

電気通信事業法

Telecommunications Business Act

(昭和五十九年十二月二十五日法律第八十六号)
(Act No. 86 of December 25, 1984)

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第一章 総則

Chapter I General Provisions

(目的)

(Purpose)

第一条 この法律は、電気通信事業の公共性にかんがみ、その運営を適正かつ合理的なものとするとともに、その公正な競争を促進することにより、電気通信役務の円滑な提供を確保するとともにその利用者の利益を保護し、もつて電気通信の健全な発達及び国民の利便の確保を図り、公共の福祉を増進することを目的とする。

Article 1 The purpose of this Act is to ensure that telecommunications services are provided smoothly, and the interests of the users of the services are protected, through making the operation for telecommunications services proper and reasonable and promoting the fair competition in telecommunications business in consideration of the public nature of telecommunications business, thereby ensuring the sound development of telecommunications and the convenience of the lives of the people, and increasing the public welfare.

(定義)

(Definitions)

第二条 この法律において、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 2 In this Act, the meanings of the terms set forth in the following items are as prescribed respectively in those items:

- 一 電気通信 有線、無線その他の電磁的方式により、符号、音響又は映像を送り、伝え、又は受けることをいう。
- (i) "telecommunication" means transmitting, relaying or receiving codes, sounds or images by cable, radio or other electronic or magnetic forms;
- 二 電気通信設備 電気通信を行うための機械、器具、線路その他の電气的設備をいう。
- (ii) "telecommunications facilities" mean machines, equipment, wires and cables or other electrical facilities for conducting telecommunications;
- 三 電気通信役務 電気通信設備を用いて他人の通信を媒介し、その他電気通信設備を他人の通信の用に供することをいう。
- (iii) "telecommunications service" means intermediating other persons' communications through the use of telecommunications facilities, or other acts of providing telecommunications facilities for use in other persons' communications;
- 四 電気通信事業 電気通信役務を他人の需要に応ずるために提供する事業（放送法（昭和二十五年法律第百三十二号）第百十八条第一項に規定する放送局設備供給役務に係る事業を除く。）をいう。
- (iv) "telecommunications business" means the business involved in providing telecommunications services in order to meet the demands of other persons (except businesses involved in service supplying facilities for broadcasting stations as prescribed in Article 118, paragraph (1) of the Broadcasting Act (Act No. 132 of 1950));
- 五 電気通信事業者 電気通信事業を営むことについて、第九条の登録を受けた者及び第十六条第一項の規定による届出をした者をいう。
- (v) "telecommunications carrier" means the person that has obtained the registration set forth in Article 9 to operate a telecommunications business, and the person that has filed a notification under Article 16, paragraph (1);
- 六 電気通信業務 電気通信事業者の行う電気通信役務の提供の業務をいう。
- (vi) "telecommunications operations" mean operations conducted by a telecommunications carrier to provide telecommunications services.

(検閲の禁止)

(Prohibition of Censorship)

第三条 電気通信事業者の取扱中に係る通信は、検閲してはならない。

Article 3 Communications handled by a telecommunications carrier must not be censored.

(秘密の保護)

(Protection of Secrecy)

第四条 電気通信事業者の取扱中に係る通信の秘密は、侵してはならない。

Article 4 (1) The secrecy of communications handled by a telecommunications

carrier must not be violated.

2 電気通信事業に従事する者は、在職中電気通信事業者の取扱中に係る通信に関して知り得た他人の秘密を守らなければならない。その職を退いた後においても、同様とする。

(2) A person who is engaged in telecommunications business must not disclose other persons' secrets which came to their knowledge while in service with respect to communications handled by a telecommunications carrier. The same applies even after that person has left office.

(電気通信事業に関する条約)

(Treaties on Telecommunications Business)

第五条 電気通信事業に関し条約に別段の定めがあるときは、その規定による。

Article 5 If the provisions are otherwise provided in treaties with respect to telecommunications business, those provisions prevail over those of this Act.

第二章 電気通信事業

Chapter II Telecommunications Business

第一節 総則

Section 1 General Provisions

(利用の公平)

(Fairness in Use)

第六条 電気通信事業者は、電気通信役務の提供について、不当な差別的取扱いをしてはならない。

Article 6 A telecommunications carrier must not engage in unfair and discriminatory treatment with regard to the provision of telecommunications services.

