

Section 3 Special Provisions on Court Proceedings

(書面による事前の請求)

(Prior Written Notice of Claims)

第四十一条 適格消費者団体は、差止請求に係る訴えを提起しようとするときは、その訴えの被告となるべき者に対し、あらかじめ、請求の要旨及び紛争の要点その他の内閣府令で定める事項を記載した書面により差止請求をし、かつ、その到達した時から

一週間を経過した後でなければ、その訴えを提起することができない。ただし、当該被告となるべき者がその差止請求を拒んだときは、この限りでない。

Article 41 (1) Before filing suit on a claim seeking an injunction, a qualified consumer organization first directs a written claim seeking an injunction detailing the substance of the claim, the points of the dispute, and any other information that Cabinet Office Order prescribes to the person that would become the defendant in the suit, and may not bring suit until after one week has passed from the time that the written claim has been received; provided, however, that this does not apply if the would-be defendant refuses to accept the claim seeking an injunction.

2 前項の請求は、その請求が通常到達すべきであった時に、到達したものとみなす。

(2) A claim as referred to in the preceding paragraph is deemed to arrive at the time that it ordinarily would arrive.

3 前二項の規定は、差止請求に係る仮処分命令の申立てについて準用する。

(3) The provisions of the preceding two paragraphs apply mutatis mutandis to a petition for a provisional disposition order in connection with a claim seeking an injunction.

(訴訟の目的の価額)

(Value of the Object of a Lawsuit)

第四十二条 差止請求に係る訴えは、訴訟の目的の価額の算定については、財産権上の請求でない請求に係る訴えとみなす。

Article 42 For the purpose of calculating the value of the object of a lawsuit, a suit involving a claim seeking an injunction is deemed to be a suit involving a claim that is not a property rights claim.

(管轄)

(Jurisdiction)

第四十三条 差止請求に係る訴訟については、民事訴訟法第五条（第五号に係る部分を除く。）の規定は、適用しない。

Article 43 (1) Article 5 of the Code of Civil Procedure (other than as it pertains to item (v)) does not apply to a lawsuit involving a claim seeking an injunction.

2 次の各号に掲げる規定による差止請求に係る訴えは、当該各号に定める行為があった地を管轄する裁判所にも提起することができる。

(2) A suit involving a claim seeking an injunction as under the provisions set forth in one of the following items may also be filed with the court with jurisdiction over the locality in which the person in question engages in the action prescribed in that item:

一 第十二条 同条に規定する事業者等の行為

(i) a claim seeking an injunction under Article 12: the actions of a trader, entrusted party, or agent as prescribed in that Article;

二 不当景品類及び不当表示防止法第十条 同条に規定する事業者の行為

(ii) a claim seeking an injunction under Article 10 of the Act against

Unjustifiable Premiums and Misleading Representations: the actions of a trader as prescribed in that Article; and

三 特定商取引に関する法律第五十八条の四から第五十八条の九まで これらの規定に規定する当該差止請求に係る相手方である販売業者、役務提供事業者、統括者、勧誘者、一般連鎖販売業者、関連商品の販売を行う者又は業務提供誘引販売業を行う者（同法第五十八条の七第二項の規定による差止請求に係る訴えにあっては、勧誘者）の行為

(iii) a claim seeking an injunction under Articles 58-4 through 58-9 of the Act on Specified Commercial Transactions: the actions of a seller, service provider, supervisor, person making the solicitation, general multilevel marketing distributor, seller of related goods, or person engaging in business opportunity sales (or the person making the solicitation, in the case of a suit involving a claim seeking an injunction under Article 58-7, paragraph (2) of the Act on Specified Commercial Transactions) that is the adverse party to the claim seeking an injunction prescribed in the relevant Article.

(移送)

(Transfer)

第四十四条 裁判所は、差止請求に係る訴えが提起された場合であって、他の裁判所に同一又は同種の行為の差止請求に係る訴訟が係属している場合においては、当事者の住所又は所在地、尋問を受けるべき証人の住所、争点又は証拠の共通性その他の事情を考慮して、相当と認めるときは、申立てにより又は職権で、当該訴えに係る訴訟の全部又は一部について、当該他の裁判所又は他の管轄裁判所に移送することができる。

Article 44 If suit has been filed on a claim seeking an injunction in one court, but a lawsuit involving a claim seeking an injunction against the same or a similar action is pending before another court, the court, upon finding it to be reasonable to do so, may transfer the lawsuit in whole or in part to that other court or to another competent court having jurisdiction, in consideration of the addresses or locations of the relevant parties, the addresses of witnesses to be examined, the similarity of issues or evidence, or other circumstances, upon petition or by its own authority.

