

不当景品類及び不当表示防止法施行規則

Regulation for Enforcement of the Act against Unjustifiable Premiums and Misleading Representations

(平成二十八年二月五日内閣府令第六号)
(Cabinet Office Order No. 6 of February 5, 2016)

(定義)

(Definitions)

第一条 この府令において使用する用語は、不当景品類及び不当表示防止法（以下「法」という。）及び不当景品類及び不当表示防止法施行令（平成二十一年政令第二百十八号。以下「令」という。）において使用する用語の例による。

Article 1 The terms used in this Cabinet Office Order are to be governed by the terms used in the Act against Unjustifiable Premiums and Misleading Representations (hereinafter referred to as "the Act") and the Order for Enforcement of the Act against Unjustifiable Premiums and Misleading Representations (Cabinet Order No. 218 of 2009; hereinafter referred to as "the Order").

(公聴会の公告)

(Publication of Public Hearings)

第二条 消費者庁長官は、法第三条第一項及び第六条第一項の規定による公聴会を開こうとするときは、その期日の十四日前までに、公聴会の期日及び場所、案件の内容並びに意見申出要領を官報又は時事に関する事項を掲載する日刊新聞紙に掲載して公告しなければならない。

Article 2 When seeking to hold a public hearing under the provisions of Article 3, paragraph (1) and Article 6, paragraph (1) of the Act, the Secretary General of the Consumer Affairs Agency must give public notice of the date and place of the public hearing, the details of the matter, and guidelines for filing opinions, by publishing these in the official gazette or in a daily newspaper that publish information about current events at least 14 days prior to the date of the hearing.

(公述人の選定)

(Selection of Speakers at a Public Hearing)

第三条 公聴会において意見を述べることができる者は、前条の規定により意見を申し出た者のうちから消費者庁長官が選定し、本人にその旨を通知する。

Article 3 (1) The Secretary General of the Consumer Affairs Agency selects and individually notifies persons who will be permitted to state an opinion at a

public hearing from among those who have filed opinions pursuant to the provisions of the preceding Article.

2 消費者庁長官は、前項の選定をする場合において、当該案件に対して、賛成者及び反対者があるときは、一方に偏らないようにこれをしなければならない。

(2) When making the selection referred to in the preceding paragraph, the Secretary General of the Consumer Affairs Agency must do so in a way that prevents a bias towards either side, if there are both persons in favor of and persons against the matter in question.

(公述の依頼)

(Requesting a Person to State an Opinion at a Public Hearing)

第四条 消費者庁長官は、必要があると認めるときは、学識経験者又は関係行政機関の職員に公聴会において意見を述べることを求めることができる。

Article 4 On finding it to be necessary, the Secretary General of the Consumer Affairs Agency may ask a person with relevant expertise or an official from a relevant administrative organization to state an opinion at a public hearing.

(公聴会の実施)

(Holding Public Hearings)

第五条 公聴会は、消費者庁長官が指定する消費者庁の職員に主宰させることができる。

Article 5 (1) The Secretary General of the Consumer Affairs may have an official of the Consumer Affairs Agency designated by the Secretary General preside over a public hearing.

2 前項の規定により公聴会を主宰した職員は、次条各号に掲げる事項を記載した報告書を作成し、消費者庁長官に提出するものとする。

(2) An official who has presided over a public hearing pursuant to the provisions of the preceding paragraph is to prepare a report that includes the information set forth in the items of the following Article and submit it to the Secretary General of the Consumer Affairs Agency.

(公聴会の記録)

(Public Hearing Records)

第六条 消費者庁長官は、公聴会について、次に掲げる事項を記載した記録を作成するものとする。

Article 6 The Secretary General of the Consumer Affairs Agency is to prepare a record that includes the following information with regard to a public hearing:

一 案件の内容

(i) the details of the matter;

二 公聴会の期日及び場所

(ii) the date and place of the public hearing;

三 公聴会において意見を述べた者の氏名、住所及び職業（法人その他の団体にあつ

ては、その名称、主たる事務所の所在地及び代表者の氏名)並びにその意見の要旨
(iii) the names, addresses, and occupations of persons who have stated opinions
at the public hearing (for a corporation or other association, this means its
name, the locality of its main office, and the name of its representative), and
a summary of the opinions; and

四 その他必要な事項

(iv) other necessary information.

(法第七条第二項等の規定による資料の提出要求の手続)

(Procedures for Requesting Persons to Submit Data under the Provisions of
Article 7, Paragraph (2), etc. of the Act)

第七条 消費者庁長官は、法第七条第二項又は第八条第三項の規定に基づき資料の提出
を求める場合は、次に掲げる事項を記載した文書を交付して、これを行うものとする。

Article 7 (1) When requesting a person to submit data as under the provisions of
Article 7, paragraph (2) or Article 8, paragraph (3) of the Act, the Secretary
General of the Consumer Affairs Agency is to do this through the delivery of a
document that includes the following information:

一 事業者の氏名又は名称

(i) the name of the entrepreneur;

二 資料の提出を求める表示

(ii) an indication requesting the submission of data; and

三 資料を提出すべき期限及び場所

(iii) the due date and place where the data is to be submitted.