(基礎的電気通信役務の提供)

(Provision of Universal Telecommunications Services)

第七条 基礎的電気通信役務（国民生活に不可欠であるためあまねく日本全国における提供が確保されるべきものとして総務省令で定める電気通信役務をいう。以下同じ。）を提供する電気通信事業者は、その適切、公平かつ安定的な提供に努めなければならない。

Article 7 A telecommunications carrier that provides universal telecommunications services (telecommunications services which are specified by Order of the Ministry of Internal Affairs and Communications as those that are to be provided nationwide due to their indispensability to the lives of the people; hereinafter the same applies) must make efforts to provide the services in an appropriate, fair and stable manner.

(重要通信の確保)

(Securing of Essential Communications)

第八条 電気通信事業者は、天災、事変その他の非常事態が発生し、又は発生するおそれがあるときは、災害の予防若しくは救援、交通、通信若しくは電力の供給の確保又は秩序の維持のために必要な事項を内容とする通信を優先的に取り扱わなければならない。公共の利益のため緊急に行うことを要するその他の通信であつて総務省令で定めるものについても、同様とする。

Article 8 (1) A telecommunications carrier must, if a natural disaster, an accident or any other emergency occurs or is likely to occur, give priority to communications on particulars that are necessary for prevention of a disaster or relief efforts about it, for securing transportation, communications or electric power supply, or for maintaining the public order. The same applies to other communications that are specified by Order of the Ministry of Internal Affairs and Communications to be conducted urgently for the public interest.

2 前項の場合において、電気通信事業者は、必要があるときは、総務省令で定める基準に従い、電気通信業務の一部を停止することができる。

(2) In the cases set forth in the preceding paragraph, a telecommunications carrier may, if necessary, suspend part of its telecommunications operations in accordance with the standards specified by Order of the Ministry of Internal Affairs and Communications.

3 電気通信事業者は、第一項に規定する通信（以下「重要通信」という。）の円滑な実施を他の電気通信事業者と相互に連携を図りつつ確保するため、他の電気通信事業者と電気通信設備を相互に接続する場合には、総務省令で定めるところにより、重要通信の優先的な取扱いについて取り決めることその他の必要な措置を講じなければならない。

(3) If a telecommunications carrier interconnects its telecommunications facilities with another telecommunications carrier's telecommunications facilities in order to ensure the implementation of the communications set forth in paragraph (1) (hereinafter referred to as "essential communications") in a smooth manner while trying to achieve mutual corporation, it must, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, take necessary measures, including concluding an agreement for preferential treatment of essential communications, and others.

第二節 事業の登録等

Section 2 Registration of Business

(電気通信事業の登録)

(Registration of Telecommunications Business)

第九条 電気通信事業を営もうとする者は、総務大臣の登録を受けなければならない。ただし、次に掲げる場合は、この限りでない。

Article 9 A person that intends to operate a telecommunications business must obtain a registration from the Minister for Internal Affairs and Communications; provided, however, that this does not apply to the following cases:

一 その者の設置する電気通信回線設備（送信の場所と受信の場所との間を接続する伝送路設備及びこれと一体として設置される交換設備並びにこれらの附属設備をいう。以下同じ。）の規模及び当該電気通信回線設備を設置する区域の範囲が総務省令で定める基準を超えない場合

(i) the scale of telecommunication line facilities (telecommunication line facilities that interconnect places of transmission with places of reception and switching facilities installed as an integral part of these, and their adjunct facilities; hereinafter the same applies) installed by the person and the scope of areas where the telecommunication line facilities are installed do not exceed the standards specified by Order of the Ministry of Internal Affairs and Communications;

二 その者の設置する電気通信回線設備が電波法（昭和二十五年法律第百三十一号）第七条第二項第六号に規定する基幹放送に加えて基幹放送以外の無線通信の送信をする無線局の無線設備である場合（前号に掲げる場合を除く。）

(ii) the telecommunication line facilities installed by the person is wireless broadcasting facilities of wireless broadcasting stations transmitting wireless communication other than basic broadcasting, in addition to the basic broadcasting prescribed in Article 7, paragraph (2), item (vi) of the Radio Act (Act No. 131 of 1950) (except the case listed in the preceding item).

第十条 前条の登録を受けようとする者は、総務省令で定めるところにより、次の事項を記載した申請書を総務大臣に提出しなければならない。

Article 10 (1) A person that intends to obtain a registration as set forth in the preceding Article must, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, file a written application describing the following particulars with the Minister for Internal Affairs and Communications:

一 氏名又は名称及び住所並びに法人にあつては、その代表者の氏名

(i) name and address of the applicant and, in the case of a corporation, the name of its representative;

二 業務区域

(ii) service areas;

三 電気通信設備の概要

(iii) outline of telecommunications facilities.