(弁論等の併合)

(Consolidation of Oral Arguments)

第四十五条 請求の内容及び相手方が同一である差止請求に係る訴訟が同一の第一審裁判所又は控訴裁判所に数個同時に係属するときは、その弁論及び裁判は、併合してしなければならない。ただし、審理の状況その他の事情を考慮して、他の差止請求に係る訴訟と弁論及び裁判を併合してすることが著しく不相当であると認めるときは、この限りでない。

Article 45 (1) If multiple lawsuits involving claims seeking injunctions are pending concurrently in the same court of the first or second instance with the same claims and against the same adverse party, the oral arguments and judicial decisions must be consolidated; provided, however, that this does not apply if consolidating oral arguments and judicial decisions is found to be extremely unreasonable in light of the progress of the proceedings or other circumstances.

2 前項本文に規定する場合には、当事者は、その旨を裁判所に申し出なければならない。

(2) In a case as prescribed in the preceding paragraph, a party must file a petition with the court to that effect.

(訴訟手続の中止)

(Suspension of Court Proceedings)

第四十六条 内閣総理大臣は、現に係属する差止請求に係る訴訟につき既に他の適格消費者団体を当事者とする第十二条の二第一項第二号本文の確定判決等が存する場合において、当該他の適格消費者団体につき当該確定判決等に係る訴訟等の手続に関し第三十四条第一項第四号に掲げる事由があると疑うに足りる相当な理由がある場合（同条第二項の規定により同号に掲げる事由があるものとみなすことができる場合を含む。）であって、同条第一項の規定による第十三条第一項の認定の取消し又は第三十四条第三項の規定による認定（次項において「認定の取消し等」という。）をするかどうかの判断をするため相当の期間を要すると認めるときは、内閣府令で定めるところにより、当該差止請求に係る訴訟に係属する裁判所（以下この条において「受訴裁判所」という。）に対し、その旨及びその判断に要すると認められる期間を通知するものとする。

Article 46 (1) If, in connection with a pending lawsuit involving a claim seeking an injunction, there has already been a final judgment or equally binding disposition as under the main clause of Article 12-2, paragraph (1), item (ii) to which another qualified consumer organization was a party, and there is sufficient reason to suspect that there are grounds as set forth in Article 34, paragraph (1), item (iv) as regards the other qualified consumer organization in connection with the legal proceedings that are subject to that final judgment or equally binding disposition (including if grounds as set forth in Article 34, paragraph (1), item (iv) may be deemed to exist pursuant to Article 34, paragraph (2)), and the Prime Minister finds that a considerable period of time will be required to determine whether to rescind an Article 13, paragraph (1) certification pursuant to Article 34, paragraph (1) or to determine whether to reach a finding under Article 34, paragraph (3) (hereinafter referred to as "rescinding or finding that there were grounds to rescind a certification" in the following paragraph), the Prime Minister is to notify the court before which the lawsuit involving the claim seeking an injunction is pending (hereinafter

referred to as "the court hearing the case" in this Article) of this and of the period of time expected to be required to determine this, pursuant to Cabinet Office Order.

2 内閣総理大臣は、前項の規定による通知をした場合には、その通知に係る期間内に、認定の取消し等をするかどうかの判断をし、その結果を受訴裁判所に通知するものとする。

(2) Having notified the court as under the preceding paragraph, the Prime Minister is to determine whether to rescind or find that there were grounds to rescind the certification within the period stated in the notice, and is to notify the court hearing the case of the results.

3 第一項の規定による通知があった場合において、必要があると認めるときは、受訴裁判所は、その通知に係る期間を経過する日まで（その期間を経過する前に前項の規定による通知を受けたときは、その通知を受けた日まで）、訴訟手続を中止することができる。

(3) Upon receipt of a notice under paragraph (1), the court hearing the case may suspend the court proceedings until the period stated in the notice has passed (or until it is notified as prescribed in the preceding paragraph, if this occurs before the end of that period), if it finds this to be necessary.