2 法第七条第二項及び第八条第三項に規定する期間は、前項の文書を交付した日から
十五日を経過する日までの期間とする。ただし、事業者が当該期間内に資料を提出し
ないことについて正当な事由があると認められる場合は、この限りでない。

(2) The period prescribed in Article 7, paragraph (2) and Article 8, paragraph (3)
of the Act is the period from the day when the document referred to in the
preceding paragraph is delivered until 15 days after the day of its delivery;
provided, however, that this does not apply if there is found be a legitimate
reason for the Entrepreneur's non-submission of the data within that period.

(法第八条第二項に規定する内閣府令で定める措置)

(Measures Prescribed by Cabinet Office Order Provided for in Article 8,
Paragraph (2) of the Act)

第八条 法第八条第二項に規定する内閣府令で定める措置は、課徴金対象行為に係る表
示が同条第一項ただし書各号のいずれかに該当することを時事に関する事項を掲載す
る日刊新聞紙に掲載する方法その他の不当に顧客を誘引し、一般消費者による自主的
かつ合理的な選択を阻害するおそれを解消する相当な方法により一般消費者に周知す
る措置とする。

Article 8 The measures prescribed by Cabinet Office Order that are provided for

in Article 8, paragraph (2) of the Act are measures to make it common knowledge to general consumers that a representation involved in an Act Subject to Surcharge falls under one of the items of the proviso to paragraph (1) of that Article, through publication in a daily newspaper that publish information about current events or by any other appropriate means that eliminates the risk of unjustly inducing customers and interfering with general consumers' voluntary and rational choice-making.

(課徴金対象行為に該当する事実の報告の方法)

(How to Report a Fact Constituting an Act Subject to Surcharge)

第九条 法第九条の規定による報告をしようとする者は、様式第一による報告書を、次に掲げるいずれかの方法により、消費者庁長官に提出しなければならない。

Article 9 (1) A person who intends to make a report under the provisions of Article 9 of the Act must submit the report by using Form No. 1 to the Secretary General of the Consumer Affairs Agency by one of the following methods:

一 直接持参する方法

(i) bring the report in person;

二 書留郵便、民間事業者による信書の送達に関する法律（平成十四年法律第九十九号。第三項において「信書便法」という。）第二条第六項に規定する一般信書便事業者若しくは同条第九項に規定する特定信書便事業者による同条第二項に規定する信書便の役務であって当該一般信書便事業者若しくは当該特定信書便事業者において引受け及び配達記録を行うもの又はこれらに準ずる方法により送付する方法

(ii) send the report by registered mail, or services of correspondence delivery prescribed in Article 2, paragraph (2) of the Act on Correspondence Delivery by Private Business Operators (Act No. 99 of 2002, referred to as the "Correspondence Delivery Act" in paragraph (3)) that are provided by a general correspondence delivery operator prescribed in paragraph (6) of said Article or a specified correspondence delivery operator prescribed in paragraph (9) of said Article in which acceptance and delivery recorded by said general correspondence delivery operator or specified correspondence delivery operator or a method equivalent thereto; or

三 ファクシミリ装置を用いて送信する方法

(iii) transmit the report by using a facsimile machine.

2 前項の報告書（第三号に規定する方法により提出するものを除く。）には、課徴金対象行為に該当する事実の内容を示す資料を添付するものとする。

(2) A written report as referred to in the preceding paragraph (excluding one submitted in the way prescribed in item (iii)) is to be accompanied by materials indicating the details of the fact constituting the Act Subject to Surcharge.

3 第一項第二号に掲げる方法により同項に規定する報告書が提出された場合において、当該報告書を日本郵便株式会社の営業所（簡易郵便局法（昭和二十四年法律第二百十

三号) 第七条第一項に規定する簡易郵便局を含み、郵便の業務を行うものに限る。) に差し出した日時を郵便物の受領証により証明したときはその日時に、その郵便物又は信書便法第二条第三項に規定する信書便物(以下この項において「信書便物」という。)の通信日付印により表示された日時が明瞭であるときはその日時に、その郵便物又は信書便物の通信日付印により表示された日時のうち日のみが明瞭であって時刻が明瞭でないときは表示された日の午後十二時に、その表示がないとき又はその表示が明瞭でないときはその郵便物又は信書便物について通常要する送付日数を基準とした場合にその日に相当するものと認められる日の午後十二時に、当該報告書が消費者庁長官に提出されたものとみなす。

