

外国為替及び外国貿易法（第五十五条の十 未施行等）

Foreign Exchange and Foreign Trade Act (Article 55-10 not yet in effect, etc.)

(昭和二十四年十二月一日法律第二百二十八号)

(Act No. 228 of December 1, 1949)

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第一章 総則

Chapter I General Provisions

(目的)

(Purpose)

第一条 この法律は、外国為替、外国貿易その他の対外取引が自由に行われることを基本とし、対外取引に対し必要最小限の管理又は調整を行うことにより、対外取引の正常な発展並びに我が国又は国際社会の平和及び安全の維持を期し、もつて国際収支の均衡及び通貨の安定を図るとともに我が国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 enable the proper development of foreign transactions and the maintenance of peace and security in Japan and in the international community by implementing the minimum necessary management and coordination for foreign transactions, and thereby to ensure equilibrium in the balance of international payments and maintain the stability of Japanese currency, as well as to contribute to the sound development of the Japanese economy, based on the freedom of foreign exchange, foreign trade, and other foreign transactions.

第二条 削除

Article 2 Deleted

第三条 削除

Article 3 Deleted

第四条 削除

Article 4 Deleted

(適用範囲)

(Scope of Application)

第五条 この法律は、本邦内に主たる事務所を有する法人の代表者、代理人、使用人その他の従業者が、外国においてその法人の財産又は業務についてした行為にも適用する。本邦内に住所を有する人又はその代理人、使用人その他の従業者が、外国においてその人の財産又は業務についてした行為についても、同様とする。

Article 5 This Act also applies to actions in a foreign state that the representative, agent, employee, or other worker of a corporation with a principal office in Japan undertakes in connection with that corporation's assets or business. The same applies to actions in a foreign state that a person with a domicile in Japan, or the agent, employee, or other worker of that person undertakes in connection with that person's assets or business.

(定義)

(Definitions)

第六条 この法律又はこの法律に基づく命令において、次の各号に掲げる用語の意義は、当該各号に定めるところによる。

Article 6 (1) In this Act and any Order based on this Act, the meaning of each term set forth in one of the following items is as prescribed in that item:

一 「本邦」とは、本州、北海道、四国、九州及び財務省令・経済産業省令で定めるその附属の島をいう。

(i) the term "Japan" means Honshu, Hokkaido, Shikoku, Kyushu, and other dependent islands thereof specified by Ministry of Finance Order and Order of the Ministry of Economy, Trade and Industry;

二 「外国」とは、本邦以外の地域をいう。

(ii) the term "foreign state" means an area outside Japan;

三 「本邦通貨」とは、日本円を単位とする通貨をいう。

(iii) the term "Japanese currency" means the currency denominated in Japanese yen;

四 「外国通貨」とは、本邦通貨以外の通貨をいう。

(iv) the term "foreign currency" means any currency other than Japanese currency;

五 「居住者」とは、本邦内に住所又は居所を有する自然人及び本邦内に主たる事務所を有する法人をいう。非居住者の本邦内の支店、出張所その他の事務所は、法律上代理権があると否とにかかわらず、その主たる事務所が外国にある場合においても居住者とみなす。

(v) the term "resident" means a natural person with a domicile or residence in Japan or a corporation with a principal office in Japan. Regardless of whether the Japanese branch office, local office, or other office of a non-resident has the legal authority to represent that non-resident, the non-resident is deemed to be a resident even if its principal office is located in a foreign state;

六 「非居住者」とは、居住者以外の自然人及び法人をいう。

(vi) the term "non-resident" means a natural person or corporation other than a resident;

七 「支払手段」とは、次に掲げるものをいう。

(vii) the term "means of payment" means the following:

イ 銀行券、政府紙幣、小額紙幣及び硬貨

(a) banknotes, government money bills, small denomination bills, and coins;

ロ 小切手（旅行小切手を含む。）、為替手形、郵便為替及び信用状

(b) checks (including traveler's checks), bills of exchange, postal money orders, and letters of credit;

ハ 証票、電子機器その他の物（第十九条第一項において「証票等」という。）に

電磁的方法（電子的方法、磁気的方法その他の人の知覚によつて認識することができない方法をいう。）により入力されている財産的価値であつて、不特定又は多数の者相互間での支払のために使用することができるもの（その使用の状況が通貨のそれと近似しているものとして政令で定めるものに限る。）

(c) the proprietary value entered in a voucher, electronic equipment device, or other object (referred to as a "voucher or other such object" in Article 19, paragraph (1)) using electronic or magnetic means (meaning electronic means, magnetic means, or any other means that cannot be perceived by the human senses), which non-exclusive groups of persons or large numbers of persons can use among themselves for payment (limited to a value with a status of use that Cabinet Order prescribes as approximate to that of a currency);

ニ イ又はロに掲げるものに準ずるものとして政令で定めるもの

(d) what Cabinet Order prescribes as equivalent to what is set forth in (a) or (b).

八 「対外支払手段」とは、外国通貨その他通貨の単位のいかんにかかわらず、外国通貨をもつて表示され、又は外国において支払のために使用することのできる支払手段（本邦通貨を除く。）をいう。

(viii) the term "foreign means of payment" means a foreign currency or any other means of payment (other than Japanese currency) that is denominated in a foreign currency or that can be used for payment in a foreign state, irrespective of the unit of foreign currency or any other currency;

九 削除

(ix) deleted;

十 「貴金属」とは、金の地金、金の合金の地金、流通していない金貨その他金を主たる材料とする物をいう。

(x) the term "precious metal" means gold bullion, gold alloy bullion, gold coinage not in circulation, or any other object principally made of gold;

十一 「証券」とは、券面が発行されていると否とを問わず、公債、社債、株式、出資の持分、公債又は株式に関する権利を与える証書、債券、国庫証券、抵当証券、利潤証券、利札、配当金受領証、利札引換券その他これらに類する証券又は証書として政令で定めるものをいう。

(xi) the term "security" means a public bond, corporate bond, share, equity in investment, certificate granting rights involving a public bond or share, a bond, treasury security, mortgage security, profit certificate, coupon, dividend certificate, renewal coupon, or other security or certificate that Cabinet Order prescribes as similar thereto, irrespective of whether it has been materialized;

十二 「外貨証券」とは、外国において支払を受けることができる証券又は外国通貨をもつて表示される証券をいう。

(xii) the term "foreign security" means a security for which a person can receive

payment in a foreign state or a security denominated in a foreign currency;
十三 「債権」とは、定期預金、当座預金、特別当座預金、通知預金、保険証券及び当座勘定残高並びに貸借、入札その他に因り生ずる金銭債権で前各号に掲げられていないものをいう。

(xiii) the term "claim" means time deposit, current deposit, special current deposit, deposit at notice, insurance policy, or current account balance, or a monetary claim not set forth in any of the preceding items which arises from a loan, bid, or other source;

十四 「金融指標等先物契約」とは、金融商品取引法（昭和二十三年法律第二十五号）第二条第二十一項に規定する市場デリバティブ取引（政令で定めるものを除く。以下この号において同じ。））、同条第二十二項に規定する店頭デリバティブ取引（政令で定めるものを除く。）及び同条第八項第三号ロに規定する外国金融商品市場において行われる同条第二十一項に規定する市場デリバティブ取引に類する取引その他これらに類する取引として政令で定める取引に係る契約をいう。

(xiv) the term "futures contract on a financial indicator or similar metric" means a contract associated with on-market derivatives transactions as prescribed in Article 2, paragraph (21) of the Financial Instruments and Exchange Act (Act No. 25 of 1948) (excluding transactions that Cabinet Order prescribes; hereinafter the same applies in this item), over-the-counter derivatives transactions as prescribed in paragraph (22) of that Article (excluding transactions that Cabinet Order prescribes), transactions similar to on-market derivatives transactions as prescribed in paragraph (21) of that Article which are conducted on a foreign financial instruments market as prescribed in paragraph (8), item (iii) (b) of that Article, or any other transaction that Cabinet Order prescribes as being similar thereto;

十五 「貨物」とは、貴金属、支払手段及び証券その他債権を化体する証書以外の動産をいう。

(xv) the term "goods" means movables other than precious metals, means of payment, or securities and other certificates embodying claims;

十六 「財産」とは、第七号、第十号、第十一号、第十三号及び前号に規定するものを含む財産をいう。

(xvi) the term "asset" includes what is prescribed in items (vii), (x), (xi), (xiii), and (xv).

2 居住者又は非居住者の区別が明白でない場合については、財務大臣の定めるところによる。

(2) If it is not clear whether a person is a resident or a non-resident, the Minister of Finance decides this.

(外国為替相場)

(Exchange Rates)

第七条 財務大臣は、本邦通貨の基準外国為替相場及び外国通貨の本邦通貨に対する裁

定外国為替相場を定め、これを告示するものとする。

Article 7 (1) The Minister of Finance is to establish and issue public notice of the basic exchange rates for Japanese currency and the arbitrated exchange rates of foreign currencies into Japanese currency.

2 財務大臣は、前項の規定により本邦通貨の基準外国為替相場を定めようとするときは、内閣の承認を得なければならない。

(2) Before setting a basic exchange rate for Japanese currency pursuant to the preceding paragraph, the Minister of Finance must obtain the approval of the Cabinet.

3 財務大臣は、対外支払手段の売買等所要の措置を講ずることにより、本邦通貨の外国為替相場の安定に努めるものとする。

(3) The Minister of Finance must endeavor to stabilize the exchange rates of Japanese currency by taking the necessary measures, such as buying and selling foreign means of payment.

(通貨の指定)

(Designation of Currency)

第八条 この法律の適用を受ける取引又は行為に係る通貨による支払等（支払又は支払の受領をいう。以下同じ。）は、財務大臣の指定する通貨により行わなければならない。

Article 8 When currency is used to make or receive a payment in connection with a transaction or action governed by this Act, the payment must be made or received in a currency designated by the Minister of Finance.

(取引等の非常停止)

(Suspension of Transactions and Other Actions in Case of Emergency)

第九条 主務大臣は、国際経済の事情に急激な変化があつた場合において、緊急の必要があると認めるときは、政令で定めるところにより、政令で定める期間内において、この法律の適用を受ける取引、行為又は支払等の停止を命ずることができる。

Article 9 (1) If a drastic change has taken place in international economic conditions, on finding it to be urgently necessary, the competent minister, pursuant to Cabinet Order, may order the suspension of transactions, actions, or the making or receiving of payments governed by this Act within the period that Cabinet Order prescribes.

2 前項の規定により命ずる停止は、その停止の時までにこの法律により認められている支払を不可能とするものではなく、その停止による支払の遅延は、政令で定める期間内に限られるものとする。

(2) A suspension ordered pursuant to the preceding paragraph is not to make it impossible for a person to make a payment that this Act had authorized up until the suspension was ordered, and any delay in making a payment due to such a suspension is to be limited to the period that Cabinet Order prescribes.

第二章 我が国の平和及び安全の維持のための措置

Chapter II Measures to Maintain Peace and Security in Japan

第十条 我が国の平和及び安全の維持のため特に必要があるときは、閣議において、対応措置（この項の規定による閣議決定に基づき主務大臣により行われる第十六条第一項、第二十一条第一項、第二十三条第四項、第二十四条第一項、第二十五条第六項、第四十八条第三項及び第五十二条の規定による措置をいう。）を講ずべきことを決定することができる。

Article 10 (1) If it is particularly necessary to do so in order to maintain peace and security in Japan, it may be decided, in a cabinet meeting, that responsive measures (meaning measures pursuant to Article 16, paragraph (1); Article 21, paragraph (1); Article 23, paragraph (4); Article 24, paragraph (1); Article 25, paragraph (6); Article 48, paragraph (3); and Article 52 which are taken by the competent minister based on a cabinet decision pursuant to this paragraph) will be taken.

2 政府は、前項の閣議決定に基づき同項の対応措置を講じた場合には、当該対応措置を講じた日から二十日以内に国会に付議して、当該対応措置を講じたことについて国会の承認を求めなければならない。ただし、国会が閉会中の場合又は衆議院が解散されている場合には、その後最初に召集される国会において、速やかに、その承認を求めなければならない。

(2) If the government has taken the responsive measures referred to in the preceding paragraph based on a cabinet decision as referred to in that paragraph, it must put these measures on the agenda for discussion in the Diet within 20 days from the day it took them and seek the Diet's approval for having taken them; provided, however, that if the Diet has been adjourned or the House of Representatives has been dissolved, the government must promptly seek that approval in the first session of the Diet convened thereafter.

3 政府は、前項の場合において不承認の議決があつたときは、速やかに、当該対応措置を終了させなければならない。

(3) If a resolution of disapproval is reached in a case as referred to in the preceding paragraph, the government must promptly terminate the responsive measures.

第十一条 削除

Article 11 Deleted

第十二条 削除

Article 12 Deleted

第十三条 削除

Article 13 Deleted

第十四条 削除

Article 14 Deleted

第十五条 削除

Article 15 Deleted

第三章 支払等

Chapter III Making and Receiving Payments

(支払等)

(Making and Receiving Payment)

第十六条 主務大臣は、我が国が締結した条約その他の国際約束を誠実に履行するため必要があると認めるとき、国際平和のための国際的な努力に我が国として寄与するため特に必要があると認めるとき又は第十条第一項の閣議決定が行われたときは、当該支払等が、これらと同一の見地から許可又は承認を受ける義務を課した取引又は行為に係る支払等である場合を除き、政令で定めるところにより、本邦から外国へ向けた支払をしようとする居住者若しくは非居住者又は非居住者との間で支払等をしようとする居住者に対し、当該支払又は支払等について、許可を受ける義務を課することができる。

Article 16 (1) On finding that it is necessary to do so in order for Japan to faithfully perform its obligations under a treaty or other international agreement it has signed, on finding that it is particularly necessary to do so in order for Japan to contribute to international efforts towards world peace, or if a cabinet decision as referred to in Article 10, paragraph (1) has been reached, the competent minister, pursuant to Cabinet Order, may make it obligatory for residents or non-residents seeking to make a payment from Japan to a foreign state to get permission to make that payment, and may make it obligatory for residents seeking to make or receive a payment to or from non-residents to get permission to make or receive that payment, unless the payment in question is made or received as part of a transaction or action for which it has been made obligatory for persons to get permission or approval from the same perspective as stated above.

2 前項に定める場合のほか、主務大臣は、我が国の国際収支の均衡を維持するため特に必要があると認めるときは、当該支払が、次章から第六章までの規定により許可を受け、若しくは届出をする義務が課され、又は許可若しくは承認を受ける義務を課することができることとされている取引又は行為に係る支払である場合を除き、政令で定めるところにより、本邦から外国へ向けた支払をしようとする居住者若しくは非居住者又は非居住者に対して支払をしようとする居住者に対し、これらの支払について、許可を受ける義務を課することができる。

(2) Beyond as prescribed in the preceding paragraph, on finding it to be particularly necessary to do so in order to maintain equilibrium in Japan's balance of international payments, the competent minister, pursuant to Cabinet Order, may make it obligatory for residents or non-residents seeking to make a payment from Japan to a foreign state or residents seeking to make a payment to non-residents to get permission to make that payment, unless the payment in question is made as a part of a transaction or action for which, pursuant to the following Chapter through Chapter 6, the relevant authority has made it obligatory for persons to get permission or file a notification, or as a part of a transaction or action for which, pursuant to those Chapters, the relevant authority is permitted to make it obligatory for persons to get permission or approval.

3 前二項に定める場合のほか、主務大臣は、この法律又はこの法律に基づく命令の規定の確実な実施を図るため必要があると認めるときは、当該支払等が、次章から第六章までの規定により許可を受け、若しくは届出をする義務が課され、又は許可若しくは承認を受ける義務を課することができることとされている取引又は行為に係る支払等である場合を除き、政令で定めるところにより、本邦から外国へ向けた支払をしようとする居住者若しくは非居住者又は非居住者との間で支払等をしようとする居住者に対し、当該支払又は支払等について、許可を受ける義務を課することができる。

(3) Beyond as prescribed in the preceding two paragraphs, on finding it to be necessary to do so in order to ensure the reliable implementation of this Act or an Order based on this Act, the competent minister, pursuant to Cabinet Order, may make it obligatory for residents or non-residents seeking to make a payment from Japan to a foreign state to get permission to make that payment, and may make it obligatory for residents seeking to make or receive a payment to or from non-residents to get permission to make or receive that payment, unless the payment in question is made as a part of a transaction or action for which, pursuant to the following Chapter through Chapter 6, the competent minister has made it obligatory for persons to get permission or file a notification, or as a part of a transaction or action for which, pursuant to those Chapters, the competent minister is permitted to make it obligatory for persons to get permission or approval.

4 前三項の規定により許可を受ける義務を課することができることとされる支払等についてこれらの規定の二以上の規定により許可を受ける義務が課された場合には、当該支払等をしようとする者は、政令で定めるところにより、当該二以上の規定による許可の申請を併せて行うことができる。この場合において、主務大臣は、当該申請に係る支払等について許可を受ける義務を課することとなつた事情を併せ考慮して、許可をするかどうかを判断するものとする。

(4) If, pursuant to two or more of the preceding three paragraphs, it has been made obligatory for persons to get permission to make or receive a payment that, pursuant to those paragraphs, the competent minister is permitted to

make it obligatory for persons to get permission for, a person seeking to make or receive such a payment may file a combined application for the permissions under those paragraphs, pursuant to Cabinet Order. In such a case, the competent minister must decide whether to give permission by taking into consideration the circumstances that have led the minister to make it obligatory for persons to get permission to make or receive the payment under the application.

5 この法律又はこの法律に基づく命令の規定により、取引又は行為を行うことにつき許可若しくは承認を受け、又は届出をする義務が課されているときは、政令で定める場合を除き、当該許可若しくは承認を受けないで、又は当該届出をしないで当該取引又は行為に係る支払等をしてはならない。

(5) Except as Cabinet Order prescribes, if it has been made obligatory for persons to get permission or approval for a transaction or action or to file notification of a transaction or action pursuant to this Act or an Order based on this Act, a person must not make or receive a payment as a part of that transaction or action without getting the permission or approval or without filing the notification.

(支払等の制限)

(Restrictions on Making and Receiving Payments)

第十六条の二 主務大臣は、前条第一項の規定により許可を受ける義務を課した場合において、当該許可を受ける義務が課された支払等を当該許可を受けないで行った者が再び同項の規定により許可を受ける義務が課された支払等を当該許可を受けないで行うおそれがあると認めるときは、その者に対し、一年以内の期間を限り、本邦から外国へ向けた支払（銀行（銀行法（昭和五十六年法律第五十九号）第二条第一項に規定する銀行をいう。以下同じ。）その他の政令で定める金融機関（以下「銀行等」という。）又は資金移動業者（資金決済に関する法律（平成二十一年法律第五十九号）第二条第三項に規定する資金移動業者をいう。以下同じ。）が行う為替取引によつてされるものを除く。）及び居住者と非居住者との間でする支払等（銀行等又は資金移動業者が行う為替取引によつてされるものその他政令で定めるものを除く。）について、その全部若しくは一部を禁止し、又は政令で定めるところにより許可を受ける義務を課することができる。

Article 16-2 If the competent minister has made it obligatory to get permission pursuant to paragraph (1) of the preceding Article, but a person has made or received a payment for which permission has been made obligatory without getting that permission, and the minister finds that the person is likely to once again make or receive a payment for which permission has been made obligatory pursuant to that paragraph without getting that permission, the minister may fully or partially prohibit the person from making payments from Japan to a foreign state (other than any such payment made through an exchange transaction that is conducted by a bank (meaning a bank as

prescribed in Article 2, paragraph (1) of the Banking Act (Act No. 59 of 1981); the same applies hereinafter) or by any other financial institution that Cabinet Order prescribes (hereinafter referred to as a "bank or other financial institution"), or by a funds transfer service provider (meaning a funds transfer service provider as prescribed in Article 2, paragraph (3) of the Payment Services Act (Act No. 59 of 2009); the same applies hereinafter)), or making or receiving any payment between a resident and a non-resident (other than any such payment made or received through an exchange transaction that is conducted by a bank or other financial institution or by a funds transfer service provider, and other than the making or receipt of any other payment that Cabinet Order prescribes), but only during a period of up to one year, or, pursuant to Cabinet Order, may make it obligatory for that person to get permission to make payments from Japan to a foreign state or to make or receive any payment between a resident and a non-resident, but only during a period of up to one year.

(銀行等の確認義務等)

(Obligation of Banks and Other Financial Institutions to Confirm Legality of Transactions)

第十七条 銀行等は、その顧客の支払等が、次の各号に掲げる支払等のいずれにも該当しないこと、又は次の各号に掲げる支払等に該当すると認められる場合には当該各号に定める要件を備えていることを確認した後でなければ、当該顧客と当該支払等に係る為替取引を行ってはならない。

Article 17 It is prohibited for a bank or other financial institution to conduct an exchange transaction involving a payment being made or received by a customer until after it has confirmed that this does not constitute the making or receipt of a payment as set forth in one of the following items, or, in the event that it does constitute the making or receipt of a payment as set forth in one of the following items, until after it has confirmed that the requirement prescribed in the relevant item has been met:

一 第十六条第一項から第三項までの規定により許可を受ける義務が課された支払等当該許可を受けていること。

(i) the making or receipt of a payment that persons are obliged to get permission for pursuant to paragraphs (1) through (3) of Article 16: the person has gotten that permission;

二 第二十一条第一項又は第二項の規定により許可を受ける義務が課された第二十条に規定する資本取引に係る支払等 当該許可を受けていること。

(ii) the making or receipt of a payment in connection with a capital transaction as prescribed in Article 20, that persons are obliged to get permission for pursuant to paragraph (1) or (2) of Article 21: the person has gotten that permission;

三 その他この法律又はこの法律に基づく命令の規定により許可若しくは承認を受け、又は届出をする義務が課された取引又は行為のうち政令で定めるものに係る支払等当該許可若しくは承認を受け、又は当該届出後の所要の手續を完了していること。

(iii) the making or receipt of a payment in connection with a transaction or action that Cabinet Order prescribes, which persons are otherwise obliged to get permission or approval for or to file a notification for pursuant to this Act or an Order based on this Act: the person has gotten that permission or approval, or has completed the necessary procedures after filing the notification.

(確認のための是正措置等)

(Measures to Rectify Confirmation)

第十七条の二 財務大臣は、銀行等が前条の規定に違反してその顧客の支払等に係る為替取引を行い、又は行うおそれがあると認めるときは、当該銀行等に対し、同項の確認が適切に行われるための措置をとることを命ずることができる。

Article 17-2 (1) On finding that a bank or other financial institution has or is likely to conduct an exchange transaction involving a payment made or received by its customer in violation of the preceding Article, the Minister of Finance may order it to take measures to ensure that it is properly carrying out the confirmations referred to in that paragraph.

2 財務大臣は、前項の規定による命令を銀行等に対してする場合において必要があると認めるときは、同項の措置がとられるまでの間、当該銀行等に対し外国為替取引に係る業務の全部若しくは一部の停止を命じ、又は当該銀行等の当該業務の内容を制限することができる。

(2) On finding it to be necessary to do so when issuing an order to a bank or other financial institution pursuant to the preceding paragraph, the Minister of Finance may order that bank or other financial institution to fully or partially suspend its business involving foreign exchange transactions or restrict the content of its business, until the measures referred to in that paragraph have been taken.

(資金移動業者への準用)

(Mutatis Mutandis Application of Provisions to Funds Transfer Service Providers)

第十七条の三 前二条の規定は、資金移動業者がその顧客の支払等に係る為替取引を行う場合について準用する。

Article 17-3 The provisions of the preceding two Articles apply mutatis mutandis when a funds transfer service provider carries out an exchange transaction involving a payment made or received by its customers.

(銀行等の本人確認義務等)

(Banks' and Other Financial Institutions' Obligation to Confirm the Identities of Their Customers)

第十八条 銀行等は、次の各号に掲げる顧客と本邦から外国へ向けた支払又は非居住者との間でする支払等（当該顧客が非居住者である場合を除く。）に係る為替取引（政令で定める小規模の支払又は支払等に係るものを除く。以下「特定為替取引」という。）を行うに際しては、当該顧客について、運転免許証の提示を受ける方法その他の財務省令で定める方法による当該各号に定める事項（以下「本人特定事項」という。）の確認（以下「本人確認」という。）を行わなければならない。

Article 18 (1) When carrying out an exchange transaction involving a payment that a customer as set forth in one of the following items makes from Japan to a foreign state or an exchange transaction involving such a customer making or receiving a payment to or from a non-resident (unless that customer is a non-resident) (other than an exchange transaction that involves the person in question making a small payment or making or receiving a payment that Cabinet Order prescribes; hereinafter referred to as a "specified exchange transaction"), a bank or other financial institution must confirm the information set forth in that item (hereinafter referred to as "identifying information") for that customer by means of receiving presentation having the customer present of their a driver's licenses or by any other means that Ministry of Finance Order prescribes (hereinafter referred to as "confirming a person's identity"):

一 自然人 氏名、住所又は居所（本邦内に住所又は居所を有しない外国人で政令で定めるものにあつては、財務省令で定める事項）及び生年月日

(i) a natural person: the person's name, domicile or residence (or the information that Ministry of Finance Order specifies, if the person is a foreign national with neither a domicile nor residence in Japan and is as Cabinet Order prescribes), and date of birth;

二 法人 名称及び主たる事務所の所在地

(ii) a corporation: the name and location of its principal office.

2 銀行等は、顧客の本人確認を行う場合において、会社の代表者が当該会社のために特定為替取引を行うときその他の当該銀行等との間で現に特定為替取引の任に当たっている自然人が当該顧客と異なるとき（次項に規定する場合を除く。）は、当該顧客の本人確認に加え、当該特定為替取引の任に当たっている自然人（以下この条及び次条において「代表者等」という。）についても、本人確認を行わなければならない。

(2) In a case where a company's representative carries out a specified exchange transaction on behalf of the company or in ohter cases the natural person actually responsible for a specified exchange transaction with the bank or other financial institution is otherwise not the customer itself (other than in a case as prescribed in the following paragraph), in addition to confirming the customers' identity, the bank or other financial institution must also confirm the identity of the natural person responsible for the specified exchange

transaction (hereinafter referred to as the "representative or other responsible party" in this and the following Articles).

3 顧客が国、地方公共団体、人格のない社団又は財団その他の政令で定めるものである場合には、当該国、地方公共団体、人格のない社団又は財団その他の政令で定めるものために当該銀行等との間で現に特定為替取引の任に当たっている自然人を顧客とみなして、第一項の規定を適用する。

(3) If the customer is the national government, a local government, an association or foundation without legal personality, or any other person that Cabinet Order prescribes, the natural person actually responsible for a specified exchange transaction with the bank or other financial institution on its behalf is deemed to be the customer and paragraph (1) applies.

4 顧客（前項の規定により顧客とみなされる自然人を含む。以下同じ。）及び代表者等は、銀行等が本人確認を行う場合において、当該銀行等に対して、顧客又は代表者等の本人特定事項を偽つてはならない。

(4) It is prohibited for a customer (including a natural person deemed to be a customer pursuant to the preceding paragraph; the same applies hereinafter) or a representative or other responsible party to disguise their identifying information to the bank or other financial institute when that bank or other financial institution is confirming their identity.

（銀行等の免責）

(Exemption of a Bank or Other Financial Institution)

第十八条の二 銀行等は、顧客又は代表者等が特定為替取引を行う際に本人確認に応じないときは、当該顧客又は代表者等がこれに応ずるまでの間、当該特定為替取引に係る義務の履行を拒むことができる。

Article 18-2 If a customer or a representative or other responsible party fails to comply with an identity confirmation when carrying out a specified exchange transaction, the bank or other financial institution may refuse to perform the obligation associated with the specified exchange transaction until the customer or the representative or other responsible party complies with this.

（本人確認記録の作成義務等）

(Obligation to Prepare an Identity Confirmation Record)

第十八条の三 銀行等は、本人確認を行った場合には、直ちに、財務省令で定める方法により、本人特定事項その他の本人確認に関する事項として財務省令で定める事項に関する記録（以下「本人確認記録」という。）を作成しなければならない。

Article 18-3 (1) Having confirmed a person's identity, a bank or other financial institution must immediately create a record of the identifying information and other information that Ministry of Finance Order prescribes as information related to the confirmation of a person's identity (hereinafter referred to as an "identity confirmation record") by the means that Ministry of Finance Order

prescribes.

2 銀行等は、本人確認記録を、特定為替取引が終了した日その他の財務省令で定める日から、七年間保存しなければならない。

(2) A bank or other financial institution must keep an identity confirmation record for seven years after the day on which the specified exchange transaction is completed or after the any other date that Ministry of Finance Order prescribes.

(本人確認及び本人確認記録の作成のための是正措置)

(Measures to Rectify Identity Confirmations and Preparation of Identity Confirmation Records)

第十八条の四 財務大臣は、銀行等が特定為替取引に関して第十八条第一項から第三項まで又は前条第一項若しくは第二項の規定に違反していると認めるときは、当該銀行等に対し、当該違反を是正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 18-4 On finding a bank or other financial institution to have violated one of paragraphs (1) through (3) of Article 18 or paragraph (1) or (2) of the preceding Article with regard to a specified exchange transaction, the Minister of Finance may order it to take the necessary measures to rectify the violation.

(資金移動業者への準用)

(Mutatis Mutandis Application of Provisions to Fund Transfer Service Providers)

第十八条の五 第十八条から前条までの規定は、資金移動業者が特定為替取引を行う場合について準用する。

Article 18-5 Article 18 through the preceding Article apply mutatis mutandis if a funds transfer service provider carries out a specified exchange transaction.

(支払手段等の輸出入)

(Import and Export of Means of Payment)

第十九条 財務大臣は、この法律又はこの法律に基づく命令の規定の確実な実施を図るため必要があると認めるときは、支払手段（第六条第一項第七号ハに掲げる支払手段が入力されている証票等を含む。）又は証券を輸出し、又は輸入しようとする居住者又は非居住者に対し、政令で定めるところにより、許可を受ける義務を課することができる。

Article 19 (1) On finding it to be necessary to do so in order to ensure the reliable implementation of this Act or an Order based on this Act, the Minister of Finance may make it obligatory for residents or non-residents seeking to import or export a means of payment (including a voucher or other such object into which a means of payment as set forth in Article 6, paragraph (1), item (vii) (c) has been entered) or a security, to get permission to do so.

2 財務大臣は、この法律若しくはこの法律に基づく命令の規定の確実な実施を図るため必要があると認めるとき又は国際収支の均衡若しくは通貨の安定を維持するため特に必要があると認めるときは、貴金属を輸出し又は輸入しようとする居住者又は非居住者に対し、政令で定めるところにより、許可を受ける義務を課することができる。

(2) On finding it to be necessary to do so in order to ensure the reliable implementation of this Act or an Order based on this Act or on finding it to be particularly necessary to do so in order to maintain equilibrium in the balance of international payments and the stability of the currency, the Minister of Finance, pursuant to Cabinet Order, may make it obligatory for residents or non-residents seeking to import or export precious metals to get permission to do so.

3 居住者又は非居住者は、第一項に規定する支払手段又は証券若しくは貴金属を輸出し、又は輸入しようとするときは、当該支払手段又は当該証券若しくは貴金属の輸出又は輸入が前二項の規定に基づく命令の規定により財務大臣の許可を受けたものである場合その他政令で定める場合を除き、政令で定めるところにより、あらかじめ、当該輸出又は輸入の内容、実行の時期その他の政令で定める事項を財務大臣に届け出なければならない。

(3) Before seeking to import or export a means of payment prescribed in paragraph (1) or a security or precious metal, a resident or a non-resident, pursuant to Cabinet Order, must first file a notification of the substance of the import or export, its timing, and other information that Cabinet Order prescribes with the Minister of Finance, unless that resident or non-resident has gotten the permission of the Minister of Finance to import or export that means of payment, security, or precious metal, pursuant to an Order based on one of the preceding two paragraphs or in any other case that Cabinet Order prescribes.

第四章 資本取引等

Chapter IV Capital Transactions; Other Matters

(資本取引の定義)

(Definition of Capital Transactions)

第二十条 資本取引とは、次に掲げる取引又は行為（第二十六条第一項各号に掲げるものが行う同条第二項に規定する対内直接投資等に該当する行為を除く。）をいう。

Article 20 The term "capital transaction" means one of the following transactions or actions (other than one falling under the category of inward direct investment or an equivalent action as prescribed in Article 26, paragraph (2), which is undertaken by a person as set forth in the items of paragraph (1) of that Article):

一 居住者と非居住者との間の預金契約（定期積金契約、掛金契約、預け金契約その他これらに類するものとして政令で定めるものを含む。第四号、次条第三項及び第

五十五条の三第一項において同じ。)又は信託契約に基づく債権の発生、変更又は消滅に係る取引(以下この条、次条第三項及び第五十五条の三第一項において「債権の発生等に係る取引」という。)

- (i) a transaction that gives rise to, alters, or extinguishes a claim under a deposit contract (including an installment savings contract, installment deposit contract, deposit contract, or any other contract that Cabinet Order prescribes as similar thereto; the same applies in item (iv) of this Article, paragraph (3) of the following Article, and Article 55-3, paragraph (1)) or a trust contract between a resident and a non-resident (hereinafter referred to as a "transaction giving rise to, altering, or extinguishing a claim" in this Article, paragraph (3) of the following Article, and Article 55-3, paragraph (1));
- 二 居住者と非居住者との間の金銭の貸借契約又は債務の保証契約に基づく債権の発生等に係る取引
- (ii) a transaction giving rise to, altering, or extinguishing a claim based on a money loan agreement or an obligation guarantee contract between a resident and a non-resident;
- 三 居住者と非居住者との間の対外支払手段又は債権の売買契約に基づく債権の発生等に係る取引
- (iii) a transaction giving rise to, altering, or extinguishing a claim based on a sales contract involving a foreign means of payment or claim between a resident and a non-resident ;
- 四 居住者と他の居住者との間の預金契約、信託契約、金銭の貸借契約、債務の保証契約又は対外支払手段若しくは債権その他の売買契約に基づく外国通貨をもつて支払を受けることができる債権の発生等に係る取引
- (iv) a transaction giving rise to, altering, or extinguishing a claim in connection with which payment can be received in foreign currency under a deposit contract, trust contract, money loan agreement, obligation guarantee contract, sales contract for a foreign means of payment or claim, or any other sales contract, between a resident and another resident;
- 五 居住者による非居住者からの証券の取得(これらの者の一方の意思表示により、居住者による非居住者からの証券の取得が行われる権利の当該一方の者による取得を含む。)又は居住者による非居住者に対する証券の譲渡(これらの者の一方の意思表示により、居住者による非居住者に対する証券の譲渡が行われる権利の当該一方の者による取得を含む。)
- (v) a resident's acquisition of securities from a non-resident (including a resident's or a non-resident's acquisition of a right based on which the resident will acquire securities from the non-resident upon that party's unilateral manifestation of the intention for this to occur), or a resident's transfer of securities to a non-resident (including a resident's or a non-resident's acquisition of a right based on which the resident will transfer

- securities to the non-resident upon that party's unilateral manifestation of the intention for this to occur);
- 六 居住者による外国における証券の発行若しくは募集若しくは本邦における外貨証券の発行若しくは募集又は非居住者による本邦における証券の発行若しくは募集
(vi) a resident's issuance or offering for subscription of securities in a foreign state, a resident's issuance or offering for subscription of foreign securities in Japan, or a non-resident's issuance or offering for subscription of securities in Japan;
- 七 非居住者による本邦通貨をもつて表示され又は支払われる証券の外国における発行又は募集
(vii) a non-resident's issuance or offering for subscription of securities denominated or payable in Japanese currency in a foreign state;
- 八 居住者と非居住者との間の金融指標等先物契約に基づく債権の発生等に係る取引
(viii) a transaction giving rise to, altering, or extinguishing a claim based on a futures contract on a financial indicator or similar metric between a resident and a non-resident;
- 九 居住者と他の居住者との間の金融指標等先物契約に基づく外国通貨をもつて支払を受けることができる債権の発生等に係る取引又は金融指標等先物契約（外国通貨の金融指標（金融商品取引法第二条第二十五項に規定する金融指標をいう。）に係るものに限る。）に基づく本邦通貨をもつて支払を受けることができる債権の発生等に係る取引
(ix) a transaction giving rise to, altering, or extinguishing a claim in connection with which payment can be received in a foreign currency based on a futures contract on a financial indicator or similar metric between a resident and another resident, or a transaction giving rise to, altering, or extinguishing a claim in connection with which payment can be received in Japanese currency based on a futures contract on a financial indicator or similar metric (but only a contract on a financial indicator for a foreign currency (meaning a financial indicator as prescribed in Article 2, paragraph (25) of the Financial Instruments and Exchange Act));
- 十 居住者による外国にある不動産若しくはこれに関する権利の取得又は非居住者による本邦にある不動産若しくはこれに関する権利の取得
(x) a resident's acquisition of real estate or rights to real estate that is located in a foreign state, or a non-resident's acquisition of real estate or rights to real estate that is located in Japan;
- 十一 第一号及び第二号に掲げるもののほか、法人の本邦にある事務所と当該法人の外国にある事務所との間の資金の授受（当該事務所の運営に必要な経常的経費及び経常的な取引に係る資金の授受として政令で定めるものを除く。）
(xi) beyond as set forth in items (i) and (ii), a transfer of funds between a corporation's office in Japan and its office in a foreign state (other than a transfer of funds that Cabinet Order prescribes as a transfer of the ordinary

expenses necessary for the operation of the office and the funds involved in an ordinary transaction);

十二 前各号のいずれかに準ずる取引又は行為として政令で定めるもの

(xii) anything that Cabinet Order prescribes as a transaction or action equivalent to what is referred to in the preceding items.