(間接強制の支払額の算定)

(Calculating Amounts of Money for Indirect Enforcement)

第四十七条 差止請求権について民事執行法第七十二条第一項に規定する方法により強制執行を行う場合において、同項又は同条第二項の規定により債務者が債権者に支払うべき金銭の額を定めるに当たっては、執行裁判所は、債務不履行により不特定かつ多数の消費者が受けるべき不利益を特に考慮しなければならない。

Article 47 If enforcement will be carried out in connection with the right to seek an injunction by the means provided in Article 172, paragraph (1) of the Civil Execution Act, in determining the amount of money that an obligor should pay an obligee pursuant to Article 172, paragraph (1) or (2) of that Article, the court of execution must specifically consider the loss that the large, non-exclusive group of consumers would incur in the event of non-performance.

第四章 雑則

Chapter IV Miscellaneous Provisions

(適用除外)

(Exclusion from Application)

第四十八条 この法律の規定は、労働契約については、適用しない。

Article 48 This Act does not apply to labor contracts.

(権限の委任)

(Delegation of Authority)

第四十八条の二 内閣総理大臣は、前章の規定による権限（政令で定めるものを除く。）を消費者庁長官に委任する。

Article 48-2 The Prime Minister delegates the authority under the preceding Chapter (other than what is prescribed by Cabinet Order) to the Secretary General of the Consumer Affairs Agency.

第五章 罰則

Chapter V Penal Provisions

第四十九条 適格消費者団体の役員、職員又は専門委員が、適格消費者団体の差止請求に係る相手方から、寄附金、賛助金その他名目のいかんを問わず、当該適格消費者団体においてその差止請求権の行使をしないこと若しくはしなかったこと、その差止請求権の放棄をすること若しくはしたこと、その相手方との間でその差止請求に係る和解をすること若しくはしたこと又はその差止請求に係る訴訟その他の手続を他の事由により終了させること若しくは終了させたことの報酬として、金銭その他の財産上の利益を受け、又は第三者（当該適格消費者団体を含む。）に受けさせたときは、三年以下の懲役又は三百万円以下の罰金に処する。

Article 49 (1) If a qualified consumer organization's officer, employee, or expert advisor receives or has a third party (including the qualified consumer organization) receive money or any other economic benefit, in the form of a contribution or donation or under any other name, from a person against which a claim seeking an injunction has been filed by the qualified consumer organization as consideration for not exercising or not having exercised the right to seek an injunction, for waiving or having waived the right to seek an injunction, for entering or having entered into a settlement with an adverse party in connection with a claim seeking an injunction, or for terminating or having terminated court proceedings or other proceedings involving a claim seeking an injunction on other grounds, that officer, employee, or expert advisor is subject to imprisonment for not more than 3 years or to a fine of not more than three million yen.

2 前項の利益を供与した者も、同項と同様とする。

(2) The preceding paragraph also applies to a person providing the benefit referred to in that paragraph.

3 第一項の場合において、犯人又は情を知った第三者が受けた財産上の利益は、没収する。その全部又は一部を没収することができないときは、その価額を追徴する。

(3) In a case as referred to in paragraph (1), the economic benefit received by the offender or by a third party with knowledge of the circumstances is confiscated. If all or part of the economic benefit itself cannot be confiscated, the offender is subject to the collection of a sum of money equivalent to its value.

4 第一項の罪は、日本国外においてこれらの罪を犯した者にも適用する。

(4) Provisions on the crimes referred to in paragraph (1) also apply to a person committing a crime as referred to in that paragraph outside Japan.

5 第二項の罪は、刑法（明治四十年法律第四十五号）第二条の例に従う。

(5) The crime referred to in paragraph (2) is governed by Article 2 of the Penal Code (Act No. 45 of 1907).

第五十条 次のいずれかに該当する者は、百万円以下の罰金に処する。

Article 50 A person falling under either of the following items is subject to a fine of not more than one million yen:

一 偽りその他不正の手段により第十三条第一項の認定、第十七条第二項の有効期間の更新又は第十九条第三項若しくは第二十条第三項の認可を受けた者

(i) a person that has been certified as referred to in Article 13, paragraph (1), has renewed the term of validity as referred to in Article 17, paragraph (2), or has been approved as referred to in Article 19, paragraph (3) or Article 20, paragraph (3) through deception or other wrongful means; and

二 第二十五条の規定に違反して、差止請求関係業務に関して知り得た秘密を漏らした者

(ii) a person that has disclosed confidential information obtained during the course of providing services connected with the right to seek an injunction, in violation of Article 25.