2 前項の申請書には、第十二条第一項第一号から第三号までに該当しないことを誓約する書面その他総務省令で定める書類を添付しなければならない。

(2) The written application set forth in the preceding paragraph must be filed

with a document in which the person pledges that they do not fall under Article 12, paragraph (1), item(i) through item (iii), and other documents specified by Order of the Ministry of Internal Affairs and Communications attached thereto.

(登録の実施)

(Implementation of Registration)

第十一条 総務大臣は、第九条の登録の申請があつた場合においては、次条第一項の規定により登録を拒否する場合を除き、次の事項を電気通信事業者登録簿に登録しなければならない。

Article 11 (1) When an application for the registration set forth in Article 9 is filed, the Minister for Internal Affairs and Communications must register the following particulars in a register for the telecommunications carriers, except the case in which the Minister refuses the registration pursuant to the provisions of paragraph (1) of the following Article:

一 前条第一項各号に掲げる事項

(i) particulars listed in the items of paragraph (1) of the preceding Article;

二 登録年月日及び登録番号

(ii) registration date and registration number.

2 総務大臣は、前項の規定による登録をしたときは、遅滞なく、その旨を申請者に通知しなければならない。

(2) If the Minister for Internal Affairs and Communications has made a registration pursuant to the provisions of the preceding paragraph, the Minister must notify the applicant to that effect without delay.

(登録の拒否)

(Refusal of Registration)

第十二条 総務大臣は、第十条第一項の申請書を提出した者が次の各号のいずれかに該当するとき、又は当該申請書若しくはその添付書類のうちに重要な事項について虚偽の記載があり、若しくは重要な事実の記載が欠けているときは、その登録を拒否しなければならない。

Article 12 (1) If a person that has filed a written application set forth in Article 10, paragraph (1) falls under any of the following items, or if the written application or any document attached thereto includes a false entry on any important particulars or fails to describe any material fact, the Minister for Internal Affairs and Communications must refuse the registration:

一 この法律又は有線電気通信法（昭和二十八年法律第九十六号）若しくは電波法の規定により罰金以上の刑に処せられ、その執行を終わり、又はその執行を受けることがなくなつた日から二年を経過しない者

(i) a person that has been sentenced to a fine or heavier punishment pursuant to the provisions of this Act, the Cable Telecommunications Act (Act No. 96 of 1953) or the Radio Act, if two years have not passed since the date on

which the enforcement of the punishment has been completed or has ceased to become applicable;

二 第十四条第一項の規定により登録の取消しを受け、その取消しの日から二年を経過しない者

(ii) a person whose registration was revoked pursuant to the provisions of Article 14, paragraph (1), if a period of two years has not passed from the date of revocation;

三 法人又は団体であつて、その役員のうち前二号のいずれかに該当する者があるもの

(iii) a corporation or association any of whose officers falls under any of the preceding two items;

四 その電気通信事業が電気通信の健全な発達のために適切でないと認められる者

(iv) a person whose telecommunications business is found to be inappropriate for the sound development of telecommunications.

2 総務大臣は、前項の規定により登録を拒否したときは、文書によりその理由を付して通知しなければならない。

(2) When the Minister for Internal Affairs and Communications has refused registration pursuant to the provisions of the preceding paragraph, the Minister must notify the applicant to that effect in writing with the reasons attached thereto.

(登録の更新)

(Renewal of Registration).

第十二条の二 第九条の登録は、次に掲げる事由が生じた場合において、当該事由が生じた日から起算して三月以内にその更新を受けなかつたときは、その効力を失う。

Article 12-2 (1) The registration stipulated in Article 9 ceases to be effective if any of the following conditions occurs and the registration is not renewed within three months from the date of the occurrence of the condition:

一 第九条の登録を受けた者が設置する電気通信設備が、第三十三条第一項の規定により新たに指定をされたとき（その者が設置する他の電気通信設備が同項の規定により既に指定をされているときを除く。）、又は第三十四条第一項の規定により新たに指定をされたとき（その者が設置する他の電気通信設備が同項の規定により既に指定をされているときを除く。）。