(財務大臣の許可を受ける義務を課する資本取引等)

(Capital Transactions for Which a Person Is Obligated to Get Permission from the Minister of Finance)

第二十一条 財務大臣は、居住者又は非居住者による資本取引（第二十四条第一項に規定する特定資本取引に該当するものを除く。）が何らの制限なしに行われた場合には、我が国が締結した条約その他の国際約束を誠実に履行することを妨げ、若しくは国際平和のための国際的な努力に我が国として寄与することを妨げることとなる事態を生じ、この法律の目的を達成することが困難になると認めるとき又は第十条第一項の閣議決定が行われたときは、政令で定めるところにより、当該資本取引を行おうとする居住者又は非居住者に対し、当該資本取引を行うことについて、許可を受ける義務を課することができる。

Article 21 (1) On finding that, if residents or non-residents were to unrestrictedly conduct capital transactions (other than those falling under the category of specified capital transactions as prescribed in Article 24, paragraph (1)), it would prevent Japan from faithfully performing its obligations under a treaty or other international agreement it has signed or would cause a situation that would prevent Japan from contributing to international efforts towards world peace, thereby making it difficult to achieve the purpose of this Act, or if a cabinet decision as referred to in Article 10, paragraph (1) has been reached, the Minister of Finance, pursuant to Cabinet Order, may make it obligatory for residents or non-residents seeking to conduct such a capital transaction to get permission to conduct it.

2 前項に定める場合のほか、財務大臣は、居住者又は非居住者による同項に規定する資本取引（特別国際金融取引勘定で経理されるものを除く。）が何らの制限なしに行われた場合には、次に掲げるいずれかの事態を生じ、この法律の目的を達成することが困難になると認めるときは、政令で定めるところにより、当該資本取引を行おうとする居住者又は非居住者に対し、当該資本取引を行うことについて、許可を受ける義務を課することができる。

(2) Beyond as prescribed in the preceding paragraph, on finding that, if residents or non-residents were to unrestrictedly conduct capital transactions as prescribed in that paragraph (other than those for which accounting is handled in the special international financial transactions account), it would cause one of the following situations to arise, thereby making it difficult to achieve the purpose of this Act, the Minister of Finance, pursuant to Cabinet Order, may make it obligatory for residents or non-residents seeking to conduct such a

capital transaction, to get permission to conduct it:

一 我が国の国際収支の均衡を維持することが困難になること。

(i) it would become difficult to maintain Japan's balance of international payments;

二 本邦通貨の外国為替相場に急激な変動をもたらすことになること。

(ii) it would bring about a drastic fluctuation in Japanese currency exchange rates;

三 本邦と外国との間の大量の資金の移動により我が国の金融市場又は資本市場に悪影響を及ぼすことになること。

(iii) the Japanese financial market or capital market would be adversely affected by a massive transfer of funds between Japan and a foreign state.

3 前項の「特別国際金融取引勘定」とは、銀行その他の政令で定める金融機関が、非居住者（外国法令に基づいて設立された法人その他政令で定める者に限る。以下この項及び次項において同じ。）から受け入れた預金その他の非居住者から調達した資金を非居住者に対する金銭の貸付け、非居住者からの証券の取得その他の非居住者との間での運用に充てるために行う次に掲げる取引又は行為に係る資金の運用又は調達に関する経理をその他の取引又は行為に係る資金の運用又は調達に関する経理と区分して整理するため財務大臣の承認を受けて設ける勘定をいう。

(3) The term "special international financial transactions account" referred to in the preceding paragraph means an account that a bank or other financial institution that Cabinet Order prescribes establishes with the approval of the Minister of Finance in order to manage its accounting for its investment or procurement of funds in connection with the following transactions and actions it undertakes in order to allocate deposits that it receives from non-residents (but only corporations established pursuant to foreign laws and regulations and any other persons that Cabinet Order prescribes; hereinafter the same applies in this and the following paragraph) and other funds that it procures from non-residents, for use in lending money to non-residents, for use in acquiring securities from non-residents, and for use in other investment in non-residents, separately from its accounting for its investment and procurement of funds in connection with other transactions and actions:

一 前条第一号に掲げる資本取引のうち、非居住者との間の預金契約で政令で定めるものに基づく債権の発生等に係る取引

(i) capital transactions as set forth in item (i) of the preceding Article that constitute transactions giving rise to, altering, or extinguishing a claim based on a deposit contract with a non-resident that Cabinet Order prescribes;

二 前条第二号に掲げる資本取引のうち、非居住者との間の金銭の貸借契約に基づく債権の発生等に係る取引

(ii) capital transactions as set forth in item (ii) of the preceding Article that constitute transactions giving rise to, altering, or extinguishing a claim

based on a money loan agreement with a non-resident;

三 前条第五号に掲げる資本取引のうち、非居住者が発行する証券（政令で定めるものに限る。）の非居住者からの取得又は非居住者に対する譲渡

(iii) capital transactions as set forth in item (v) of the preceding Article that constitute the acquisition from a non-resident or transfer to a non-resident of securities (limited to those that Cabinet Order prescribes) issued by a non-resident;

四 その他政令で定める取引又は行為

(iv) other transactions and actions that Cabinet Order prescribes.

4 前項に規定する特別国際金融取引勘定（以下この項及び次条第二項において「特別国際金融取引勘定」という。）とその他の勘定との間における資金の振替その他の特別国際金融取引勘定の経理に関する事項及び特別国際金融取引勘定において経理される取引又は行為に関し当該取引又は行為の相手方が非居住者であることの確認その他必要な事項については、政令で定める。

(4) Cabinet Order provides for transfers of funds between a special international financial transactions account as prescribed in the preceding paragraph (hereinafter referred to as a "special international financial transactions account" in this paragraph and paragraph (2) of the next Article) and other accounts and for other particulars of the accounting in a special international financial transactions account, and also provides for confirmation that the other party to a transaction or action for which the accounting is conducted in a special international financial transactions account is a non-resident and for any other necessary particulars.

5 第二項に規定する資本取引について第一項及び第二項の規定により許可を受ける義務が課された場合には、当該資本取引を行おうとする者は、政令で定めるところにより、これらの規定による許可の申請を併せて行うことができる。この場合において、財務大臣は、当該申請に係る資本取引について許可を受ける義務を課することとなった事態のいずれをも生じさせないかを併せ考慮して、許可をするかどうかを判断するものとする。

(5) If persons have been placed under the obligation to get permission for a capital transaction as prescribed in paragraph (2) pursuant to both paragraphs (1) and (2), a person seeking to conduct such a transaction may file a combined application for the permissions under those paragraphs, pursuant to Cabinet Order. In such a case, the Minister of Finance is to decide whether to give permission while also taking into consideration whether the capital transaction under the application would actually cause one of the situations that forms the basis for obliging persons to get permission for that transaction.

6 財務大臣は、第二十三条第一項の規定により届け出なければならないとされる同項に規定する対外直接投資を行うことについて第一項又は第二項の規定により許可を受ける義務を課したときは、当該許可の申請に係る対外直接投資については、当該許可を受ける義務を課することとなった第一項に規定する事態又は第二項各号に掲げる事

態のほか、同条第四項各号に掲げる事態のいずれをも生じさせないかを併せ考慮して、許可をするかどうかを判断するものとする。

(6) If the Minister of Finance, pursuant to paragraph (1) or (2), has made it obligatory to get permission for outward direct investment as prescribed in Article 23, paragraph (1) in connection with which that paragraph requires a notification to be filed, the minister is to decide whether to give that permission while also taking into consideration whether the outward direct investment under the application for permission would actually give rise to one of the situations set forth in the items of paragraph (4) of that Article, in addition to whether it would actually give rise to one of the situations prescribed in paragraph (1) or in one of the items of paragraph (2) that forms the basis for obliging persons to get permission.

(資本取引等の制限)

(Restrictions on Capital Transactions)

第二十二條 財務大臣は、前条第一項の規定により許可を受ける義務を課した場合において、当該許可を受ける義務が課された同項に規定する資本取引を当該許可を受けないで行った者が再び同項の規定により許可を受ける義務が課された同項に規定する資本取引を当該許可を受けないで行うおそれがあると認めるときは、その者に対し、一年以内の期間を限り、同項に規定する資本取引を行うことについて、その全部若しくは一部を禁止し、又は政令で定めるところにより許可を受ける義務を課することができる。

Article 22 (1) If the Minister of Finance has made it obligatory to get permission pursuant to paragraph (1) of the preceding Article, but a person has conducted a capital transaction as prescribed in that paragraph for which permission has been made obligatory without getting that permission, and the minister finds that the person is likely to once again conduct a capital transaction as prescribed in that paragraph for which permission has been made obligatory pursuant to that paragraph without getting that permission, the minister may fully or partially prohibit the person from conducting capital transactions as prescribed in that paragraph, but only during a period of up to one year, or, pursuant to Cabinet Order, may make it obligatory for the person to get permission to do so, but only during a period of up to one year.

2 財務大臣は、前条第三項各号に掲げる取引若しくは行為以外の取引若しくは行為（以下この項において「対象外取引等」という。）を特別国際金融取引勘定において経理し、又は同条第四項の規定に基づく命令の規定に違反した者が、再び対象外取引等を特別国際金融取引勘定において経理し、又は当該命令の規定に違反するおそれがあると認めるときは、その者に対し、一年以内の期間を限り、同条第三項各号に掲げる取引又は行為の全部又は一部について特別国際金融取引勘定において経理することを禁止することができる。

(2) If a person has accounted for a transaction or action other than as set forth in

one of the items of paragraph (3) of the preceding Article (hereinafter referred to as a "non-subject transaction or action" in this paragraph) by placing it in the special international financial transactions account or has violated an order under paragraph (4) of that Article, and the Minister of Finance finds that the person is likely to once again account for a non-subject transaction or action by placing it in the special international financial transactions account or to once again violate that order, the minister may prohibit the person from fully or partially accounting for transactions or actions as set forth in the items of paragraph (3) of that Article by placing them in the special international financial transactions account, but only during a period of up to one year.

(金融機関等の本人確認義務等)

(Financial Institutions' and Similar Entities' Obligation to Confirm the Identities of Their Customers)

第二十二條の二 銀行等、信託会社（信託業法（平成十六年法律第百五十四号）第二條第二項に規定する信託会社及び同條第六項に規定する外国信託会社をいう。以下同じ。）及び金融商品取引業者（金融商品取引法第二條第九項に規定する金融商品取引業者であつて、同法第二十八條第一項に規定する第一種金融商品取引業を行う者及び同條第二項に規定する第二種金融商品取引業を行う者をいう。以下同じ。）（以下「金融機関等」という。）は、顧客又はこれに準ずる者として政令で定める者（以下この項において「顧客等」という。）との間で資本取引に係る契約の締結その他の政令で定める行為（以下この条において「資本取引に係る契約締結等行為」という。）を行うに際しては、当該顧客等について、本人確認を行わなければならない。

Article 22-2 (1) A bank or other financial institution, a trust company (meaning a trust company as prescribed in Article 2, paragraph (2) of the Trust Business Act (Act No. 154 of 2004) or a foreign trust company as prescribed in paragraph (6) of that Article; the same applies hereinafter), or a financial instruments business operator (meaning a financial instruments business operator as prescribed in Article 2, paragraph (9) of the Financial Instruments and Exchange Act which is engaged in the type I financial instruments business prescribed in Article 28, paragraph (1) of that Act or the type II financial instruments business prescribed in paragraph (2) of that Article; the same applies hereinafter) (hereinafter referred to as a "financial institution or similar entity") must confirm the identity of its customer or of a person that Cabinet Order prescribes as being equivalent thereto (hereinafter referred to as a "customer or equivalent person" in this paragraph) when it enters into a contract that involves a capital transaction with a customer or equivalent person, or when it takes any other action that Cabinet Order prescribes (hereinafter referred to as "entering into a capital transaction contract or taking any other prescribed action" in this Article).

2 第十八條第二項から第四項まで及び第十八條の二から第十八條の四までの規定は、

金融機関等が資本取引に係る契約締結等行為を行う場合について準用する。この場合において、第十八条の三第二項中「特定為替取引」とあるのは、「第二十二条の二第一項に規定する資本取引に係る契約」と読み替えるものとする。

(2) The provisions of Article 18, paragraphs (2) through (4) and Articles 18-2 through 18-4 apply mutatis mutandis when a financial institution or similar entity enters into a capital transaction contract or takes any other prescribed action. In such a case, the term "specified exchange transaction" in Article 18-3, paragraph (2) is deemed to be replaced with "contract involving a capital transaction as prescribed in Article 22-2, paragraph (1)".

(両替業務を行う者への準用)

(Mutatis Mutandis Application of Provisions to Providers of Currency Exchange Services)

第二十二条の三 第十八条第二項から第四項まで、第十八条の二から第十八条の四まで及び前条第一項の規定は、本邦において両替業務（業として外国通貨又は旅行小切手の売買を行うことをいう。）を行う者が顧客と両替（政令で定める小規模のものを除く。）を行う場合について準用する。

Article 22-3 Article 18, paragraphs (2) through (4); Articles 18-2 through 18-4; and paragraph (1) of the preceding Article apply mutatis mutandis when a provider of currency exchange services (meaning the buying and selling of foreign currencies or traveler's checks in the course of trade) in Japan changes currency (excluding currency exchange on a small scale that Cabinet Order prescribes) for a customer.

(対外直接投資)

(Outward Direct Investment)

第二十三条 居住者は、対外直接投資のうち第四項各号に掲げるいずれかの事態を生じおそれがあるものとして政令で定めるものを行おうとするときは、政令で定めるところにより、あらかじめ、当該対外直接投資の内容、実行の時期その他の政令で定める事項を財務大臣に届け出なければならない。

Article 23 (1) Before making an outward direct investment that Cabinet Order prescribes as being likely to cause one of the situations set forth in the items of paragraph (4), a resident, pursuant to Cabinet Order, must first file a notification of the substance of the outward direct investment, its timing, and other information that Cabinet Order prescribes with the Minister of Finance.

2 前項の「対外直接投資」とは、居住者による外国法令に基づいて設立された法人の発行に係る証券の取得若しくは当該法人に対する金銭の貸付けであつて当該法人との間に永続的な経済関係を樹立するために行われるものとして政令で定めるもの又は外国における支店、工場その他の事業所（以下「支店等」という。）の設置若しくは拡張に係る資金の支払をいう。

(2) The term "outward direct investment" as referred to in the preceding

paragraph means a resident's acquisition of securities issued by a corporation that has been incorporated under foreign laws and regulations or lending of money to such a corporation in a way that Cabinet Order prescribes as having the objective of establishing a permanent economic relationship with it, or a resident's payment of funds for the establishment or expansion of a branch office, factory, or other office (hereinafter referred to as a "branch office or other such place of business") in a foreign state.

3 第一項の規定による届出をした居住者は、財務大臣により当該届出が受理された日から起算して二十日を経過する日までは、当該届出に係る対外直接投資を行つてはならない。ただし、財務大臣は、当該届出に係る対外直接投資の内容その他からみて特に支障がないと認めるときは、当該期間を短縮することができる。

(3) A resident that has filed a notification under paragraph (1) must not undertake the outward direct investment that is the subject of that notification until the final day in the 20-day period that begins on the date that the Minister of Finance accepts the notification; provided, however, that on finding no special problems in consideration of the substance of the outward direct investment that is the subject of that notification or anything else, the Minister of Finance may shorten this period.

4 財務大臣は、前項の届出に係る対外直接投資が行われた場合には、次に掲げるいずれかの事態を生じ、この法律の目的を達成することが困難になると認められるとき又は第十条第一項の閣議決定が行われたときに限り、当該対外直接投資の届出をした者に対し、政令で定めるところにより、当該対外直接投資の内容の変更又は中止を勧告することができる。ただし、当該変更又は中止を勧告することができる期間は、当該届出を受理した日から起算して二十日以内とする。

(4) Once the outward direct investment under a notification referred to in the preceding paragraph is undertaken, the Minister of Finance, pursuant to Cabinet Order, may issue a recommendation to the person filing the notification of the outward direct investment to modify the substance of the investment or discontinue it, but only if the minister finds that the outward direct investment would cause one of the following situations and make it difficult to achieve the purpose of this Act or if a cabinet decision referred to in Article 10, paragraph (1) has been issued; provided, however, that the period during which the minister may issue a recommendation to modify or discontinue this is within 20 days from the day on which the minister accepts the notification:

一 我が国経済の円滑な運営に著しい悪影響を及ぼすことになること。

(i) it would have a significantly adverse impact on the smooth operation of the Japanese economy;

二 国際的な平和及び安全を損ない、又は公の秩序の維持を妨げることになること。

(ii) it would compromise world peace and international security or would create a barrier to the maintenance of public order.

5 前項の規定による勧告を受けた者は、第三項の規定にかかわらず、当該勧告を受けた日から起算して二十日を経過する日までは、同項の届出に係る対外直接投資を行ってはならない。

(5) Notwithstanding paragraph (3), a person that is issued a recommendation under the preceding paragraph must not undertake the outward direct investment under the notification referred to in paragraph (3) until the final day in the 20-day period that begins on the date on which the person is issued that recommendation.

6 第四項の規定による勧告を受けた者は、当該勧告を受けた日から起算して十日以内に、財務大臣に対し、当該勧告を応諾するかしないかを通知しなければならない。

(6) A person that is issued a recommendation under paragraph (4) must notify the Minister of Finance of whether or not the person will comply with the recommendation within 10 days of having been issued it.

7 前項の規定により勧告を応諾する旨の通知をした者は、当該勧告をされたところに従い、当該勧告に係る対外直接投資を行わなければならない。

(7) Having notified the Minister of Finance, pursuant to the preceding paragraph, of compliance with a recommendation, a person must undertake the outward direct investment that is subject to that recommendation in conformity with that recommendation.

8 第六項の規定により勧告を応諾する旨の通知をした者は、第三項又は第五項の規定にかかわらず、当該勧告を受けた日から起算して二十日を経過しなくても、当該勧告に係る対外直接投資を行うことができる。

(8) Notwithstanding paragraph (3) or (5), once a person notifies the Minister of Finance, pursuant to paragraph (6), of compliance with a recommendation, the person may undertake the outward direct investment subject to the recommendation even if 20 days have not yet passed since the person was issued the recommendation.

9 第四項の規定による勧告を受けた者が、第六項の規定による通知をしなかつた場合又は当該勧告を応諾しない旨の通知をした場合には、財務大臣は、当該勧告を受けた者に対し、当該対外直接投資の内容の変更又は中止を命ずることができる。ただし、当該変更又は中止を命ずることができる期間は、第四項の規定による勧告を行った日から起算して二十日以内とする。

(9) If a person that has been issued a recommendation under paragraph (4) fails to notify the minister as under paragraph (6) or notifies the minister of non-compliance with the recommendation, the Minister of Finance may order the person issued the recommendation to modify the substance of the outward direct investment or discontinue it; provided, however, that the period during which the minister may issue an order to modify or discontinue this is within 20 days, starting from the day on which the minister issues the recommendation under paragraph (4).

10 前各項に定めるもののほか、対外直接投資（第二項に規定する対外直接投資をい

う。以下同じ。)の内容の変更又は中止の勧告の手續その他これらの勧告に関し必要な事項は、政令で定める。

(10) Beyond as prescribed in each of the preceding paragraphs, Cabinet Order prescribes the procedures for recommending modifications to the substance of outward direct investment (meaning outward direct investment as prescribed in paragraph (2); the same applies hereinafter) and for recommending the discontinuance of outward direct investment, and also provides for other necessary particulars of these recommendations.

1 1 第一項の規定により届け出なければならないとされる対外直接投資について第二十一条第一項又は第二項の規定により財務大臣の許可を受ける義務が課された場合には、当該対外直接投資を行う居住者は、第一項の規定にかかわらず、その届出をすることを要しない。この場合において、当該対外直接投資について既に同項の規定による届出がされているときは、当該届出（同条第一項又は第二項の規定により許可を受ける義務が課された際現に行っていない対外直接投資（第六項の規定により中止の勧告を応諾する旨の通知がされたもの及び第九項の規定により中止を命ぜられたものを除く。）に係るものに限る。）については、これを当該届出のあつた日にされた同条第一項又は第二項の規定により受ける義務を課された許可に係る申請とみなし、当該届出に係る対外直接投資について第四項の規定による勧告、第六項の規定による通知（内容の変更を応諾する旨のものに限る。）又は第九項の規定による命令（内容の変更に係るものに限る。）があつたときは、当該勧告、通知又は命令については、これをなかつたものとみなす。

(11) Notwithstanding paragraph (1), if, pursuant to Article 21, paragraph (1) or (2), persons have been placed under the obligation to get the permission of the Minister of Finance for outward direct investment for which a notification must be filed pursuant to paragraph (1), a resident undertaking such an investment is not required to file such a notification. In such a case, if a resident has already filed a notification under that paragraph for that outward direct investment, the notification (but only a notification about outward direct investment (other than investment in connection with which the person has notified the minister of compliance with a recommendation to discontinue investment which the person has been issued pursuant to paragraph (6) or investment that the person has been ordered to discontinue pursuant to paragraph (9)) that has not yet actually been undertaken at the time the person is placed under the obligation to get permission pursuant to paragraph (1) or (2) of that Article) is deemed to be an application for permission that the resident has been placed under the obligation to get pursuant to paragraph (1) or (2) of that Article, which was filed on the day of the notification; and if a recommendation under paragraph (4), notice under paragraph (6) (but only notice through which the person indicates compliance in modifying the substance of an investment), or an order under paragraph (9) (but only an order for the person to modify the substance of the investment) has been issued

with regard to the outward direct investment that is the subject of that notification, the recommendation, notice, or order is deemed not to have been issued.

(経済産業大臣の許可を受ける義務を課する特定資本取引)

(Specified Capital Transactions for Which Persons Are Obligated to Get Permission from the Minister of Economy, Trade and Industry)

第二十四条 経済産業大臣は、居住者による特定資本取引（第二十条第二号に掲げる資本取引（同条第十二号の規定により同条第二号に準ずる取引として政令で定めるものを含む。）のうち、貨物を輸出し、又は輸入する者が貨物の輸出又は輸入に直接伴つてする取引又は行為として政令で定めるもの及び鉱業権、工業所有権その他これらに類する権利の移転又はこれらの権利の使用権の設定に係る取引又は行為として政令で定めるもの（短期の国際商業取引の決済のための資本取引として政令で定めるものを除く。）をいう。以下同じ。）が何らの制限なしに行われた場合には、我が国が締結した条約その他の国際約束を誠実に履行することを妨げ、若しくは国際平和のための国際的な努力に我が国として寄与することを妨げることとなる事態を生じ、この法律の目的を達成することが困難になると認めるとき又は第十条第一項の閣議決定が行われたときは、政令で定めるところにより、当該特定資本取引を行おうとする居住者に対し、当該特定資本取引を行うことについて、許可を受ける義務を課することができる。

Article 24 (1) On finding that, if residents were to unrestrictedly conduct specified capital transactions (meaning any capital transaction as set forth in Article 20, item (ii) (including anything that, pursuant to item (xii) of that Article, Cabinet Order prescribes as a transaction equivalent to what is referred to in item (ii) of that Article) which Cabinet Order prescribes as a transaction or action that a person that imports or exports goods conducts in direct association with the importing or exporting of goods, or which Cabinet Order prescribes as a transaction or action associated with the transfer of a mining right, industrial property right, or other right equivalent thereto, or associated with the establishment of the right to use these rights (excluding anything that Cabinet Order prescribes as a capital transaction whose purpose is the settlement of a short-term international commercial transaction)), it would prevent Japan from faithfully performing its obligations under a treaty or other international agreement it has signed or would cause a situation that would prevent Japan from contributing to international efforts towards world peace, thereby making it difficult to achieve the purpose of this Act, or if a cabinet decision as referred to in Article 10, paragraph (1) has been reached, the Minister of Economy, Trade and Industry, pursuant to Cabinet Order, may make it obligatory for residents seeking to conduct such a specified capital transaction to get permission to conduct it.

2 前項に定める場合のほか、経済産業大臣は、居住者による特定資本取引が何らの制

限なしに行われた場合には、第二十一条第二項各号に掲げるいずれかの事態を生じ、この法律の目的を達成することが困難になると認めるときは、政令で定めるところにより、当該特定資本取引を行おうとする居住者に対し、当該特定資本取引を行うことについて、許可を受ける義務を課することができる。

(2) Beyond as prescribed in the preceding paragraph, on finding that, if residents were to unrestrictedly conduct specified capital transactions, it would cause one of the situations set forth in the items of Article 21, paragraph (2) to arise, thereby making it difficult to achieve the purpose of this Act, the Minister of Economy, Trade and Industry, pursuant to Cabinet Order, may make it obligatory for residents seeking to conduct such a specified capital transaction to get permission to conduct it.

3 特定資本取引について第一項及び前項の規定により許可を受ける義務が課された場合には、当該特定資本取引を行おうとする者は、政令で定めるところにより、これらの規定による許可の申請を併せて行うことができる。この場合において、経済産業大臣は、当該申請に係る特定資本取引について許可を受ける義務を課することとなつた事態のいずれをも生じさせないかを併せ考慮して、許可をするかどうかを判断するものとする。

(3) If it has been made obligatory for persons to get permission for a specified capital transaction pursuant to both paragraph (1) and the preceding paragraph, a person seeking to conduct such a transaction may file a combined application for the permissions under those paragraphs, pursuant to Cabinet Order. In such a case, the Minister of Economy, Trade and Industry is to decide whether to give permission while also taking into consideration whether the specified capital transaction under the application would actually cause one of the situations that forms the basis for the minister's having made it obligatory for persons to get permission for such a transaction.

(特定資本取引の制限)

(Restrictions on Specified Capital Transactions)

第二十四条の二 経済産業大臣は、前条第一項の規定により許可を受ける義務を課した場合において、当該許可を受ける義務が課された特定資本取引を当該許可を受けないで行つた者が再び同項の規定により許可を受ける義務が課された特定資本取引を当該許可を受けないで行うおそれがあると認めるときは、その者に対し、一年以内の期間を限り、特定資本取引を行うことについて、その全部若しくは一部を禁止し、又は政令で定めるところにより許可を受ける義務を課することができる。

Article 24-2 If the Minister of Economy, Trade and Industry has made it obligatory to get permission pursuant to paragraph (1) of the preceding Article, but a person has conducted a specified capital transaction for which permission has been made obligatory without getting that permission and the minister finds that the person is likely to once again conduct a specified capital transaction for which permission has been made obligatory pursuant to that

paragraph without getting that permission, the minister may fully or partially prohibit the person from carrying out specified capital transactions, but only during a period of up to one year, or, pursuant to Cabinet Order, may make it obligatory for the person to get permission to do so, but only during a period of up to one year.

(役務取引等)

(Service Transactions and Transactions Involving the Transfer of Goods between Foreign States)

第二十五条 国際的な平和及び安全の維持を妨げることとなると認められるものとして政令で定める特定の種類の貨物の設計、製造若しくは使用に係る技術（以下「特定技術」という。）を特定の外国（以下「特定国」という。）において提供することを目的とする取引を行おうとする居住者若しくは非居住者又は特定技術を特定国の非居住者に提供することを目的とする取引を行おうとする居住者は、政令で定めるところにより、当該取引について、経済産業大臣の許可を受けなければならない。

Article 25 (1) Before a resident or a non-resident conducts a transaction with the objective of providing technology that is associated with the design, manufacture or use of a specific kind of good and which Cabinet Order prescribes as being found to compromise world peace and international security (hereinafter referred to as "specified technology") in a specified foreign state (hereinafter referred to as a "specified state"), or before a resident conducts a transaction with the objective of providing a non-resident from a specified state with specified technology, the resident or non-resident, in the first case, or the resident, in the second case, must get the permission of the Minister of Economy, Trade and Industry for that transaction, pursuant to Cabinet Order.

2 経済産業大臣は、前項の規定の確実な実施を図るため必要があると認めるときは、特定技術を特定国以外の外国において提供することを目的とする取引を行おうとする居住者若しくは非居住者又は特定技術を特定国以外の外国の非居住者に提供することを目的とする取引を行おうとする居住者に対し、政令で定めるところにより、当該取引について、許可を受ける義務を課することができる。

(2) On finding it to be necessary to do so in order to ensure the reliable implementation of the preceding paragraph, the Minister of Economy, Trade and Industry, pursuant to Cabinet Order, may make it obligatory for residents or non-residents seeking to conduct a transaction with the objective of providing specified technology in a foreign state other than a specified state, or residents seeking to conduct a transaction with the objective of providing specified technology to a non-resident from a foreign state other than a specified state with to get permission for the transaction.

3 経済産業大臣は、次の各号に掲げる場合には、当該各号に定める行為をしようとする者に対し、政令で定めるところにより、当該行為について、許可を受ける義務を課することができる。

(3) In the cases set forth in the following items, the Minister of Economy, Trade and Industry, pursuant to Cabinet Order, may make it obligatory for persons seeking to take the action prescribed in that item to get permission for that action:

一 第一項の規定の確実な実施を図るため必要があると認めるとき 同項の取引に関する次に掲げる行為

(i) on finding it to be necessary to do so in order to ensure the reliable implementation of paragraph (1): one of the following actions in connection with a transaction as referred to in paragraph (1):

イ 特定国を仕向地とする特定技術を内容とする情報が記載され、又は記録された文書、図画又は記録媒体（以下「特定記録媒体等」という。）の輸出

(a) exporting a document, picture, or data storage medium containing information on specified technology (hereinafter referred to as a "document, picture, or storage medium containing specified information") to a specified foreign state;

ロ 特定国において受信されることを目的として行う電気通信（電気通信事業法（昭和五十九年法律第八十六号）第二条第一号に規定する電気通信をいう。以下同じ。）による特定技術を内容とする情報の送信（本邦内にある電気通信設備（同条第二号に規定する電気通信設備をいう。）からの送信に限る。以下同じ。）

(b) using telecommunications (meaning telecommunications as prescribed in Article 2, item (i) of the Telecommunications Business Act (Act No. 86 of 1984); the same applies hereinafter) to transmit information about a piece of specified technology, with the objective for the transmission to be received in a specified state (this is limited to transmission from telecommunications facilities (meaning telecommunications facilities as prescribed in item (ii) of that Article) located in Japan; the same applies hereinafter).

二 前項の規定の確実な実施を図るため必要があると認めるとき 同項の取引に関する次に掲げる行為

(ii) on finding it to be necessary to do so in order to ensure the reliable implementation of the preceding paragraph: one of the following actions in connection with a transaction as prescribed in the preceding paragraph:

イ 特定国以外の外国を仕向地とする特定記録媒体等の輸出

(a) exporting a document, picture, or storage medium containing specified information to a foreign state other than a specified state;

ロ 特定国以外の外国において受信されることを目的として行う電気通信による特定技術を内容とする情報の送信

(b) using telecommunications to transmit information about a piece of specified technology, with the objective for the transmission to be received in a foreign state other than a specified state.