第五十一条 次のいずれかに該当する者は、五十万円以下の罰金に処する。

Article 51 A person falling under one of the following items is subject to a fine of not more than five hundred thousand yen:

一 第十四条第一項（第十七条第六項、第十九条第六項及び第二十条第六項において準用する場合を含む。）の申請書又は第十四条第二項各号（第十七条第六項、第十九条第六項及び第二十条第六項において準用する場合を含む。）に掲げる書類に虚偽の記載をして提出した者

(i) a person that has included false information in a written application as provided in Article 14, paragraph (1) (including as applied mutatis mutandis to Article 17, paragraph (6); Article 19, paragraph (6); and Article 20, paragraph (6)), or a document set forth in the items under Article 14, paragraph (2) (including as applied mutatis mutandis to Article 17, paragraph (6); Article 19, paragraph (6); and Article 20, paragraph (6)) and submitted it;

二 第十六条第三項の規定に違反して、適格消費者団体であると誤認されるおそれのある文字をその名称中に用い、又はその業務に関し、適格消費者団体であると誤認されるおそれのある表示をした者

(ii) a person using letters or characters in its name that are likely to cause it to be mistaken for a qualified consumer organization, or giving an indication in connection with its operations that is likely to cause it to be mistaken for a

- qualified consumer organization, in violation of Article 16, paragraph (3);
- 三 第三十条の規定に違反して、帳簿書類の作成若しくは保存をせず、又は虚偽の帳簿書類の作成をした者
- (iii) a person failing to prepare or keep on file books and documents or preparing false books and documents, in violation of Article 30; and
- 四 第三十二条第一項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避し、若しくは同項の規定による質問に対して陳述をせず、若しくは虚偽の陳述をした者
- (iv) a person failing to report or falsely reporting under Article 32, paragraph (1); a person refusing, hindering, or evading an inspection under that paragraph; or a person failing to give a statement or giving a false statement when questioned as under that paragraph.

第五十二条 法人（法人でない団体で代表者又は管理人の定めのあるものを含む。以下この項において同じ。）の代表者若しくは管理人又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関して、前三条の違反行為をしたときは、行為者を罰するほか、その法人又は人に対しても、各本条の罰金刑を科する。

Article 52 (1) If the representative or administrator of a corporation (including an organization that is not a corporation but for which a representative or administrator has been established; hereinafter the same applies in this paragraph), or the agent, worker, or other employee of a corporation or an individual violates one of the preceding three Articles in connection with the services of the corporation or individual, beyond the violator being subject to punishment, the corporation or individual is subject to the fine prescribed in the relevant Article.

2 法人でない団体について前項の規定の適用がある場合には、その代表者又は管理人が、その訴訟行為につき法人でない団体を代表するほか、法人を被告人又は被疑者とする場合の刑事訴訟に関する法律の規定を準用する。

(2) If the preceding paragraph is applied to an organization that is not a corporation, its representative or administrator represents it with respect to procedural acts, and laws governing criminal proceedings that have a corporation as the defendant or the accused apply mutatis mutandis.

第五十三条 次のいずれかに該当する者は、三十万円以下の過料に処する。

Article 53 A person falling under one of the following items is subject to a civil fine of not more than three hundred thousand yen:

- 一 第十六条第二項の規定による掲示をせず、又は虚偽の掲示をした者
- (i) a person failing to post or falsely posting a notice under Article 16, paragraph (2);
- 二 第十八条、第十九条第二項若しくは第七項、第二十条第二項若しくは第七項又は第二十一条第一項の規定による届出をせず、又は虚偽の届出をした者