(3) If a written report as prescribed in paragraph (1) is submitted in a way set forth in item (ii) of that paragraph, it is deemed to have been submitted to the Secretary General of the Consumer Affairs Agency at the date and time that it is handed over to an office of Japan Post Co., Ltd. (including postal agencies prescribed in Article 7, paragraph (1) of the Postal Agency Act (Act No. 213 of 1949), and limited to those that conduct postal services), if the mailing receipt evidences that date and time; at the date and time shown on the postmark for the postal mail or correspondence mail as prescribed in Article 2, paragraph (3) of the Correspondence Delivery Act (hereinafter referred to as the "correspondence mail" in this paragraph), if that date and time are clearly legible; at noon on the day shown on the postmark for that piece of mail or correspondence mail, if only the date is clearly legible and the time is not; and at noon on the day that is found to correspond to the day that would have been shown on the postmark for that piece of mail or correspondence mail based on the number of days normally needed to send it, if there is no date shown on the postmark or if the date shown on the postmark is not clearly legible.

4 第一項第三号の方法により同項に規定する報告書が提出された場合は、消費者庁長官が受信した時に、当該報告書が消費者庁長官に提出されたものとみなす。

(4) If a written report as prescribed in paragraph (1) is submitted in the way referred to in item (iii) of that paragraph, it is deemed to have been submitted to the Secretary General of the Consumer Affairs Agency when the Secretary General of the Consumer Affairs Agency receives the transmission of the written report.

5 第一項第三号の方法により同項に規定する報告書の提出を行った者は、直ちに、当該報告書の原本及び第二項に規定する資料を消費者庁長官に提出しなければならない。

(5) A person submitting a written report as prescribed in paragraph (1) in the way referred to in item (iii) of that paragraph must immediately submit the original copy of the report and the materials prescribed in paragraph (2) to the Secretary General of the Consumer Affairs Agency.

(実施予定返金措置計画の認定の申請の方法)

(How to Apply for Approval of a Plan for Implementing Refund Policies)

第十条 法第十条第一項の規定により実施予定返金措置計画の認定を受けようとする者（次条第一項第二号及び第四号において「申請者」という。）は、様式第二による申請書を消費者庁長官に提出しなければならない。

Article 10 (1) A person seeking approval for an Implementation Plan for Refund Policy pursuant to the provisions of Article 10, paragraph (1) of the Act (referred to as the "applicant" in paragraph (1), item (ii) and item (iv) of the following Article) must submit a written application using Form No. 2 to the Secretary General of the Consumer Affairs Agency.

2 前項の申請書には、次の各号に掲げる書類を添付するものとする。

- (2) The written application referred to in the preceding paragraph is to be accompanied by the documents set forth in each of the following items:
- 一 実施予定返金措置の対象となる者が当該実施予定返金措置の内容を把握するための周知に関する事項を示す書類
 - (i) documents giving information about making the details of the Planned Refund Policy common knowledge to the persons to whom and to which they are applicable in order for those persons to understand them;
 - 二 実施予定返金措置の実施に必要な資金の調達方法を証する書類
 - (ii) documents evidencing the means of procuring the necessary funds to implement the Planned Refund Policy; and
 - 三 その他法第十条第一項の認定をするため参考となるべき事項を記載した書類
 - (iii) other documents giving information that should be referred to for the approval referred to in Article 10, paragraph (1) of the Act.

(法第十条第三項に規定する内閣府令で定める事項等)

(Matters Prescribed by Cabinet Office Order Provided for in Article 10, Paragraph (3) of the Act)

第十一条 法第十条第三項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 11 (1) The matters prescribed by Cabinet Office Order that are provided for in Article 10, paragraph (3) of the Act are the following pieces of information:

一 法第十条第一項の認定の申請前に既に実施した返金措置（次項において「認定申請前の返金措置」という。）の対象となった者の氏名又は名称

(i) the names of persons to whom and to which the Refund Policy have already been applied before the applicant applies for the approval referred to in Article 10, paragraph (1) of the Act (referred to as the "Refund Policy from before the application for approval" in the following paragraph);

二 前号に規定する者が課徴金対象行為に係る商品の引渡し又は役務の提供を受けた日（申請者に係る法第八条第一項に規定する売上額の算定の方法について令第二条第一項の規定を適用する場合にあっては、当該前号に規定する者が課徴金対象行為に係る商品の購入又は役務の提供に係る契約を締結した日）

(ii) the days on which persons as prescribed in the preceding item were

delivered goods or provided with services associated with an act subject to surcharge (if the provisions of Article 2, paragraph (1) of the Order apply with regard to the method for calculating the proceeds from sales as prescribed in Article 8, paragraph (1) of the Act for that applicant, this means the days on which persons as prescribed in the preceding item entered into agreements for the purchase of goods or provision of services associated with an Act Subject to Surcharge);