(i) a telecommunication facility installed by a person registered pursuant to Article 9 newly receives the registration under Article 33, paragraph (1) (excluding cases in which any other telecommunication facility of the person has already received the designation under the same paragraph), or newly receives the designation under Article 34, paragraph (1) (excluding cases in which any other telecommunication facility of the person has already received the designation under the same paragraph);

二 第九条の登録を受けた者（第一種指定電気通信設備（第三十三条第二項に規定す

る第一種指定電気通信設備をいう。以下第三十一条までにおいて同じ。)又は第二種指定電気通信設備(第三十四条第二項に規定する第二種指定電気通信設備をいう。第四項第二号ハ及び第三十条第一項において同じ。)を設置する電気通信事業者たる法人である場合に限る。以下この項において同じ。)が、次のいずれかに該当するとき。

(ii) any of the following conditions occurs to a person that has been registered pursuant to the provisions of Article 9 (limited to a corporation that is a telecommunications carrier running Category I designated telecommunications facilities (Category I designated telecommunications facilities as defined in Article 33, paragraph (2); hereinafter the same applies to all Articles through Article 31) or Category II designated telecommunications facilities (Category II designated telecommunications facilities as defined in Article 34, paragraph (2); the same applies to paragraph (4), item (ii), (c) and Article 30, paragraph (1)); the same definition of the person applies in this paragraph):

イ その特定関係法人以外の者(特定電気通信設備を設置する者に限る。以下この項において同じ。)と合併(合併後存続する法人が当該第九条の登録を受けた者である場合に限る。)をしたとき。

(a) the person is merged (limited to a merger in which the person registered under Article 9 is the surviving corporation) with another person (limited to a person running specified telecommunication facilities; the same applies in this paragraph) that is not a corporation with a specific affiliation to the person;

ロ その特定関係法人以外の者から分割により電気通信事業(当該特定電気通信設備を用いて電気通信役務を提供する電気通信事業に限る。以下この項において同じ。)の全部又は一部を承継したとき。

(b) the person succeeds to all or part of the telecommunication businesses (limited to telecommunication businesses to provide telecommunication services using specified telecommunication facilities; hereinafter the same applies in this paragraph) of another person that is not a corporation with a specific affiliation to the person, by the split of the business of the other person; or

ハ その特定関係法人以外の者から電気通信事業の全部又は一部を譲り受けたとき。

(c) the person is assigned all or part of the telecommunication businesses of another person who is not a corporation with a specific affiliation to the person.

三 第九条の登録を受けた者の特定関係法人が、次のいずれかに該当するとき(当該同条の登録を受けた者の特定関係法人が引き続いて当該同条の登録を受けた者の特定関係法人である場合に限る。)

(iii) a corporation with a specific affiliation to a person registered under Article 9 falls under any of the following conditions (limited to the cases in which

the status as a corporation with a specific affiliation to the person registered under the same Article remains the same after the occurrence of the condition):

イ 当該第九条の登録を受けた者の特定関係法人以外の者（当該同条の登録を受けた者を除く。ロ及びハにおいて同じ。）と合併（合併後存続する法人が当該同条の登録を受けた者の特定関係法人である場合に限る。）をしたとき。

(a) it is merged (limited to a merger in which it is the surviving corporation) with a corporation other than one with a specific affiliation to the person registered under Article 9 (excluding a person registered under the same Article; the same applies in (b) and (c));

ロ 当該第九条の登録を受けた者の特定関係法人以外の者から分割により電気通信事業の全部又は一部を承継したとき。

(b) it succeeds to all or part of the telecommunication businesses of a corporation other than one with a specific affiliation to the person registered under Article 9, by the split of the business of that corporation; or

ハ 当該第九条の登録を受けた者の特定関係法人以外の者から電気通信事業の全部又は一部を譲り受けたとき。

(c) it is assigned all or part of the telecommunication businesses of a corporation other than one with a specific affiliation to the person registered under Article 9.

四 第九条の登録を受けた者の特定関係法人以外の者が、当該同条の登録を受けた者の特定関係法人となつたとき。

(iv) a corporation other than one with a specific affiliation to the person registered under Article 9 becomes a corporation with a specific affiliation to the person registered under the same Article.

2 前三条の規定は、前項の登録の更新について準用する。この場合において、次の表の上欄に掲げる規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句に読み替えるものとする。

(2) The provisions in the preceding three Articles apply mutatis mutandis to the renewal of registration in the preceding paragraph. In this case, the terms included in the middle column are deemed to be replaced with the terms included in the right column of the table below.