- 4 居住者は、非居住者との間で、国際的な平和及び安全の維持を妨げることとなると認められるものとして政令で定める外国相互間の貨物の移動を伴う貨物の売買、貸借又は贈与に関する取引を行おうとするときは、政令で定めるところにより、当該取引について、経済産業大臣の許可を受けなければならない。
- (4) Before a resident conducts a transaction with a non-resident that is connected with the buying and selling, leasing, or donation of goods; that involves the transfer of goods between foreign states; and that Cabinet Order prescribes as being found to compromise world peace and international security, the resident, pursuant to Cabinet Order, must get the permission of the Minister of Economy, Trade and Industry for that transaction.
- 5 居住者は、非居住者との間で、役務取引（労務又は便益の提供を目的とする取引をいう。以下同じ。）であつて、鉱産物の加工その他これに類するものとして政令で定めるもの（第三十条第一項に規定する技術導入契約の締結等に該当するものを除く。）を行おうとするときは、政令で定めるところにより、当該役務取引について、主務大臣の許可を受けなければならない。ただし、次項の規定により主務大臣の許可を受ける義務が課された役務取引に該当するものについては、この限りでない。
- (5) Before a resident conducts a service transaction (meaning a transaction with the objective of providing labor or a benefit; the same applies hereinafter) that constitutes the processing of minerals or anything Cabinet Order prescribes as similar thereto (excluding anything that falls under the category of the conclusion, renewal, or modification of a technology introduction contract as prescribed in Article 30, paragraph (1)), the resident must get the permission of the competent minister for that transaction, pursuant to Cabinet Order; provided, however, that this does not apply if the service transaction in question falls under the category of one for which the permission of the competent minister has been made obligatory pursuant to the following paragraph.
- 6 主務大臣は、居住者が非居住者との間で行う役務取引（第一項に規定する特定技術に係るもの及び第三十条第一項に規定する技術導入契約の締結等に該当するものを除く。）又は外国相互間の貨物の移動を伴う貨物の売買、貸借若しくは贈与に関する取引（第四項に規定するものを除く。）（以下「役務取引等」という。）が何らの制限なしに行われた場合には、我が国が締結した条約その他の国際約束を誠実に履行することを妨げ、若しくは国際平和のための国際的な努力に我が国として寄与することを妨げることとなる事態を生じ、この法律の目的を達成することが困難になると認めるとき又は第十条第一項の閣議決定が行われたときは、政令で定めるところにより、当該役務取引等を行おうとする居住者に対し、当該役務取引等を行うことについて、許可を受ける義務を課することができる。
- (6) On finding that, if residents were to unrestrictedly conduct service transactions (other than service transactions linked to specified technology as prescribed in paragraph (1) and those falling under the category of the conclusion, renewal, or modification of a technology introduction contract as

prescribed in Article 30, paragraph (1)) or transactions that are connected with the buying and selling, leasing, or donation of goods and that involve the transfer of goods between foreign states (other than those as prescribed in paragraph (4)) (hereinafter referred to as a "service transaction or transaction involving the transfer of goods between foreign states") with non-residents, it would prevent Japan from faithfully performing its obligations under a treaty or other international agreement it has signed or would cause a situation that would prevent Japan from contributing to international efforts towards world peace, thereby making it difficult to achieve the purpose of this Act, or if a cabinet decision as referred to in Article 10, paragraph (1) has been reached, the competent minister, pursuant to Cabinet Order, may make it obligatory for a resident seeking to conduct a service transaction or transaction involving the transfer of goods between foreign states to get permission to conduct it.

(制裁等)

(Sanctions)

第二十五条の二 経済産業大臣は、前条第一項の規定による許可を受けないで同項に規定する取引を行つた者に対し、三年以内の期間を限り、貨物の設計、製造若しくは使用に係る技術（以下この条において「貨物設計等技術」という。）を外国において提供し、若しくは非居住者に提供することを目的とする取引若しくは当該取引に関する貨物設計等技術を内容とする情報が記載され、若しくは記録された文書、図画若しくは記録媒体の輸出（以下「技術記録媒体等輸出」という。）若しくは外国において受信されることを目的として行う電気通信による貨物設計等技術を内容とする情報の送信（以下「国外技術送信」という。）を行い、又は特定技術に係る特定の種類の貨物の輸出を行うことを禁止することができる。

Article 25-2 (1) The Minister of Economy, Trade and Industry may prohibit a person that has conducted a transaction as prescribed in paragraph (1) of the preceding Article without getting the permission under that paragraph from conducting transactions with the objective of providing technology for the design, manufacture, or use of goods (hereinafter referred to as "technology for designing, manufacturing, or using goods" in this Article) in a foreign state or to a non-resident; from exporting a document, picture, or data storage medium containing information about technology for designing, manufacturing, or using goods (hereinafter referred to as "exporting a document, picture, or storage medium containing technological information") in connection with such a transaction; from using telecommunications to transmit information about technology for designing, manufacturing, or using goods with the objective of the transmission being received in a foreign state (hereinafter referred to as the "transmission of technological information outside Japan") in connection with such a transaction; or from exporting a specific kind of good linked to a piece of specified technology, but only during a period of up to three years.

2 経済産業大臣は、前条第二項又は第三項の規定により経済産業大臣の許可を受ける義務が課された場合において当該許可を受けないでこれらの項に規定する取引又は行為を行つた者に対し、一年以内の期間を限り、貨物設計等技術を外国において提供し、若しくは非居住者に提供することを目的とする取引若しくは当該取引に関する技術記録媒体等輸出若しくは国外技術送信を行い、又は特定技術に係る特定の種類の貨物の輸出を行うことを禁止することができる。

(2) If persons have been placed under the obligation to obtain the permission of the Minister of Economy, Trade and Industry pursuant to paragraph (2) or paragraph (3) of the preceding Article, but a person has undertaken a transaction or action as prescribed in one of those paragraphs without getting that permission, the minister may prohibit the person from conducting transactions with the objective of providing technology for designing, manufacturing, or using goods in a foreign state or to a non-resident; from exporting a document, picture, or storage medium containing technological information in connection with such a transaction; from transmitting technological information outside Japan in connection with such a transaction; or from exporting a specific kind of good linked to a piece of specified technology; but only during a period of up to one year.

3 経済産業大臣は、前条第四項の規定による許可を受けないで同項に規定する取引を行つた者に対し、三年以内の期間を限り、非居住者との間で外国相互間の貨物の移動を伴う貨物の売買、貸借若しくは贈与に関する取引を行い、又は貨物の輸出を行うことを禁止することができる。

(3) The Minister of Economy, Trade and Industry may prohibit a person that has conducted a transaction as prescribed in paragraph (4) of the preceding Article without getting the permission under that paragraph from conducting transactions that are connected with the buying and selling, leasing, or donation of goods and that involve the transfer of goods between foreign states with a non-resident, or from exporting goods, but only during a period of up to three years.

4 主務大臣は、前条第六項の規定により役務取引等を行うことについて許可を受ける義務を課した場合において、当該許可を受ける義務が課された役務取引等を当該許可を受けないで行つた者が再び同項の規定により許可を受ける義務が課された役務取引等を当該許可を受けないで行うおそれがあると認めるときは、その者に対し、一年以内の期間を限り、役務取引等を行うことについて、その全部若しくは一部を禁止し、又は政令で定めるところにより許可を受ける義務を課することができる。

(4) If the competent minister has made it obligatory to get permission to conduct a service transaction or transaction involving the transfer of goods between foreign states pursuant to paragraph (6) of the preceding Article, but a person has conducted a service transaction or transaction involving the transfer of goods between foreign states for which permission has been made obligatory without getting that permission, and the minister finds that the person is

likely to once again conduct a service transaction or transaction involving the transfer of goods between foreign states for which permission has been made obligatory pursuant to that paragraph without getting that permission, the competent minister may fully or partially prohibit the person from conducting service transactions or transactions involving the transfer of goods between foreign states, but only during a period of up to one year, or, pursuant to Cabinet Order, may make it obligatory for the person to get permission to do so, but only during a period of up to one year.

第五章 対内直接投資等

Chapter V Inward Direct Investment and Equivalent Actions

(定義)

(Definitions)

第二十六条 外国投資家とは、次に掲げるもので、次項各号に掲げる対内直接投資等又は第三項に規定する特定取得を行うものをいう。

Article 26 (1) The term "foreign investor" means one of the following persons that undertakes inward direct investment or an equivalent action as set forth in the items of the following paragraph, or that makes a specified acquisition as prescribed in paragraph (3):

一 非居住者である個人

(i) an individual that is a non-resident;

二 外国法令に基づいて設立された法人その他の団体又は外国に主たる事務所を有する法人その他の団体

(ii) a corporation or other organization established pursuant to foreign laws and regulations, or a corporation or other organization with a principal office in a foreign state;

三 会社で、第一号又は前号に掲げるものにより直接に保有されるその議決権（株主総会において決議をすることができる事項の全部につき議決権を行使することができない株式についての議決権を除き、会社法（平成十七年法律第八十六号）第八百七十九条第三項の規定により議決権を有するものとみなされる株式についての議決権を含む。以下この号及び次項第四号において同じ。）の数と他の会社を通じて間接に保有されるものとして政令で定めるその議決権の数とを合計した議決権の数の当該会社の総株主又は総社員の議決権の数に占める割合が百分の五十以上に相当するもの

(iii) a company in which the sum total of the number of votes held directly by persons as set forth in item (i) and (ii) (other than votes associated with shares that do not allow the holder to vote on all of the matters regarding which a resolution may be passed at a shareholders' meeting, but including votes associated with shares whose holders are deemed to hold voting rights pursuant to Article 879, paragraph (3) of the Companies Act (Act No. 86 of

2005); hereinafter the same applies in this item and item (iv) of the following paragraph) and the number of votes that Cabinet Order prescribes as being held indirectly through another company make up at least 50 percent of the number of votes of all shareholders or all members;

四 前二号に掲げるもののほか、法人その他の団体で、第一号に掲げる者がその役員（取締役その他これに準ずるものをいう。以下この号において同じ。）又は役員で代表する権限を有するもののいずれかの過半数を占めるもの

(iv) other than as set forth in the preceding two items, a corporation or other organization at which persons as set forth in item (i) constitute the majority of the officers (meaning directors or other persons equivalent thereto; hereinafter the same applies in this item) or the majority of the officers with representative authority.

2 対内直接投資等とは、次のいずれかに該当する行為をいう。

(2) The term "inward direct investment or an equivalent action" means an action that falls under one of the following items:

一 会社の株式又は持分の取得（前項各号に掲げるものからの譲受けによるもの及び金融商品取引法第二条第十六項に規定する金融商品取引所に上場されている株式又はこれに準ずるものとして政令で定める株式を発行している会社（次号及び第三号並びに次項において「上場会社等」という。）の株式の取得を除く。）

(i) the acquisition of shares or equity in a company (other than through a transfer from a person as set forth in the items of the preceding paragraph, and other than the acquisition of shares in a company that has issued shares listed on a financial instruments exchange as defined in Article 2, paragraph (16) of the Financial Instruments and Exchange Act or shares that Cabinet Order prescribes as being equivalent thereto (referred to as a "listed company or its equivalent" in items (ii) and (iii) and the following paragraph));

二 非居住者となる以前から引き続き所有する上場会社等以外の会社の株式又は持分の譲渡（非居住者である個人から前項各号に掲げるものに対して行われる譲渡に限る。）

(ii) the transfer of the shares or equity in a company other than a listed company or its equivalent that a person held prior to becoming a non-resident (but only a transfer from an individual that is a non-resident to one of the persons set forth in the items of the preceding paragraph);

三 上場会社等の株式の取得（当該取得に係る当該上場会社等の株式の数の当該上場会社等の発行済株式の総数に占める割合又は当該取得をしたものが当該取得の後に所有することとなる当該上場会社等の株式の数と、非居住者である個人若しくは法人その他の団体（前項第二号から第四号までに掲げるものに該当するものに限る。）で当該取得をしたものと株式の所有関係等の永続的な経済関係、親族関係その他これらに準ずる特別の関係にあるものとして政令で定めるものが所有する当該上場会社等の株式の数とを合計した株式の数の当該上場会社等の発行済株式の総

数に占める割合が百分の十を下らない率で政令で定める率以上となる場合に限る。)

(iii) the acquisition of shares in a listed company or its equivalent (but only if the number of shares in the listed company or its equivalent which are subject to the acquisition make up at least the proportion specified by Cabinet Order, and no less than 10 percent, of the total number of issued shares in that company; or if the sum total of the number of shares that the acquirer comes to hold in the listed company or its equivalent after the acquisition and the number of shares in that company held by non-resident individuals, corporations, and other organizations (but only those falling under a category of person as set forth in items (ii) through (iv) of the preceding paragraph) that are related to the acquirer through the holding of shares or any other such permanent economic affiliation or through kinship, as well as those held by any other person that Cabinet Order prescribes as being specially affiliated with the acquirer through equivalent ties, will make up at least the proportion specified by Cabinet Order, and no less than 10 percent, of the total number of issued shares in that company);

四 会社の事業目的の実質的な変更に関し行う同意（株式会社にあつては、当該株式会社の総株主の議決権の三分の一以上の割合を占める当該株式会社の議決権の数を有するものの行う同意に限る。）

(iv) consent given for a substantial modification to a company's business purpose (if it is a stock company, this is limited to consent given by persons holding at least one-third of all shareholders' voting rights in that company);

五 本邦における支店等の設置又は本邦にある支店等の種類若しくは事業目的の実質的な変更（前項第一号又は第二号に掲げるものを行う政令で定める設置又は変更に限る。）

(v) establishment of a branch office or other such place of business in Japan or substantial modification of the type or business purpose of a branch office or other such place of business in Japan (but only its establishment or modification as Cabinet Order prescribes, conducted by a person as set forth in item (i) or (ii) of the preceding paragraph);

六 本邦に主たる事務所を有する法人に対する政令で定める金額を超える金銭の貸付け（銀行業を営む者その他政令で定める金融機関がその業務として行う貸付け及び前項第三号又は第四号に掲げるものを行う本邦通貨による貸付けを除く。）でその期間が一年を超えるもの

(vi) the lending of money exceeding the amount that Cabinet Order prescribes to a corporation having its principal office in Japan (excluding lending by a person engaged in the banking business, lending in the course of trade by any other financial institution that Cabinet Order prescribes, and lendings made in Japanese currency by a person as set forth in item (iii) or (iv) of the preceding paragraph), for a term exceeding one year;

七 前各号のいずれかに準ずる行為として政令で定めるもの

(vii) any action that Cabinet Order prescribes as equivalent to one of the actions referred to in the preceding items.

3 特定取得とは、上場会社等以外の会社の株式又は持分の第一項各号に掲げるものからの譲受けによる取得をいう。

(3) The term "specified acquisition" means the acquisition of shares or equity in a company other than a listed company or its equivalent, through a transfer by a person as referred to in the items of paragraph (1).

(対内直接投資等の届出及び変更勧告等)

(Notification of Inward Direct Investment and Equivalent Actions;

Recommendations to Modify the Substance Thereof; Related Matters)

第二十七条 外国投資家は、対内直接投資等（相続、遺贈、法人の合併その他の事情を勘案して政令で定めるものを除く。以下この条において同じ。）のうち第三項の規定による審査が必要となる対内直接投資等に該当するおそれがあるものとして政令で定めるものを行おうとするときは、政令で定めるところにより、あらかじめ、当該対内直接投資等について、事業目的、金額、実行の時期その他の政令で定める事項を財務大臣及び事業所管大臣に届け出なければならない。

Article 27 (1) Before engaging in inward direct investment or an equivalent action (other than anything that Cabinet Order prescribes in consideration of an inheritance, testamentary gift, merger of corporations, or other circumstances; hereinafter the same applies in this Article) that Cabinet Order prescribes as being likely to fall under a category necessitating an examination under paragraph (3), a foreign investor, pursuant to Cabinet Order, must first file a notification of the business purpose of the inward direct investment or equivalent action, its amount, its timing, and any other information that Cabinet Order prescribes with the Minister of Finance and the competent minister for the business.

2 対内直接投資等について前項の規定による届出をした外国投資家は、財務大臣及び事業所管大臣が当該届出を受理した日から起算して三十日を経過する日までは、当該届出に係る対内直接投資等を行ってはならない。ただし、財務大臣及び事業所管大臣は、その期間の満了前に当該届出に係る対内直接投資等がその事業目的その他からみて次項の規定による審査が必要となる対内直接投資等に該当しないと認めるときは、当該期間を短縮することができる。

(2) A foreign investor that has filed a notification under the preceding paragraph with regard to inward direct investment or an equivalent action must not undertake in the inward direct investment or equivalent action that is the subject of that notification until the final day in the 30-day period that begins on the date that the Minister of Finance and the competent minister for the business accept the notification; provided, however, that on finding, before the end of this period, that, in light of its business purpose or any other

consideration, the inward direct investment or equivalent action that is the subject of that notification does not fall under a category necessitating an examination pursuant to the following paragraph, the Minister of Finance and the competent minister for the business may shorten this period.

3 財務大臣及び事業所管大臣は、第一項の規定による届出があつた場合において、当該届出に係る対内直接投資等が次に掲げるいずれかの対内直接投資等（次項、第五項及び第十一項において「国の安全等に係る対内直接投資等」という。）に該当しないかどうかを審査する必要があると認めるときは、当該届出に係る対内直接投資等を行つてはならない期間を、当該届出を受理した日から起算して四月間に限り、延長することができる。

(3) When a notification under paragraph (1) has been filed, on finding it necessary to examine whether the inward direct investment or equivalent action that is the subject of that notification falls under one of the following categories of inward direct investment or equivalent action (referred to as "inward direct investment or an equivalent action that is a matter of national security or a similar concern" in paragraphs (4), (5), and (11)), the Minister of Finance and the competent minister for the business may extend the period during which the inward direct investment or equivalent action that is the subject of that notification must not be undertaken, but only to a period of four months beginning on the day on which the notification is accepted:

一 イ又はロに掲げるいずれかの事態を生ずるおそれがある対内直接投資等（我が国が加盟する対内直接投資等に関する多数国間の条約その他の国際約束で政令で定めるもの（以下この号において「条約等」という。）の加盟国の外国投資家が行う対内直接投資等で対内直接投資等に関する制限の除去について当該条約等に基づく義務がないもの及び当該条約等の加盟国以外の国の外国投資家が行う対内直接投資等でその国が当該条約等の加盟国であるものとした場合に当該義務がないこととなるものに限る。）

(i) inward direct investment or an equivalent action that is likely to cause one of the situations set forth in (a) or (b) (but only inward direct investment or an equivalent action that is undertaken by a foreign investor from a member state of a multilateral treaty or other international agreement on inward direct investment and equivalent actions that Cabinet Order prescribes and to which Japan has acceded (hereinafter referred to as a "treaty or other agreement" in this item), if there is no obligation to remove restrictions on that inward direct investment or equivalent action based on the treaty or other agreement; as well as inward direct investment or an equivalent action that is undertaken by a foreign investor from a state other than the member state of such a treaty or other agreement, if there would be no obligation to remove restrictions on the inward direct investment or equivalent action if the state in question were a member state of the treaty or other agreement):

イ 国の安全を損ない、公の秩序の維持を妨げ、又は公衆の安全の保護に支障を来

すことになること。

(a) it would compromise national security, create a barrier to the maintenance of public order, or interfere with the preservation of public safety;

ロ 我が国経済の円滑な運営に著しい悪影響を及ぼすことになること。

(b) it would have a significantly adverse impact on the smooth operation of the Japanese economy.

二 当該対内直接投資等が我が国との間に対内直接投資等に関し条約その他の国際約束がない国の外国投資家により行われるものであることにより、これに対する取扱いを我が国の投資家が当該国において行う直接投資等（前条第二項各号に掲げる対内直接投資等に相当するものをいう。）に対する取扱いと実質的に同等なものとするため、その内容の変更又は中止をさせる必要があると認められる対内直接投資等

(ii) inward direct investment or an equivalent action that, because it is undertaken by a foreign investor from a state with which Japan has not concluded any treaty or other international agreement on inward direct investment and equivalent actions, it is found necessary to modify the substance of or to discontinue, in order to harmonize its treatment, in real terms, with the treatment of direct investment and equivalent actions that Japanese investors undertake in that state (meaning direct investment and equivalent actions that are equivalent to inward direct investment and equivalent actions as set forth in the items of paragraph (2) of the preceding Article);

三 資金の使途その他からみて、当該対内直接投資等の全部又は一部が第二十一条第一項又は第二項の規定により許可を受ける義務を課されている資本取引に当たるものとしてその内容の変更又は中止をさせる必要があると認められる対内直接投資等

(iii) inward direct investment or an equivalent action that it is found necessary to modify the substance of or to discontinue, as all or part of it constitutes a capital transaction for which, pursuant to Article 21, paragraph (1) or (2), persons have been placed under the obligation to get permission, based on the use of funds or anything else.

4 財務大臣及び事業所管大臣は、前項の規定により対内直接投資等を行つてはならない期間を延長した場合において、同項の規定による審査をした結果、当該延長された期間の満了前に第一項の規定による届出に係る対内直接投資等が国の安全等に係る対内直接投資等に該当しないと認めるときは、当該延長された期間を短縮することができる。

(4) Having extended the period during which inward direct investment or an equivalent action must not be undertaken pursuant to the preceding paragraph and upon reaching the finding, as the result of an examination under that paragraph and before the end of the extended period, that the inward direct investment or equivalent action that is the subject of the notification under paragraph (1) does not fall under the category of inward direct investment or

an equivalent action that is a matter of national security or a similar concern, the Minister of Finance and the competent minister for the business may shorten the extended period.

5 財務大臣及び事業所管大臣は、第三項の規定により対内直接投資等を行つてはならない期間を延長した場合において、同項の規定による審査をした結果、第一項の規定による届出に係る対内直接投資等が国の安全等に係る対内直接投資等に該当すると認めるときは、関税・外国為替等審議会の意見を聴いて、当該対内直接投資等の届出をしたものに対し、政令で定めるところにより、当該対内直接投資等に係る内容の変更又は中止を勧告することができる。ただし、当該変更又は中止を勧告することができる期間は、当該届出を受理した日から起算して第三項又は次項の規定により延長された期間の満了する日までとする。

(5) Having extended the period during which inward direct investment or an equivalent action must not be undertaken pursuant to paragraph (3) and upon reaching the finding, as the result of an examination under that paragraph, that the inward direct investment or equivalent action that is the subject of the notification under paragraph (1) falls under the category of inward direct investment or an equivalent action that is a matter of national security or a similar concern, the Minister of Finance and the competent minister for the business may recommend the person that filed the notification of the inward direct investment or equivalent action to modify the substance of the investment or action or to discontinue it, pursuant to Cabinet Order and after hearing the opinions of the Council on Customs, Tariffs, Foreign Exchange, and Other Transactions; provided, however, that the period during which the ministers may issue a recommendation to modify or discontinue this runs from the day on which the ministers accept the notification until the final day in the period as extended pursuant to paragraph (3) or (6).

6 前項の規定により関税・外国為替等審議会の意見を聴く場合において、関税・外国為替等審議会が当該事案の性質にかんがみ、第三項に規定する四月の期間内に意見を述べるのが困難である旨を申し出た場合には、同項に規定する対内直接投資等を行つてはならない期間は、同項の規定にかかわらず、五月とする。

(6) Notwithstanding paragraph (3), if the Minister of Finance and the competent minister for the business will hear the opinion of the Council on Customs, Tariffs, Foreign Exchange, and Other Transactions pursuant to the preceding paragraph, but the Council makes a filing indicating that, considering the character of the matter in question, it will be difficult for it to state its opinion within the period of four months prescribed in paragraph (3), the period during which inward direct investment must not be undertaken as prescribed in that paragraph is five months.

7 第五項の規定による勧告を受けたものは、当該勧告を受けた日から起算して十日以内に、財務大臣及び事業所管大臣に対し、当該勧告を応諾するかしないかを通知しなければならない。

(7) A person that is issued a recommendation under paragraph (5) must notify the Minister of Finance and the competent minister for the business of whether or not the person will comply with the recommendation, within 10 days of having been issued it.

8 前項の規定により勧告を応諾する旨の通知をしたものは、当該勧告をされたところに従い、当該勧告に係る対内直接投資等を行わなければならない。

(8) Having notified the ministers, pursuant to the preceding paragraph, of compliance with a recommendation, a person must undertake the inward direct investment or equivalent action that is subject to the recommendation in conformity with that recommendation.

9 第七項の規定により勧告を応諾する旨の通知をしたものは、第三項又は第六項の規定にかかわらず、当該対内直接投資等に係る届出を行った日から起算して四月（同項の規定により延長された場合にあっては、五月）を経過しなくても、当該勧告に係る対内直接投資等を行うことができる。

(9) Notwithstanding paragraph (3) or (6), once a person notifies the ministers, pursuant to paragraph (7), of compliance with a recommendation, the person may undertake the inward direct investment or equivalent action that is subject to the recommendation even if four months (or five months, if the period has been extended pursuant to that paragraph) have not yet passed since the day on which the person filed the notification with regard to that inward direct investment or equivalent action.

10 第五項の規定による勧告を受けたものが、第七項の規定による通知をしなかつた場合又は当該勧告を応諾しない旨の通知をした場合には、財務大臣及び事業所管大臣は、当該勧告を受けたものに対し、当該対内直接投資等に係る内容の変更又は中止を命ずることができる。ただし、当該変更又は中止を命ずることができる期間は、当該届出を受理した日から起算して第三項又は第六項の規定により延長された期間の満了する日までとする。

(10) If a person that has been issued a recommendation under paragraph (5) fails to notify the ministers as under paragraph (7) or notifies the ministers of non-compliance with the recommendation, the Minister of Finance and the competent minister for the business may order the person to modify the substance of the inward direct investment or equivalent action or discontinue it; provided, however, that the period during which the ministers may issue an order to modify or discontinue this runs from the day on which they accept the notification until the final day in the period as extended pursuant to paragraph (3) or (6).

11 財務大臣及び事業所管大臣は、経済事情の変化その他の事由により、第一項の規定による届出に係る対内直接投資等が国の安全等に係る対内直接投資等に該当しなくなつたと認めるときは、第七項の規定による対内直接投資等に係る内容の変更の勧告を応諾する旨の通知をしたもの又は前項の規定により対内直接投資等に係る内容の変更を命じられたものに対し、当該勧告又は命令の全部又は一部を取り消すことができ

る。

(11) On finding that, because of a change in economic conditions or for any other reason, inward direct investment or an equivalent action that is the subject of a notification under paragraph (1) has ceased to fall under the category of inward direct investment or an equivalent action that is a matter of national security or a similar concern, the Minister of Finance and the competent minister for the business may fully or partially rescind the recommendation issued to a person that has notified them as under paragraph (7) of compliance with a recommendation to modify the substance of an inward direct investment or equivalent action, and may fully or partially rescind the order issued to a person that has been ordered, pursuant to the preceding paragraph, to modify the substance of an inward direct investment or an equivalent action.

1 2 第五項から前項までに定めるもののほか、対内直接投資等に係る内容の変更又は中止の勧告の手續その他これらの勧告に関し必要な事項は、政令で定める。

(12) Beyond as established in paragraphs (5) through (11), Cabinet Order prescribes the procedures for recommending modifications to the content of inward direct investment and equivalent actions and the discontinuance of the same, and provides for other necessary particulars in connection with these recommendations.

1 3 外国投資家以外の者（法人その他の団体を含む。）が外国投資家のために当該外国投資家の名義によらないで行う対内直接投資等に相当するものについては、当該外国投資家以外の者を外国投資家とみなして、前各項及び第二十九条の規定を適用する。

(13) As regards anything equivalent to inward direct investment or an equivalent action that a person (this includes corporations and other organizations) other than a foreign investor undertakes on behalf of a foreign investor without using the name of the foreign investor, the person that is not a foreign investor is deemed to be a foreign investor and the preceding paragraphs and Article 29 apply.

（特定取得の届出及び変更勧告等）

(Notification of Specified Acquisition; Recommendations to Modify the Substance Thereof; Related Matters)

第二十八条 外国投資家は、特定取得（相続、遺贈、法人の合併その他の事情を勘案して政令で定めるものを除く。以下この条において同じ。）のうち第三項の規定による審査が必要となる特定取得に該当するおそれがあるものとして政令で定めるものを行おうとするときは、政令で定めるところにより、あらかじめ、当該特定取得について、事業目的、金額、実行の時期その他の政令で定める事項を財務大臣及び事業所管大臣に届け出なければならない。

Article 28 (1) Before seeking to make a specified acquisition (other than anything that Cabinet Order prescribes in consideration of an inheritance, testamentary gift, merger of corporations, or other circumstances; hereinafter

the same applies in this Article) that Cabinet Order prescribes as being likely to fall under a category necessitating an examination under paragraph (3), a foreign investor, pursuant to Cabinet Order, must first file a notification of the business purpose of the specified acquisition, its amount, its timing, and any other information that Cabinet Order prescribes with the Minister of Finance and the competent minister for the business.

2 特定取得について前項の規定による届出をした外国投資家は、財務大臣及び事業所管大臣が当該届出を受理した日から起算して三十日を経過する日までは、当該届出に係る特定取得を行ってはならない。ただし、財務大臣及び事業所管大臣は、その期間の満了前に当該届出に係る特定取得がその事業目的その他からみて次項の規定による審査が必要となる特定取得に該当しないと認めるときは、当該期間を短縮することができる。

(2) A foreign investor that has filed a notification under the preceding paragraph with regard to a specified acquisition must not undertake the specified acquisition that is the subject of that notification until the final day in the 30-day period that begins on the date that the Minister of Finance and the competent minister for the business accept the notification; provided, however, that on finding, before the end of this period, that, based on the business purpose or any other consideration, the specified acquisition that is the subject of that notification does not fall under a category necessitating an examination under the following paragraph, the Minister of Finance and the competent minister for the business may shorten this period.

3 財務大臣及び事業所管大臣は、第一項の規定による届出があつた場合において、当該届出に係る特定取得が国の安全を損なう事態を生ずるおそれが大きい特定取得（我が国が加盟する特定取得に関する多数国間の条約その他の国際約束で政令で定めるもの（以下この項において「条約等」という。）の加盟国の外国投資家が行う特定取得で特定取得に関する制限の除去について当該条約等に基づく義務がないもの及び当該条約等の加盟国以外の国の外国投資家が行う特定取得でその国が当該条約等の加盟国であるものとした場合に当該義務がないこととなるものに限る。次項及び第五項並びに次条第一項及び第二項において「国の安全に係る特定取得」という。）に該当しないかどうかを審査する必要があると認めるときは、当該届出に係る特定取得を行ってはならない期間を、当該届出を受理した日から起算して四月間に限り、延長することができる。

(3) When a notification under paragraph (1) has been filed, on finding it necessary to examine whether the specified acquisition that is the subject of the notification falls under the category of a specified acquisition that is highly likely to cause a situation that would compromise national security (but only a specified acquisition that is undertaken by a foreign investor from a member state of a multilateral treaty or other international agreement on specified acquisition that Cabinet Order prescribes and to which Japan has acceded (hereinafter referred to as a "treaty or other agreement" in this paragraph), if

there is no obligation to remove restrictions on that specified acquisition based on the treaty or other agreement; as well as a specified acquisition that is undertaken by a foreign investor from a state other than the member state of such a treaty or other agreement, if there would be no obligation to remove restrictions on the specified acquisition if the state in question were a member state of the treaty or other agreement; referred to as a "specified acquisition that is a matter of national security" in the following paragraph and paragraph (5), and paragraphs (1) and (2) of the following Article), the Minister of Finance and the competent minister for the business may extend the period during which the specified acquisition that is the subject of the notification must not be undertaken, but only to a period of four months beginning on the day on which the notification is accepted.

4 財務大臣及び事業所管大臣は、前項の規定により特定取得を行つてはならない期間を延長した場合において、同項の規定による審査をした結果、当該延長された期間の満了前に第一項の規定による届出に係る特定取得が国の安全に係る特定取得に該当しないと認めるときは、当該延長された期間を短縮することができる。

(4) Having extended the period during which a specified acquisition must not be undertaken pursuant to the preceding paragraph and upon reaching the finding, as the result of an examination under that paragraph and before the end of the extended period, that the specified acquisition that is the subject of the notification under paragraph (1) does not fall under the category of a specified acquisition that is a matter of national security, the Minister of Finance and the competent minister for the business may shorten the extended period.

5 財務大臣及び事業所管大臣は、第三項の規定により特定取得を行つてはならない期間を延長した場合において、同項の規定による審査をした結果、第一項の規定による届出に係る特定取得が国の安全に係る特定取得に該当すると認めるときは、関税・外国為替等審議会の意見を聴いて、当該特定取得の届出をしたものに対し、政令で定めるところにより、当該特定取得に係る内容の変更又は中止を勧告することができる。ただし、当該変更又は中止を勧告することができる期間は、当該届出を受理した日から起算して第三項又は次項の規定により延長された期間の満了する日までとする。

(5) Having extended the period during which a specified acquisition must not be undertaken pursuant to paragraph (3), and upon reaching the finding, as the result of an examination under that paragraph, that the specified acquisition that is the subject of the notification under paragraph (1) falls under the category of a specified acquisition that is a matter of national security, the Minister of Finance and the competent minister for the business may recommend the person that filed the notification of the specified acquisition to modify the substance of the acquisition or discontinue it, pursuant to Cabinet Order and after hearing the opinion of the Council on Customs, Tariffs, Foreign Exchange, and Other Transactions; provided, however, that the period

during which the ministers may issue a recommendation to modify or discontinue this runs from the day on which they accept the notification up until the final day in the period as extended pursuant to paragraph (3) or the following paragraph.

- 6 前項の規定により関税・外国為替等審議会の意見を聴く場合において、関税・外国為替等審議会が当該事案の性質に鑑み、第三項に規定する四月の期間内に意見を述べるのが困難である旨を申し出た場合には、同項に規定する特定取得を行つてはならない期間は、同項の規定にかかわらず、五月とする。
- (6) Notwithstanding paragraph (3), if the Minister of Finance and the competent minister for the business will hear the opinion of the Council on Customs, Tariffs, Foreign Exchange, and Other Transactions pursuant to the preceding paragraph, but the Council makes a filing indicating that, considering the character of the matter in question, it will be difficult for it to state its opinion within the period of four months prescribed in paragraph (3), the period during which a specified acquisition must not be undertaken as prescribed in that paragraph is five months.
- 7 前条第七項から第十二項までの規定は、第五項の規定による勧告があつた場合について準用する。この場合において、必要な技術的読替えは、政令で定める。
- (7) Paragraphs (7) through (12) of the preceding Article apply mutatis mutandis if the recommendation under paragraph (5) is issued. Cabinet Order prescribes the necessary deemed technical replacements of terms for such a case.
- 8 外国投資家以外の者（法人その他の団体を含む。）が外国投資家のために当該外国投資家の名義によらないで行う特定取得に相当するものについては、当該外国投資家以外の者を外国投資家とみなして、前各項及び次条の規定を適用する。
- (8) As regards anything equivalent to a specified acquisition that a person (this includes corporations and other organizations) other than a foreign investor undertakes on behalf of a foreign investor without using the name of the foreign investor, the person that is not a foreign investor is deemed to be a foreign investor and the preceding paragraphs and the following Article apply.