- (ii) a person failing to file or falsely filing a notification under Article 18; Article 19, paragraph (2) or (7); Article 20, paragraph (2) or (7); Article 21, paragraph (1);
- 三 第二十三条第四項前段の規定による通知若しくは報告をせず、又は虚偽の通知若しくは報告をした者
- (iii) a person failing to notify the relevant person, failing to make a report, falsely notifying the relevant person, or falsely making a report as under Article 23, paragraph (4);
- 四 第二十四条の規定に違反して、消費者の被害に関する情報を利用した者
- (iv) a person using information concerning the harm suffered by a consumer in violation of Article 24;
- 五 第二十六条の規定に違反して、同条の請求を拒んだ者
- (v) a person refusing a request as referred to in Article 26 in violation of that Article;
- 六 第三十一条第一項の規定に違反して、財務諸表等を作成せず、又はこれに記載し、若しくは記録すべき事項を記載せず、若しくは記録せず、若しくは虚偽の記載若しくは記録をした者
- (vi) a person that, in violation of Article 31, paragraph (1), fails to prepare financial statements or records, fails to include or record the required information in its financial statements or records, or includes or records false information in its financial statements or records;
- 七 第三十一条第二項の規定による調査を拒み、妨げ、若しくは忌避し、又は同項の規定による調査において説明をせず、若しくは虚偽の説明をした者
- (vii) a person refusing, hindering, or evading an inspection under Article 31, paragraph (2), or a person failing to give an explanation or giving a false explanation during an inspection under that paragraph;
- 八 第三十一条第三項の規定に違反して、書類を備え置かなかった者
- (viii) a person failing to keep documents in violation of Article 31, paragraph (3);
- 九 第三十一条第五項の規定に違反して、正当な理由がないのに同条第四項各号に掲げる請求を拒んだ者
- (ix) a person refusing a request set forth in one of the items of Article 31, paragraph (4) without reasonable grounds for doing so, in violation of paragraph (5) of that Article;
- 十 第三十一条第六項の規定に違反して、書類を提出せず、又は書類に虚偽の記載若しくは記録をして提出した者
- (x) a person failing to submit a document or including or recording false information in a document and submitting it, in violation of Article 31, paragraph (6); and
- 十一 第四十条第二項の規定に違反して、情報を同項に定める目的以外の目的のために利用し、又は提供した者

- (xi) a person using or providing information for a purpose other than as prescribed in Article 40, paragraph (2), in violation of that paragraph.

附 則

Supplementary Provisions

この法律は、平成十三年四月一日から施行し、この法律の施行後に締結された消費者契約について適用する。

This Act comes into effect on April 1, 2001 and applies to consumer contracts concluded thereafter.

附 則 〔平成十八年六月二日法律第五十号〕 〔抄〕

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

(施行期日)

(Effective Date)

1 この法律は、一般社団・財団法人法の施行の日から施行する。

(1) This Act comes into effect on the date that the Act on General Incorporated Associations and General Incorporated Foundations comes into effect.

(調整規定)

(Adjustment Provisions)

2 犯罪の国際化及び組織化並びに情報処理の高度化に対処するための刑法等の一部を改正する法律（平成十八年法律第 号）の施行の日が施行日後となる場合には、施行日から同法の施行の日の前日までの間における組織的な犯罪の処罰及び犯罪収益の規制等に関する法律（平成十一年法律第百三十六号。次項において「組織的犯罪処罰法」という。）別表第六十二号の規定の適用については、同号中「中間法人法（平成十三年法律第四十九号）第百五十七条（理事等の特別背任）の罪」とあるのは、「一般社団法人及び一般財団法人に関する法律（平成十八年法律第四十八号）第三百三十四条（理事等の特別背任）の罪」とする。

(2) If the date on which the Act Partially Amending the Penal Code and Other Acts in Order to Better Address Transnational Organized Crime and the Increased Sophistication of Information Processing (Act No. XXX of 2006) comes into effect falls after the date on which this Act comes into effect, to apply item (lxii) of the Appended Table of the Act on Punishment of Organized Crime, and Regulation of Criminal Proceeds (Act No. 136 of 1999; referred to as the "Organized Crime Punishment Act" in the next paragraph) during the period from the date on which this Act comes into effect until the day before the date on which the Act Partially Amending the Penal Code and Other Acts in Order to Better Address Transnational Organized Crime and the Increased Sophistication of Information Processing comes into effect, the term "crime

under Article 157 of the Intermediate Corporation Act (Act No. 49 of 2001) (Director's Breach of the Special Duty of Loyalty)" in item (lxii) is deemed to be replaced with "crime under Article 334 of the General Incorporated Associations and General Incorporated Foundations Act (Act No. 48 of 2006) (Director's Breach of the Special Duty of Loyalty)".