第十一条第一項第二号 Article 11, paragraph (1) item (ii)	登録年月日及び Registration date and	登録及びその更新の年月 日並びに Registration date and its renewal date, and
前条第一項 paragraph (1) of the preceding Article	各号 each item	各号（第二号を除く。） each item (excluding item (ii))

四 その電気通信事業が電気通信の健全な発達のために適切でないと認められる者

(iv) Any person whose telecommunications business is found to be inappropriate for the sound development of telecommunications

四 その電気通信事業を適確に遂行するに足りる経理的基礎を有しないと認められる者

(iv) Any person who is found not to have sufficient financial basis to conduct telecommunication businesses properly

五 その電気通信事業を適確に遂行するに足りる体制の整備（第三十三条第二項に規定する第一種指定電気通信設備を設置する電気通信事業者にあつては、第三十一条第五項に規定する体制の整備を含む。）が行われていないと認められる者

(v) Any person who is found not to perform sufficient maintenance of systems necessary for conducting telecommunication businesses properly (including maintenance of systems stipulated in Article 31 paragraph (5), for a telecommunications carrier running Category I designated telecommunications facilities defined in Article 33, paragraph (2))

六 その電気通信事業が電気通信の健全な発達のために適切でないと認められる者

(vi) Any person whose telecommunications business is found to be inappropriate for the sound development of telecommunications

3 第一項の登録の更新の申請があつた場合において、同項に規定する期間内に当該申請に対する処分がされないときは、第九条の登録は、当該期間の経過後も当該処分がされるまでの間は、なおその効力を有する。

(3) When a request for the renewal of the registration is filed pursuant to paragraph (1), and the processing of the requested renewal is not completed by the end of the period stipulated in the same paragraph, the registration under Article 9 remains in force even after the expiration of the period until the process is completed.

4 第一項において、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。

(4) In paragraph (1), the meanings of the terms set forth in the following items are as prescribed respectively in those items:

一 特定関係法人 電気通信事業者たる法人との間に次に掲げる関係がある法人をいう。

(i) a corporation with a specific affiliation: a corporation that has any of the following relationships to another corporation which is a telecommunications carrier:

イ 当該法人が当該電気通信事業者たる法人の子会社等（会社法（平成十七年法律第八十六号）第二条第三号の二に規定する子会社等をいう。ロ及びハにおいて同じ。）であること。

(a) it is a subsidiary or equivalent (a subsidiary or equivalent as defined in Article 2, item (iii)-2 of the Companies Act (Act No.86 of 2005); the same applies in (b) and (c) below) of the other corporation which is a telecommunications carrier;

ロ 当該電気通信事業者たる法人が当該法人の子会社等であること。

(b) the other corporation which is a telecommunications carrier is its subsidiary or equivalent;

ハ 当該法人が当該電気通信事業者たる法人を子会社等とする法人の子会社等（当該電気通信事業者たる法人及び当該電気通信事業者たる法人との間にイ又はロに掲げる関係がある法人を除く。）であること。

(c) it is a subsidiary or equivalent of a corporation which holds the other corporation which is a telecommunications carrier, as a subsidiary or equivalent (excluding the other corporation which is a telecommunications carrier, and a corporation which has either of the relationships stipulated in (a) and (b) with the other corporation which is a telecommunications carrier); or

ニ イからハマまでに掲げるもののほか、政令で定める特殊の関係

(d) beyond what is set forth in (a) through (c), the corporation has any the special relationship as defined by Cabinet Order.

二 特定電気通信設備 次に掲げる電気通信設備をいう。

(ii) specified telecommunication facilities: any of the following facilities:

イ 第一種指定電気通信設備

(a) Category I designated telecommunications facilities

ロ 第三十三条第一項の総務省令で定める区域ごとに、その一端が利用者（電気通信事業者との間に電気通信役務の提供を受ける契約を締結する者をいう。以下同じ。）の電気通信設備（移動端末設備（利用者の電気通信設備であつて、移動する無線局の無線設備であるものをいう。以下同じ。）を除く。）と接続される伝送路設備のうち同一の電気通信事業者が設置するものであつて、その伝送路設備の電気通信回線の数の、当該区域内に設置される全ての同種の伝送路設備の電気通信回線の数のうちに占める割合が、同項の総務省令で定める割合を超えない範囲内で総務省令で定める割合を超えるもの及び当該区域において当該電気通信事業者がこれと一体として設置する電気通信設備であつて同項の総務省令で定めるものの総体（イに掲げるものを除く。）のうち、総務大臣が総務省令で定めるところにより指定する電気通信設備