第二十八条 削除

Article 28 Deleted

(措置命令)

(Ordering Measures)

第二十九条 財務大臣及び事業所管大臣は、次に掲げる場合において、当該対内直接投資等又は特定取得が第二十七条第三項第一号に掲げる対内直接投資等（国の安全を損なう事態を生ずるおそれがあるものに限る。以下この条において「国の安全に係る対内直接投資等」という。）又は国の安全に係る特定取得に該当すると認めるときは、関税・外国為替等審議会の意見を聴いて、当該対内直接投資等又は特定取得を行つた外国投資家に対し、政令で定めるところにより、当該対内直接投資等又は特定取得に

より取得した株式又は持分の全部又は一部の処分その他必要な措置を命ずることができる。

Article 29 (1) In the following cases, if the Minister of Finance and the competent minister for the business find that the inward direct investment or equivalent action in question falls under a category of inward direct investment or equivalent action as referred to in Article 27, paragraph (3), item (i) (limited to inward direct investment or an equivalent action that is likely to cause a situation that would compromise national security; hereinafter referred to as "inward direct investment or an equivalent action that is a matter of national security" in this Article), they may order the foreign investor that has undertaken the inward direct investment or equivalent action to dispose of all or part of the shares or equity acquired through the inward direct investment or equivalent action or take other necessary measures, pursuant to Cabinet Order, after hearing the opinion of the Council on Customs, Tariffs, Foreign Exchange, and Other Transactions; and if they find that the specified acquisition in question falls under the category of a specified acquisition that is a matter of national security, they may order the foreign investor that has undertaken the specified acquisition to dispose of all or part of the shares or equity acquired through the specified acquisition or take other necessary measures, pursuant to Cabinet Order, after hearing the opinion of the Council on Customs, Tariffs, Foreign Exchange, and Other Transactions:

一 第二十七条第一項又は前条第一項の規定による届出をしなければならない外国投資家が、当該届出をせずに対内直接投資等又は特定取得を行った場合

(i) if a foreign investor that must file a notification under Article 27, paragraph (1) or paragraph (1) of the preceding Article undertakes inward direct investment or an equivalent action or a specified acquisition without filing that notification;

二 第二十七条第一項又は前条第一項の規定による届出をした外国投資家が、禁止期間の満了前に、当該届出に係る対内直接投資等又は特定取得を行った場合

(ii) if a foreign investor that has filed a notification under Article 27, paragraph (1) or paragraph (1) of the preceding Article undertakes the inward direct investment or equivalent action or the specified acquisition that is the subject of that notification, before the end of the period prohibiting that undertaking.

2 財務大臣及び事業所管大臣は、第二十七条第一項又は前条第一項の規定による届出をした外国投資家が、当該届出に関し虚偽の届出をした場合において、当該届出に係る対内直接投資等又は特定取得が国の安全に係る対内直接投資等又は国の安全に係る特定取得に該当すると認めるときは、関税・外国為替等審議会の意見を聴いて、当該対内直接投資等又は特定取得を行った外国投資家に対し、政令で定めるところにより、必要な措置を命ずることができる。

(2) If a foreign investor filing a notification under Article 27, paragraph (1) or paragraph (1) of the preceding Article has done so through a false filing and the Minister of Finance and the competent minister for the business find that the inward direct investment or equivalent action or specified acquisition that is the subject of that notification falls under the category of inward direct investment or an equivalent action that is a matter of national security or the category of a specified acquisition that is a matter of national security, they may order the foreign investor that has undertaken the inward direct investment or equivalent action or the specified acquisition to take the necessary measures, pursuant to Cabinet Order and after hearing the opinion of the Council on Customs, Tariffs, Foreign Exchange, and Other Transactions.

3 財務大臣及び事業所管大臣は、第二十七条第一項又は前条第一項の規定による届出をした外国投資家が、第二十七条第七項（前条第七項において準用する場合を含む。）の規定により応諾する旨の通知をした対内直接投資等若しくは特定取得に係る内容の変更の勧告に従わず、又は第二十七条第十項（前条第七項において準用する場合を含む。）の規定による対内直接投資等若しくは特定取得に係る内容の変更の命令に違反した場合（対内直接投資等にあつては、当該対内直接投資等が国の安全に係る対内直接投資等に該当すると認める場合に限る。）には、当該対内直接投資等又は特定取得を行った外国投資家に対し、政令で定めるところにより、当該対内直接投資等又は特定取得により取得した株式又は持分（第二十七条第五項若しくは前条第五項の規定により当該対内直接投資等若しくは特定取得に係る株式の数若しくは金額若しくは持分の口数若しくは金額の変更を勧告した場合における当該変更に係る部分又は第二十七条第十項（前条第七項において準用する場合を含む。）の規定により当該対内直接投資等若しくは特定取得に係る株式の数若しくは金額若しくは持分の口数若しくは金額の変更を命じた場合における当該変更に係る部分に限る。）の全部又は一部の処分その他必要な措置を命ずることができる。

(3) If a foreign investor that has filed a notification under Article 27, paragraph (1) or paragraph (1) of the preceding Article fails to follow a recommendation to modify the substance of the inward direct investment or equivalent action or the specified acquisition that is the subject of that notification after having notified the ministers of compliance with that recommendation pursuant to Article 27, paragraph (7) (including as applied mutatis mutandis pursuant to paragraph (7) of the preceding Article), or if such a foreign investor violates an order under Article 27, paragraph (10) (including as applied mutatis mutandis pursuant to paragraph (7) of the preceding Article) to modify the substance of the inward direct investment or equivalent action or the substance of the specified acquisition (as regards inward direct investment or an equivalent action, this is limited to if the inward direct investment or equivalent action in question is found to fall under the category of inward direct investment or an equivalent action that is a matter of national security), the Minister of Finance and the competent minister for the business may order the foreign investor

that has undertaken the inward direct investment or equivalent action or the specified acquisition to dispose of all or part of the shares or equity acquired through the inward direct investment or equivalent action or through the specified acquisition (if the ministers have recommended modifying the number or amount of shares or the number or amount of units of equity involved in the inward direct investment or equivalent action or in the specified acquisition pursuant to Article 27, paragraph (5) or paragraph (5) of the preceding Article, or if they have ordered a modification to the number or amount of shares or the number or amount of units of equity involved in the inward direct investment or equivalent action or in the specified acquisition pursuant to Article 27, paragraph (10) (including as applied mutatis mutandis pursuant to paragraph (7) of the preceding Article), they may only order the investor to dispose of the part subject to the modification), or to take other necessary measures, pursuant to Cabinet Order.

- 4 財務大臣及び事業所管大臣は、第二十七条第一項又は前条第一項の規定による届出をした外国投資家が、第二十七条第七項（前条第七項において準用する場合を含む。）の規定により応諾する旨の通知をした対内直接投資等若しくは特定取得の中止の勧告に従わず、又は第二十七条第十項（前条第七項において準用する場合を含む。）の規定による対内直接投資等若しくは特定取得の中止の命令に違反した場合（対内直接投資等にあつては、当該対内直接投資等が国の安全に係る対内直接投資等に該当すると認める場合に限る。）には、当該対内直接投資等又は特定取得を行つた外国投資家に対し、政令で定めるところにより、当該対内直接投資等又は特定取得により取得した株式又は持分の全部又は一部の処分その他必要な措置を命ずることができる。

- (4) If a foreign investor that has filed a notification under Article 27, paragraph (1) or paragraph (1) of the preceding Article fails to follow a recommendation to discontinue the inward direct investment or equivalent action or the specified acquisition that is the subject of that notification after having notified the ministers of compliance with that recommendation pursuant to Article 27, paragraph (7) (including as applied mutatis mutandis pursuant to paragraph (7) of the preceding Article), or if such a foreign investor violates an order under Article 27, paragraph (10) (including as applied mutatis mutandis pursuant to paragraph (7) of the preceding Article) to discontinue the inward direct investment or equivalent action or the specified acquisition (as regards inward direct investment or an equivalent action, this is limited to if the inward direct investment or an equivalent action is found to fall under the category of inward direct investment or an equivalent action that is a matter of national security), the Minister of Finance and the competent minister for the business may order the foreign investor that has undertaken the inward direct investment or equivalent action or the specified acquisition to dispose of all or part of the shares or equity acquired through the inward direct investment or

equivalent action or through the specified acquisition, or to take other necessary measures, pursuant to Cabinet Order.

5 第一項第二号の「禁止期間」とは、第二十七条第二項本文に規定する期間（同条第三項若しくは第六項の規定により延長され、又は同条第二項ただし書若しくは第四項の規定により短縮された場合には、当該延長され、又は短縮された期間）又は前条第二項本文に規定する期間（同条第三項若しくは第六項の規定により延長され、又は同条第二項ただし書若しくは第四項の規定により短縮された場合には、当該延長され、又は短縮された期間）をいう。

(5) The term "period prohibiting that undertaking" referred to in paragraph (1), item (ii) means the period prescribed in the main clause of Article 27, paragraph (2) (if the period is extended pursuant to paragraph (3) or (6) of that Article or shortened pursuant to the proviso to paragraph (2) or paragraph (4) of that Article, the period so extended or shortened) or the period prescribed in the main clause of paragraph (2) of the preceding Article (if the period is extended pursuant to paragraph (3) or (6) of that Article or shortened pursuant to the proviso to paragraph (2) or paragraph (4) of that Article, the period so extended or shortened).

(技術導入契約の締結等の届出及び変更勧告等)

(Notification of the Conclusion, Renewal, or Modification of a Technology Introduction Contract; Recommendations to Modify the Substance Thereof; Related Matters)

第三十条 居住者は、非居住者（非居住者の本邦にある支店等を含む。以下この条において同じ。）との間で当該非居住者の行う工業所有権その他の技術に関する権利の譲渡、これらに関する使用権の設定又は事業の経営に関する技術の指導に係る契約の締結又は更新その他当該契約の条項の変更（以下この条、第五十五条の六、第六十九条の三第二項及び第七十条第一項において「技術導入契約の締結等」という。）のうち第三項の規定による審査が必要となる技術導入契約の締結等に該当するおそれがあるものとして政令で定めるものをしようとするときは、政令で定めるところにより、あらかじめ、当該技術導入契約の締結等について、その契約の条項その他の政令で定める事項を財務大臣及び事業所管大臣に届け出なければならない。

Article 30 (1) Before a resident seeks to conclude or to renew or otherwise modify the clauses of a contract with a non-resident (this includes the branch office or other such place of business in Japan of a non-resident; hereinafter the same applies in this Article) which concerns the non-resident's transfer of an industrial property right or other right associated with technology, the non-resident's establishment of use rights in connection with these, or technological guidance in connection with the non-resident's business operations (hereinafter referred to as the "conclusion, renewal, or modification of a technology introduction contract" in this Article and Article 55-6, Article 69-3, paragraph (2) and Article 70, paragraph (1)), which Cabinet Order prescribes as being

likely to fall under a category necessitating an examination under paragraph (3), the resident must first notify the Minister of Finance and the competent minister for the business, pursuant to Cabinet Order, of the clauses of the contract and other information that Cabinet Order prescribes with regard to the conclusion, renewal, or modification of a technology introduction contract.

2 技術導入契約の締結等について前項の規定による届出をした居住者は、財務大臣及び事業所管大臣が当該届出を受理した日から起算して三十日を経過する日までは、当該届出に係る技術導入契約の締結等をしてはならない。ただし、財務大臣及び事業所管大臣は、その期間の満了前に当該届出に係る技術導入契約の締結等がその技術の種類その他からみて次項の規定による審査が必要となる技術導入契約の締結等に該当しないと認めるときは、当該期間を短縮することができる。

(2) A resident that has filed a notification under the preceding paragraph with regard to the conclusion, renewal, or modification of a technology introduction contract must not undertake the conclusion, renewal, or modification of the technology introduction contract that is the subject of that notification until the final day in the 30-day period that begins on the date that the Minister of Finance and the competent minister for the business accept the notification; provided, however, that on finding, before the expiration of the period and in consideration of factors such as the kind of technology, that the conclusion, renewal, or modification of a technology introduction contract that is the subject of that notification does not fall under a category necessitating an examination under the following paragraph, the Minister of Finance and the competent minister for the business may shorten this period.

3 財務大臣及び事業所管大臣は、第一項の規定による届出があつた場合において、当該届出に係る技術導入契約の締結等が次に掲げるいずれかの事態を生ずるおそれがある技術導入契約の締結等（我が国が加盟する技術導入契約の締結等に関する多数国間の条約その他の国際約束で政令で定めるもの（以下この項において「条約等」という。）の加盟国の非居住者との間でされる技術導入契約の締結等で技術導入契約の締結等に関する制限の除去について当該条約等に基づく義務がないもの及び当該条約等の加盟国以外の国の非居住者との間でされる技術導入契約の締結等でその国が当該条約等の加盟国であるものとした場合に当該義務がないこととなるものに限る。次項及び第五項において「国の安全等に係る技術導入契約の締結等」という。）に該当しないかどうかを審査する必要があると認めるときは、当該届出に係る技術導入契約の締結等をしてはならない期間を、当該届出を受理した日から起算して四月間に限り、延長することができる。

(3) When a notification under paragraph (1) has been filed, on finding it necessary to examine whether the conclusion, renewal, or modification of a technology introduction contract that is the subject of that notification falls under the category of the conclusion, renewal, or modification of a technology introduction contract that is likely to cause one of the following situations (but only the conclusion, renewal, or modification of a technology introduction

contract with a non-resident from a member state of a multilateral treaty or other international agreement on the conclusion, renewal, or modification of a technology introduction contract that Cabinet Order prescribes and to which Japan has acceded (hereinafter referred to as a "treaty or other agreement" in this paragraph), if there is no obligation to remove restrictions on the conclusion, renewal, or modification of that technology introduction contract based on the treaty or other agreement; as well as the conclusion, renewal, or modification of a technology introduction contract with a non-resident from a state other than the member state of such a treaty or other agreement, if there would be no obligation to remove restrictions on the conclusion, renewal, or modification of that technology introduction contract if the state were a member state of the treaty or other agreement (referred to as the "conclusion, renewal, or modification of a technology introduction contract that is a matter of national security or a similar concern" in paragraphs (4) and (5))), the Minister of Finance and the competent minister for the business may extend the period in which the conclusion, renewal, or modification of a technology introduction contract that is the subject of that notification must not be conducted, but only to a period of four months beginning on the day on which the notification is accepted:

一 国の安全を損ない、公の秩序の維持を妨げ、又は公衆の安全の保護に支障を来すことになること。

(i) it would compromise national security, create a barrier to the maintenance of public order, or interfere with the preservation of public safety;

二 我が国経済の円滑な運営に著しい悪影響を及ぼすことになること。

(ii) it would have a significantly adverse impact on the smooth operation of the Japanese economy.

4 財務大臣及び事業所管大臣は、前項の規定により技術導入契約の締結等をしてはならない期間を延長した場合において、同項の規定による審査をした結果、当該延長された期間の満了前に第一項の規定による届出に係る技術導入契約の締結等が国の安全等に係る技術導入契約の締結等に該当しないと認めるときは、当該延長された期間を短縮することができる。

(4) Having extended the period in which the conclusion, renewal, or modification of a technology introduction contract must not be undertaken pursuant to the preceding paragraph and upon reaching the finding, as the result of an examination under that paragraph and before the end of the extended period, that the conclusion, renewal, or modification of the technology introduction contract that is the subject of a notification under paragraph (1) does not fall under the category of the conclusion, renewal, or modification of a technology introduction contract that is a matter of national security or a similar concern, the Minister of Finance and the competent minister for the business may shorten the extended period.

5 財務大臣及び事業所管大臣は、第三項の規定により技術導入契約の締結等をしてはならない期間を延長した場合において、同項の規定による審査をした結果、第一項の規定による届出に係る技術導入契約の締結等が国の安全等に係る技術導入契約の締結等に該当すると認めるときは、関税・外国為替等審議会の意見を聴いて、当該技術導入契約の締結等の届出をした者に対し、政令で定めるところにより、当該技術導入契約の締結等に係る条項の全部若しくは一部の変更又は中止を勧告することができる。ただし、当該変更又は中止を勧告することができる期間は、当該届出を受理した日から起算して第三項又は次項の規定により延長された期間の満了する日までとする。

(5) Having extended the period during which the conclusion, renewal, or modification of a technology introduction contract must not be undertaken pursuant to paragraph (3), and upon reaching the finding, as the result of an examination under that paragraph, that the conclusion, renewal, or modification of the technology introduction contract that is the subject of a notification under paragraph (1) falls under the category of conclusion, renewal, or modification of a technology introduction contract that is a matter of national security or a similar concern, the Minister of Finance and the competent minister for the business may recommend the person that filed the notification of the conclusion, renewal, or modification of the technology introduction contract to fully or partially modify the clauses of the contract or to discontinue it, pursuant to Cabinet Order and after hearing the opinion of the Council on Customs, Tariffs, Foreign Exchange, and Other Transactions; provided, however, that the period during which the ministers may issue a recommendation to modify or discontinue this runs from the day on which the ministers accept the notification until the final day in the period as extended pursuant to paragraph (3) or (6).

6 前項の規定により関税・外国為替等審議会の意見を聴く場合において、関税・外国為替等審議会が、当該事案の性質にかんがみ、第三項に規定する四月の期間内に意見を述べるのが困難である旨を申し出た場合には、同項に規定する技術導入契約の締結等をしてはならない期間は、同項の規定にかかわらず、五月とする。

(6) Notwithstanding paragraph (3), if the Minister of Finance and the competent minister for the business will hear the opinion of the Council on Customs, Tariffs, Foreign Exchange, and Other Transactions pursuant to the preceding paragraph, but the Council makes a filing indicating that, considering the character of the matter in question, it will be difficult for it to state its opinion within the period of four months prescribed in paragraph (3), the period during which the conclusion of a technology introduction contract must not be undertaken as prescribed in that paragraph is five months.

7 第二十七条第七項から第十二項までの規定は、第五項の規定による勧告があつた場合について準用する。この場合において必要な技術的読替えは、政令で定める。

(7) The provisions of paragraphs (7) through (12) of Article 27 apply mutatis mutandis to cases if a recommendation pursuant to paragraph (5) has been

issued. Cabinet Order prescribes the necessary technical replacement of terms for such a case.

8 前各項の規定は、非居住者の本邦にある支店等が独自に開発した技術に係る技術導入契約の締結等その他政令で定める技術導入契約の締結等については、適用しない。

(8) The provisions of the preceding respective paragraphs do not apply to the conclusion, renewal, or modification of a technology introduction contract involving technology that the branch office or other such place of business in Japan of a non-resident has developed independently, nor does it apply to the conclusion, renewal, or modification of a technology introduction contract that Cabinet Order prescribes.

第三十一条 削除

Article 31 Deleted

第三十二条 削除

Article 32 Deleted

第三十三条 削除

Article 33 Deleted

第三十四条 削除

Article 34 Deleted

第三十五条 削除

Article 35 Deleted

第三十六条 削除

Article 36 Deleted

第三十七条 削除

Article 37 Deleted

第三十八条 削除

Article 38 Deleted

第三十九条 削除

Article 39 Deleted

第四十条 削除

Article 40 Deleted

第四十一条 削除
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第四十二条 削除
Article 42 Deleted

第四十三条 削除
Article 43 Deleted

第四十四条 削除
Article 44 Deleted

第四十五条 削除
Article 45 Deleted

第四十六条 削除
Article 46 Deleted

第六章 外国貿易 Chapter VI Foreign Trade

(輸出の原則)

(Principle of Export)

第四十七条 貨物の輸出は、この法律の目的に合致する限り、最少限度の制限の下に、許容されるものとする。

Article 47 As long as it conforms to the purpose of this Act, the exporting of goods is to be permitted under the minimum level of restrictions.

(輸出の許可等)

(Permission to Export; Related Matters)

第四十八条 国際的な平和及び安全の維持を妨げることとなると認められるものとして政令で定める特定の地域を仕向地とする特定の種類の貨物の輸出をしようとする者は、政令で定めるところにより、経済産業大臣の許可を受けなければならない。

Article 48 (1) A person seeking to undertake the export of a specific kind of goods to a specified region prescribed by Cabinet Order as being found to compromise world peace and international security must get the permission of the Minister of Economy, Trade and Industry to do so, pursuant to Cabinet Order.

2 経済産業大臣は、前項の規定の確実な実施を図るため必要があると認めるときは、同項の特定の種類の貨物を同項の特定の地域以外の地域を仕向地として輸出しようとする者に対し、政令で定めるところにより、許可を受ける義務を課することができる。

(2) On finding it to be necessary to do so in order to ensure the reliable implementation of the preceding paragraph, the Minister of Economy, Trade and Industry, pursuant to Cabinet Order, may make it obligatory for persons seeking to export the specific kind of goods referred to in that paragraph to a region other than a specified region as referred to in that paragraph to get permission to do so.

3 経済産業大臣は、前二項に定める場合のほか、特定の種類の若しくは特定の地域を仕向地とする貨物を輸出しようとする者又は特定の取引により貨物を輸出しようとする者に対し、国際収支の均衡の維持のため、外国貿易及び国民経済の健全な発展のため、我が国が締結した条約その他の国際約束を誠実に履行するため、国際平和のための国際的な努力に我が国として寄与するため、又は第十条第一項の閣議決定を実施するために必要な範囲内で、政令で定めるところにより、承認を受ける義務を課することができる。

(3) Beyond as prescribed in the preceding two paragraphs, the Minister of Economy, Trade and Industry, pursuant to Cabinet Order, may make it obligatory for persons seeking to export a specific kind of goods or to export goods to a specified region or for persons seeking to export goods through specified transactions to get approval to do so, to the extent necessary to maintain equilibrium in the balance of international payments, to achieve sound development in foreign trade and the national economy, to enable Japan's faithful performance of its obligations under a treaty or other international agreement it has signed, to allow Japan to contribute to international efforts towards world peace, or to make it possible to implement a cabinet decision as referred to in Article 10, paragraph (1).

第四十九条 削除

Article 49 Deleted

第五十条 削除

Article 50 Deleted

(船積の非常差止)

(Suspension of Shipments in Cases of Emergency)

第五十一条 経済産業大臣は、特に緊急の必要があると認めるときは、経済産業省令で定めるところにより、一月以内の期限を限り、品目又は仕向地を指定し、貨物の船積を差し止めることができる。

Article 51 On finding there to be a particularly urgent need to do so, the Minister of Economy, Trade and Industry, pursuant to Order of the Ministry of Economy, Trade and Industry, may designate items or destinations and suspend shipments of goods for a period of not more than one month.

(輸入の承認)

(Import Approval)

第五十二条 外国貿易及び国民経済の健全な発展を図るため、我が国が締結した条約その他の国際約束を誠実に履行するため、国際平和のための国際的な努力に我が国として寄与するため、又は第十条第一項の閣議決定を実施するため、貨物を輸入しようとする者は、政令で定めるところにより、輸入の承認を受ける義務を課せられることがある。

Article 52 In order to achieve sound development in foreign trade and the national economy, allow Japan to faithfully fulfill its obligations under a treaty or other international agreements it has signed, enable Japan to contribute to international efforts towards world peace, or make it possible to implement a cabinet decision referred to in Article 10, paragraph (1), it may be made obligatory for persons seeking to import goods to get import approval pursuant to Cabinet Order.

(制裁)

(Sanctions)

第五十三条 経済産業大臣は、第四十八条第一項の規定による許可を受けないで同項に規定する貨物の輸出をした者に対し、三年以内の期間を限り、輸出を行い、又は特定技術を外国において提供し、若しくは非居住者に提供することを目的とする取引若しくは当該取引に関する特定記録媒体等の輸出若しくは外国において受信されることを目的として行う電気通信による特定技術を内容とする情報の送信を行うことを禁止することができる。

Article 53 (1) The Minister of Economy, Trade and Industry may prohibit a person that has exported goods prescribed in Article 48, paragraph (1) without getting permission pursuant to that paragraph from exporting goods; from conducting transactions whose objective is providing specified technology in a foreign state or to a non-resident; from exporting a document, picture, or storage medium containing specified information in connection with such a transaction; or from using telecommunications to transmit information about specified technology with the objective of having it received in a foreign state in connection with such a transaction, for a period of not more than three years.

2 経済産業大臣は、貨物の輸出又は輸入に関し、この法律、この法律に基づく命令又はこれらに基づく処分に違反した者（前項に規定する者を除く。）に対し、一年（第十条第一項に規定する対応措置（第四十八条第三項又は前条に係るものに限る。）に違反した者にあつては、三年）以内の期間を限り、輸出又は輸入を行うことを禁止することができる。

(2) The Minister of Economy, Trade and Industry may prohibit a person that has violated this Act, an Order based on this Act, or an agency action based on either of these with regard to the import or export of goods (other than a person as prescribed in the preceding paragraph) from importing or exporting

goods for a period of not more than one year (or three years, if the person has violated responsive measures as prescribed in Article 10, paragraph (1)

(limited to those involving Article 48, paragraph (3) or the preceding Article)).

- 3 第一項又は前項の規定による禁止をする場合において、経済産業大臣は、違反者（第一項に規定する第四十八条第一項の規定による許可を受けないで同項に規定する貨物の輸出をした者又は前項に規定する貨物の輸出若しくは輸入に関し、この法律、この法律に基づく命令若しくはこれらに基づく処分に違反した者をいう。次項において同じ。）が個人である場合にあっては、その者に対して、当該禁止に係る期間と同一の期間を定めて、当該禁止に係る範囲の業務を営む法人（人格のない社団又は財団で代表者又は管理人の定めのあるものを含む。以下この項及び次項において同じ。）の当該業務を担当する役員（業務を執行する社員、取締役、執行役、代表者、管理人又はこれらに準ずる者をいい、相談役、顧問その他いかなる名称を有する者であるかを問わず、法人に対し業務を執行する社員、取締役、執行役、代表者、管理人又はこれらに準ずる者と同様以上の支配力を有するものと認められる者を含む。次項において同じ。）となることを禁止することができる。

- (3) If the Minister of Economy, Trade and Industry imposes a prohibition under paragraph (1) or the preceding paragraph, and the violator (meaning the person that has exported goods as prescribed in Article 48, paragraph (1) without getting the permission under paragraph (1) of that Article as prescribed in paragraph (1), or the person that has violated this Act, an Order based this Act, or an agency action based on one of these in connection with the import or export of goods prescribed in the preceding paragraph; the same applies in the following paragraph) is an individual, the minister may prohibit the violator from becoming the officer (meaning the member in charge of executive business management, the director, executive officer, representative, administrator or any equivalent person, and including a consultant, advisor, or any other person, irrespective of title, that is found to have at least the same level of control in a corporation as that of a member in charge of executive business management, director, executive officer, representative, administrator, or any equivalent person; the same applies in the following paragraph) in charge of operations that are within the scope of the prohibition at a corporation (including an association or foundation without legal personality for which a representative or administrator has been designated; hereinafter the same applies in this paragraph and the following paragraph) that engages in such operations, for the same period as that of the prohibition.

- 4 第一項又は第二項の規定による禁止をする場合において、経済産業大臣は、違反者に係る次の各号に掲げる場合の区分に応じ、当該各号に定める者が当該禁止の理由となつた事実及び当該事実に関してその者が有していた責任の程度を考慮して当該禁止の実効性を確保するためにその者による当該禁止に係る業務を制限することが相当と認められる者として経済産業省令で定める者に該当するときは、その者に対して、当該禁止に係る期間と同一の期間を定めて、当該禁止に係る範囲の業務を新たに開始す

ること（当該業務を営む法人の当該業務を担当する役員となることを含む。）を禁止することができる。

(4) If the Minister of Economy, Trade and Industry imposes a prohibition under paragraph (1) or (2), and the person specified in the relevant of the following items for the category of violator referred to in that item falls under the category of a person that Order of Ministry of Economy, Trade and Industry prescribes as one whose engagement in the operations that are subject to the prohibition it is found to be appropriate to restrict in order to ensure the effectiveness of the prohibition, in consideration of the factual circumstances serving as the reason for the prohibition and the degree to which the person was responsible for those circumstances, the minister may prohibit the person from commencing new operations within the scope subject to the prohibition (this includes prohibiting the person from becoming the officer in charge of such new operations at a corporation engaging in those operations), for the same period as that of the prohibition:

一 当該違反者が法人である場合 その役員及び当該禁止に係る処分の日前六十日以内においてその役員であつた者並びにその営業所の業務を統括する者その他の政令で定める使用人（以下この号及び次号において単に「使用人」という。）及び当該禁止の日前六十日以内においてその使用人であつた者

(i) if the violator is a corporation: its officer; any person that has been its officer within the 60 days prior to the agency action imposing the prohibition; a person managing the operations at its business office or any other employee that Cabinet Order prescribes (hereinafter referred to as an "employee" in this item and the following item); or a person that has been its employee within the 60 days prior to the day of the prohibition;

二 当該違反者が個人である場合 その使用人及び当該禁止に係る処分の日前六十日以内においてその使用人であつた者

(ii) if the violator is an individual: the individual's employee or any person that has been the individual's employee within the 60 days prior to the agency action imposing the prohibition.

(税関長に対する指揮監督等)

(Exercising Command and Supervision over the Directors-General of Custom-Houses; Related Matters)

第五十四条 経済産業大臣は、政令で定めるところにより、その所掌に属する貨物の輸出又は輸入に関し、税関長を指揮監督する。

Article 54 (1) Pursuant to Cabinet Order, the Minister of Economy, Trade and Industry may exercise command and supervision over the Directors-General of Custom-Houses with regard to the importing and exporting of goods falling under the minister's jurisdiction.

2 経済産業大臣は、政令で定めるところにより、この法律に基く権限の一部を税関長

に委任することができる。

- (2) Pursuant to Cabinet Order, the Minister of Economy, Trade and Industry may delegate part of the authority based on this Act to the Directors-General of Custom-Houses.

第六章の二 報告等

Chapter VI-2 Reports; Other Matters

(支払等の報告)

(Reporting the Making and Receipt of Payments)

第五十五条 居住者若しくは非居住者が本邦から外国へ向けた支払若しくは外国から本邦へ向けた支払の受領をしたとき、又は本邦若しくは外国において居住者が非居住者との間で支払等をしたときは、政令で定める場合を除き、当該居住者若しくは非居住者又は当該居住者は、政令で定めるところにより、これらの支払等の内容、実行の時期その他の政令で定める事項を主務大臣に報告しなければならない。

Article 55 (1) Except in a case that Cabinet Order prescribes, when a resident has received a payment that was made from Japan to a foreign state, or when a non-resident has received a payment that was made from a foreign state to Japan, that resident or non-resident, pursuant to Cabinet Order, must report the substance of the payment being made and received, its timing, and any other information that Cabinet Order prescribes to the competent minister; and a resident must do the same when making or receiving a payment in Japan or in a foreign state to or from a non-resident.

2 前項の規定による報告は、当該報告に係る同項の支払等が銀行等又は資金移動業者が行う為替取引によつてされるものである場合には、政令で定めるところにより、当該銀行等又は資金移動業者を経由してするものとする。ただし、行政手続等における情報通信の技術の利用に関する法律（平成十四年法律第百五十一号）第三条第一項の規定により同項に規定する電子情報処理組織を使用して前項の報告をする場合には、当該銀行等又は資金移動業者又は郵政官署を経由しないで報告することができる。

(2) If a payment as referred to in the preceding paragraph that is the subject of a report under that paragraph is made or received through an exchange transaction conducted by a bank or other financial institution or a funds transfer service provider, the report is to be made, pursuant to Cabinet Order, through the bank or other financial institution or the funds transfer service provider; provided, however, that if an electronic data processing system as prescribed in Article 3, paragraph (1) of the Act on the Utilization of Information and Communications Technology in Administrative Procedures (Act No. 151 of 2002) is used to make a report as referred to in the preceding paragraph, it may be made without going through the bank or other financial institution or the funds transfer service provider, and without going through postal service offices.

第五十五条の二 削除

Article 55-2 Deleted

(資本取引の報告)

(Report of Capital Transactions)

第五十五条の三 居住者又は非居住者が次の各号に掲げる資本取引（特定資本取引に該当するものを除く。以下この条において同じ。）の当事者となつたときは、政令で定める場合を除き、当該各号に定める区分に応じ、当該居住者又は非居住者は、その都度、政令で定めるところにより、当該資本取引の内容、実行の時期その他の政令で定める事項を財務大臣に報告しなければならない。ただし、第六号に掲げる資本取引のうち第二十三条第一項の規定により届け出なければならないとされるものについては、この限りでない。

Article 55-3 (1) Except in cases that Cabinet Order prescribes, on each occasion on which a resident or a non-resident becomes a party to a capital transaction as set forth in one of the following items (other than one falling under the category of a specified capital transaction; hereinafter the same applies in this Article), either the resident or the non-resident, as per the classification prescribed in the relevant item, must report the substance of the capital transaction, its timing, and any other information that Cabinet Order prescribes to the Minister of Finance, pursuant to Cabinet Order; provided, however, that this does not apply to a capital transaction as set forth in item (vi), if a notification must be filed for it pursuant to Article 23, paragraph (1):

一 第二十条第一号に掲げる資本取引 居住者

(i) a capital transaction as set forth in Article 20, item (i): the resident;

二 第二十条第二号に掲げる資本取引（第六号に掲げる資本取引に該当するものを除く。） 居住者

(ii) a capital transaction as set forth in Article 20, item (ii) (other than one falling under the category of a capital transaction as set forth in item (vi)): the resident;

三 第二十条第三号に掲げる資本取引 居住者

(iii) a capital transaction as set forth in Article 20, item (iii): the resident;

四 第二十条第四号に掲げる資本取引のうち、居住者と他の居住者との間の預金契約、信託契約、金銭の貸借契約、債務の保証契約又は対外支払手段若しくは債権の売買契約に基づく外国通貨をもつて支払を受けることができる債権の発生等に係る取引 居住者

(iv) a capital transaction as set forth in Article 20, item (iv) that also constitutes a transaction giving rise to, altering, or extinguishing a claim in connection with which payment can be received in a foreign currency under a deposit contract, trust contract, money loan agreement, obligation guarantee contract, or sales contract for a foreign means of payment or claim, between a

- resident and another resident: the resident;
- 五 第二十条第五号に掲げる資本取引（次号に掲げる資本取引に該当するものを除く。） 居住者
- (v) a capital transaction as set forth in Article 20, item (v) (other than one falling under the category of a capital transaction as set forth in the following item): the resident;
- 六 第二十条第二号、第五号及び第十一号に掲げる資本取引のうち、居住者による対外直接投資に係るもの 居住者
- (vi) a capital transaction as set forth in Article 20, items (ii), (v), and (xi) involving outward direct investment by a resident: the resident;
- 七 第二十条第六号に掲げる資本取引のうち、居住者による外国における証券の発行若しくは募集又は本邦における外貨証券の発行若しくは募集 居住者
- (vii) a capital transaction as set forth in Article 20, item (vi) constituting a resident's issuing of securities or offering of them for subscription in a foreign state or constituting a resident's issuing of foreign securities or offering of them for subscription in Japan: the resident;
- 八 第二十条第六号に掲げる資本取引のうち、非居住者による本邦における証券の発行又は募集 非居住者
- (viii) a capital transaction as set forth in Article 20, item (vi) constituting a non-resident's issuing of securities or offering of them for subscription in Japan: the non-resident;
- 九 第二十条第七号に掲げる資本取引 非居住者
- (ix) a capital transaction as set forth in Article 20, item (vii): the non-resident;
- 十 第二十条第八号に掲げる資本取引 居住者
- (x) a capital transaction as set forth in Article 20, item (viii): the resident;
- 十一 第二十条第九号に掲げる資本取引 居住者
- (xi) a capital transaction as set forth in Article 20, item (ix): the resident;
- 十二 第二十条第十号に掲げる資本取引のうち、非居住者による本邦にある不動産又はこれに関する権利の取得 非居住者
- (xii) a capital transaction as set forth in Article 20, item (x) constituting a non-resident's acquisition of real estate in Japan or rights to real estate that is located in Japan: the non-resident;
- 十三 第二十条第十二号に掲げる資本取引のうち、政令で定めるもの 政令で定める居住者又は非居住者
- (xiii) a capital transaction as set forth in Article 20, item (xii) which Cabinet Order prescribes: a resident or non-resident that Cabinet Order prescribes.
- 2 銀行等及び金融商品取引業者は、前項第五号、第十号又は第十一号に掲げる資本取引の媒介、取次ぎ又は代理をしたときは、その都度、政令で定めるところにより、当該資本取引の内容、実行の時期その他の政令で定める事項を財務大臣に報告しなければならない。
- (2) On each occasion that a bank or other financial institution or a financial

instruments business operator acts as an intermediary, commission agent, or other agent for a capital transaction as set forth in item (v), (x), or (xi) of the preceding paragraph, that person, pursuant to Cabinet Order, must report the substance of the capital transaction, its timing, and any other information that Cabinet Order prescribes to the Minister of Finance.