三 第一号に規定する者からの法第十条第一項に規定する申出があったこと。

(iii) the fact that there have been an offer as prescribed in Article 10, paragraph (1) of the Act from persons as prescribed in item (i);

四 第一号に規定する者の取引に係る商品又は役務の令第四条で定める方法により算定した購入額（申請者に係る法第八条第一項に規定する売上額の算定の方法について令第二条第一項の規定を適用する場合にあっては、令第五条で定める方法により算定した購入額）及び当該購入額に百分の三を乗じて得た額

(iv) the purchase price of goods or services associated with the transactions made by persons as prescribed in item (i), calculated by the method prescribed in Article 4 of the Order (if the provisions of Article 2, paragraph (1) of the Order apply with regard to the method for calculating the proceeds from sales as prescribed in Article 8, paragraph (1) of the Act for that applicant, this means the purchase price calculated by the method prescribed in Article 5 of the Order), and the amount equivalent to three percent of the purchase price;

五 第一号に規定する者に対して金銭を交付した日

(v) the days on which money was delivered to persons as prescribed in item (i);

六 第一号に規定する者に対して交付した金銭の額及び計算方法

(vi) the amounts of money delivered to persons as prescribed in item (i) and the way of calculating these;

七 第一号に規定する者に対する金銭の交付方法

(vii) the ways of delivering money to persons as prescribed in item (i); and

八 その他参考となるべき事項

(viii) other information of reference.

2 前項各号に掲げる事項を前条第一項の申請書に記載する場合には、当該申請書には、認定申請前の返金措置を実施したことを証する資料を添付するものとする。

(2) If information as set forth in each item of the preceding paragraph is included in the written application referred to in paragraph (1) of the preceding Article, the written application is to be accompanied by materials evidencing that Refund Policy from before the application for approval have been implemented.

(法第十条第四項の規定による報告の方法)

(How to Report as under the Provisions of Article 10, Paragraph (4) of the Act)

第十二条 法第十条第四項の規定による報告をしようとする者（次項第二号及び第四号

において「申請後認定前報告者」という。)は、様式第三による報告書を消費者庁長官に提出しなければならない。

Article 12 (1) A person seeking to file a report under the provisions of Article 10, paragraph (4) of the Act (referred to as the "person filing a report after application but before approval" in items (ii) and (iv) of the following paragraph) must submit a written report using Form No. 3 to the Secretary General of the Consumer Affairs Agency.

2 法第十条第四項に規定する内閣府令で定める事項は、次に掲げる事項とする。

(2) The matters prescribed by Cabinet Office Order that are provided for in Article 10, paragraph (4) of the Act are the following pieces of information:

一 法第十条第一項の認定の申請後これに対する処分を受けるまでの間に実施した返金措置（第八号及び次項において「申請後認定前の返金措置」という。）の対象となった者の氏名又は名称

(i) the names of persons subject to the Refund Policy implemented after applying for approval as referred to in Article 10, paragraph (1) of the Act, but before becoming subject to a disposition on that application (referred to as the "Refund Policy from after application but before approval" in item (8) and the following paragraph);

二 前号に規定する者が課徴金対象行為に係る商品の引渡し又は役務の提供を受けた日（申請後認定前報告者に係る法第八条第一項に規定する売上額の算定の方法について令第二条第一項の規定を適用する場合にあっては、当該前号に規定する者が課徴金対象行為に係る商品の購入又は役務の提供に係る契約を締結した日）

(ii) the day on which persons as prescribed in the preceding item are delivered goods or provided with services associated with an Act Subject to Surcharge (if the provisions of Article 2, paragraph (1) of the Order apply with regard to the method for calculating the proceeds from sales prescribed in Article 8, paragraph (1) of the act for the person filing a report after application but before approval, this means the days on which persons as prescribed in the preceding item entered into agreements for the purchase of goods or provision of services associated with an Act Subject to Surcharge);

三 第一号に規定する者からの法第十条第一項に規定する申出があったこと。

(iii) the fact that there have been offers as prescribed in Article 10, paragraph (1) of the Act from persons as prescribed in item (i);

四 第一号に規定する者の取引に係る商品又は役務の令第四条で定める方法により算定した購入額（申請後認定前報告者に係る法第八条第一項に規定する売上額の算定の方法について令第二条第一項の規定を適用する場合にあっては、令第五条で定める方法により算定した購入額）及び当該購入額に百分の三を乗じて得た額

(iv) the purchase price of goods or services associated with the transactions made by persons as prescribed in item (i), calculated by the method prescribed in Article 4 of the Order (if the provisions of Article 2, paragraph (1) of the Order apply with regard to the method for calculating the proceeds

from sales as prescribed in Article 8, paragraph (1) of the Act for that person filing a report after application but before approval, this means the purchase price calculated by the method prescribed in Article 5 of the Order), and the amount equivalent to three percent of the purchase price;

五 第一号に規定する者に対して金銭を交付した日

(v) the days on which money is delivered to persons as prescribed in item (i);

六 第一号に規定する者に対して交付した金銭の額及び計算方法

(vi) the amounts of money delivered to persons as prescribed in item (i) and the way of calculating these;

七 第一号に規定する者に対する金銭の交付方法

(vii) the ways of delivering money to persons as prescribed in item (i); and

八 申請後認定前の返金措置に要した資金の額及びその調達方法

(viii) the amount of funds needed for the Refund Policy from after application but before approval and how these were procured; and

九 その他参考となるべき事項

(ix) other information of reference.