- 3 前項に規定するもののほか、同項の場合において、犯罪の国際化及び組織化並びに情報処理の高度化に対処するための刑法等の一部を改正する法律の施行の日の前日までの間における組織的犯罪処罰法の規定の適用については、第四百五十七条の規定によりなお従前の例によることとされている場合における旧中間法人法第百五十七条（理事等の特別背任）の罪は、組織的犯罪処罰法別表第六十二号に掲げる罪とみなす。

- (3) Beyond as prescribed in the preceding paragraph, to apply the Organized Crime Punishment Act up until the day before the date on which the Act Partially Amending the Penal Code and Other Acts in Order to Better Address Transnational Organized Crime and the Increased Sophistication of Information Processing comes into effect in the case referred to in that paragraph, if prior laws continue to govern pursuant to Article 457, the crime referred to in Article 157 of the Former Intermediate Corporation Act (Director's Breach of the Special Duty of Loyalty) is deemed to be the crime set forth in item (lxii) of the Appended Table of the Organized Crime Punishment Act.

附 則 〔平成十八年六月七日法律第五十六号〕

Supplementary Provisions [Act No. 56 of June 7, 2006]

(施行期日)

(Effective Date)

- 1 この法律は、公布の日から起算して一年を経過した日から施行する。
- (1) This Act comes into effect on the day after the end of the one year period following the date of its promulgation.

(検討)

(Review)

- 2 政府は、消費者の被害の状況、消費者の利益の擁護を図るための諸施策の実施の状況その他社会経済情勢の変化を勘案しつつ、この法律による改正後の消費者契約法の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。
- (2) The government is to review the extent to which the Consumer Contract Act as amended by this Act is in effect, taking into consideration actual harm to consumers, the implementation status of the various measures taken to protect the interests of consumers, and other social and economic changes, and is to take the appropriate measures based on the results of its review, if it finds this

to be necessary.

附 則 〔平成二十年五月二日法律第二十九号〕
Supplementary Provisions [Act No. 29 of May 2, 2008]

(施行期日)

(Effective Date)

- 1 この法律は、平成二十一年四月一日から施行する。ただし、第二条及び第四条の規定は、特定商取引に関する法律及び割賦販売法の一部を改正する法律（平成二十年法律第七十四号）の施行の日から施行する。
- (1) This Act comes into effect on April 1, 2009; provided, however, that Articles 2 and 4 come into effect on the date on which the Act Partially Amending the Act on Specified Commercial Transactions and the Installment Sales Act (Act No. 74 of 2008) comes into effect.

(経過措置)

(Transitional Measures)

- 2 第一条又は第二条の規定の施行前にされた消費者契約法第十三条第一項の認定の申請並びに同法第十九条第三項及び第二十条第三項の認可の申請に係る認定及び認可に関する手続については、それぞれ第一条又は第二条の規定による改正後の同法の規定にかかわらず、なお従前の例による。
- (2) Notwithstanding Articles 1 and 2 of the revised Consumer Contract Act, prior laws continue to govern the processes involved in applications for certification as referred to in Article 13, paragraph (1) of the Consumer Contract Act that are filed prior to the enforcement of Articles 1 and 2 and the processes involved in certification and approval in connection with applications for approval as provided in Article 19, paragraph (3) and Article 20, paragraph (3) of that Act.
- 3 第一条又は第二条の規定の施行前にした行為に対する罰則の適用については、それぞれ第一条又は第二条の規定による改正後の消費者契約法の規定にかかわらず、なお従前の例による。
- (3) Notwithstanding Articles 1 and 2 of the revised Consumer Contract Act, prior laws continue to govern the applicability of penal provisions to conduct in which a person has engaged before Articles 1 and 2 come into effect.