- 3 銀行等、金融商品取引業者及び届出者（第一項第四号又は第十一号に掲げる資本取引の当事者となる居住者であつて、財務省令で定めるところにより自己のこれらの資本取引の相手方となる者の同項の規定による報告を要しないこととしたい旨並びにその氏名又は名称及び住所その他の財務省令で定める事項を財務大臣に届け出たものをいう。以下この条において同じ。）以外の居住者が同項第四号又は第十一号に掲げる資本取引の当事者となつた場合において、当該資本取引の相手方が銀行等、金融商品取引業者又は届出者であるときは、当該居住者は、同項の規定にかかわらず、当該資本取引に係る同項の規定による報告をすることを要しない。

- (3) Notwithstanding paragraph (1), if a resident that is not a bank or other financial institution, that is not a financial instruments business operator, and that is not the filer of a notification (meaning a resident that is a party to capital transactions as set forth in paragraph (1), item (iv) or (xi), and that has filed a notification with the Minister of Finance indicating, pursuant to Ministry of Finance Order, the wish to arrange things so that a report under that paragraph is not required from any person that becomes the other party to such capital transactions with the resident, and giving the resident's name, address, and other information that Ministry of Finance Order prescribes; hereinafter the same applies in this Article) becomes a party to a capital transaction as set forth in paragraph (1), item (iv) or (xi), and the other party to the capital transaction is a bank or other financial institution, a financial instruments business operator, or the filer of a notification, the resident is not required to report as under that paragraph with regard to that capital transaction.

- 4 前項で定める場合のほか、居住者が第一項第五号、第十号又は第十一号に掲げる資本取引の当事者となつた場合において、当該資本取引の媒介、取次ぎ又は代理をする者が銀行等又は金融商品取引業者であるときは、当該居住者は、同項の規定にかかわらず、当該資本取引に係る同項の規定による報告をすることを要しない。

- (4) Notwithstanding paragraph (1), beyond as prescribed in the preceding paragraph, if a resident has become a party to a capital transaction as set forth in paragraph (1), item (v), (x), or (xi), and a bank or other financial institution or a financial instruments business operator acts as the intermediary, commission agent, or other agent for the capital transaction, the resident is not required to report as under that paragraph with regard to that capital transaction.

- 5 銀行等、金融商品取引業者及び届出者は、それぞれ、銀行等及び金融商品取引業者については第一項又は第二項の規定、届出者については第一項の規定にかかわらず、

政令で定めるところにより、一定の期間内に当事者となり、又は媒介、取次ぎ若しくは代理をした資本取引について財務省令で定める事項を一括して報告することができる。この場合において、その報告をした者は、政令で定めるところにより、当該報告に係る資本取引に関して財務省令で定める事項を記載した帳簿書類を作成し、これを保存しなければならない。

(5) Notwithstanding paragraph (1) or (2) as regards a bank or other financial institution or a financial instruments business operator, and notwithstanding paragraph (1) as regards the filer of a notification, these persons may report in block, pursuant to Cabinet Order, the information that Ministry of Finance Order prescribes with regard to capital transactions to which they have been a party or for which they have acted as intermediary, commission agent, or other agent within a certain period of time. In such a case, pursuant to Cabinet Order, a person that has so reported must prepare and preserve books and documents in which the person has included the information that Ministry of Finance Order prescribes with regard to the capital transactions that are the subject of the report.

6 届出者は、第三項に規定する届出事項について変更があつたときは、遅滞なく、その旨及び当該変更があつた事項を財務大臣に届け出なければならない。

(6) If information in a notification as prescribed in paragraph (3) changes, the filer of the notification must file a notification with the Minister of Finance indicating this and detailing the information subject to the change without delay.

7 第三項の届出に関する公告、届出者の名簿の閲覧その他同項の届出に関し必要な事項は、財務省令で定める。

(7) Ministry of Finance Order provides for public notice with regard to notifications as referred to in paragraph (3), inspection of a list of the filers of notifications, and other necessary matters concerning notifications as referred to in that paragraph.

第五十五条の四 居住者が次に掲げる特定資本取引の当事者となつたときは、政令で定める場合を除き、当該居住者は、政令で定めるところにより、当該特定資本取引の内容、実行の時期その他の政令で定める事項を経済産業大臣に報告しなければならない。

Article 55-4 Except in a case that Cabinet Order prescribes, having become a party to one of the following specified capital transactions, a resident, pursuant to Cabinet Order, must report the substance of the specified capital transaction, its timing, and any other information that Cabinet Order prescribes to the Minister of Economy, Trade and Industry:

一 第二十条第二号に掲げる資本取引に係る特定資本取引

(i) a specified capital transaction connected with a capital transaction as set forth in Article 20, item (ii);

二 第二十条第十二号に掲げる資本取引に係る特定資本取引のうち、政令で定めるも

の

(ii) a specified capital transaction connected with a capital transaction as set forth in Article 20, item (xii) that Cabinet Order prescribes.

(対内直接投資等の報告)

(Report of Inward Direct Investment or an Equivalent Action)

第五十五条の五 外国投資家は、対内直接投資等（相続、遺贈、法人の合併その他の事情を勘案して政令で定めるものを除く。以下この条において同じ。）を行つたときは、政令で定めるところにより、当該対内直接投資等の内容、実行の時期その他の政令で定める事項を財務大臣及び事業所管大臣に報告しなければならない。ただし、第二十七条第一項の規定により届け出なければならないとされる対内直接投資等については、この限りでない。

Article 55-5 (1) Having undertaken inward direct investment or an equivalent action (other than anything that Cabinet Order prescribes in consideration of an inheritance, testamentary gift, merger of corporations, or other circumstances; hereinafter the same applies in this Article), a foreign investor, pursuant to Cabinet Order, must report the substance of the inward direct investment or equivalent action, its timing, and any other information that Cabinet Order prescribes to the Minister of Finance and the competent minister for the business; provided, however, that this does not apply to inward direct investment or an equivalent action for which a notification must be filed pursuant to Article 27, paragraph (1).

2 外国投資家以外の者（法人その他の団体を含む。）が外国投資家のために当該外国投資家の名義によらないで行う対内直接投資等に相当するものについては、当該外国投資家以外の者を外国投資家とみなして、前項の規定を適用する。

(2) As regards anything equivalent to inward direct investment or an equivalent action that a person (this includes corporations and other organizations) other than a foreign investor undertakes on behalf of a foreign investor without using the name of the foreign investor, the person that is not a foreign investor is deemed to be a foreign investor and the preceding paragraph applies.

(技術導入契約の締結等の報告)

(Reporting the Conclusion, Renewal, or Modification of a Technology Introduction Contract)

第五十五条の六 居住者は、非居住者（非居住者の本邦にある支店等を含む。）との間で技術導入契約の締結等をしたときは、政令で定めるところにより、当該技術導入契約の締結等について、財務大臣及び事業所管大臣に報告しなければならない。ただし、第三十条第一項の規定により届け出なければならないとされる技術導入契約の締結等については、この限りでない。

Article 55-6 (1) Having undertaken the conclusion, renewal, or modification of a technology introduction contract with a non-resident (including the branch

office or other such place of business in Japan of a non-resident), a resident, pursuant to Cabinet Order, must report the conclusion, renewal, or modification of the technology introduction contract to the Minister of Finance and the competent minister for the business; provided, however, that this does not apply to the conclusion, renewal, or modification of a technology introduction contract with regard to which a notification must be filed pursuant to Article 30, paragraph (1).

2 前項の規定は、非居住者の本邦にある支店等が独自に開発した技術に係る技術導入契約の締結等その他政令で定める技術導入契約の締結等については、適用しない。

(2) The provisions of the preceding paragraph do not apply to the conclusion, renewal, or modification of a technology introduction contract for technology developed independently by the branch office or other such place of business in Japan of a non-resident, nor does it apply to the conclusion, renewal, or modification of a technology introduction contract that Cabinet Order prescribes.

(外国為替業務に関する事項の報告)

(Reporting of Information Related to Foreign Exchange Services)

第五十五条の七 財務大臣は、この法律の目的を達成するため必要な限度において、政令で定めるところにより、外国為替業務（外国為替取引その他の取引又は行為であつて我が国の国際収支又は対外の貸借の動向と密接に関連するものとして政令で定めるもののいずれかを業として行うことをいう。）を行う者のうち相当規模のものを行う者として政令で定めるものに対し、当該外国為替業務に関する事項（第五十五条の三の規定による報告の対象となる事項を除く。）についての報告を求めることができる。

Article 55-7 To the extent necessary for achieving the purpose of this Act, the Minister of Finance, pursuant to Cabinet Order, may ask a person engaged in foreign exchange services (meaning engagement, in the course of trade, in foreign exchange transactions or other transactions or actions that Cabinet Order prescribes as being closely related to the trends in Japan's balance of international payments or in Japan's foreign borrowing and lending) that Cabinet Order prescribes as a person engaged in those services on a considerable scale, to report information about its foreign exchange services (excluding information subject to a report under Article 55-3).

(その他の報告)

(Other Reporting)

第五十五条の八 この法律で別に規定するもののほか、主務大臣は、この法律の目的を達成するため必要な限度において、政令で定めるところにより、この法律の適用を受ける取引、行為若しくは支払等を行い、若しくは行つた者又は関係人に対し、当該取引、行為又は支払等の内容その他当該取引、行為又は支払等に関連する事項についての報告を求めることができる。

Article 55-8 Beyond as otherwise provided for in this Act, the competent minister, pursuant to Cabinet Order and to the extent necessary for achieving the purpose of this Act, may ask a person that has undertaken or will undertake a transaction, action, or the making or receipt of a payment governed by this Act, or any related person, to report the substance of the transaction, the action, or the making or receipt of the payment as well as any other information related to the transaction, action, or making or receipt of the payment.

(対外の貸借及び国際収支に関する統計)

(Statistics Related to Foreign Borrowing and Lending and the Balance of International Payments)

第五十五条の九 財務大臣は、政令で定めるところにより、対外の貸借及び国際収支に関する統計を作成し、定期的に、内閣に報告しなければならない。

Article 55-9 (1) The Minister of Finance, pursuant to Cabinet Order, must prepare statistics related to foreign borrowing and lending and the balance of international payments, and must periodically report them to the Cabinet.

2 財務大臣は、前項に規定する統計を作成するため必要があると認めるときは、政令で定めるところにより、関係行政機関その他の者に対し、資料の提出を求めることができる。

(2) On finding it necessary to do so in order to prepare the statistics prescribed in the preceding paragraph, the Minister of Finance, pursuant to Cabinet Order, may ask the relevant administrative organs and other persons to submit materials.

第六章の三 輸出者等遵守基準

Chapter VI-3 Compliance Standards for Exporters and Persons Conducting Similar Transactions

(輸出者等遵守基準)

(Compliance Standards for Exporters and Persons Conducting Similar Transactions)

第五十五条の十 経済産業大臣は、経済産業省令で、第二十五条第一項に規定する取引又は第四十八条第一項に規定する輸出（以下「輸出等」という。）を業として行う者（以下「輸出者等」という。）が輸出等を行うに当たって遵守すべき基準（以下「輸出者等遵守基準」という。）を定めなければならない。

Article 55-10 (1) The Minister of Economy, Trade and Industry must establish standards by which a person conducting transactions as prescribed in Article 25, paragraph (1) or engaged in exporting goods as prescribed in Article 48, paragraph (1) (hereinafter referred to as "exporting goods or conducting similar transactions") in the course of trade (such a person is hereinafter referred to as

an "exporter or person conducting similar transactions") must abide when exporting goods or conducting similar transactions (hereinafter referred to as "compliance standards for exporters and persons conducting similar transactions"), by Order of the Ministry of Economy, Trade and Industry.

2 輸出者等遵守基準は、第二十五条第一項に規定する取引によつて提供しようとする特定技術又は第四十八条第一項の特定の地域を仕向地として輸出をしようとする同項の特定の種類の貨物が特定重要貨物等に該当するかどうかの確認に関する事項その他当該取引又は輸出を行うに当たつて遵守すべき事項について定めるものとする。

(2) The compliance standards for exporters and persons conducting similar transactions must set forth the particulars for confirming whether specified technology that a person seeks to provide through a transaction as prescribed in Article 25, paragraph (1) or a specific kind of goods as prescribed in Article 48, paragraph (1) that a person seeks to export to a specified region as prescribed in that paragraph falls under the category of specified important goods or technology, and anything else with which a person must comply in conducting such a transaction or in undertaking such an export.

3 前項の「特定重要貨物等」とは、特定技術又は第四十八条第一項の特定の種類の貨物であつて、その特定国における提供若しくは特定国の非居住者への提供又はその同項の特定の地域を仕向地とする輸出が国際的な平和及び安全の維持を特に妨げることとなると認められるものとして経済産業省令で定めるものをいう。

(3) The term "specified important goods or technology" as used in the preceding paragraph means specified technology or a specific kind of goods as prescribed in Article 48, paragraph (1), which is specified by Order of the Ministry of Economy, Trade and Industry as one whose provision in a specified state or to the non-resident of a specified state or whose export to a specified region as under that paragraph would compromise world peace and international security.

4 輸出者等は、輸出者等遵守基準に従い、輸出等を行わなければならない。

(4) An exporter or person conducting similar transactions must export goods or conduct similar transactions pursuant to the compliance standards for exporters and persons conducting similar transactions.

(指導及び助言)

(Issuing Guidance and Advice)

第五十五条の十一 経済産業大臣は、輸出等が適正に行われることを確保するため必要があると認めるときは、輸出者等に対し、輸出者等遵守基準に従つた輸出等が行われるよう必要な指導及び助言をすることができる。

Article 55-11 On finding it necessary to do so in order to ensure that a person is properly exporting goods or conducting similar transactions, the Minister of Economy, Trade and Industry may issue the necessary guidance and advice to an exporter or person conducting similar transactions to ensure that this is

being done in accordance with the compliance standards for exporters and persons conducting similar transactions.

(勧告及び命令)

(Issuing Recommendations and Orders)

第五十五条の十二 経済産業大臣は、前条の規定による指導又は助言をした場合において、輸出者等がなお輸出者等遵守基準に違反していると認めるときは、当該輸出者等に対し、輸出者等遵守基準を遵守すべき旨の勧告をすることができる。

Article 55-12 (1) Having issued guidance or advice as under the preceding Article, if the Minister of Economy, Trade and Industry finds an exporter or person conducting similar transactions to be in violation of the compliance standards for exporters and persons conducting similar transactions, the minister may issue the exporter or person conducting similar transactions a recommendation to comply with the compliance standards for exporters and persons conducting similar transactions.

2 経済産業大臣は、前項の規定による勧告を受けた者がその勧告に従わなかつたときは、当該勧告を受けた者に対し、その勧告に係る措置をとるべきことを命ずることができる。

(2) If a person issued a recommendation under the preceding paragraph fails to follow that recommendation, the Minister of Economy, Trade and Industry may order that person to take the recommended measures.

第七章 行政手続法との関係

Chapter VII Relationship with the Administrative Procedure Act

(行政手続法の適用除外)

(Non-Applicability of the Administrative Procedure Act)

第五十五条の十三 第二十五条第一項、同条第二項若しくは第三項の規定に基づく命令若しくは同条第四項又は第四十八条第一項若しくは同条第二項の規定に基づく命令の規定による許可又はその取消しについては、行政手続法（平成五年法律第八十八号）第二章及び第三章の規定は、適用しない。

Article 55-13 Chapters 2 and 3 of the Administrative Procedure Act (Act No. 88 of 1993) do not apply to permission under Article 25, paragraph (1); under an Order based on paragraph (2) or (3) of that Article; under paragraph (4) of that Article; under Article 48, paragraph (1); or under an Order based on paragraph (2) of that Article; nor do those Chapters apply to the rescission of such permission.

第七章の二 審査請求

Chapter VII-2 Requests for Review

第五十六条 この法律又はこの法律に基づく命令の規定による処分又はその不作為についての審査請求に対する裁決は、行政不服審査法（平成二十六年法律第六十八号）第二十四条の規定により当該審査請求を却下する場合を除き、審査請求人に対して、相当な期間を置いて予告をした上、同法第十一条第二項に規定する審理員が公開による意見の聴取をした後にしなければならない。

Article 56 (1) Unless an administrative agency, pursuant to Article 24 of the Administrative Complaint Review Act (Act No. 68 of 2014), dismisses a request for the review of an agency action or an agency's inaction under this Act or an Order based on this Act, it must issue an order in response to the request for review after giving the person requesting the review a reasonable amount of advance notice and after a review officer as prescribed in Article 11, paragraph (2) of that Act has heard opinions in a public forum.

2 前項の意見の聴取に際しては、審査請求人及び利害関係人に対して、当該事案について、証拠を提示し、意見を述べる機会を与えなければならない。

(2) When hearing opinions as referred to in the preceding paragraph, the agency must give the person requesting the review and any interested persons an opportunity to present evidence and state their opinions on the matter at issue.

3 第一項に規定する審査請求については、行政不服審査法第三十一条の規定は適用せず、同項の意見の聴取については、同条第二項から第五項までの規定を準用する。

(3) The provisions of Article 31 of the Administrative Complaint Review Act do not apply to a request for review as prescribed in paragraph (1), and paragraphs (2) to (5) of that Article apply mutatis mutandis to a hearing of opinions as referred to in paragraph (1).

4 前三項に定めるもののほか、第一項の意見の聴取の手続について必要な事項は、政令で定める。

(4) Beyond what is prescribed in the preceding three paragraphs, Cabinet Order prescribes the necessary particulars concerning the procedures for hearings of opinion as referred to in paragraph (1).

第五十七条から第六十四条まで 削除

Articles 57 to 64 Deleted

第八章 雑則

Chapter VIII Miscellaneous Provisions

(公正取引委員会の権限)

(Authority of the Fair Trade Commission)

第六十五条 この法律のいかなる条項も、私的独占の禁止及び公正取引の確保に関する法律（昭和二十二年法律第五十四号）の適用又は同法に基き公正取引委員会がいかなる立場において行使する権限をも排除し、変更し、又はこれらに影響を及ぼすものと解釈してはならない。

Article 65 It is prohibited to interpret any of the provisions of this Act as eliminating, changing, or influencing the application of the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade (Act No. 54 of 1947) or the authority exercised by the Fair Trade Commission based on that Act in any position whatsoever.

(政府機関の行為)

(Actions of Government Organizations)

第六十六条 この法律又はこの法律に基づく命令の規定中主務大臣の許可、承認その他の処分を要する旨を定めるものは、政府機関が当該許可、承認その他の処分を要する行為をする場合については、政令で定めるところにより、これを適用しない。

Article 66 Provisions of this Act or an Order based on this Act which indicate that the permission or approval of the competent minister or any other agency action is required, do not apply, pursuant to Cabinet Order, if a government institution undertakes the action requiring that permission, approval, or other agency action.

(許可等の条件)

(Conditions Attached to Permission or Approval)

第六十七条 主務大臣は、この法律又はこの法律の規定に基づく命令の規定による許可又は承認に条件を付し、及びこれを変更することができる。

Article 67 (1) The competent minister may attach conditions to permission or approval under this Act or an Order based on this Act, and may change those conditions.

2 前項の条件は、同項の許可又は承認に係る事項の確実な実施を図るため必要最小限のものでなければならない。

(2) The conditions referred to in the preceding paragraph must represent the minimum conditions necessary for ensuring the reliable implementation of the thing that the permission or approval referred to in the preceding paragraph is for.

(立入検査)

(On-site Inspections)

第六十八条 主務大臣は、この法律の施行に必要な限度において、当該職員をして、この法律の適用を受ける取引、行為若しくは支払等を行つた者又はその関係者の営業所、事務所、工場その他の施設に立ち入り、帳簿書類その他の物件を検査させ、又は関係人に質問させることができる。

Article 68 (1) To the extent necessary for bringing this Act into effect, the competent minister may have ministry officials enter the business office, office, factory, or other facility of a person that has undertaken a transaction or other action or made or received a payment governed by this Act or of any relevant

person to inspect books and documents or other objects or to question any relevant person.

2 前項の規定により当該職員が立ち入るときは、その身分を示す証票を携帯し、関係人に提示しなければならない。

(2) When entering a facility pursuant to the preceding paragraph, an official must carry identification and present it to the relevant persons.

3 第一項の規定による立入検査又は質問の権限は、犯罪捜査のために認められたものと解釈してはならない。

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

(権限の委任)

(Delegation of Authority)

第六十八条の二 主務大臣は、政令で定めるところにより、この法律に基づく権限の一部を地方支分部局の長に委任することができる。

Article 68-2 The competent minister, pursuant to Cabinet Order, may delegate part of the authority based on this Act to the heads of local branch offices.

(事務の一部委任)

(Partial Delegation of Administrative Functions)

第六十九条 主務大臣は、政令で定めるところにより、この法律の施行に関する事務の一部を日本銀行をして取り扱わせることができる。

Article 69 (1) The competent minister, pursuant to Cabinet Order, may have the Bank of Japan handle some of the administrative functions connected with this Act coming into effect.

2 前項の規定により事務の一部を日本銀行をして取り扱わせる場合における当該事務の一部については、日本銀行法（平成九年法律第八十九号）第四十三条第一項の規定は、適用しない。

(2) If the competent minister has the Bank of Japan handle some administrative functions pursuant to the preceding paragraph, Article 43, paragraph (1) of the Bank of Japan Act (Act No. 89 of 1997) does not apply to that part of the administrative functions.

3 第一項の規定により事務の一部を日本銀行をして取り扱わせる場合においては、その事務の取扱に要する経費は、日本銀行の負担とすることができる。

(3) If the competent minister has the Bank of Japan deal with some administrative functions pursuant to paragraph (1), it may be decided that the Bank of Japan will bear the expenses required to handle those functions.

第六十九条の二 削除

Article 69-2 Deleted

(主務大臣等)

(Competent Minister; Related Matters)

第六十九条の三 この法律における主務大臣は、政令で定める。

Article 69-3 (1) Cabinet Order prescribes which minister is the competent minister provided in this Act.

2 この法律における事業所管大臣は、別段の定めがある場合を除き、対内直接投資等、特定取得又は技術導入契約の締結等に係る事業の所管大臣として、政令で定める。

(2) Except as otherwise specified, Cabinet Order prescribes which minister is the competent minister for the business provided in this Act, in terms of the competent minister for business involving inward direct investment or an equivalent action; for business involving specified acquisitions; or for business involving the conclusion, renewal, or modification of a technology introduction contract.

第六十九条の四 次の各号に掲げる主務大臣は、当該各号に定める規定の運用に関し、特に必要があると認めるときは、外務大臣その他の関係行政機関の長に資料又は情報の提供、意見の表明その他必要な協力を求めることができる。

Article 69-4 (1) On finding it to be particularly necessary to do so, the competent minister set forth in one of the following items may ask the Minister of Foreign Affairs or the heads of other relevant administrative organs to provide materials or information, express opinions, or offer other necessary cooperation with regard to the operation of the provisions set forth in the relevant item:

一 主務大臣 第十六条第一項又は第二十五条第六項

(i) the competent minister: Article 16, paragraph (1) or Article 25, paragraph (6);

二 財務大臣 第二十一条第一項

(ii) the Minister of Finance: Article 21, paragraph (1);

三 経済産業大臣 第二十四条第一項、第二十五条第一項から第四項まで、第四十八条又は第五十二条

(iii) the Minister of Economy, Trade and Industry: Article 24, paragraph (1), Article 25, paragraphs (1) through (4); Article 48; or Article 52.

2 外務大臣その他の関係行政機関の長は、我が国が締結した条約その他の国際約束を誠実に履行するため又は国際平和のための国際的な努力に我が国として寄与するため特に必要があると認めるときは第一号から第三号までに掲げる規定の運用に関しそれぞれ第一号から第三号までに定める主務大臣に、国際的な平和及び安全の維持のため特に必要があると認めるときは第四号に掲げる規定の運用に関し同号に定める主務大臣に、意見を述べるることができる。

(2) On finding that it is particularly necessary to do so in order for Japan to faithfully perform its obligations under a treaty or other international agreement to which it has acceded or in order for Japan to contribute to

international efforts towards world peace, the Minister of Foreign Affairs or the head of any other relevant administrative organ may state an opinion to the competent minister prescribed in one of items (i) through (iii) with regard to the operation of the provisions set forth in that item, and on finding that it is particularly necessary to do so in order to preserve world peace and international security, the minister or head of the administrative organ may express an opinion to the competent minister prescribed in item (iv) with regard to the operation of the provisions set forth in that item:

一 第十六条第一項又は第二十五条第六項 主務大臣

(i) Article 16, paragraph (1) or Article 25, paragraph (6): the competent minister;

二 第二十一条第一項 財務大臣

(ii) Article 21, paragraph (1): the Minister of Finance;

三 第二十四条第一項、第四十八条第三項又は第五十二条 経済産業大臣

(iii) Article 24, paragraph (1); Article 48, paragraph (3); or Article 52: the Minister of Economy, Trade and Industry;

四 第二十五条第一項から第四項まで又は第四十八条第一項若しくは第二項 経済産業大臣

(iv) Article 25, paragraphs (1) through (4), or Article 48, paragraph (1) or (2): the Minister of Economy, Trade and Industry.

(経過措置)

(Transitional Measures)

第六十九条の五 この法律の規定に基づき命令を制定し、又は改廃する場合においては、その命令で、その制定又は改廃に伴い合理的に必要と判断される範囲内において、所要の経過措置（罰則に関する経過措置を含む。）を定めることができる。

Article 69-5 If an Order is enacted, amended, or repealed based on this Act, the necessary transitional measures (including transitional measures for penal provisions) may be set forth in that Order, to the extent considered reasonably necessary for the enactment, amendment, or repeal of that Order.

第九章 罰則

Chapter IX Penal Provisions

第六十九条の六 次の各号のいずれかに該当する者は、七年以下の懲役若しくは二千万円以下の罰金に処し、又はこれを併科する。ただし、当該違反行為の目的物の価格の五倍が二千万円を超えるときは、罰金は、当該価格の五倍以下とする。

Article 69-6 (1) A person falling under one of the following items is subject to imprisonment for not more than seven years, a fine of not more than 20 million yen, or both; provided, however, that if five times the value of the subject matter of the violation exceeds 20 million yen, the fine to which the person is

subject is not more than five times that value:

一 第二十五条第一項又は第四項の規定による許可を受けないでこれらの項の規定に基づく命令の規定で定める取引をした者

(i) a person conducting a transaction as prescribed by an Order based on Article 25, paragraph (1) or paragraph (4) without getting the permission under that paragraph;

二 第四十八条第一項の規定による許可を受けないで同項の規定に基づく命令の規定で定める貨物の輸出をした者

(ii) a person exporting goods as prescribed by an Order based on Article 48, paragraph (1) without getting the permission under that paragraph.

2 次の各号のいずれかに該当する者は、十年以下の懲役若しくは三千万円以下の罰金に処し、又はこれを併科する。ただし、当該違反行為の目的物の価格の五倍が三千万円を超えるときは、罰金は、当該価格の五倍以下とする。

(2) A person falling under one of the following items is subject to imprisonment for not more than ten years, a fine of not more than 30 million yen, or both; provided, however, that if five times the value of the subject matter of the violation exceeds 30 million yen, the fine to which the person is subject is not more than five times that value:

一 特定技術であつて、核兵器、軍用の化学製剤若しくは細菌製剤若しくはこれらの散布のための装置若しくはこれらを運搬することができるロケット若しくは無人航空機のうち政令で定めるもの（以下この項において「核兵器等」という。）の設計、製造若しくは使用に係る技術又は核兵器等の開発、製造、使用若しくは貯蔵（次号において「開発等」という。）のために用いられるおそれが特に大きいと認められる貨物の設計、製造若しくは使用に係る技術として政令で定める技術について、第二十五条第一項の規定による許可を受けないで同項の規定に基づく命令の規定で定める取引をした者

(i) a person conducting a transaction as prescribed by the Order under Article 25, paragraph (1) without getting the permission under that paragraph, in connection with specified technology that is associated with the design, manufacture, or use of a nuclear weapon; of a military chemical warfare agent, a bacterial agent, or a device for spraying one of those agents; or of a rocket or unmanned aerial vehicle capable of transporting one of these, as prescribed by Cabinet Order (hereinafter referred to as an "NBC or associated device" in this paragraph); or in connection with specified technology that Cabinet Order prescribes as technology that is associated with the design, manufacture, or use of goods that are found to be highly likely to be used to develop, manufacture, use, or store an NBC or associated device (hereinafter referred to as "development, manufacture, use, or storage" in the following item);

二 第四十八条第一項の特定の種類貨物であつて、核兵器等又はその開発等のために用いられるおそれが特に大きいと認められる貨物として政令で定める貨物について

て、第二十五条第四項の規定による許可を受けないで同項の規定に基づく命令の規定で定める取引をした者又は第四十八条第一項の規定による許可を受けないで同項の規定に基づく命令の規定で定める輸出をした者

(ii) a person conducting a transaction as prescribed by the Order under Article 25, paragraph (4) without getting the permission under that paragraph, or a person undertaking an export as prescribed by the Order under Article 48, paragraph (1) without getting the permission under that paragraph, in connection with a specific kind of goods as prescribed in Article 48, paragraph (1) that Cabinet Order prescribes as being found to be highly likely to be used in connection with an NBC or associated device, or in the development, manufacture, use, or storage thereof.

3 第一項第二号及び前項第二号（貨物の輸出に係る部分に限る。）の未遂罪は、罰する。

(3) Attempts at the offenses referred to in paragraph (1), item (ii) and item (ii) of the preceding paragraph (limited to the part involving the export of goods) are also punishable.

第六十九条の七 次の各号のいずれかに該当する者は、五年以下の懲役若しくは千万円以下の罰金に処し、又はこれを併科する。ただし、当該違反行為の目的物の価格の五倍が千万円を超えるときは、罰金は、当該価格の五倍以下とする。

Article 69-7 (1) A person falling under one of the following items is subject to imprisonment for not more than five years or a fine of not more than ten million yen, or both; provided, however, that if five times the value of the subject matter of the violation exceeds ten million yen, the fine to which the person is subject is not more than five times that value:

一 第二十五条第二項の規定に基づく命令の規定による許可を受けないで特定技術の提供を目的とする取引をした者

(i) a person undertaking a transaction with the objective of providing specified technology, without getting permission under an Order based on Article 25, paragraph (2);

二 第二十五条第三項の規定に基づく命令の規定による許可を受けないで同項第一号に定める行為をした者

(ii) a person undertaking an action as prescribed in Article 25, paragraph (3), item (i) without getting permission under an Order based on Article 25, paragraph (3);

三 第四十八条第二項の規定に基づく命令の規定による許可を受けないで貨物の輸出をした者

(iii) a person exporting goods without getting permission under an Order based on Article 48, paragraph (2);

四 第四十八条第三項の規定に基づく命令の規定による承認を受けないで貨物の輸出をした者

(iv) a person exporting goods without getting approval under an Order based on Article 48, paragraph (3);

五 第五十二条の規定に基づく命令の規定による承認を受けないで貨物の輸入をした者

(v) a person importing goods without getting approval under an Order based on Article 52.

2 前項第二号（第二十五条第三項第一号イに係る部分に限る。）の未遂罪は、罰する。

(2) Attempts at the offenses referred to in item (ii) of the preceding paragraph (limited to the part that involves Article 25, paragraph (3), item (i), (a)) are also punishable.