3 第一項の報告書には、申請後認定前の返金措置を実施したことを証する資料及び当該返金措置の実施に要した資金の調達方法を証する書類を添付するものとする。

(3) The written report referred to in paragraph (1) is to be accompanied by materials evidencing that the Refund Policy from after application but before approval have been implemented and by a document evidencing how the funds needed to implement the Refund Policy were procured.

(法第十条第五項第三号に規定する内閣府令で定める期間)

(Period Prescribed by Cabinet Office Order Provided for in Article 10,

Paragraph (5), Item (iii) of the Act)

第十三条 法第十条第五項第三号に規定する内閣府令で定める期間は、法第十五条第一項の規定による通知を受けた者が、第十条第一項の申請書を消費者庁長官に提出した日から四月を経過する日（法第十条第七項において準用する場合にあつては、第十条第一項の申請書に記載された実施予定返金措置計画の実施期間の末日から一月を経過する日）までの期間とする。

Article 13 The period prescribed by Cabinet Office Order that is provided for in Article 10, paragraph (5), item (iii) of the Act is the period from the day on which the person who has received a notice under the provisions of Article 15, paragraph (1) of the Act submits a written application as referred to in Article 10, paragraph (1) to the Secretary General of the Consumer Affairs Agency until the last day in the four-month period after its submission (if the relevant provisions apply mutatis mutandis pursuant to Article 10, paragraph (7) of the Act, this period is from the last day of the implementation period for the Implementation Plan for Refund Policy given in the written application referred to in Article 10, paragraph (1) until the last day in the one-month

period after that day).

(認定実施予定返金措置計画の変更に係る認定の申請の方法)

(How to Apply for Approval to Amend the Approved Implementation Plan for Refund Policy)

第十四条 法第十条第六項の規定により認定実施予定返金措置計画の変更の認定を受けようとする認定事業者は、様式第四による申請書を消費者庁長官に提出しなければならない。

Article 14 (1) An Approved Entrepreneur seeking approval to amend its Approved Implementation Plan for Refund Policy pursuant to the provisions of Article 10, paragraph (6) of the Act must submit a written application using Form No. 4 to the Secretary General of the Consumer Affairs Agency.

2 前項の申請書には、法第十条第九項の規定による認定の通知に係る書類の写しその他同条第六項の認定をするため参考となるべき事項を記載した書類を添付するものとする。

(2) The written application referred to in the preceding paragraph is to be accompanied by a copy of a document concerning notice of approval under the provisions of Article 10, paragraph (9) of the Act, and other documents giving information that should be referred to for the approval referred to in the paragraph (6) of that Article.

(認定実施予定返金措置計画の実施結果の報告の方法)

(How to Report the Results of Having Implemented an Approved Plan for Implementing Refund Policies)

第十五条 法第十一条第一項の規定による報告をしようとする者は、様式第五による報告書を消費者庁長官に提出しなければならない。

Article 15 (1) A person seeking to file a report under the provisions of Article 11, paragraph (1) of the Act must submit a written report using Form No. 5 to the Secretary General of the Consumer Affairs Agency.

2 前項の報告書には、次の各号に掲げる資料を添付するものとする。

(2) The written report referred to in the preceding paragraph is to be accompanied by the materials set forth in each of the following items:

一 法第十条第一項の認定後に実施された返金措置が認定実施予定返金措置計画（同条第六項の規定による変更の認定があったときは、その変更後のもの。次号及び次条において同じ。）に適合して実施されたことを証する資料

(i) materials evidencing that the Refund Policy implemented after the approval referred to in Article 10, item (1) of the Act have been implemented in conformity with the Approved Implementation Plan for Refund Policy (if amendments under the provisions of paragraph (6) of that Article have been approved, the Approved Implementation Plan for Refund Policy after its amendment; the same applies in the following item and the following

Article);

二 認定実施予定返金措置計画に係る実施予定返金措置の対象となる者が当該実施予定返金措置の内容を把握するための周知に関する実施状況を証する書類

(ii) documents evidencing the status of implementation for making the details of the Planned Refund Policy that fall under the Approved Implementation Plan for Refund Policy common knowledge to the persons to whom and to which they are applicable in order for those persons to understand them; and

三 法第十条第一項の認定後に実施された返金措置に要した資金の調達方法を証する書類

(iii) documents evidencing the way of procuring the funds needed for the Refund Policy that were implemented after the approval referred to in Article 10, paragraph (1) of the Act.