附 則 〔平成二十一年六月五日法律第四十九号〕 〔抄〕
Supplementary Provisions [Act No. 49 of June 5, 2009] [Extract]

(施行期日)

(Effective Date)

- 第一条 この法律は、消費者庁及び消費者委員会設置法（平成二十一年法律第四十八号）の施行の日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める

日から施行する。

Article 1 This Act comes into effect on the date on which the Act Establishing the Consumer Affairs Agency and the Consumer Commission (Act No. 48 of 2009) come into effect; provided, however, that provisions set forth in one of the following items come into effect on the date prescribed in that item:

一 附則第九条の規定 この法律の公布の日

(i) Article 9 of the Supplementary Provisions: the date of the promulgation of this Act;

(罰則の適用に関する経過措置)

(Transitional Measures Concerning the Applicability of Penal Provisions)

第八条 この法律の施行前にした行為及びこの法律の附則においてなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 8 Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before this Act comes into effect, and continue to govern the applicability of penal provisions to conduct in which a person engages after this Act comes into effect if, pursuant to the Supplementary Provisions of this Act, prior laws are to continue to govern that conduct.

(政令への委任)

(Delegation to Cabinet Order)

第九条 附則第二条から前条までに定めるもののほか、この法律の施行に関し必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 9 Beyond what is prescribed in Articles 2 through 8 of the Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures in connection with the coming into effect of this Act (including transitional measures concerning penal provisions).

附 則 〔平成二十八年六月三日法律第六十一号〕

Supplementary Provisions [Act No. 61 of June 3, 2016]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を経過した日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect on the day after the last day in the one year period starting on the date of promulgation; provided, however, that the provisions set forth in one of the following items come into effect on the date prescribed in that item:

一 附則第四条の規定 公布の日

(i) Article 4 of the Supplementary Provisions: the date of the promulgation of this Act;

二 第五条第二項の改正規定（「及び第七条」を「から第七条まで」に改める部分に限る。）、第六条の次に一条を加える改正規定及び附則第三条の規定 民法の一部を改正する法律（平成二十九年法律第四十四号）の施行の日

(ii) the amending provisions of Article 5, paragraph (2) (limited to those amending "and Article 7" to read "through Article 7"), the amending provisions adding an article immediately after Article 6, and Article 3 of the Supplementary Provisions: the date on which the Act Partially Amending the Civil Code (Act No. 44 of 2017) comes into effect;

三 附則第六条の規定 民法の一部を改正する法律の施行に伴う関係法律の整備等に関する法律（平成二十九年法律第四十五号）の公布の日又はこの法律の公布の日のいずれか遅い日

(iii) Article 6 of the Supplementary Provisions: the date of promulgation of the Act Prescribing Adjustments to the Relevant Acts to Coordinate with the Coming Into Effect of the Act Partially Amending the Civil Code (Act No. 45 of 2017) or the date of promulgation of this Act, whichever comes later.

（経過措置）

(Transitional Measures)

第二条 この法律による改正後の消費者契約法（以下「新法」という。）第四条第四項及び第五項（第三号に係る部分に限る。）（これらの規定を新法第五条第一項において準用する場合を含む。）の規定は、この法律の施行前にされた消費者契約の申込み又はその承諾の意思表示については、適用しない。

Article 2 (1) Article 4, paragraphs (4) and (5) of the Consumer Contract Act as amended by this Act (hereinafter referred to as the "New Act") (but only as those paragraphs pertain to item (iii)) (including as applied mutatis mutandis pursuant to Article 5, paragraph (1) of the New Act), do not apply to the manifestation of an intention to be bound by the offer of a consumer contract or by the acceptance of an offer for such a contract if that intention is manifested before this Act comes into effect.

2 この法律の施行前にされた消費者契約の申込み又はその承諾の意思表示に係る取消権については、新法第七条第一項の規定にかかわらず、なお従前の例による。

(2) Notwithstanding Article 7, paragraph (1) of the New Act, prior laws continue to govern the right to rescind the manifestation of an intention to be bound by the offer of a consumer contract or by the acceptance of an offer for such a contract if that intention is manifested before this Act comes into effect.

3 この法律の施行前に締結された消費者契約の条項については、新法第八条第一項第三号及び第四号の規定にかかわらず、なお従前の例による。

(3) Notwithstanding Article 8, paragraph (1), items (iii) and (iv) of the New Act,

prior laws continue to govern the clauses of consumer contracts that have been entered into before this Act comes into effect.

4 新法第八条の二の規定は、この法律の施行前に締結された消費者契約の条項については、適用しない。

(4) Article 8-2 of the New Act does not apply to the clauses of consumer contracts that have been entered into before this Act comes into effect.