第七十条 次の各号のいずれかに該当する者は、三年以下の懲役若しくは百万円以下の罰金に処し、又はこれを併科する。ただし、当該違反行為の目的物の価格の三倍が百万円を超えるときは、罰金は、当該価格の三倍以下とする。

Article 70 (1) A person falling under one of the following items is subject to imprisonment for not more than three years, a fine of not more than one million yen, or both; provided, however, that if three times the value of the subject matter of the violation exceeds one million yen, the fine to which the person is subject is not more than three times that value:

一 第八条の規定に違反して支払等をした者

(i) a person making or receiving a payment in violation of Article 8;

二 第九条第一項の規定に基づく命令の規定に違反して取引、行為又は支払等をした者

(ii) a person undertaking a transaction or action or making or receiving a payment in violation of an Order based on Article 9, paragraph (1);

三 第十六条第一項から第三項までの規定に基づく命令の規定による許可を受けないで、又は同条第五項の規定に違反して支払等をした者

(iii) a person making or receiving a payment without getting permission under an Order based on Article 16, paragraphs (1) through (3), or in violation of paragraph (5) of that Article;

四 第十六条の二の規定による支払等の禁止に違反して、又は同条の規定に基づく命令の規定による許可を受けないで支払等をした者

(iv) a person making or receiving a payment in violation of a prohibition under Article 16-2 on the making or receipt of payments, or without getting permission under an Order based on that Article;

五 第十七条の二第二項（第十七条の三において準用する場合を含む。）の規定による停止又は制限に違反して、外国為替取引に係る業務を行つた者

(v) a person engaging in business involving foreign exchange transactions in violation of a suspension or restriction under Article 17-2, paragraph (2) (including as applied mutatis mutandis pursuant to Article 17-3);

六 第十九条第一項又は第二項の規定に基づく命令の規定による許可を受けないで、

- 同条第一項に規定する支払手段又は証券若しくは貴金属を輸出し、又は輸入した者
- (vi) a person importing or exporting a means of payment prescribed in Article 19, paragraph (1); securities; or a precious metal; without getting permission under an Order based on Article 19, paragraph (1) or (2);
- 七 第二十一条第一項又は第二項の規定に基づく命令の規定による許可を受けないで資本取引をした者
- (vii) a person undertaking a capital transaction without getting permission under an Order based on Article 21, paragraph (1) or (2);
- 八 第二十二条第一項の規定による資本取引の禁止に違反して、又は同項の規定に基づく命令の規定による許可を受けないで資本取引をした者
- (viii) a person undertaking a capital transaction in violation of a prohibition under Article 22, paragraph (1) on capital transactions, or without getting permission under an Order based on that paragraph;
- 九 第二十二条第二項の規定に違反して経理した者
- (ix) a person handling accounting in violation of Article 22, paragraph (2);
- 十 第二十三条第一項の規定による届出をせず、又は虚偽の届出をして、対外直接投資を行つた者
- (x) a person undertaking outward direct investment but failing to file a notification or falsely filing a notification under Article 23, paragraph (1);
- 十一 第二十三条第三項又は第五項の規定に違反してこれらの規定に規定する期間中に対外直接投資を行つた者
- (xi) a person violating Article 23, paragraph (3) or (5) in undertaking outward direct investment during the period prescribed in those paragraphs;
- 十二 第二十三条第七項の規定に違反して対外直接投資を行つた者
- (xii) a person undertaking outward direct investment in violation of Article 23, paragraph (7);
- 十三 第二十三条第九項の規定による変更又は中止の命令に違反して対外直接投資を行つた者
- (xiii) a person undertaking outward direct investment in violation of an order to modify or discontinue under Article 23, paragraph (9);
- 十四 第二十四条第一項又は第二項の規定に基づく命令の規定による許可を受けないで特定資本取引をした者
- (xiv) a person undertaking a specified capital transaction without getting permission under an Order based on Article 24, paragraph (1) or (2);
- 十五 第二十四条の二の規定による特定資本取引の禁止に違反して、又は同条の規定に基づく命令の規定による許可を受けないで特定資本取引をした者
- (xv) a person undertaking a specified capital transaction in violation of a prohibition under Article 24-2 on specified capital transactions, or without getting permission under an Order based on that Article;
- 十六 第二十五条第三項の規定に基づく命令の規定による許可を受けないで同項第二号に定める行為をした者

- (xvi) a person undertaking an action as prescribed in Article 25, paragraph (3), item (ii) without getting permission under an Order based on Article 25, paragraph (3);
十七 第二十五条第五項の規定による許可を受けないで同項の規定に基づく命令の規定で定める役務取引をした者
- (xvii) a person undertaking a service transaction as prescribed by an Order based on Article 25, paragraph (5) without getting permission under that paragraph;
十八 第二十五条第六項の規定に基づく命令の規定による許可を受けないで役務取引等を行つた者
- (xviii) a person undertaking a service transaction or a transaction involving the transfer of goods between foreign states without getting permission under an Order based on Article 25, paragraph (6);
十九 第二十五条の二第一項又は第二項の規定による技術の提供を目的とする取引若しくは技術記録媒体等輸出若しくは国外技術送信又は貨物の輸出の禁止に違反して取引若しくは技術記録媒体等輸出若しくは国外技術送信又は輸出をした者
- (xix) a person undertaking a transaction; exporting a document, picture, or storage medium containing technological information; transmitting technological information outside Japan; or exporting goods; in violation of a prohibition under Article 25-2, paragraph (1) or (2) on transactions with the objective of providing technology; on the export of a document, picture, or storage medium containing technological information; on the transmission of technological information outside Japan; or on the export of goods;
二十 第二十五条の二第三項の規定による貨物の売買、貸借若しくは贈与に関する取引又は貨物の輸出の禁止に違反して取引又は輸出をした者
- (xx) a person undertaking a transaction or exporting goods in violation of a prohibition under Article 25-2, paragraph (3) on transactions connected with the buying and selling, leasing, or donation of goods or on the export of goods;
二十一 第二十五条の二第四項の規定による役務取引等の禁止に違反して、又は同項の規定に基づく命令の規定による許可を受けないで役務取引等をした者
- (xxi) a person undertaking a service transaction or transaction involving the transfer of goods between foreign states, in violation of a prohibition under Article 25-2, paragraph (4) on service transactions or transactions involving the transfer of goods between foreign states, or without getting permission under an Order based on that paragraph;
二十二 第二十七条第一項又は第二十八条第一項の規定による届出をせず、又は虚偽の届出をして、対内直接投資等又は特定取得をした者（第二十七条第十三項又は第二十八条第八項の規定により外国投資家とみなされる者を含む。）
- (xxii) a person undertaking inward direct investment or an equivalent action or undertaking a specified acquisition (including a person deemed to be a

- foreign investor pursuant to Article 27, paragraph (13) or Article 28, paragraph (8)) but failing to file a notification or falsely filing a notification under Article 27, paragraph (1) or Article 28, paragraph (1);
- 二十三 第二十七条第二項又は第二十八条第二項の規定に違反して、第二十九条第五項に規定する禁止期間中に対内直接投資等又は特定取得をした者（第二十七条第十三項又は第二十八条第八項の規定により外国投資家とみなされる者を含む。）
- (xxiii) a person undertaking inward direct investment or an equivalent action or a specified acquisition during the period prohibiting that undertaking as prescribed in Article 29, paragraph (5), in violation of Article 27, paragraph (2) or Article 28, paragraph (2) (including a person deemed to be a foreign investor pursuant to Article 27, paragraph (13) or Article 28, paragraph (8));
- 二十四 第二十七条第八項（第二十八条第七項において準用する場合を含む。）の規定に違反して対内直接投資等又は特定取得をした者（第二十七条第十三項又は第二十八条第八項の規定により外国投資家とみなされる者を含む。）
- (xxiv) a person undertaking inward direct investment or an equivalent action or a specified acquisition, in violation of Article 27, paragraph (8) (including as applied mutatis mutandis pursuant to Article 28, paragraph (7)) (including a person deemed to be a foreign investor pursuant to Article 27, paragraph (13) or Article 28, paragraph (8));
- 二十五 第二十七条第十項（第二十八条第七項において準用する場合を含む。）の規定による変更又は中止の命令に違反して対内直接投資等又は特定取得をした者（第二十七条第十三項又は第二十八条第八項の規定により外国投資家とみなされる者を含む。）
- (xxv) a person undertaking inward direct investment or an equivalent action or a specified acquisition, in violation of an order to modify or discontinue under Article 27, paragraph (10) (including as applied mutatis mutandis pursuant to Article 28, paragraph (7)) (including a person deemed to be a foreign investor pursuant to Article 27, paragraph (13) or Article 28, paragraph (8));
- 二十六 第二十九条第一項から第四項までの規定による命令に違反した者（第二十七条第十三項又は第二十八条第八項の規定により外国投資家とみなされる者を含む。）
- (xxvi) a person violating an order under Article 29, paragraphs (1) through (4) (including a person deemed to be a foreign investor pursuant to Article 27, paragraph (13) or Article 28, paragraph (8));
- 二十七 第三十条第一項の規定による届出をせず、又は虚偽の届出をして、技術導入契約の締結等をした者
- (xxvii) a person undertaking the conclusion, renewal, or modification of a technology introduction contract but failing to file a notification or falsely filing a notification under Article 30, paragraph (1);
- 二十八 第三十条第二項の規定に違反して、同項に規定する期間（同条第三項若しく

- は第六項の規定により延長され、又は同条第四項の規定により短縮された場合には、当該延長され、又は短縮された期間) 中に技術導入契約の締結等をした者
- (xxviii) a person undertaking the conclusion, renewal, or modification of a technology introduction contract during the period prescribed in Article 30, paragraph (2) (if the period has been extended pursuant to paragraph (3) or (6) of that Article or shortened pursuant to paragraph (4) of that Article, the period so extended or shortened) in violation of that paragraph;
- 二十九 第三十条第七項において準用する第二十七条第八項の規定に違反して技術導入契約の締結等をした者
- (xxix) a person undertaking the conclusion, renewal, or modification of a technology introduction contract in violation of Article 27, paragraph (8), as applied mutatis mutandis pursuant to Article 30, paragraph (7);
- 三十 第三十条第七項において準用する第二十七条第十項の規定による変更又は中止の命令に違反して技術導入契約の締結等をした者
- (xxx) a person undertaking the conclusion, renewal, or modification of a technology introduction contract in violation of an order to modify or discontinue under Article 27, paragraph (10), as applied mutatis mutandis pursuant to Article 30, paragraph (7);
- 三十一 第五十一条の規定に基づく命令の規定に違反して貨物の船積をした者
- (xxxi) a person shipping goods in violation of an order based on Article 51;
- 三十二 第五十三条第一項の規定による貨物の輸出又は特定技術の提供を目的とする取引若しくは特定記録媒体等の輸出若しくは特定技術を内容とする情報の送信の禁止に違反して輸出又は取引若しくは特定記録媒体等の輸出若しくは情報の送信をした者
- (xxxii) a person exporting goods; undertaking a transaction; exporting a document, picture, or storage medium containing specified information; or transmitting information; in violation of a prohibition under Article 53, paragraph (1) on the export of goods; on transactions with the objective of providing specified technology; on the export of a document, picture, or storage medium containing specified information; or on the transmission of information on specified technology;
- 三十三 第五十三条第二項の規定による貨物の輸出又は輸入の禁止に違反して輸出又は輸入をした者
- (xxxiii) a person importing or exporting goods in violation of a prohibition under Article 53, paragraph (2) on the import or export of goods;
- 三十四 第五十三条第三項又は第四項の規定による命令に違反した者
- (xxxiv) a person violating an order under Article 53, paragraph (3) or (4);
- 三十五 第六十七条第一項の規定により付した第二十五条第一項若しくは第四項又は第四十八条第一項の許可の条件に違反した者
- (xxxv) a person violating a condition attached pursuant to Article 67, paragraph (1) to the permission referred to in Article 25, paragraph (1) or (4)

or Article 48, paragraph (1);

三十六 偽りその他不正の手段により第二十五条第一項、同条第二項若しくは第三項の規定に基づく命令若しくは同条第四項、第四十八条第一項若しくは同条第二項若しくは第三項の規定に基づく命令又は第五十二条の規定に基づく命令の規定による許可又は承認を受けた者

(xxxvi) a person using deception or other wrongful means to get permission or approval under Article 25, paragraph (1); an Order based on paragraph (2) or paragraph (3) of that Article; paragraph (4) of that Article; Article 48, paragraph (1); an Order based on paragraph (2) or paragraph (3) of that Article; or an Order under Article 52.

2 前項第十六号（第二十五条第三項第二号イに係る部分に限る。）の未遂罪は、罰する。

(2) Attempts at the offenses referred to in item (xvi) of the preceding paragraph (limited to the part that involves to Article 25, paragraph (3), item (ii), (a)) are also punishable.

第七十条の二 第十八条の四（第十八条の五、第二十二條の二第二項及び第二十二條の三において準用する場合を含む。）の規定による命令に違反した者は、二年以下の懲役若しくは三百万円以下の罰金に処し、又はこれを併科する。

Article 70-2 A person violating an Order under Article 18-4 (including as applied mutatis mutandis pursuant to Article 18-5, Article 22-2, paragraph (2) or Article 22-3) is subject to imprisonment for not more than two years, a fine of not more than three million yen, or both.

第七十一条 次の各号のいずれかに該当する者は、六月以下の懲役又は五十万円以下の罰金に処する。

Article 71 A person falling under one of the following items is subject to imprisonment for not more than six months or a fine of not more than five hundred thousand yen:

一 第十九条第三項の規定による届出をせず、又は虚偽の届出をして、同条第一項に規定する支払手段又は証券若しくは貴金属を輸出し、又は輸入した者

(i) a person importing or exporting a means of payment under Article 19, paragraph (1), a security, or a precious metal, but failing to file a notification or falsely filing a notification under Article 19, paragraph (3);

二 第五十五条第一項の規定による報告をせず、又は虚偽の報告をした者

(ii) a person failing to file a report or falsely filing a report under Article 55, paragraph (1);

三 第五十五条の三第一項又は第二項の規定による報告をせず、又は虚偽の報告をした者

(iii) a person failing to file a report or falsely filing a report under Article 55-3, paragraph (1) or (2);

四 第五十五条の三第五項の規定による帳簿書類を作成せず、これに同項に規定する事項を記載せず、若しくは虚偽の記載をし、又はこれを保存しなかつた者

(iv) a person failing to prepare books and documents under Article 55-3, paragraph (5), failing to enter or falsely entering information as prescribed in that paragraph in the books and documents, or failing to retain those books and documents;

五 第五十五条の四の規定による報告をせず、又は虚偽の報告をした者

(v) a person failing to file a report or falsely filing a report under Article 55-4;

六 第五十五条の五第一項の規定による報告をせず、又は虚偽の報告をした者（同条第二項の規定により外国投資家とみなされる者を含む。）

(vi) a person failing to file a report or falsely filing a report under Article 55-5, paragraph (1) (including a person deemed to be a foreign investor pursuant to paragraph (2) of that Article);

七 第五十五条の六第一項の規定による報告をせず、又は虚偽の報告をした者

(vii) a person failing to file a report or falsely filing a report under Article 55-6, paragraph (1);

八 第五十五条の七の規定に基づく命令の規定に違反して、報告をせず、又は虚偽の報告をした者

(viii) a person failing to file a report or falsely filing a report, in violation of an Order under Article 55-7;

九 第五十五条の八の規定に基づく命令の規定に違反して、報告をせず、又は虚偽の報告をした者

(ix) a person failing to file a report or falsely filing a report, in violation of an Order under Article 55-8;

十 第五十五条の十二第二項の規定による命令に違反した者

(x) a person violating an Order under Article 55-12, paragraph (2);

十一 第六十八条第一項の規定による検査を拒み、妨げ、又は忌避した者

(xi) a person refusing, obstructing, or avoiding an inspection under Article 68, paragraph (1);

十二 第六十八条第一項の規定による質問に対して答弁をせず、又は虚偽の答弁をした者

(xii) a person failing to answer or falsely answering in response to a question under Article 68, paragraph (1).

第七十一条の二 本人特定事項を隠ぺいする目的で、第十八条第四項（第十八条の五、第二十二條の二第二項及び第二十二條の三において準用する場合を含む。）の規定に違反した者は、五十万円以下の罰金に処する。

Article 71-2 A person violating Article 18, paragraph (4) (including as applied mutatis mutandis pursuant to Article 18-5, Article 22-2, paragraph (2) and Article 22-3) for the purpose of concealing identifying information is subject to a fine of not more than five hundred thousand yen.

第七十二条 法人（第二十六条第一項第二号及び第四号、第二十七条第十三項、第二十八条第八項並びに第五十五条の五第二項に規定する団体に該当するものを含む。以下この項において同じ。）の代表者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又は財産に関し、次の各号に掲げる規定の違反行為をしたときは、行為者を罰するほか、その法人に対して当該各号に定める罰金刑を、その人に対して各本条の罰金刑を科する。

- Article 72 (1) If the representative of a corporation (this includes an organization as prescribed in Article 26, paragraph (1), item (ii) or (iv); Article 27, paragraph (13); Article 28, paragraph (8); or Article 55-5, paragraph (2); hereinafter the same applies in this paragraph) or the agent, employee, or other worker of a corporation or individual violates the provisions referred to in one of the following items in connection with the business or assets of that corporation or individual, in addition to the offender being subject to punishment, the corporation is subject to the fine specified in the relevant item and the individual is subject to the fine referred to in the relevant Article:
- 一 第六十九条の六第二項 十億円以下（当該違反行為の目的物の価格の五倍が十億円を超えるときは、当該価格の五倍以下）の罰金刑
 - (i) Article 69-6, paragraph (2): a fine of not more than one billion yen (or, if five times the value of the subject matter of the violation exceeds one billion yen, a fine of not more than five times that value);
 - 二 第六十九条の六第一項 七億円以下（当該違反行為の目的物の価格の五倍が七億円を超えるときは、当該価格の五倍以下）の罰金刑
 - (ii) Article 69-6, paragraph (1): a fine of not more than 700 million yen (or, if five times the value of the subject matter of the violation exceeds 700 million yen, a fine of not more than five times that value);
 - 三 第六十九条の七 五億円以下（当該違反行為の目的物の価格の五倍が五億円を超えるときは、当該価格の五倍以下）の罰金刑
 - (iii) Article 69-7: a fine of not more than 500 million yen (or, if five times the value of the subject matter of the violation exceeds 500 million yen, a fine of not more than five times that value);
 - 四 第七十条の二 三億円以下の罰金刑
 - (iv) Article 70-2: a fine of not more than 300 million yen;
 - 五 第七十条又は前二条 各本条の罰金刑
 - (v) Article 70 or the preceding two Articles: the fine referred to in the relevant Article.
- 2 前項の規定により第六十九条の六又は第六十九条の七の違反行為につき法人又は人に罰金刑を科する場合における時効の期間は、各本条の罪についての時効の期間による。
- (2) The period of prescription for sentencing a corporation or an individual to a fine pursuant to the preceding paragraph due to a violation referred to in

Article 69-6 or Article 69-7 is governed by the period of prescription for the offense referred to in the relevant Article.

- 3 第二十六条第一項第二号及び第四号、第二十七条第十三項、第二十八条第八項並びに第五十五条の五第二項に規定する団体に該当するものを処罰する場合においては、その代表者又は管理人がその訴訟行為につきその団体を代表するほか、法人を被告人とする場合の刑事訴訟に関する法律の規定を準用する。

(3) If an organization falling under a category of organization as prescribed in Article 26, paragraph (1), item (ii) or (iv); Article 27, paragraph (13); Article 28, paragraph (8); or Article 55-5, paragraph (2) is subject to punishment, its representative or administrator represents the organization in procedural acts, and laws related to criminal proceedings that have a corporation as the defendant apply mutatis mutandis.

第七十三条 次の各号のいずれかに該当する者は、十万円以下の過料に処する。ただし、その行為について刑を科すべきときは、この限りでない。

Article 73 A person falling under one of the following items is subject to a civil fine of not more than one hundred thousand yen; provided, however, that this does not apply if the person is subject to criminal punishment for their conduct:

- 一 第五十五条の三第六項の規定による届出をせず、又は虚偽の届出をした者
(i) a person failing to file a notification or falsely filing a notification under Article 55-3, paragraph (6);
- 二 第六十七条第一項の規定により付した条件に違反した者
(ii) a person violating a condition attached pursuant to Article 67, paragraph (1).

附 則

Supplementary Provisions

この法律の施行期日は、各規定につき政令で定める。但し、その期日は、昭和二十五年六月三十日後であつてはならない。

Cabinet Order establishes the effective date of this Act for each of its provisions; provided, however, that this date must not be later than June 30, 1950.

附 則 [昭和二十五年三月三十一日法律第五十二号]

Supplementary Provisions [Act No. 52 of March 31, 1950]

この法律は、公布の日から施行する。

This Act comes into effect on the day of its promulgation.

附 則 〔昭和二十六年三月三十日法律第五十六号〕 〔抄〕
Supplementary Provisions [Act No. 56 of March 30, 1951] [Extract]

1 この法律は、昭和二十六年四月一日から施行する。

(1) This Act comes into effect on April 1, 1951.

附 則 〔昭和二十七年七月三十一日法律第二百七十号〕 〔抄〕
Supplementary Provisions [Act No. 270 of July 31, 1952] [Extract]

1 この法律は、昭和二十七年八月一日から施行する。

(1) This Act comes into effect on August 1, 1952.

4 改正前の外国為替及び外国貿易管理法及びこれに基く命令の規定による外国為替管理委員会の処分は、改正後の外国為替及び外国貿易管理法及びこれに基く命令の相当規定による大蔵大臣の処分とみなす。

(4) An action by the Foreign Exchange Control Commission under the pre-amendment Foreign Exchange and Foreign Trade Control Act or under an Order based on that Act is deemed to be an action by the Minister of Finance under the corresponding provisions of the amended Foreign Exchange and Foreign Trade Control Act or under an Order based on that Act.

5 この法律施行前にされた改正前の外国為替及び外国貿易管理法及びこれに基く命令の規定による外国為替管理委員会の処分の申請及びその受理は、改正後の外国為替及び外国貿易管理法及びこれに基く命令の相当規定による大蔵大臣の処分の申請及びその受理とみなす。

(5) The filing or acceptance, before this Act comes into effect, of an application for an action by the Foreign Exchange Control Commission under the pre-amendment Foreign Exchange and Foreign Trade Control Act or under an Order based on that Act is deemed to be the filing or acceptance of an application for an action by the Minister of Finance under the corresponding provisions of the amended Foreign Exchange and Foreign Trade Control Act or under an Order based on that Act.

附 則 〔昭和二十七年八月五日法律第二百九十九号〕 〔抄〕
Supplementary Provisions [Act No. 299 of August 5, 1952] [Extract]

1 この法律の施行期日は、公布の日から起算して二月をこえない期間内において政令で定める。

(1) The effective date of this Act is the date that Cabinet Order prescribes, which is to fall within a period of no more than two months from the day of its promulgation.

附 則 〔昭和二十八年九月一日法律第二百五十九号〕 〔抄〕

Supplementary Provisions [Act No. 259 of September 1, 1953] [Extract]

1 この法律は、公布の日から施行する。

(1) This Act comes into effect on the day of its promulgation.

附 則 [昭和二十九年四月十日法律第六十七号] [抄]

Supplementary Provisions [Act No. 67 of April 10, 1954] [Extract]

1 この法律は、公布の日から施行する。

(1) This Act comes into effect on the day of its promulgation.

附 則 [昭和二十九年六月一日法律第百三十八号]

Supplementary Provisions [Act No. 138 of June 1, 1954]

この法律は、公布の日から施行する。

This Act comes into effect on the day of its promulgation.

附 則 [昭和三十年八月六日法律第百四十号] [抄]

Supplementary Provisions [Act No.140 of August 6, 1955] [Extract]

1 この法律の施行期日は、公布の日から起算して二月をこえない範囲内で政令で定める。

(1) The effective date of this Act is the date that Cabinet Order prescribes, falling within the scope of no more than two months from the day of its promulgation.

附 則 [昭和三十三年五月十五日法律第百五十六号]

Supplementary Provisions [Act No. 156 of May 15, 1958]

1 この法律は、公布の日から施行する。

(1) This Act comes into effect on the day of its promulgation.

2 この法律の施行前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。

(2) Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before this Act comes into effect.

附 則 [昭和三十七年五月十六日法律第百四十号] [抄]

Supplementary Provisions [Act No. 140 of May 16, 1962] [Extract]

1 この法律は、昭和三十七年十月一日から施行する。

(1) This Act comes into effect on October 1, 1962.

2 この法律による改正後の規定は、この附則に特別の定めがある場合を除き、この法律の施行前に生じた事項にも適用する。ただし、この法律による改正前の規定によつ

て生じた効力を妨げない。

(2) Unless otherwise prescribed in these Supplementary Provisions, provisions amended by this Act also apply with regard to a matter arising before this Act comes into effect; provided, however, that this does not preclude any legal effect that has arisen pursuant to provisions as before their amendment by this Act.

3 この法律の施行の際現に係属している訴訟については、当該訴訟を提起することができない旨を定めるこの法律による改正後の規定にかかわらず、なお従前の例による。

(3) Prior laws continue to govern any lawsuit actually pending at the time this Act comes into effect, notwithstanding any provision amended by this Act prescribing that such a lawsuit may not be filed.

4 この法律の施行の際現に係属している訴訟の管轄については、当該管轄を専属管轄とする旨のこの法律による改正後の規定にかかわらず、なお従前の例による。

(4) Prior laws continue to govern jurisdiction over any lawsuit actually pending at the time this Act comes into effect, notwithstanding any provision amended by this Act prescribing that such a lawsuit is subject to exclusive jurisdiction.

5 この法律の施行の際現にこの法律による改正前の規定による出訴期間が進行している処分又は裁決に関する訴訟の出訴期間については、なお従前の例による。ただし、この法律による改正後の規定による出訴期間がこの法律による改正前の規定による出訴期間より短い場合に限る。

(5) Prior laws continue to govern the statute of limitations for filing an action concerning an agency action or order, if the statute of limitations for filing such an action pursuant to provisions as before amendment by this Act is actually running at the time this Act comes into effect; provided, however, that this is limited to if the statute of limitations for filing an action under the provisions amended by this Act is shorter than as under the provisions before amendment by this Act.

6 この法律の施行前にされた処分又は裁決に関する当事者訴訟で、この法律による改正により出訴期間が定められることとなつたものについての出訴期間は、この法律の施行の日から起算する。

(6) If the statute of limitations for filing a public-law-related action concerning an agency action taken or order issued before this Act comes into effect has come to be set due to amendment by this Act, it begins to run on the date on which this Act comes into effect.

7 この法律の施行の際現に係属している処分又は裁決の取消しの訴えについては、当該法律関係の当事者の一方を被告とする旨のこの法律による改正後の規定にかかわらず、なお従前の例による。ただし、裁判所は、原告の申立てにより、決定をもつて、当該訴訟を当事者訴訟に変更することを許すことができる。

(7) Prior laws continue to govern an action to overturn an agency action or order which is actually pending at the time this Act comes into effect, notwithstanding any provisions amended by this Act which indicate one of the

parties to the legal relationship to be the defendant; provided, however, that the court, at the petition of the plaintiff, may rule to allow changing the action into a public-law-related action.

8 前項ただし書の場合には、行政事件訴訟法第十八条後段及び第二十一条第二項から第五項までの規定を準用する。

(8) The second sentence of Article 18 and Article 21, paragraphs (2) through (5) of the Administrative Case Litigation Act apply mutatis mutandis to a case as referred to in the proviso of the preceding paragraph.

附 則 [昭和三十七年九月十五日法律第百六十一号] [抄]

Supplementary Provisions [Act No. 161 of September 15, 1962] [Extract]

1 この法律は、昭和三十七年十月一日から施行する。

(1) This Act comes into effect on October 1, 1962.

2 この法律による改正後の規定は、この附則に特別の定めがある場合を除き、この法律の施行前にされた行政庁の処分、この法律の施行前にされた申請に係る行政庁の不作为その他この法律の施行前に生じた事項についても適用する。ただし、この法律による改正前の規定によつて生じた効力を妨げない。

(2) Unless otherwise provided by these Supplementary Provisions, provisions amended by this Act also apply to an action by an administrative agency that is taken before this Act comes into effect, inaction by an administrative agency in connection with an application filed before this Act comes into effect, and any other matter arising before this Act comes into effect; provided, however, that this does not preclude any legal effect that has arisen pursuant to provisions before their amendment by this Act.

3 この法律の施行前に提起された訴願、審査の請求、異議の申立てその他の不服申立て（以下「訴願等」という。）については、この法律の施行後も、なお従前の例による。この法律の施行前にされた訴願等の裁決、決定その他の処分（以下「裁決等」という。）又はこの法律の施行前に提起された訴願等につきこの法律の施行後にされる裁決等にさらに不服がある場合の訴願等についても、同様とする。

(3) Even after this Act comes into effect, prior laws continue to govern a petition, request for review, objection, or other appeal (hereinafter referred to as a "petition or other appeal") filed before this Act comes into effect. The same applies to any further petition or other appeal that a person files if dissatisfied with an agency order, decision, or other action that has been taken before this act comes into effect in response to a petition or other appeal (hereinafter referred to as an "agency order or other action"), or if dissatisfied with an agency order or other action that has been taken after this Act comes into effect in response to a petition or other appeal that the person filed before this Act comes into effect.

4 前項に規定する訴願等で、この法律の施行後は行政不服審査法による不服申立てを

することができることとなる処分に係るものは、同法以外の法律の適用については、行政不服審査法による不服申立てとみなす。

(4) For the purpose of applying laws other than the Administrative Appeal Act, a petition or other appeal as prescribed in the preceding paragraph regarding an agency action against which an appeal may be filed pursuant to that Act after this Act comes into effect, is deemed to be an appeal under that Act.

5 第三項の規定によりこの法律の施行後にされる審査の請求、異議の申立てその他の不服申立ての裁決等については、行政不服審査法による不服申立てをすることができない。

(5) It is not permissible to file an appeal under the Administrative Appeal Act against an agency order or other action on a request for review, opposition, or other appeal that is filed pursuant to paragraph (3) after this Act comes into effect.

6 この法律の施行前にされた行政庁の処分で、この法律による改正前の規定により訴願等を行うことができるものとされ、かつ、その提起期間が定められていなかったものについて、行政不服審査法による不服申立てをすることができる期間は、この法律の施行の日から起算する。

(6) The period during which a person may file an appeal under the Administrative Appeal Act on an action taken by an administrative agency before this Act comes into effect, against which a petition or other appeal may be filed pursuant to provisions as before their amendment by this Act and for which a statute of limitations was not established, is counted from the date on which this Act comes into effect.

8 この法律の施行前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。

(8) Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before this Act comes into effect.

9 前八項に定めるもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

(9) Beyond as prescribed in the preceding eight paragraphs, Cabinet Order prescribes the necessary transitional measures related to this Act coming into effect.

10 この法律及び行政事件訴訟法の施行に伴う関係法律の整理等に関する法律（昭和三十七年法律第百四十号）に同一の法律についての改正規定がある場合においては、当該法律は、この法律によつてまず改正され、次いで行政事件訴訟法の施行に伴う関係法律の整理等に関する法律によつて改正されるものとする。

(10) If both this Act and the Act Prescribing Adjustments to Related Acts to Coordinate with the Administrative Case Litigation Act Coming into Effect (Act No. 140 of 1962) contain provisions that amend the same Act, that Act is first amended by this Act and then amended by the Act Prescribing Adjustments to Related Acts to Coordinate with the Administrative Case Litigation Act Coming into Effect.

附 則 〔昭和三十九年三月三十一日法律第三十三号〕 〔抄〕
Supplementary Provisions [Act No. 33 of March 31, 1964] [Extract]

- 1 この法律は、昭和三十九年四月一日から施行する。
(1) This Act comes into effect on April 1, 1964.
2 この法律の施行前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。
(2) Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before this Act comes into effect.

附 則 〔昭和五十四年十二月十八日法律第六十五号〕 〔抄〕
Supplementary Provisions [Act No. 65 of December 18, 1979] [Extract]

(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超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect on the date that Cabinet Order prescribes, which is to fall within the scope of no more than one year from the day of its promulgation.

(外資に関する法律等の廃止)

(Repeal of the Act on Foreign Capital and Other Laws and Regulations)

第二条 次に掲げる法令は、廃止する。

Article 2 The following laws and regulations are hereby repealed:

- 一 外資に関する法律（昭和二十五年法律第百六十三号）
(i) the Act on Foreign Capital (Act No. 163 of 1950);
二 外国人の財産取得に関する政令（昭和二十四年政令第五十一号）
(ii) the Cabinet Order on the Acquisition of Property by Foreign Nationals (Cabinet Order No. 51 of 1949).

(経過措置)

(Transitional Measures)

第三条 この法律による改正前の外国為替及び外国貿易管理法（以下「旧法」という。）第三十一条第一項、第三十二条第一項、第三十四条又は第三十五条の規定に基づき認められ又は許可を受けた取引又は行為については、なお従前の例による。

Article 3 (1) Prior laws continue to govern a transaction or action approved or permitted based on Article 31, paragraph (1); Article 32, paragraph (1); Article 34; or Article 35 of the Foreign Exchange and Foreign Trade Control Act before its amendment under this Act (hereinafter referred to as "the former Act").

- 2 この法律の施行の際現に旧法第三十一条第一項、第三十二条第一項、第三十四条又

は第三十五条の規定によりされている申請に係る取引又は行為については、これらの規定（これらの規定に係る罰則を含む。）は、この法律の施行後においても、なお効力を有する。

- (2) Even after this Act comes into effect, Article 31, paragraph (1); Article 32, paragraph (1); Article 34; and Article 35 of the former Act (and any penal provisions concerning them) remain in effect as regards a transaction or action involving an application that has been filed pursuant to any of these provisions as of the time this Act comes into effect.

第四条 この法律による廃止前の外資に関する法律（以下「旧外資法」という。）第十条、第十一条第一項、第十二条第一項又は第十三条第一項の認可（次項の規定によりなお効力を有するものとされるこれらの規定による認可を含む。）を受けたものが、この法律の施行後において、当該認可を受けたところに従つて行う取引又は行為であつて、この法律による改正後の外国為替及び外国貿易管理法（以下「新法」という。）第二十条第二号、第四号若しくは第五号若しくは第二十六条第二項各号（第二号及び第五号を除く。）に掲げる取引若しくは行為又は新法第二十九条第一項に規定する取引若しくは行為を行おうとする場合には、新法第二十二条第一項、第二十六条第三項又は第二十九条第一項に規定する届出については当該届出がされたものと、新法第二十三条第一項、第二十六条第四項又は第二十九条第三項に規定する取引又は行為を行つてはならない期間については当該期間を経過したものとみなして、新法の規定（第十六条及び第二十一条第二項の規定を除く。）を適用する。

Article 4 (1) If a person that has gotten the approval referred to in Article 10, Article 11, paragraph (1); Article 12, paragraph (1); or Article 13, paragraph (1) of the Act on Foreign Capital before its repeal under this Act (hereinafter referred to as "the former Foreign Capital Act") (this includes approval under these provisions when they remain in effect pursuant to the following paragraph) seeks to undertake a transaction or action that will be based on that approval after this Act comes into effect and that constitutes a transaction or action as set forth in Article 20, item (ii), (iv), or (v) or the items of Article 26, paragraph (2) (other than items (ii) and (v)) of the Foreign Exchange and Foreign Trade Control Act as amended by this Act (hereinafter referred to as "the new Act") or that constitutes a transaction or action as prescribed in Article 29, paragraph (1) of the new Act, the notification prescribed in Article 22, paragraph (1); Article 26, paragraph (3); or Article 29, paragraph (1) is deemed to have been given, the period during which transactions or actions must not be taken as prescribed in Article 23, paragraph (1); Article 26, paragraph (4); or Article 29, paragraph (3) is deemed to have passed, and the new Act (other than Article 16 and Article 21, paragraph (2)) applies.