(法第十一条第二項に規定する内閣府令で定める金銭の額の計算)

(Calculation of the Amount of Money Prescribed by Cabinet Office Order Provided for in Article 11, Paragraph (2) of the Act)

第十六条 法第十一条第二項に規定する内閣府令で定めるところにより計算した額は、次項に定める場合を除き、次の各号に掲げる額を合計した額とする。

Article 16 (1) Except in cases as prescribed in the following paragraph, the amount calculated pursuant to Cabinet Office Order that is provided for in Article 11, paragraph (2) of the Act is the aggregate of the amounts set forth in the following items:

一 認定事業者が実施した認定実施予定返金措置計画に係る返金措置（当該認定実施予定返金措置計画に法第十条第三項に規定する事項が記載されている場合又は同条第四項の規定による報告がされている場合にあつては、当該記載又は報告に係る返金措置を含む。次号及び次項において同じ。）において交付された金銭の額が当該返金措置の対象となった者の取引に係る商品又は役務の令第四条で定める方法により算定した購入額（法第十一条第一項の規定による報告をした者に係る法第八条第一項に規定する売上額の算定の方法について令第二条第一項の規定を適用する場合にあつては、令第五条で定める方法により算定した購入額。以下「特定購入額」という。）に相当する額を上回るとき 当該特定購入額に相当する額

(i) if the amount of money delivered as per the Refund Policy that fall under the Approved Implementation Plan for Refund Policy that the Approved Entrepreneur has implemented (if the Approved Implementation Plan for Refund Policy includes the matters prescribed in Article 10, paragraph (3) of the Act or if a report under the provisions of paragraph (4) of that Article has been filed, this includes any Refund Policy connected with the inclusion of those matters or with that report; the same applies in the following item and following paragraph) exceeds an amount equal to the purchase price for goods or services associated with the transactions made by persons to whom and to which the Refund Policy are applicable, calculated by the method

prescribed by Article 4 of the Order (if the provisions of Article 2, paragraph (1) of the Order apply with regard to the method for calculating the proceeds from sales as prescribed in Article 8, paragraph (1) of the Act for a person filing a report under the provisions of Article 11, paragraph (1) of the Act, this means the amount of purchases calculated by the method prescribed in Article 5 of the Order; hereinafter referred to as the "specified purchase price"): an amount equal to the specified purchase price; and

二 認定事業者が実施した認定実施予定返金措置計画に係る返金措置において交付された金銭の額が特定購入額に相当する額以下であるとき 当該返金措置において交付された金銭の額

(ii) if the amount of money delivered as per Refund Policy that fall under the Approved Implementation Plan for Refund Policy that the Approved Entrepreneur has implemented is equal to or less than an amount equal to the specified amount of purchases: the amount of money that is delivered as per those Refund Policy.

2 法第十二条第四項の場合において、特定事業承継子会社等が二以上あるときであつて、そのうち二以上の特定事業承継子会社等が法第十一条第一項の規定により認定実施予定返金措置計画に係る返金措置（以下この項において「二以上子会社等実施返金措置」という。）の結果を報告し、消費者庁長官が同条第二項の規定により当該二以上子会社等実施返金措置が当該二以上の特定事業承継子会社等に係る認定実施予定返金措置計画にそれぞれ適合して実施されたと認めるときは、当該二以上の特定事業承継子会社等について同項に規定する内閣府令で定めるところにより計算した額は、次の各号に掲げる額を合計した額とする。

(2) In a case as referred to in Article 12, paragraph (4) of the Act, if there are two or more Subsidiaries, etc. Succeeding to Specified Business that report the results of Refund Policy that fall under an Approved Implementation Plan for Refund Policy pursuant to the provisions of Article 11, paragraph (1) of the Act (hereinafter referred to as "refund policies implemented by two or more subsidiaries, etc." in this paragraph), and the Secretary General of the Consumer Affairs Agency finds that the refund policies implemented by two or more subsidiaries, etc. has been implemented in conformity with the Approved Implementation Plan for Refund Policy associated with those two or more Subsidiaries, etc. Succeeding to Specified Business pursuant to the provisions of paragraph (2) of that Article, the amount calculated pursuant to Cabinet Office Order that is provided for in that paragraph for those two or more Subsidiaries, etc. Succeeding to Specified Business is the aggregate of the amounts set forth in the following items:

一 当該二以上子会社等実施返金措置の対象となった者が同一である場合には、次のイ又はロに掲げる場合の区分に応じ、それぞれ当該イ又はロに定める額

(i) if the refund policies implemented by those two or more subsidiaries, etc. are applicable to the same persons, the amount prescribed in the relevant

sub-item (a) or (b) below for the category set forth in that sub-item:

イ 当該二以上子会社等実施返金措置（令第十三条の規定により当該特定事業承継子会社等が行ったとみなされる返金措置を除く。）において交付された金銭の額の合計額に同条の規定により当該特定事業承継子会社等が行ったとみなされる返金措置において交付された金銭の額（当該返金措置がない場合にあっては零）を加えた額（ロにおいて「特定交付額」という。）が特定購入額に相当する額を上回るとき 当該特定購入額に相当する額

(a) if the amount arrived at when the amount of money delivered as per the Refund Policies that the Subsidiaries, etc. Succeeding to Specified Business are deemed to have implemented pursuant to the provisions of Article 13 of the Order (or zero, if there is no such Refund Policy) is added to the total amount of money delivered as per the refund policies implemented by the two or more subsidiaries, etc. (excluding those that the Subsidiaries, etc. Succeeding to Specified Business are deemed to have implemented pursuant to the provisions of that Article) (referred to as the "specified amount delivered" in (b)) exceeds an amount equal to the specified purchase price: an amount equal to the specified purchase price; or

ロ イに該当しないとき 特定交付額に相当する額

(b) if (a) does not apply: an amount equal to the specified amount delivered.

二 前号に該当しない場合には、次のイ又はロに掲げる場合の区分に応じ、それぞれ当該イ又はロに定める額

(ii) if the preceding item does not apply, the amount the relevant sub-item (a) or (b) below for the category set forth in that sub-item:

イ 当該二以上子会社等実施返金措置において交付された金銭の額が特定購入額に相当する額を上回るとき 当該特定購入額に相当する額

(a) if the amount of money delivered as per the refund policies implemented by the two or more subsidiaries, etc. exceeds an amount equal to the specified purchase price: an amount equal to the specified purchase price; or

ロ イに該当しないとき 当該二以上子会社等実施返金措置において交付された金銭の額

(b) if (a) does not apply, the amount of money delivered as per the refund policies implemented by the two or more subsidiaries, etc.

(法第十二条第四項の場合において特定事業承継子会社等が二以上あるときの課徴金の額の減額等の特例)

(Special Exceptions Such as the Reduction of Surcharges If There are Two or More Subsidiaries, etc. Succeeding to Specified Business in a Case as Referred to in Article 12, Paragraph (4) of the Act)

第十七条 法第十二条第四項の場合において、特定事業承継子会社等が二以上あるときであって、そのうち一以上の特定事業承継子会社等について法第十一条第二項の規定

により課徴金の額から前条の規定により計算した額を減額するときは、当該一以上の特定事業承継子会社等を除く特定事業承継子会社等（次項において「特例特定事業承継子会社等」という。）に係る法第八条第一項及び第九条の規定により計算した課徴金の額から前条の規定により計算した額を減額するものとする。この場合において、当該減額後の額が零を下回るときは、当該額は、零とする。

Article 17 (1) In a case as referred to in Article 12, paragraph (4) of the Act, if there are two or more Subsidiaries, etc. Succeeding to Specified Business, and if the amount of the surcharge is reduced for one or more of them pursuant to the provisions of Article 11, paragraph (2) of the Act by an amount calculated pursuant to the provisions of the preceding Article, the amount of the surcharge calculated pursuant to the provisions of Article 8, paragraph (1) and Article 9 of the Act for Subsidiaries, etc. Succeeding to Specified Business other than those for which the surcharge is reduced (referred to as "Subsidiaries, etc. Succeeding to Specified Business that are subject to a special exception" in the following paragraph) is to be reduced by the amount calculated pursuant to the provisions of the preceding Article. In such a case, if the amount of the surcharge after the reduction is less than zero, the amount of the surcharge is zero.

2 消費者庁長官は、前項の規定により計算した特例特定事業承継子会社等に係る課徴金の額が一万円未満となったときは、法第八条第一項の規定にかかわらず、特例特定事業承継子会社等に対し、課徴金の納付を命じないものとする。この場合において、消費者庁長官は、速やかに、当該特例特定事業承継子会社等に対し、文書をもってその旨を通知するものとする。

(2) Notwithstanding the provisions of Article 8, paragraph (1) of the Act, the Secretary General of the Consumer Affairs Agency is not to order Subsidiaries, etc. Succeeding to Specified Business that are subject to a special exception to pay a surcharge if the amount of the surcharge for the Subsidiaries, etc. Succeeding to Specified Business that are subject to the special exception as calculated pursuant to the provisions of the preceding paragraph is less than ten thousand yen. In such a case, the Secretary General of the Consumer Affairs Agency is to promptly notify the Subsidiaries, etc. Succeeding to Specified Business that are subject to the special exception to that effect in writing.