第三条 附則第一条第二号に掲げる規定による改正後の消費者契約法第六条の二の規定は、同号に掲げる規定の施行前に消費者契約に基づく債務の履行として給付がされた場合におけるその給付を受けた消費者の返還の義務については、適用しない。

Article 3 Article 6-2 of the Consumer Contract Act following its amendment under the provisions set forth in Article 1, item (ii) of the Supplementary Provisions does not apply to a consumer's obligation to refund any payment received if that payment is received in performance of an obligation under the consumer contract before the provisions set forth in that item come into effect.

(政令への委任)

(Delegation to Cabinet Order)

第四条 前二条に定めるもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

Article 4 Beyond as set forth in the preceding two Articles, Cabinet Order prescribes the necessary transitional measures to coordinate with this Act coming into effect.

(検討)

(Review)

第五条 政府は、消費者の被害の状況、消費者の利益の擁護を図るための諸施策の実施の状況その他社会経済情勢の変化を勘案しつつ、新法の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 5 The government is to review the extent to which the New Act is in effect, taking into consideration actual harm to consumers, the implementation status of the various measures taken to protect the interests of consumers, and other social and economic changes, and is to take appropriate measures based on the results of its review, if it finds this to be necessary.

(民法の一部を改正する法律の施行に伴う関係法律の整備等に関する法律の一部改正)

(Act Prescribing Adjustments to the Relevant Acts to Coordinate with the Coming Into Effect of the Act Partially Amending Civil Code)

第六条 民法の一部を改正する法律の施行に伴う関係法律の整備等に関する法律の一部を次のように改正する。

Article 6 The Act Prescribing Adjustments to the Relevant Acts to Coordinate with the Coming Into Effect of the Act Partially Amending the Civil Code is partially amended as follows:

第九十八条のうち、消費者契約法第四条第五項の改正規定中「第四条第五項」を「第四条第六項」に改め、同法第八条の改正規定の次に次のように加える。

In the part of Article 98 that constitutes provisions amending Article 4, paragraph (5) of the Consumer Contract Act, the phrase "Article 4, paragraph (5)" is amended to read "Article 4, paragraph (6)" and the following provisions are added immediately after the amended provisions of Article 8 of that Act:

第八条の二を次のように改める。

Article 8-2 is amended as follows:

(消費者の解除権を放棄させる条項の無効)

(Nullity of Clauses That Force Consumers to Waive Their Right to Cancel)

第八条の二 事業者の債務不履行により生じた消費者の解除権を放棄させる消費者契約の条項は、無効とする。

Article 8-2 Any consumer contract clause forcing the consumer to waive the right to cancel that arises if the trader defaults is void.

第九十九条第一項中「第四条第五項」を「第四条第六項」に改め、同条第二項中「第八条」の下に「、第八条の二」を加える。

In Article 99, paragraph (1), "Article 4, paragraph (5)" is amended to read "Article 4, paragraph (6)", and "Article 8-2" is added immediately after "Article 8" in paragraph (2) of that Article.

附 則 [平成二十九年六月二日法律第四十三号] [抄]

Supplementary Provisions [Act No. 43 of June 2, 2017] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成二十九年十月一日から施行する。ただし、附則第五条の規定は、公布の日から施行する。

Article 1 This Act comes into effect on October 1, 2017; provided, however, that Article 5 of the Supplementary Provisions comes into effect on the date of its promulgation.

(消費者契約法の一部改正に伴う経過措置)

(Transitional Measures Following the Partial Revision of the Consumer Contract Act)

第二条 この法律の施行の際現に第二条の規定による改正前の消費者契約法第十三条第一項の認定を受けている者（次条において「既存適格消費者団体」という。）に係る当該認定の有効期間については、その満了の日までの間は、第二条の規定による改正

後の消費者契約法第十七条第一項の規定にかかわらず、なお従前の例による。

Article 2 Notwithstanding Article 17, paragraph (1) of the Consumer Contract Act following its amendment under Article 2, prior laws continue to govern the term of validity of a certification under Article 13, paragraph (1) of the Consumer Contract Act before its amendment under Article 2, which has been granted to a corporation as of the time this Act comes into effect (referred to as an "existing qualified consumer organization" in the following Article), until the expiration date of the certification.

(政令への委任)

(Delegation to Cabinet Order)

第五条 前三条に定めるもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 5 Beyond what is prescribed in the preceding three Articles, Cabinet Order prescribes the necessary transitional measures in connection with the coming into effect of this Act.