- 2 この法律の施行の際現に旧外資法第十条、第十一条第一項、第十二条第一項、第十三条第一項、第十三条の二又は第十三条の三の規定によりされている申請又は届出に係る取引又は行為については、これらの規定（これらの規定に係る罰則を含む。）は、

この法律の施行後においても、なお効力を有する。

- (2) Even after this Act comes into effect, Article 10; Article 11, paragraph (1); Article 12, paragraph (1); Article 13, paragraph (1); Article 13-2; and Article 13-3 of the former Foreign Capital Act (and any penal provisions concerning them) remain in effect as regards a transaction or action connected with an application that has been filed pursuant to any of these provisions as of the time this Act comes into effect.
- 3 旧外資法第十三条の二に規定する株式等の取得の日又は旧外資法第十三条の三に規定する対価等若しくは対価等の請求権の取得の日がこの法律の施行前であるものについては、これらの規定（旧外資法第十三条の三に係る罰則を含む。）は、この法律の施行後においても、なお効力を有する。
- (3) If the date of acquisition of shares, etc. as prescribed in Article 13-2 of the former Foreign Capital Act or the date of acquisition of consideration, etc. or the right to consideration, etc. as prescribed in Article 13-3 of the former Foreign Capital Act is before this Act comes into effect, these provisions (and any penal provisions concerning Article 13-3 of the former Foreign Capital Act) remain in effect even after this Act comes into effect.
- 4 新法第十六条の規定は、この法律の施行前に、旧外資法第十五条、第十五条の二、第十六条又は第十七条の規定により認められたものとされた外国投資家のこの法律の施行後における外国へ向けた支払については、適用しない。前項の規定によりなお効力を有するものとされる旧外資法第十三条の二又は第十三条の三の規定により指定又は確認を受けたもののこの法律の施行後における外国へ向けた支払についても、同様とする。
- (4) Article 16 of the new Act does not apply to a payment to a foreign state which takes place after this Act comes into effect by a foreign investor that is determined to have been approved pursuant to Article 15, 15-2, 16, or 17 of the former Foreign Capital Act before this Act comes into effect. The same applies to a payment to a foreign state after this Act comes into effect by a person designated or confirmed pursuant to Article 13-2 or 13-3 of the former Foreign Capital Act, if these provisions remain in effect pursuant to the preceding paragraph.
- 5 新法第二十六条第三項の規定は、同条第二項第二号に掲げる譲渡のうち、この法律の施行の前日から引き続き適法に所有する会社の株式又は持分の譲渡については、適用しない。
- (5) Article 26, paragraph (3) of the new Act does not apply to a transfer as set forth in paragraph (2), item (ii) of that Article of a share or equity in a corporation that a person has continued to hold lawfully since before the date on which this Act comes into effect.

第五条 この法律による廃止前の外国人の財産取得に関する政令（以下「旧財産取得令」という。）第三条第一項の規定に基づき認可を受けた取引又は行為については、

なお従前の例による。

Article 5 (1) Prior laws continue to govern a transaction or action approved pursuant to Article 3, paragraph (1) of Cabinet Order on the Acquisition of Property by Foreign Nationals before its repeal under this Act (hereinafter referred to as "the former Property Acquisition Order").

2 この法律の施行の際現に旧財産取得令第三条第一項の規定によりされている申請に係る取引並びに当該取引に係る確認及び報告については、旧財産取得令第三条第一項、第七条及び第八条の規定（これらの規定に係る罰則を含む。）は、この法律の施行後においても、なお効力を有する。

(2) Even after this Act comes into effect, Article 3, paragraph (1); Article 7; and Article 8 of the former Property Acquisition Order (and any penal provisions concerning them) remain in effect as regards any transaction linked to an application that has been filed pursuant to Article 3, paragraph (1) of the former Property Acquisition Order as of the time this Act comes into effect, and any confirmation or report regarding such a transaction.

第六条 旧外資法第九条の二第一項の規定により開設された外国投資家預金勘定の残高の払戻しその他必要な事項については、政令で定める。

Article 6 (1) Cabinet Order provides for the refunding of any outstanding balance in a foreign investor's deposit account that has been opened pursuant to Article 9-2, paragraph (1) of the former Foreign Capital Act, and prescribes any other necessary particulars.

2 旧外資法第十四条第一項の規定により付された条件及びその変更に関し必要な事項は、政令で定める。

(2) Cabinet Order provides for the necessary particulars of conditions attached pursuant to Article 14, paragraph (1) of the former Foreign Capital Act and the modification of those conditions.

第七条 旧法、旧外資法又は旧財産取得令の規定による処分に不服がある場合の異議申立て又は審査請求については、なお従前の例による。

Article 7 Prior laws continue to govern an objection or request for review in the event that a person is dissatisfied with an agency action under the former Act, the former Foreign Capital Act, or the former Property Acquisition Order.

（罰則に関する経過措置）

(Transitional Measures for Penal Provisions)

第八条 この法律の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる取引又は行為に係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 to

conduct in which a person engages after this Act comes into effect in connection with a transaction or action that continues to be governed by prior laws pursuant to these Supplementary Provisions.

附 則 〔昭和五十八年十二月二日法律第七十八号〕

Supplementary Provisions [Act No. 78 of December 2, 1983]

1 この法律（第一条を除く。）は、昭和五十九年七月一日から施行する。

(1) This Act (excluding Article 1) comes into effect on July 1, 1984.

2 この法律の施行の日の前日において法律の規定により置かれている機関等で、この法律の施行の日以後は国家行政組織法又はこの法律による改正後の関係法律の規定に基づく政令（以下「関係政令」という。）の規定により置かれることとなるものに関し必要となる経過措置その他この法律の施行に伴う関係政令の制定又は改廃に関し必要となる経過措置は、政令で定めることができる。

(2) Cabinet Order prescribes the necessary transitional measures in connection with an organization or similar entity that has been set in place pursuant to an Act on of the day before the date on which this Act comes into effect, which will remain in place pursuant to the National Government Organization Act or pursuant to a Cabinet Order based on one of the related Acts as amended by this Act (hereinafter referred to as a "related Cabinet Order") on and after the date on which this Act comes into effect, and also prescribes any other transitional measures necessary for the enactment, or amendment, or repeal of a related Cabinet Order in connection with this Act coming into effect.

附 則 〔昭和五十九年五月二十五日法律第四十四号〕 〔抄〕

Supplementary Provisions [Act No. 44 of May 25, 1984] [Extract]

（施行期日）

（Effective Date）

第一条 この法律は公布の日から施行する。ただし、第四条及び第五条の規定は、同日から起算して三月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect on the day of its promulgation; provided, however, that Articles 4 and 5 come into effect on the date that Cabinet Order prescribes, which is to fall within the scope of no more than three months from that day.

（外国為替及び外国貿易管理法の一部改正に伴う経過措置）

（Transitional Measures Accompanying Partial Amendment of the Foreign Exchange and Foreign Trade Control Act）

第三条 第五条の規定の施行の際現に同条の規定による改正前の外国為替及び外国貿易管理法附則第三条第一項の規定によりされている届出に係る株式等の取得については、

なお従前の例による。

Article 3 Prior laws continue to govern the acquisition of a share, etc. under a notification that has been filed as of the time that Article 5 comes into effect, pursuant to Article 3, paragraph (1) of the Supplementary Provisions of the Foreign Exchange and Foreign Trade Control Act before its amendment by Article 5.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第四条 この法律の施行前にした行為及び前二条の規定によりなお従前の例によることとされる行為に係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 4 Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before this Act comes into effect, and also continue to govern the applicability of penal provisions to conduct in which a person engages after this Act comes into effect if prior laws continue to govern that conduct pursuant to the preceding two Articles.

附 則 [昭和六十年十二月二十四日法律第百二号] [抄]

Supplementary Provisions [Act No. 102 of December 24, 1985] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から施行する。

Article 1 This Act comes into effect on the day of its promulgation.

(外国為替及び外国貿易管理法の一部改正に伴う経過措置)

(Transitional Measures Accompanying Partial Amendment of the Foreign Exchange and Foreign Trade Control Act)

第二条 第五条の規定の施行の際現に同条の規定による改正前の外国為替及び外国貿易管理法第十条第三項（同法第十四条第二項において準用する場合を含む。）の規定による外国為替業務若しくは両替業務を営む営業所の名称若しくは位置の変更の許可を受けている者又はその申請を行つている者は、第五条の規定による改正後の外国為替及び外国貿易管理法第十条第四項（同法第十四条第二項において準用する場合を含む。）の規定による届出を行つたものとみなす。

Article 2 A person that, as of the time Article 5 comes into effect, has gotten or applied for permission to modify the name or location of a business office at which that person engages in foreign exchange services or currency exchange services under Article 10, paragraph (3) of the Foreign Exchange and Foreign Trade Control Act before its amendment by Article 5 (including as applied mutatis mutandis pursuant to Article 14, paragraph (2) of that Act) is deemed

to have filed a notification under Article 10, paragraph (4) of the Foreign Exchange and Foreign Trade Control Act as amended by Article 5 (including as applied mutatis mutandis pursuant to Article 14, paragraph (2) of that Act).

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第八条 この法律（附則第一条各号に掲げる規定については、当該各規定）の施行前にした行為及び附則第四条の規定により従前の例によることとされる場合における第十一条の規定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 (or before the provisions set forth in each of the items of Article 1 of the Supplementary Provisions come into effect), and also continue to govern the applicability of penal provisions to conduct in which a person engages after Article 11 comes into effect if prior laws continue to govern pursuant to Article 4 of the Supplementary Provisions.

附 則 〔昭和六十一年五月二十七日法律第七十号〕

Supplementary Provisions [Act No. 70 of May 27, 1986]

この法律は、公布の日から起算して九月を超えない範囲内において政令で定める日から施行する。

This Act comes into effect on the date that Cabinet Order prescribes, which is to fall within the scope of no more than nine months from the day of its promulgation.

附 則 〔昭和六十二年九月十一日法律第八十九号〕〔抄〕

Supplementary Provisions [Act No. 89 of September 11, 1987] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して二月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect on the date that Cabinet Order prescribes, which is to fall within the scope of no more than two months from the day of its promulgation.

(経過措置)

(Transitional Measures)

第二条 この法律による改正前の外国為替及び外国貿易管理法（以下「旧法」という。）第二十五条の規定による許可を受けた取引であつて、この法律による改正後の

外国為替及び外国貿易管理法（以下「新法」という。）第二十五条第一項、同条第二項の規定に基づく命令又は同条第三項の規定による許可を要するものについては、それぞれ、同条第一項、同条第二項の規定に基づく命令又は同条第三項の規定による許可を受けたものとみなす。

Article 2 A transaction for which a person has gotten permission under Article 25 of the Foreign Exchange and Foreign Trade Control Act before its amendment by this Act (hereinafter referred to as "the former Act"), and which requires permission under Article 25, paragraph (1) of the Foreign Exchange and Foreign Trade Control Act as amended by this Act (hereinafter referred to as "the new Act"), under an Order based on paragraph (2) of that Article, or under paragraph (3) of that Article, is deemed to be one for which a person has gotten permission under paragraph (1) of that Article, under an Order based on paragraph (2) of that Article, or under paragraph (3) of that Article.

第三条 旧法第四十八条第一項の規定に基づく命令の規定による承認を受けた貨物の輸出であつて、新法第四十八条第一項若しくは同条第二項の規定に基づく命令の規定による許可又は同条第三項の規定に基づく命令の規定による承認を要するものについては、それぞれ、同条第一項若しくは同条第二項の規定に基づく命令の規定による許可又は同条第三項の規定に基づく命令の規定による承認を受けたものとみなす。

Article 3 An export of goods for which a person has gotten approval under an Order under Article 48, paragraph (1) of the former Act, and which requires permission under Article 48, paragraph (1) of the new Act, permission under an Order based on paragraph (2) of that Article, or approval under an Order based on paragraph (3) of that Article, is deemed to be an export for which a person has gotten permission under paragraph (1) of that Article, permission under an Order based on paragraph (2) of that Article, or approval under an Order based on paragraph (3) of that Article.

第四条 この法律の施行の際現にされている旧法第二十五条の規定による許可の申請であつて、新法第二十五条第一項、同条第二項の規定に基づく命令又は同条第三項の規定による許可を要する取引に係るものは、それぞれ、同条第一項、同条第二項の規定に基づく命令又は同条第三項の規定による許可の申請とみなす。

Article 4 An application for permission under Article 25 of the former Act which has been filed as of the time this Act comes into effect and which concerns a transaction that requires permission under Article 25, paragraph (1) of the new Act, under an Order based on paragraph (2) of that Article, or under paragraph (3) of that Article, is deemed to be an application for permission under paragraph (1) of that Article, under an Order based on paragraph (2) of that Article, or under paragraph (3) of that Article.

第五条 この法律の施行の際現にされている旧法第四十八条第一項の規定に基づく命令

の規定による承認の申請であつて、新法第四十八条第一項若しくは同条第二項の規定に基づく命令の規定による許可又は同条第三項の規定に基づく命令の規定による承認を要する貨物の輸出に係るものは、それぞれ、同条第一項若しくは同条第二項の規定に基づく命令の規定による許可又は同条第三項の規定に基づく命令の規定による承認の申請とみなす。

Article 5 An application for approval under an Order based on Article 48, paragraph (1) of the former Act which has been filed as of the time this Act comes into effect and which concerns the export of goods requiring permission under Article 48, paragraph (1) of the new Act, permission under an Order based on paragraph (2) of that Article, or approval under an Order based on paragraph (3) of that Article, is deemed to be an application for permission under paragraph (1) of that Article or under an Order based on paragraph (2) of that Article, or an application for approval under an Order based on paragraph (3) of that Article.

第六条 この法律の施行前に通商産業大臣が旧法第五十三条の規定によりした輸出又は輸入の禁止は、新法第五十三条第二項の規定により通商産業大臣がした処分とみなす。

Article 6 A prohibition on importing or exporting issued by the Minister of International Trade and Industry pursuant to Article 53 of the former Act before this Act comes into effect is deemed to be an agency action taken by the Minister of International Trade and Industry pursuant to Article 53, paragraph (2) of the new Act.

第七条 この法律の施行前に貨物の輸出又は輸入に関し旧法、旧法に基づく命令又はこれらに基づく処分に違反した者に対する輸出又は輸入の禁止については、なお従前の例による。

Article 7 Prior laws continue to govern a prohibition on importing or exporting issued against a person that, before this Act comes into effect, has violated the former Act, an Order based on the former Act, or an agency action based on either of these in connection the importing or exporting of goods.

第八条 この法律の施行前にした行為及び前条の規定により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 also continue to govern the applicability of penal provisions to conduct in which a person engages after this Act comes into effect if prior laws continue to govern pursuant to the preceding Article.

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 related to this Act coming into effect.

附 則 〔昭和六十三年五月三十一日法律第七十五号〕 〔抄〕
Supplementary Provisions [Act No. 75 of May 31, 1988] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect on the date that Cabinet Order prescribes, which is to fall within the scope of no more than six months from the day of its promulgation.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第四十二条 施行日前にした行為及びこの附則の規定によりなお従前の例によることとされる事項に係る施行日以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 42 Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before the effective date, and to conduct in which a person engages after the effective date in connection with a matter that continues to be governed by prior laws pursuant to these Supplementary Provisions.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第四十三条 この附則に規定するもののほか、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 43 Beyond as provided in the Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures related to this Act coming into effect.

附 則 〔昭和六十三年五月三十一日法律第七十七号〕 〔抄〕
Supplementary Provisions [Act No. 77 of May 31, 1988] [Extract]

(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超えない範囲内において政令で定め

る日から施行する。

Article 1 This Act comes into effect on the date that Cabinet Order prescribes, which is to fall within the scope of no more than one year from the day of its promulgation.

附 則 〔平成三年四月二十六日法律第四十号〕 〔抄〕

Supplementary Provisions [Act No. 40 of April 26, 1991] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して九月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect on the date that Cabinet Order prescribes, which is to fall within the scope of no more than nine months from the day of its promulgation.

(経過措置)

(Transitional Measures)

第二条 次条第三項に定めるものを除き、この法律による改正前の外国為替及び外国貿易管理法（以下「旧法」という。）第二十六条第三項の規定によりこの法律の施行の日（以下「施行日」という。）前にされた届出に係る対内直接投資等（以下「旧法の規定による届出に係る対内直接投資等」という。）で、施行日前に同条第四項に規定する対内直接投資等を行ってはならない期間（旧法第二十七条第一項又は第三項の規定により当該期間が延長された場合には、当該延長された期間）が満了したものについては、なお従前の例による。

Article 2 (1) Except as prescribed in paragraph (3) of the following Article, prior laws continue to govern inward direct investment or an equivalent action under a notification that has been filed before this Act comes into effect (hereinafter referred to as "the effective date") pursuant to Article 26, paragraph (3) of the Foreign Exchange and Foreign Trade Control Act before its amendment by this Act (hereinafter referred to as "the former Act") (hereinafter referred to as "inward direct investment or an equivalent action for which a notification under the former Act has been filed"), if the period during which that inward direct investment or equivalent action must not be undertaken as prescribed in paragraph (4) of that Article (or the extended period, if this has been extended pursuant to Article 27, paragraph (1) or (3) of the former Act) has passed prior to the effective date.

2 附則第四条第四項に定めるものを除き、旧法第二十九条第一項の規定により施行日前にされた届出に係る技術導入契約の締結等（以下「旧法の規定による届出に係る技術導入契約の締結等」という。）で、施行日前に同条第三項に規定する技術導入契約の締結等をしてはならない期間（旧法第三十条第一項又は第三項の規定により当該期

間が延長された場合には、当該延長された期間)が満了したものについては、なお従前の例による。

- (2) Except as prescribed in Article 4, paragraph (4) of the Supplementary Provisions, prior laws continue to govern the conclusion, renewal, or modification of a technology introduction contract for which a notification has been filed before the effective date pursuant to Article 29, paragraph (1) of the former Act (hereinafter referred to as the "conclusion, renewal, or modification of a technology introduction contract for which a notification under the former Act has been filed") if the period during which the conclusion, renewal, or modification of a technology introduction contract must not be undertaken as prescribed in paragraph (3) of that Article (or the extended period, if this has been extended pursuant to Article 30, paragraph (1) or (3) of the former Act) has passed prior to the effective date.

第三条 この法律の施行の際現に旧法第二十六条第四項に規定する対内直接投資等を行ってはならない期間が満了していない旧法の規定による届出に係る対内直接投資等で、この法律による改正後の外国為替及び外国貿易管理法（以下「新法」という。）第二十六条第三項の規定により報告しなければならない対内直接投資等に該当するものについては、施行日の前日において当該期間が満了したものとみなして、当該届出をした外国投資家は、施行日以後当該対内直接投資等を行うことができる。この場合において、当該届出は、当該対内直接投資等が行われた日において同項本文の規定によりされた報告とみなす。

Article 3 (1) If inward direct investment or an equivalent action for which a notification under the former Act has been filed but for which the period during which inward direct investment or an equivalent action must not be undertaken as prescribed in Article 26, paragraph (4) of the former Act has not yet passed as of the time this Act comes into effect, falls under the category of inward direct investment or an equivalent action that must be reported pursuant to Article 26, paragraph (3) of the Foreign Exchange and Foreign Trade Control Act as amended by this Act (hereinafter referred to as "the new Act"), the period during which it must not be undertaken is deemed to have passed on the day before the effective date, and the foreign investor filing the notification may undertake the inward direct investment or equivalent action on or after the effective date. In such a case, the notification is deemed to be a report filed pursuant to the main clause of that paragraph on the day that the inward direct investment or equivalent action is undertaken.

- 2 次項に定めるものを除き、この法律の施行の際現に旧法第二十六条第四項に規定する対内直接投資等を行ってはならない期間が満了していない旧法の規定による届出に係る対内直接投資等で新法第二十七条第一項の規定により届け出なければならない対内直接投資等に該当するものについては当該届出がされた日において同項の規定による届出がされたものと、旧法第二十七条第一項又は第三項の規定により対内直接投資

等を行ってはならない期間が延長された旧法の規定による届出に係る対内直接投資等でこの法律の施行の際現にその期間が満了していないものについては当該届出がされた日において新法第二十七条第一項の規定による届出がされ、同条第三項又は第六項の規定により対内直接投資等を行ってはならない期間が延長されたものとみなして、新法の規定を適用する。

(2) Except as prescribed in the following paragraph, if inward direct investment or an equivalent action for which a notification under the former Act has been filed but for which the period during which inward direct investment or an equivalent action must not be undertaken as prescribed in Article 26, paragraph (4) of the former Act has not yet passed at the time this Act comes into effect, falls under the category of inward direct investment or an equivalent action for which a notification must be filed pursuant to Article 27, paragraph (1) of the new Act, a notification under that paragraph is deemed to have been filed on the date that the notification in question was filed, and the new Act applies; and as regards inward direct investment or an equivalent action for which a notification under the former Act has been filed but for which the period during which inward direct investment or an equivalent action must not be undertaken has been extended pursuant to Article 27, paragraph (1) or (3) of the former Act and has not yet passed as of the time this Act comes into effect, a notification under Article 27, paragraph (1) of the new Act is deemed to have been filed on the date on which the notification in question was filed, the period during which inward direct investment or an equivalent action must not be undertaken is deemed to have been extended pursuant to paragraph (3) or (6) of that Article, and the new Act applies.

3 施行日前にされた旧法第二十七条第二項の規定による勧告、同条第四項の規定による通知又は同条第七項の規定による命令に係る対内直接投資等については、なお従前の例による。

(3) Prior laws continue to govern inward direct investment or an equivalent action regarding which a recommendation under Article 27, paragraph (2) of the former Act, a notice under paragraph (4) of that Article, or an order under paragraph (7) of that Article has been issued prior to the effective date.

第四条 この法律の施行の際現に旧法第二十九条第三項に規定する技術導入契約の締結等をしてはならない期間が満了していない旧法の規定による届出に係る技術導入契約の締結等（居住者が届け出たものに限る。次項において同じ。）で、新法第二十九条の規定により報告しなければならない技術導入契約の締結等に該当するものについては、施行日の前日において当該期間が満了したものとみなして、当該届出をした居住者は、施行日以後当該技術導入契約の締結等を行うことができる。この場合において、当該居住者に係る届出は、当該技術導入契約の締結等がされた日において同条本文の規定によりされた報告とみなす。

Article 4 (1) If the conclusion, renewal, or modification of a technology

introduction contract for which a notification under the former Act has been filed (but only one that a resident has filed a notification for; the same applies in the following paragraph) but for which the period during which the conclusion, renewal, or modification of a technology introduction contract must not be undertaken as prescribed in Article 29, paragraph (3) of the former Act has not yet passed at the time this Act comes into effect, falls under the category of the conclusion, renewal, or modification of a technology introduction contract that must be reported pursuant to Article 29 of the new Act, that period is deemed to have passed on the day before the effective date, and the resident filing the notification may undertake the conclusion, renewal, or modification of the technology introduction contract on or after the effective date. In such a case, the notification filed by the resident is deemed to be a report filed pursuant to the main clause of that Article on the date of the conclusion, renewal, or modification of the technology introduction contract.

2 第四項に定めるものを除き、この法律の施行の際現に旧法第二十九条第三項に規定する技術導入契約の締結等をしてはならない期間が満了していない旧法の規定による届出に係る技術導入契約の締結等で新法第三十条第一項の規定により届け出なければならない技術導入契約の締結等に該当するものについては当該届出がされた日において同項の規定による届出がされたものと、旧法第三十条第一項又は第三項の規定により技術導入契約の締結等をしてはならない期間が延長された旧法の規定による届出に係る技術導入契約の締結等でこの法律の施行の際現にその期間が満了していないものについては当該届出がされた日において新法第三十条第一項の規定により届出がされ、同条第三項又は第六項の規定により技術導入契約の締結等をしてはならない期間が延長されたものとみなして、新法の規定を適用する。

(2) Except as prescribed in paragraph (4), if the conclusion, renewal, or modification of a technology introduction contract for which a notification under the former Act has been filed but for which the period during which the conclusion, renewal, or modification of a technology introduction contract must not be undertaken as prescribed in Article 29, paragraph (3) of the former Act has not yet passed as of the time this Act comes into effect, falls under the category of the conclusion, renewal, or modification of a technology introduction contract for which a notification must be filed pursuant to Article 30, paragraph (1) of the new Act, a notification under that paragraph is deemed to have been filed on the date that the relevant notification was filed, and the new Act applies; and with regard to the conclusion, renewal, or modification of a technology introduction contract for which a notification under the former Act has been filed but for which the period during which the conclusion, renewal, or modification of a technology introduction contract must not be undertaken has been extended pursuant to Article 30, paragraph (1) or (3) of the former Act and has not yet passed as of the time this Act comes into effect, a notification under Article 30, paragraph (1) of the new Act is deemed

to have been filed on the date of that the notification in question was filed, the period during which the conclusion, renewal, or modification of a technology introduction contract must not be undertaken is deemed to have been extended pursuant to paragraph (3) or (6) of that Article, and the new Act applies.

3 次項に定めるものを除き、この法律の施行の際現に旧法第二十九条第三項に規定する技術導入契約の締結等をしてはならない期間（旧法第三十条第一項又は第三項の規定により当該期間が延長された場合には、当該延長された期間）が満了していない旧法の規定による届出に係る技術導入契約の締結等（非居住者が届け出たものに限る。）については、施行日の前日において当該期間が満了したものとみなして、当該届出をした非居住者は、施行日以後当該技術導入契約の締結等を行うことができる。

(3) Except as prescribed in the following paragraph, as regards the conclusion, renewal, or modification of a technology introduction contract for which a notification under the former Act has been filed (but only one that a non-resident has filed a notification for) but for which the period during which the conclusion, renewal, or modification of a technology introduction contract must not be undertaken as prescribed in Article 29, paragraph (3) of the former Act (or the extended period, if this has been extended pursuant to Article 30, paragraph (1) or (3) of the former Act) has not yet passed as of the time this Act comes into effect, this period is deemed to have passed on the day before the effective date, and the non-resident that filed the notification may undertake the conclusion, renewal, or modification of the technology introduction contract on or after the effective date.

4 施行日前にされた旧法第三十条第二項の規定による勧告、同条第四項において準用する旧法第二十七条第四項の規定による通知又は旧法第三十条第四項において準用する旧法第二十七条第七項の規定による命令に係る技術導入契約の締結等については、なお従前の例による。

(4) Prior laws continue to govern the conclusion, renewal, or modification of a technology introduction contract for which a recommendation under Article 30, paragraph (2) of the former Act; a notice under Article 27, paragraph (4) of the former Act as applied mutatis mutandis pursuant to Article 30, paragraph (4); or an order under Article 27, paragraph (7) of the former Act as applied mutatis mutandis pursuant to Article 30, paragraph (4) of the former Act has been issued before the effective date.

（罰則に関する経過措置）

(Transitional Measures for Penal Provisions)

第五条 この法律の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる取引又は行為に係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 5 Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before this Act comes into effect, and also

continue to govern the applicability of penal provisions to conduct in which a person engages after this Act comes into effect in connection with a transaction or action that continues to be governed by prior laws pursuant to these Supplementary Provisions.

附 則 〔平成三年五月二十一日法律第七十九号〕 〔抄〕

Supplementary Provisions [Act No. 79 of May 21, 1991] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から施行する。ただし、次の各号に掲げる規定は、それぞれ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 of its promulgation; provided, however, that the provisions set forth in one of the following items come into effect on the day prescribed in that item:

五 第六条から第二十一条まで、第二十五条及び第三十四条並びに附則第八条から第十三条までの規定 公布の日から起算して一年を超えない範囲内において政令で定める日

(v) Articles 6 through 21; Article 25; and Article 34; as well as Articles 8 through 13 of the Supplementary Provisions: the date that Cabinet Order prescribes, which is to fall within the scope of no more than one year from the day of its promulgation;

(その他の処分、申請等に係る経過措置)

(Other Transitional Measures for Agency Actions, Applications, and Comparable Undertakings)

第六条 この法律（附則第一条各号に掲げる規定については、当該各規定。以下この条及び次条において同じ。）の施行前に改正前のそれぞれの法律の規定によりされた許可等の処分その他の行為（以下この条において「処分等の行為」という。）又はこの法律の施行の際現に改正前のそれぞれの法律の規定によりされている許可等の申請その他の行為（以下この条において「申請等の行為」という。）でこの法律の施行の日においてこれらの行為に係る行政事務を行うべき者が異なることとなるものは、附則第二条から前条までの規定又は改正後のそれぞれの法律（これに基づく命令を含む。）の経過措置に関する規定に定めるものを除き、この法律の施行の日以後における改正後のそれぞれの法律の適用については、改正後のそれぞれの法律の相当規定によりされた処分等の行為又は申請等の行為とみなす。

Article 6 Except as prescribed in Articles 2 through the preceding Article of the Supplementary Provisions and as prescribed by provisions on transitional measures in each of the amended Acts (and in any Order based on one of these), to apply the amended Acts on and after the day on which this Act comes into effect; if an agency action such as permission, or any other such undertaking

(hereinafter referred to as an "agency action or comparable undertaking" in this Article), that has been effected pursuant to one of the pre-amendment Acts before this Act comes into effect (or before the provisions set forth in the items of Article 1 of the Supplementary Provisions; hereinafter the same applies in this and the following article); or the filing of an application for something such as permission, or any other such undertaking (hereinafter referred to as the "filing of an application or a comparable undertaking" in this Article), that has been effected pursuant to one of the pre-amendment Acts as of the time this Act comes into effect; involves an administrative function that a different person will become responsible for undertaking on the day on which this Act comes into effect; it is deemed to be an agency action or comparable undertaking or the filing of an application or a comparable undertaking that has been effected pursuant to the corresponding provisions of the relevant amended Act.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第七条 この法律の施行前にした行為及び附則第二条第一項の規定により従前の例によることとされる場合における第四条の規定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 7 Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before this Act comes into effect, and also continue to govern the applicability of penal provisions to conduct in which a person engages after Article 4 comes into effect if prior laws continue to govern pursuant to Article 2, paragraph (1) of the Supplementary Provisions.

附 則 〔平成五年十一月十二日法律第八十九号〕〔抄〕

Supplementary Provisions [Act No. 89 of November 12, 1993] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、行政手続法（平成五年法律第八十八号）の施行の日から施行する。

Article 1 This Act comes into effect on the effective date of the Administrative Procedure Act (Act No. 88 of 1993).

(諮問等がされた不利益処分に関する経過措置)

(Transitional Measures for Adverse Agency Actions Under Consultation)

第二条 この法律の施行前に法令に基づき審議会その他の合議制の機関に対し行政手続法第十三条に規定する聴聞又は弁明の機会の付与の手続その他の意見陳述のための手続に相当する手続を執るべきことの諮問その他の求めがされた場合においては、当該諮問その他の求めに係る不利益処分の手続に関しては、この法律による改正後の関係

法律の規定にかかわらず、なお従前の例による。

Article 2 Notwithstanding the provisions of the relevant Acts after their amendment by this Act, if, before this Act comes into effect, a request for consultation or other such request has been filed pursuant to laws and regulations with a council or with an organization that uses a council system, with regard to the necessity of instituting proceedings equivalent to the hearing proceedings, proceedings for granting an opportunity for explanation, or any other proceedings for hearing statements of opinion as prescribed in Article 13 of the Administrative Procedure Act, prior laws continue to govern the proceedings for adverse agency actions connected with that request for consultation or other request.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第十三条 この法律の施行前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 13 Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before this Act comes into effect.

(聴聞に関する規定の整理に伴う経過措置)

(Transitional Measures Accompanying the Adjustment of Provisions on Hearings)

第十四条 この法律の施行前に法律の規定により行われた聴聞、聴問若しくは聴聞会（不利益処分に係るものを除く。）又はこれらのための手続は、この法律による改正後の関係法律の相当規定により行われたものとみなす。

Article 14 A hearing or hearing meeting held pursuant to the provisions of an Act before this Act comes into effect (excluding with regard to an adverse agency action) and any procedure associated with it is deemed to have been undertaken pursuant to the corresponding provisions of the relevant Act as amended by this Act.

(政令への委任)

(Delegation to Cabinet Order)

第十五条 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て必要な経過措置は、政令で定める。

Article 15 Beyond as prescribed in Articles 2 through 14 of the Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures related to this Act coming into effect.

附 則 〔平成九年五月二十三日法律第五十九号〕〔抄〕

Supplementary Provisions [Act No. 59 of May 23, 1997] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十年四月一日から施行する。

Article 1 This Act comes into effect on April 1, 1998.

(経過措置)

(Transitional Measures)

第二条 この法律による改正前の外国為替及び外国貿易管理法（以下「旧法」という。）第十六条第一項又は第二項の規定に基づく命令の規定により許可を受けた支払又は支払の受領（以下この条において「支払等」という。）が、この法律による改正後の外国為替及び外国貿易法（以下「新法」という。）第十六条第一項から第三項までの規定に基づく命令の規定により許可を受ける義務を課されたものに該当する場合には、当該支払等は、政令で定めるものを除き、これらの命令の相当規定により許可を受けたものとみなす。

Article 2 (1) Except as prescribed by Cabinet Order, if the making or receipt of a payment that is permitted pursuant to the provisions of an Order based on Article 16, paragraph (1) or (2) of the Foreign Exchange and Foreign Trade Control Act before its amendment by this Act (hereinafter referred to as "the former Act") falls under the category of the making or receipt of a payment for which persons have been placed under the obligation to get permission pursuant to an Order based on Article 16, paragraphs (1) through (3) of the Foreign Exchange and Foreign Trade Act as amended by this Act (hereinafter referred to as "the new Act"), the making or receipt of that payment is deemed to have been permitted pursuant to the corresponding provisions of that Order.

2 この法律の施行の際現にされている旧法第十六条第一項又は第二項の規定に基づく命令の規定による許可の申請に係る支払等が、新法第十六条第一項から第三項までの規定に基づく命令の規定により許可を受ける義務を課されたものに該当する場合には、当該申請については、これをこれらの命令の相当規定によりされた許可の申請とみなして、新法の規定を適用する。

(2) If the making or receipt of a payment for which an application for permission under an Order based on Article 16, paragraph (1) or (2) of the former Act has been filed as of the time this Act comes into effect constitutes the making or receipt of a payment for which persons have been placed under the obligation to get permission pursuant to an Order based on Article 16, paragraphs (1) through (3) of the new Act, this is deemed to be an application for permission that has been filed pursuant to the corresponding provisions of the relevant Order, and the new Act applies.

第三条 旧法第二十一条第一項の規定若しくは同条第二項若しくは旧法第二十四条第一項の規定に基づく命令の規定又は旧法第二十五条第三項の規定による許可を受けた資

本取引（旧法第二十条に規定する資本取引をいう。以下同じ。）又は同項に規定する取引が、新法第二十一条第一項若しくは第二項、第二十四条第一項若しくは第二項又は第二十五条第四項の規定に基づく命令の規定により許可を受ける義務を課されたものに該当する場合には、当該資本取引又は当該取引は、政令で定めるものを除き、これらの命令の相当規定によって許可を受けたものとみなす。

Article 3 (1) Except as prescribed by Cabinet Order, if a capital transaction permitted pursuant to Article 21, paragraph (1) of the former Act; an Order based on paragraph (2) of that Article; Article 24, paragraph (1) of the former Act; or Article 25, paragraph (3) of the former Act (meaning a capital transaction as prescribed in Article 20 of the former Act; the same applies hereinafter); or a transaction as prescribed in that paragraph constitutes a transaction for which persons have been placed under the obligation to get permission pursuant to an Order based on Article 21, paragraph (1) or (2); Article 24, paragraph (1) or (2); or Article 25, paragraph (4) of the new Act, that capital transaction or transaction is deemed to have been permitted pursuant to the corresponding provisions of that Order.