（課徴金の納付の督促）

(Demanding Payment of Surcharges)

第十八条 法第十八条第一項の督促状は、課徴金の納付の督促を受ける者に送達しなければならない。

Article 18 A written demand as referred to in Article 18, paragraph (1) of the Act must be served on the person subject to the demand to pay the surcharge.

(課徴金及び延滞金を納付すべき場合の充当の順序)

(Order of Allocation When a Person Is Required to Pay Both a Surcharge and Penal Interest)

第十九条 法第十八条第二項の規定により延滞金を併せて徴収する場合において、事業者の納付した金額がその延滞金の額の計算の基礎となる課徴金の額に達するまでは、その納付した金額は、まずその計算の基礎となる課徴金に充てられたものとする。

Article 19 If penal interest is to be collected together with the surcharge pursuant to the provisions of Article 18, paragraph (2) of the Act, then the amount paid by the entrepreneur is first allocated to the surcharge that serves as the basis for calculation of the penal interest, until the full amount of the surcharge serving as the basis for that calculation is paid.

(課徴金納付命令の執行の命令の方式等)

(Formalities of an Order to Execute a Payment Order for a Surcharge)

第二十条 法第十九条第一項の規定による課徴金納付命令の執行の命令は、文書をもって行わなければならない。

Article 20 (1) An order to execute a Payment Order for a Surcharge under the provisions of Article 19, paragraph (1) of the Act must be issued in writing.
2 前項の命令書の謄本は、課徴金納付命令の執行を受ける者に送達しなければならない。
(2) A certified copy of the written order referred to in the preceding paragraph must be served on the person subject to the execution of the Payment Order for a Surcharge.

(身分を示す証明書)

(Identification Cards)

第二十一条 法第二十九条第二項の身分を示す証明書は、様式第六によるものとする。

Article 21 The identification cards referred to in Article 29, paragraph (2) of the Act are to be based on Form No. 6.

(協定又は規約の認定の申請)

(Applying for Approval of Agreements and Rules)

第二十二条 法第三十一条第一項の規定により協定又は規約の認定を受けようとするものは、様式第七による協定又は規約認定申請書正本及び副本各一通並びに当該協定又は規約の写し二通を、公正取引委員会又は消費者庁長官のいずれかに提出しなければならない。

Article 22 A person seeking approval for an agreement or rule pursuant to the provisions of Article 31, paragraph (1) of the Act must submit one original copy and one duplicate copy of an Agreement/Rule Approval Application Form based on Form No. 7, and two copies of the agreement or rules to either the Fair Trade Commission or the Secretary General of the Consumer Affairs Agency.

(協定又は規約に関する処分の告示)

(Issuing Public Notice of Dispositions Relating to Agreements and Rules)

第二十三条 法第三十一条第四項の規定による協定又は規約の認定の告示は、次に掲げる事項を官報に掲載してするものとする。

Article 23 (1) Public notice of the approval of an agreement or a rule under the provisions of Article 31, paragraph (4) of the Act is to be issued through the publication of the following information in the official gazette:

一 認定があった旨

(i) an indication that approval has been granted;

二 当該協定又は規約に係る事業の種類

(ii) the type of business to which the agreement or rule pertains;

三 当該協定又は規約の内容

(iii) the substance of the agreement or rule; and

四 認定の理由

(iv) the grounds for approval.

2 法第三十一条第四項の規定による協定又は規約の認定の取消しの告示は、次に掲げる事項を官報に掲載してするものとする。

(2) Public notice of the revocation of approval of an agreement or rule under the provisions of Article 31, paragraph (4) of the Act is to be issued through the publication of the following information in the official gazette:

一 取消しがあった旨

(i) an indication that an approval has been revoked;

二 当該協定又は規約に係る事業の種類

(ii) the type of business to which the agreement or rule pertains; and

三 取消しの理由

(iii) the grounds for the revocation.

(通知を受けるべき者の届出)

(Filing Notification of Which Person to Notify)

第二十四条 協定又は規約の認定を受けたものは、当該認定に係る事項について通知を受けるべき者の住所及び氏名を公正取引委員会又は消費者庁長官のいずれかに届け出なければならない。

Article 24 A person that has received an approval for an agreement or rule must file a notification of the name and address of the person that should be notified of anything that concerns the approval with either the Fair Trade Commission or the Secretary General of the Consumer Affairs Agency.

(公正取引委員会又は消費者庁長官に提出する書類の作成)

(Preparing Documents for Submission to the Fair Trade Commission or the Secretary General of the Consumer Affairs Agency)

第二十五条 この府令の規定により公正取引委員会又は消費者庁長官に提出する書類は、日本語で作成するものとする。

Article 25 Documents that will be submitted to the Fair Trade Commission or the Secretary General of the Consumer Affairs Agency pursuant to the provisions of this Cabinet Office Order are to be prepared in Japanese.