2 この法律の施行の際現にされている旧法第二十一条第一項の規定若しくは同条第二項若しくは旧法第二十四条第一項の規定に基づく命令の規定又は旧法第二十五条第三項の規定による許可の申請に係る資本取引又は同項に規定する取引が、新法第二十一条第一項若しくは第二項、第二十四条第一項若しくは第二項又は第二十五条第四項の規定に基づく命令の規定により許可を受ける義務を課されたものに該当する場合には、当該申請については、これをこれらの命令の相当規定によりされた許可の申請とみなして、新法の規定を適用する。

(2) If either a capital transaction for which an application for permission under Article 21, paragraph (1) of the former Act; an Order under paragraph (2) of that Article; Article 24, paragraph (1) of the former Act; or Article 25, paragraph (3) of the former Act has been filed as of the time this Act comes into effect; or a transaction as prescribed in that paragraph constitutes a capital transaction or transaction for which persons have been placed under the obligation to get permission pursuant to an Order based on Article 21, paragraph (1) or (2); Article 24, paragraph (1) or (2); or Article 25, paragraph (4) of the new Act, this is deemed to be an application for permission that has been filed pursuant to the corresponding provisions of the relevant Order, and the new Act applies.

第四条 この法律の施行の日（以下「施行日」という。）前に旧法第二十二条第一項の規定によりされた届出に係る資本取引でこの法律の施行の際現に行われていないもの（旧法第二十三条第一項の規定の適用のある資本取引に限る。以下この条及び次条において「旧法事前審査対象資本取引」という。）が、新法第二十三条第一項の規定に基づく命令の規定により届け出なければならないとされる対外直接投資（次項において「新法事前審査対象対外直接投資」という。）に該当するものであって、施行日前

に、旧法第二十三条第一項の規定により資本取引を行ってはならないとされる期間が満了したもの、旧法第二十三条第五項に規定する勧告（同条第二項に規定する内容の変更に係るものに限る。）を応諾する旨の通知がされたもの又は同条第七項の規定により内容の変更を命じられたもの（次項及び次条において「届出手続完了資本取引」という。）に該当するものであるときは、当該旧法事前審査対象資本取引は、それぞれ新法第二十三条第三項の規定により対外直接投資を行ってはならないとされる期間が満了したもの、同条第七項に規定する勧告（同条第四項に規定する内容の変更に係るものに限る。）を応諾する旨の通知がされたもの又は同条第九項の規定により内容の変更を命じられたものとみなす。

Article 4 (1) If a capital transaction for which a notification under Article 22, paragraph (1) of the former Act has been filed prior to the date on which this Act comes into effect (hereinafter referred to as the "effective date"), but that has not yet been conducted as of the time this Act comes into effect (but only a capital transaction to which Article 23, paragraph (1) of the former Act applies; hereinafter referred to as a "capital transaction subject to advance examination under the former Act" in this and the following Article), falls under the category of outward direct investment for which a notification must be filed pursuant to an Order based on Article 23, paragraph (1) of the new Act (referred to as "outward direct investment subject to advance examination under the new Act" in the following paragraph); and if it also constitutes a capital transaction for which the period during which Article 23, paragraph (1) of the former Act prescribes that capital transactions must not be conducted has passed prior to the effective date; a capital transaction under a recommendation as prescribed in Article 23, paragraph (5) of the former Act (but only a recommendation for the person to modify its substance as prescribed in paragraph (2) of that Article) with regard to which the person has notified the relevant minister of compliance prior to the effective date; or a capital transaction whose substance the person has been ordered to modify pursuant to paragraph (7) of that Article (referred to as a "capital transaction for which notification procedures have been completed" in the following paragraph and the following Article) prior to the effective date; the capital transaction subject to advance examination under the former Act is deemed to be a capital transaction for which the period during which Article 23, paragraph (3) of the new Act prescribes that outward direct investment must not be undertaken has passed; a capital transaction under a recommendation as prescribed in paragraph (7) of that Article (but only a recommendation for the person to modify its substance as prescribed in paragraph (4) of that Article) with regard to which the person has notified the relevant minister of compliance; or a capital transaction whose substance the person has been ordered to modify pursuant to paragraph (9) of that Article.

2 旧法事前審査対象資本取引が、新法事前審査対象対外直接投資に該当するものであ

って、届出手続完了資本取引に該当するものでないときは、当該旧法事前審査対象資本取引に係る届出については、これを当該届出がされた日において新法第二十三条第一項の規定によりされたものとみなして、新法の規定を適用する。この場合において、当該旧法事前審査対象資本取引についてあった旧法第二十三条第二項の規定による勧告又は同条第四項の規定による通知（同条第五項に規定する勧告を応諾する旨の通知を除く。）は、それぞれ新法第二十三条第四項の規定による勧告又は同条第六項の規定による通知とみなす。

(2) If a capital transaction subject to advance examination under the former Act falls under the category of outward direct investment subject to advance examination under the new Act but does not constitute a capital transaction for which notification procedures have been completed, the notification with respect to the capital transaction subject to advance examination under the former Act is deemed to be filed pursuant to Article 23, paragraph (1) of the new Act on the date that it is filed, and the new Act applies. In such a case, a recommendation under Article 23, paragraph (2) of the former Act or a notice under paragraph (4) of that Act (other than one in which the person notifies the minister of compliance with a recommendation as prescribed in paragraph (5) of that Article) with regard to the capital transaction subject to advance examination under the former Act is deemed to be a recommendation under Article 23, paragraph (4) of the new Act or a notice under paragraph (6) of that Article.

第五条 旧法事前審査対象資本取引が、新法第二十一条第一項又は第二項の規定に基づく命令の規定により許可を受ける義務を課された資本取引（次項において「新法許可対象資本取引」という。）に該当するものであって、届出手続完了資本取引に該当するものであるときは、当該旧法事前審査対象資本取引（旧法第二十三条第五項に規定する内容の変更を応諾する旨の通知がされ、又は同条第七項の規定により内容の変更を命じられたものにあつては、これらの変更がされた後のもの）は、政令で定めるものを除き、新法第二十一条第一項又は第二項の規定に基づく命令の規定による許可があつたものとみなす。

Article 5 (1) Except as prescribed by Cabinet Order, if a capital transaction subject to advance examination under the former Act falls under the category of a capital transaction for which persons have been placed under the obligation to get permission pursuant to an Order under Article 21, paragraph (1) or (2) of the new Act (referred to as a "capital transaction subject to permission under the new Act" in the following paragraph) and also constitutes a capital transaction for which notification procedures have been completed, the capital transaction subject to advance examination under the former Act (meaning the modified transaction, if the person has notified the minister of compliance with a modification of its substance as prescribed in Article 23, paragraph (5) of the former Act or if the person has been ordered to change its

substance pursuant to paragraph (7) of that Article) is deemed to have been permitted pursuant to an Order under Article 21, paragraph (1) or (2) of the new Act.

2 旧法事前審査対象資本取引が、新法許可対象資本取引に該当するものであって、届出手続完了資本取引に該当するものでないときは、当該旧法事前審査対象資本取引に係る旧法第二十二條第一項の規定によりされた届出については、これを新法第二十一條第一項又は第二項の規定に基づく命令の規定による許可の申請とみなして、新法の規定を適用する。この場合において、当該旧法事前審査対象資本取引についてあった旧法第二十三條第二項の規定による勧告又は同條第四項の規定による通知（同條第五項に規定する勧告を応諾する旨の通知を除く。）は、なかつたものとみなす。

(2) If a capital transaction subject to advance examination under the former Act falls under the category of a capital transaction subject to permission under the new Act, but does not constitute a capital transaction for which notification procedures have been completed, a notification filed pursuant to Article 22, paragraph (1) of the former Act regarding the capital transaction subject to advance examination under the former Act is deemed to be an application for permission pursuant to an Order under Article 21, paragraph (1) or (2) of the new Act, and the new Act applies. In such a case, a recommendation under Article 23, paragraph (2) of the former Act or a notice under paragraph (4) of that Article (other than one in which the person notifies the minister of compliance with a recommendation as prescribed in paragraph (5) of that Article) is deemed not to have been made with regard to that capital transaction subject to advance examination under the former Act.

3 前二項の規定は、施行日前に旧法第二十四條第二項の規定によりされた届出に係る資本取引でこの法律の施行の際現に行われていないものが、新法第二十四條第一項又は第二項の規定に基づく命令の規定により許可を受ける義務を課された同條第一項に規定する特定資本取引に該当するものである場合について準用する。

(3) The preceding two paragraphs apply mutatis mutandis if a capital transaction for which a notification has been filed pursuant to Article 24, paragraph (2) of the former Act before the effective date, but which has not yet been conducted as of the time this Act comes into effect, falls under the category of a specified capital transaction as prescribed in Article 24, paragraph (1) of the new Act for which persons have been placed under the obligation to get permission pursuant to an Order under paragraph (1) or (2) of that Article.

第六條 旧法第二十二條第二項の規定により設けた特別国際金融取引勘定は、新法第二十一條第三項に規定する特別国際金融取引勘定とみなす。

Article 6 A special international financial transactions account established pursuant to Article 22, paragraph (2) of the former Act is deemed to be a special international financial transactions account as prescribed in Article 21,

paragraph (3) of the new Act.

第七条 旧法第十五条に規定する外国為替公認銀行又は両替商が施行日前に行った旧法の適用を受ける業務に係る同条の規定による報告については、なお従前の例による。

Article 7 (1) Prior laws continue to govern the filing of reports under Article 15 of the former Act regarding business to which the former Act is applicable and which has been conducted by a certified foreign exchange bank or currency exchanger as prescribed in Article 15 of the former Act prior to the effective date.

2 旧法第二十六条第三項若しくは第二十九条の規定又は旧法第六十七条の規定に基づく命令の規定により報告をしなければならないとされる事項の報告については、なお従前の例による。

(2) Prior laws continue to govern the filing of reports for information that must be reported pursuant to Article 26, paragraph (3) or Article 29 of the former Act or an Order under Article 67 of the former Act.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第八条 この法律の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる事項に係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 also continue to govern the applicability of penal provisions to conduct in which a person engages after this Act comes into effect in connection with a matter that continues to be governed by prior laws pursuant to these Supplementary Provisions.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures 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は、政令で定める。

Article 9 Beyond as prescribed in Articles 2 through 8 of the Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures related to this Act coming into effect.

附 則 〔平成九年六月十八日法律第八十九号〕 〔抄〕

Supplementary Provisions [Act No. 89 of June 18, 1997] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十年四月一日から施行する。

Article 1 This Act comes into effect on April 1, 1998.

附 則 〔平成十年六月十五日法律第百七号〕 〔抄〕

Supplementary Provisions [Act No. 107 of June 15, 1998] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十年十二月一日から施行する。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 December 1, 1998; provided, however, that the provisions set forth in one of the following items come into effect on the date prescribed in that item:

一 第一条中証券取引法第四章の次に一章を加える改正規定（第七十九条の二十九第一項に係る部分に限る。）並びに同法第百八十九条第二項及び第四項の改正規定、第二十一条の規定、第二十二条中保険業法第二編第十章第二節第一款の改正規定（第二百六十五条の六に係る部分に限る。）、第二十三条の規定並びに第二十五条の規定並びに附則第四十条、第四十二条、第五十八条、第百三十六條、第百四十條、第百四十三條、第百四十七條、第百四十九條、第百五十八條、第百六十四條、第百八十七條（大蔵省設置法（昭和二十四年法律第百四十四号）第四条第七十九号の改正規定を除く。）及び第百八十八條から第百九十条までの規定 平成十年七月一日

(i) the provisions of Article 1 adding one chapter after Chapter 4 of the Securities and Exchange Act (but only the part that involves Article 79-29, paragraph (1)) and amending Article 189, paragraphs (2) and (4) of that Act; Article 21; the provisions of Article 22 amending Part II, Chapter 10, Section 2, Subsection 1 of the Insurance Business Act (but only the part that involves Article 265-6); Article 23; and Article 25; as well as Articles 40, 42, 58, 136, 140, 143, 147, 149, 158, 164, 187 (other than the provisions amending Article 4, item (lxxix) of the Act for Establishment of the Ministry of Finance (Act No. 144 of 1949)), and Articles 188 through 190 of the Supplementary Provisions: July 1, 1998;

(処分等の効力)

(Effect of Agency Actions, Procedures, and Other Actions)

第百八十八條 この法律（附則第一条各号に掲げる規定にあつては、当該規定）の施行前に改正前のそれぞれの法律（これに基づく命令を含む。以下この条において同じ。）の規定によってした処分、手続その他の行為であつて、改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってしたものとみなす。

Article 188 Except as otherwise provided in these Supplementary Provisions, an agency action, procedure, or other action undertaken pursuant to one of the

pre-amendment Acts (including an Order based on one of those Acts; hereinafter the same applies in this Article) before this Act comes into effect (or before the provisions set forth in the items of Article 1 of the Supplementary Provisions come into effect), for which there are corresponding provisions in the relevant Act after its amendment, is deemed to have been undertaken pursuant to the corresponding provisions of the amended Act.

(罰則の適用に関する経過措置)

(Transitional Measures for Applying Penal Provisions)

第百八十九条 この法律（附則第一条各号に掲げる規定にあつては、当該規定）の施行前にした行為並びにこの附則の規定によりなお従前の例によることとされる場合及びこの附則の規定によりなおその効力を有す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 189 Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before this Act comes into effect (or before the provisions set forth in the items of Article 1 of the Supplementary Provisions come into effect), and also continue to govern the applicability of penal provisions to conduct in which a person engages after this Act comes into effect if prior laws continue to govern pursuant to these Supplementary Provisions or if prior laws remain in effect pursuant to these Supplementary Provisions.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第百九十条 附則第二条から第百四十六条まで、第百五十三条、第百六十九条及び前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 190 Beyond as prescribed in Articles 2 through 146 and Articles 153, 169, and 189 of the Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures related to this Act coming into effect.

(検討)

(Reviews)

第百九十一条 政府は、この法律の施行後においても、新保険業法の規定による保険契約者等の保護のための特別の措置等に係る制度の実施状況、保険会社の経営の健全性の状況等にかんがみ必要があると認めるときは、保険業に対する信頼性の維持を図るために必要な措置を講ずるものとする。

Article 191 (1) On finding it to be necessary to do so in consideration of the implementation status of systems of special measures and other arrangements to protect policyholders and others under the new Insurance Business Act, the extent of soundness in the management of insurance companies, and other factors, the government, even after this Act comes into effect, is to take the

necessary measures to help maintain credibility in the insurance business.

2 政府は、前項に定めるものを除くほか、この法律の施行後五年以内に、この法律による改正後の規定の実施状況、金融システムを取り巻く社会経済状況の変化等を勘案し、この法律による改正後の金融諸制度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) Beyond as prescribed in the preceding paragraph, the government, within five years after this Act comes into effect, is to review the financial systems after they are amended by this Act, taking into account the implementation status of provisions amended by this Act, changes in the socioeconomic conditions surrounding the financial system, and other factors, and is to take the needed measures based on the results of its review if it finds this to be necessary.

附 則 [平成十一年七月十六日法律第百二号] [抄]

Supplementary Provisions [Act No. 102 of July 16, 1999] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、内閣法の一部を改正する法律（平成十一年法律第八十八号）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 effective date of the Act Partially Amending the Cabinet Act(Act No. 88 of 1999); provided, however, that the provisions referred to in one of the following items come into effect on the date prescribed in that item:

二 附則第十条第一項及び第五項、第十四条第三項、第二十三条、第二十八条並びに第三十条の規定 公布の日

(ii) Article 10, paragraphs (1) and (5); Article 14, paragraph (3); Article 23; Article 28; and Article 30 of the Supplementary Provisions: the day of its promulgation;

(職員の身分引継ぎ)

(Succession of Status as an Official)

第三条 この法律の施行の際現に従前の総理府、法務省、外務省、大蔵省、文部省、厚生省、農林水産省、通商産業省、運輸省、郵政省、労働省、建設省又は自治省（以下この条において「従前の府省」という。）の職員（国家行政組織法（昭和二十三年法律第百二十号）第八条の審議会等の会長又は委員長及び委員、中央防災会議の委員、日本工業標準調査会の会長及び委員並びにこれらに類する者として政令で定めるものを除く。）である者は、別に辞令を発せられない限り、同一の勤務条件をもって、この法律の施行後の内閣府、総務省、法務省、外務省、財務省、文部科学省、厚生労働省、農林水産省、経済産業省、国土交通省若しくは環境省（以下この条において「新府省」という。）又はこれに置かれる部局若しくは機関のうち、この法律の施行の際

現に当該職員が属する従前の府省又はこれに置かれる部局若しくは機関の相当の新府省又はこれに置かれる部局若しくは機関として政令で定めるものの相当の職員となるものとする。

Article 3 Unless a letter of appointment is separately issued, a person that, as of the time this Act comes into effect, is the official of the former Prime Minister's Office; Ministry of Justice; Ministry of Foreign Affairs; Ministry of Finance; Ministry of Education; Ministry of Health and Welfare; Ministry of Agriculture, Forestry and Fisheries; Ministry of International Trade and Industry; Ministry of Transport; Ministry of Posts and Telecommunications; Ministry of Labour; Ministry of Construction; or Ministry of Home Affairs (hereinafter referred to as a "former office or ministry" in this Article) (other than the president, chairperson, or member of a council, etc. as referred to in Article 8 of the National Administrative Organization Act (Act No. 120 of 1948); the member of the Central Disaster Prevention Council; the chairperson or member of the Japanese Industrial Standards Committee; and anyone that Cabinet Order prescribes as similar thereto) becomes an equivalent official of the Cabinet Office; Ministry of Internal Affairs and Communications; Ministry of Justice; Ministry of Foreign Affairs; Ministry of Finance; Ministry of Education, Culture, Sports, Science and Technology; Ministry of Health, Labour and Welfare; Ministry of Agriculture, Forestry and Fisheries; Ministry of Economy, Trade and Industry; Ministry of Land, Infrastructure, Transport and Tourism; or Ministry of the Environment after this Act comes into effect (hereinafter referred to as a "new office or ministry" in this Article) or of a department or organization thereunder, which Cabinet Order prescribes as the new office or ministry or department or organization thereunder corresponding to the former office or ministry or department or organization thereunder to which the official belongs as of the time this Act comes into effect.

(別に定める経過措置)

(Transitional Measures Separately Prescribed)

第三十条 第二条から前条までに規定するもののほか、この法律の施行に伴い必要となる経過措置は、別に法律で定める。

Article 30 Beyond as prescribed in Articles 2 through 29, a separate Act provides for the necessary transitional measures associated with this Act coming into effect.

附 則 〔平成十一年十二月二十二日法律第百六十号〕 〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律（第二条及び第三条を除く。）は、平成十三年一月六日から施行する。
Article 1 This Act (excluding Articles 2 and 3) comes into effect on January 6, 2001.

附 則 〔平成十二年五月三十一日法律第九十六号〕 〔抄〕
Supplementary Provisions [Act No. 96 of May 31, 2000] [Extract]

（施行期日）

（Effective Date）

第一条 この法律は、平成十二年十二月一日（以下「施行日」という。）から施行する。
Article 1 This Act comes into effect on December 1, 2000 (hereinafter referred to as "the effective date").

（処分等の効力）

（Effect of Agency Actions, Procedures, and Other Actions）

第四十九条 この法律（附則第一条各号に掲げる規定にあっては、当該規定）の施行前に改正前のそれぞれの法律の規定によってした処分、手続その他の行為であつて、改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってしたものとみなす。

Article 49 Except as otherwise provided in these Supplementary Provisions, an agency action, procedure, or other action undertaken pursuant to one of the pre-amendment Acts before this Act comes into effect (or before the provisions set forth in the items of Article 1 of the Supplementary Provisions come into effect), for which there are corresponding provisions in the relevant Act after its amendment, is deemed to have been undertaken pursuant to the corresponding provisions of the amended Act.

（罰則の適用に関する経過措置）

（Transitional Measures for Applying Penal Provisions）

第五十条 この法律の施行前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 50 Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before this Act comes into effect.

（その他の経過措置の政令への委任）

（Delegation of Other Transitional Measures to Cabinet Order）

第五十一条 附則第二条から第十一条まで及び前条に定めるもののほか、この法律の施行に際し必要な経過措置は、政令で定める。

Article 51 Beyond as prescribed in Articles 2 through 11 and Article 50 of the Supplementary Provisions, Cabinet Order prescribes the transitional measures that will be necessary at the time this Act comes into effect.

(検討)

(Reviews)

第五十二条 政府は、この法律の施行後五年を経過した場合において、新証券取引法及び新金融先物取引法の施行状況、社会経済情勢の変化等を勘案し、新証券取引法第二条第十六項に規定する証券取引所及び新金融先物取引法第二条第六項に規定する金融先物取引所に係る制度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 52 Once five years have passed after this Act's coming into effect, the government is to review the systems of securities exchanges as prescribed in Article 2, paragraph (16) of the new Securities and Exchange Act and financial futures exchanges as prescribed in Article 2, paragraph (6) of the new Financial Futures Trading Act, taking into account the implementation status of the new Securities and Exchange Act and the new Financial Futures Trading Act, changes in socioeconomic conditions, and other factors, and is to take the needed measures based on the results of its review, if it finds this to be necessary.

附 則 [平成十三年十一月二十八日法律第百二十九号] [抄]

Supplementary Provisions [Act No. 129 of November 28, 2001] [Extract]

(施行期日)

(Effective Date)

1 この法律は、平成十四年四月一日から施行する。

(1) This Act is to come into effect on April 1, 2002.

(罰則の適用に関する経過措置)

(Transitional Measures for Applying Penal Provisions)

2 この法律の施行前にした行為及びこの法律の規定により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。

(2) Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before this Act comes into effect, and also continue to govern the applicability of penal provisions to conduct in which a person engages after this Act comes into effect if, pursuant to this Act, prior laws continue to govern that conduct.

附 則 [平成十四年五月七日法律第三十四号]

Supplementary Provisions [Act No. 34 of May 7, 2002]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して九月を超えない範囲内において政令で定める日から施行する。ただし、第六十九条の四の改正規定は、公布の日から施行する。

Article 1 This Act comes into effect on the date that Cabinet Order prescribes, which is to fall within the scope of no more than nine months from the day of its promulgation; provided, however, that the provisions amending Article 69-4 come into effect on the day of its promulgation.

(罰則に関する経過措置)

(Transitional Provisions for Penal Provisions)

第二条 この法律の施行前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 2 Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before this Act comes into effect.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第三条 前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 3 Beyond what is prescribed in the preceding Article, Cabinet Order prescribes the necessary transitional measures related to this Act coming into effect.

附 則 〔平成十四年六月十二日法律第六十五号〕 〔抄〕

Supplementary Provisions [Act No. 65 of June 12, 2002] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十五年一月六日から施行する。

Article 1 This Act comes into effect on January 6, 2003.

(罰則の適用に関する経過措置)

(Transitional Measures for Applying Penal Provisions)

第八十四条 この法律（附則第一条各号に掲げる規定にあつては、当該規定。以下この条において同じ。）の施行前にした行為及びこの附則の規定により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 84 Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before this Act comes into effect (or before the provisions set forth in the items of Article 1 of the Supplementary Provisions come into effect; hereinafter the same applies in this Article), and

also continue to govern the applicability of penal provisions to conduct in which a person engages after this Act comes into effect if prior laws continue to govern pursuant to these Supplementary Provisions.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第八十五条 この附則に規定するもののほか、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 85 Beyond what is prescribed in the Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures related to this Act coming into effect.

(検討)

(Reviews)

第八十六条 政府は、この法律の施行後五年を経過した場合において新社債等振替法、新証券取引法及び新金融先物取引法の施行状況、社会経済情勢の変化等を勘案し、新社債等振替法第二条第十一項に規定する加入者保護信託、新証券取引法第二条第三十一項に規定する証券取引清算機関及び新金融先物取引法第二条第十五項に規定する金融先物清算機関に係る制度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 86 Once five years have passed after this Act's coming into effect, the government is to review the system for protective trusts as prescribed in Article 2, paragraph (11) of the new Act on the Transfer of Corporate Bonds, etc., clearing agencies for securities transactions prescribed in Article 2, paragraph (31) of the new Securities and Exchange Act, and clearing agencies for financial futures prescribed in Article 2, paragraph (15) of the new Financial Futures Trading Act, taking into account the implementation status of the new Act on the Transfer of Corporate Bonds, etc., the new Securities and Exchange Act, and the new Financial Futures Trading Act, changes in socioeconomic conditions, and other factors, and is to take the needed measures based on the results of its review, if it finds this to be necessary.

附 則 〔平成十四年七月三十一日法律第九十八号〕 〔抄〕

Supplementary Provisions [Act No. 98 of July 31, 2002] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公社法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 effective date of the Public Corporation Act; provided, however, that the provisions set forth in one of the

following items come into effect on the date prescribed in that item:

一 第一章第一節（別表第一から別表第四までを含む。）並びに附則第二十八条第二項、第三十三条第二項及び第三項並びに第三十九条の規定 公布の日

(i) Chapter 1, Section 1 (including appended tables 1 through 4); and Article 28, paragraph (2); Article 33, paragraphs (2) and (3); and Article 39 of the Supplementary Provisions: the day of its promulgation;

（罰則に関する経過措置）

(Transitional Measures for Penal Provisions)

第三十八条 施行日前にした行為並びにこの法律の規定によりなお従前の例によることとされる場合及びこの附則の規定によりなおその効力を有することとされる場合における施行日以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 38 Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before this Act comes into effect, and also continue to govern the applicability of penal provisions to conduct in which a person engages after this Act comes into effect if prior laws continue to govern pursuant to this Act or if prior laws remain in effect pursuant to these Supplementary Provisions.

（その他の経過措置の政令への委任）

(Delegation of Other Transitional Measures to Cabinet Order)

第三十九条 この法律に規定するもののほか、公社法及び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 39 Beyond as provided in this Act, Cabinet Order prescribes the necessary transitional measures related to the Public Corporation Act and this Act coming into effect (including transitional measures for penal provisions).

附 則 〔平成十四年十二月十三日法律第百五十二号〕 〔抄〕

Supplementary Provisions [Act No. 152 of December 13, 2002] [Extract]

（施行期日）

(Effective Date)

第一条 この法律は、行政手続等における情報通信の技術の利用に関する法律（平成十四年法律第百五十一号）の施行の日から施行する。

Article 1 This Act comes into effect on the effective date of the Act on the Utilization of Information and Communications Technology in Administrative Processes (Act No. 151 of 2002).

（罰則に関する経過措置）

(Transitional Measures for Penal Provisions)

第四条 この法律の施行前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 4 Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before this Act comes into effect.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures 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 as prescribed in the preceding three Articles, Cabinet Order prescribes the necessary transitional measures related to this Act coming into effect.

附 則 [平成十五年五月三十日法律第五十四号] [抄]

Supplementary Provisions [Act No. 54 of May 30, 2003] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十六年四月一日から施行する。

Article 1 This Act comes into effect on April 1, 2004.

(罰則の適用に関する経過措置)

(Transitional Measures for Applying Penal Provisions)

第三十八条 この法律の施行前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 38 Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before this Act comes into effect.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第三十九条 この法律に規定するもののほか、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 39 Beyond as provided for in this Act, Cabinet Order prescribes the necessary transitional measures associated with this Act coming into effect.

(検討)

(Reviews)

第四十条 政府は、この法律の施行後五年を経過した場合において、この法律による改正後の規定の実施状況、社会経済情勢の変化等を勘案し、この法律による改正後の金融諸制度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 40 Once five years have passed after this Act comes into effect, the

government is to review the financial systems as amended by this Act, taking into account the implementation status of provisions amended by this Act, changes in socioeconomic conditions, and other factors, and is to take the needed measures based on the results of its review, if it finds this to be necessary.

附 則 〔平成十六年二月十六日法律第一号〕

Supplementary Provisions [Act No. 1 of February 16, 2004]

この法律は、公布の日から起算して十日を経過した日から施行する。

This Act comes into force on the day following the final day in the ten-day period that begins on the day of its promulgation.

附 則 〔平成十六年十二月三日法律第一百五十四号〕 〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日（以下「施行日」という。）から施行する。

Article 1 This Act comes into effect on the date that Cabinet Order prescribes, which is to fall within the scope of no more than six months from the day of its promulgation (hereinafter referred to as "the effective date").

(処分等の効力)

(Effect of Agency Actions, Procedures, and Other Actions)

第二百一条 この法律の施行前のそれぞれの法律（これに基づく命令を含む。以下この条において同じ。）の規定によってした処分、手続その他の行為であって、改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってしたものとみなす。

Article 121 Except as otherwise provided in these Supplementary Provisions, an agency action, procedure, or other action undertaken pursuant to one of the pre-amendment Acts (including an Order based on one of those Acts; hereinafter the same applies in this Article) before this Act comes into effect, for which there are corresponding provisions in the relevant Act after its amendment, is deemed to have been undertaken pursuant to the corresponding provisions of the amended Act.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第二百二十二条 この法律の施行前にした行為並びにこの附則の規定によりなお従前の例

によることとされる場合及びこの附則の規定によりなおその効力を有す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 122 Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before this Act comes into effect, and also continue to govern the applicability of penal provisions to conduct in which a person engages after this Act comes into effect if prior laws continue to govern pursuant to these Supplementary Provisions or if prior laws remain in force pursuant to these Supplementary Provisions.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第二百三十三条 この附則に規定するもののほか、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 123 Beyond as provided in these Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures associated with this Act coming into effect.

(検討)

(Reviews)

第二百二十四条 政府は、この法律の施行後三年以内に、この法律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 124 The government is to review the implementation status of this Act within three years after this Act comes into effect, and is to take the needed measures based on the results of its review, if it finds this to be necessary.

附 則 〔平成十六年十二月八日法律第百五十九号〕 〔抄〕

Supplementary Provisions [Act No. 159 of December 8, 2004] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十七年七月一日から施行する。

Article 1 This Act comes into effect on July 1, 2005.

附 則 〔平成十七年七月二十六日法律第八十七号〕 〔抄〕

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

この法律は、会社法の施行の日から施行する。

This Act comes into effect on the effective date of the Companies Act.

附 則 〔平成十七年十月二十一日法律第百二号〕 〔抄〕

Supplementary Provisions [Act No. 102 of October 21, 2005] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、郵政民営化法の施行の日から施行する。

Article 1 This Act comes into effect on the effective date of the Postal Service Privatization Act.

(外国為替及び外国貿易法の一部改正に伴う経過措置)

(Transitional Measures Accompanying Partial Amendment of the Foreign Exchange and Foreign Trade Act)

第七十六条 この法律の施行前に、第三十一条の規定による改正前の外国為替及び外国貿易法（次項において「旧法」という。）の規定により、旧公社に対して行い、又は旧公社が行った処分、手続その他の行為（同項に規定するものを除く。）は、整備法等に別段の定めがあるものを除き、同条の規定による改正後の外国為替及び外国貿易法（同項において「新法」という。）の相当する規定により郵便貯金銀行に対して行い、又は郵便貯金銀行が行った処分、手続その他の行為とみなす。

Article 76 (1) Except as otherwise provided by the Act Prescribing Consolidation and other Acts, an agency action, procedure, or other action (other than one prescribed in the following paragraph) undertaken by or against an old public corporation pursuant to the Foreign Exchange and Foreign Trade Act before its amendment by Article 31 (referred to as "the former Act" in that paragraph) before this Act comes into effect, is deemed to be an agency action, procedure, or other action undertaken by or against a postal savings bank pursuant to the corresponding provisions of the Foreign Exchange and Foreign Trade Act as amended by that Article (referred to as "the new Act" in that paragraph).

2 この法律の施行前に、旧法の規定により、旧公社法第二十四条第三項第五号に規定する簡易生命保険資金に関して、旧公社に対して行い、又は旧公社が行った処分、手続その他の行為は、整備法等に別段の定めがあるものを除き、新法の相当する規定により郵便保険会社に対して行い、又は郵便保険会社が行った処分、手続その他の行為とみなす。

(2) Except as otherwise provided by the Act Prescribing Consolidation and other Acts, an agency action, procedure, or other action by or against an old public corporation with regard to postal life insurance funds as prescribed in Article 24, paragraph (3), item (v) of the former Public Corporation Act pursuant to the former Act before this Act comes into effect, is deemed to be an agency action, procedure, or other action undertaken by or against a postal insurance corporation pursuant to the corresponding provisions of the new Act.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第百十七條 この法律の施行前にした行為、この附則の規定により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、この法律の施行後附則第九條第一項の規定によりなおその効力を有するものとされる旧郵便為替法第三十八條の八（第二号及び第三号に係る部分に限る。）の規定の失効前にした行為、この法律の施行後附則第十三條第一項の規定によりなおその効力を有するものとされる旧郵便振替法第七十條（第二号及び第三号に係る部分に限る。）の規定の失効前にした行為、この法律の施行後附則第二十七條第一項の規定によりなおその効力を有するものとされる旧郵便振替預り金寄附委託法第八條（第二号に係る部分に限る。）の規定の失効前にした行為、この法律の施行後附則第三十九條第二項の規定によりなおその効力を有するものとされる旧公社法第七十條（第二号に係る部分に限る。）の規定の失効前にした行為、この法律の施行後附則第四十二條第一項の規定によりなおその効力を有するものとされる旧公社法第七十一條及び第七十二條（第十五号に係る部分に限る。）の規定の失効前にした行為並びに附則第二條第二項の規定の適用がある場合における郵政民営化法第百四條に規定する郵便貯金銀行に係る特定日前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 117 Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before this Act comes into effect; and also continue to govern their applicability to conduct in which a person engages after this Act comes into effect if prior laws continue to govern pursuant to the Supplementary Provisions; their applicability to conduct in which a person engages before the loss of effect of Article 38-8 of the former Postal Money Order Act (but only the part that involves items (ii) and (iii)), which remains in effect pursuant to Article 9, paragraph (1) of the Supplementary Provisions even after this Act comes into effect; their applicability to conduct in which a person engages before the loss of effect of Article 70 of the former Postal Money Order Act (but only the part that involves items (ii) and (iii)), which remains in effect pursuant to Article 13, paragraph (1) of the Supplementary Provisions even after this Act comes into effect; their applicability to conduct in which a person engages before the loss of effect of Article 8 of the former Act on the Entrustment of Postal Transfer Deposits and Contributions (but only the part that involves item (ii)), which remains in effect pursuant to Article 27, paragraph (1) of the Supplementary Provisions even after this Act comes into effect; their applicability to conduct in which a person engages before the loss of effect of Article 70 of the former Public Corporation Act (but only the part that involves item (ii)), which remains in effect pursuant to Article 39, paragraph (2) of the Supplementary Provisions even after this Act comes into effect; their applicability to conduct in which a person engages before the loss of effect of Articles 71 and 72 of the former Public Corporation Act (but only the part that involves item (xv)), which remain in effect pursuant to Article 42, paragraph (1) of the Supplementary Provisions even after this Act comes into

effect; and their applicability to conduct in which a person engages before the specified date for a postal savings bank as prescribed in Article 104 of the Postal Service Privatization Act, if Article 2, paragraph (2) of the Supplementary Provisions applies.