(b) Telecommunication facilities designated by the Minister for Internal Affairs and Communications pursuant to the provisions of Order of the Ministry of the Internal Affairs and Communications among aggregates (excluding those stipulated in (a) above) of: transmission-line facilities which are interconnected to the telecommunication facilities (excluding mobile terminal facilities (referring to user's telecommunication facilities that are the wireless broadcasting facilities of moving wireless broadcasting stations; the same applies hereinafter)) of users (persons that conclude contracts with telecommunications carriers to receive telecommunication services; the same applies hereinafter) at one end, which are installed by one single telecommunications carrier in each area defined under Order of the Ministry of Internal Affairs and Communications in Article 33, paragraph (1), and whose telecommunication circuits come to account for a proportion exceeding the proportion specified by Order of the Ministry of Internal Affairs and Communications within the range not exceeding the proportion specified by Order of the Ministry of Internal Affairs and Communications in the same paragraph of the total number of telecommunication circuits of all transmission lines facilities of the same type installed within those areas; and telecommunication facilities which are installed by the telecommunications carrier as single units with the relevant transmission-line facilities in those areas, and which are stipulated by Order of the Ministry of Internal Affairs and Communications in the same paragraph;

ハ 第二種指定電気通信設備

(c) Category II designated telecommunications facilities;

ニ その一端が特定移動端末設備（総務省令で定める移動端末設備をいう。以下この号及び第三十四条第一項において同じ。）と接続される伝送路設備のうち同一の電気通信事業者が設置するものであつて、その伝送路設備に接続される特定移動端末設備の数の、その伝送路設備を用いる電気通信役務に係る業務区域と同一

の区域内に設置されている全ての同種の伝送路設備に接続される特定移動端末設備の数のうちに占める割合が、同項の総務省令で定める割合を超えない範囲内で総務省令で定める割合を超えるもの及び当該電気通信事業者が当該電気通信役務を提供するために設置する電気通信設備であつて同項の総務省令で定めるものの総体（ハに掲げるものを除く。）のうち、総務大臣が総務省令で定めるところにより指定する電気通信設備

- (d) Telecommunication facilities designated by the Minister for Internal Affairs and Communications pursuant to the provisions of Order of the Ministry Order of the Internal Affairs and Communications among aggregates (excluding those stipulated in (c) above) of; transmission-line facilities which are interconnected to specified mobile terminal facilities (mobile terminal facilities specified by Order of the Ministry of Internal Affairs and Communications; the same applies in this item and Article 34, paragraph (1)) at one end, which are installed by one single telecommunications carrier, and which have these specified mobile terminal facilities interconnected to them come to account for a proportion exceeding the proportion specified by Order of the Ministry of Internal Affairs and Communications within the range not exceeding the proportion specified by Order of the Ministry of Internal Affairs and Communications in the same paragraph of the total number of specified mobile terminal facilities interconnected to all transmission-line facilities of the same type installed within the same area as the service area for the telecommunication services provided by using the relevant transmission-line facilities; and telecommunication facilities which are installed by the telecommunications carrier in order to provide the telecommunication services, and which are stipulated by Order of the Ministry of Internal Affairs and Communications in the same paragraph.

(変更登録等)

(Registration of Changes)

第十三条 第九条の登録を受けた者は、第十条第一項第二号又は第三号の事項を変更しようとするときは、総務大臣の変更登録を受けなければならない。ただし、総務省令で定める軽微な変更については、この限りでない。

Article 13 (1) If a person that has obtained the registration set forth in Article 9 intends to change any of the particulars set forth in item (ii) or item (iii) of Article 10, paragraph (1), the person must obtain a registration of the change from the Minister for Internal Affairs and Communications; provided, however, that this does not apply to minor changes specified by Order of the Ministry of Internal Affairs and Communications.

2 前項の変更登録を受けようとする者は、総務省令で定めるところにより、変更に係る事項を記載した申請書を総務大臣に提出しなければならない。

(2) A person that intends to obtain the registration of the change set forth in the preceding paragraph must, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, file a written application describing the particulars pertaining to the change with the Minister for Internal Affairs and Communications.

3 第十条第二項、第十一条及び第十二条の規定は、第一項の変更登録について準用する。この場合において、第十一条第一項中「次の事項」とあるのは「変更に係る事項」と、第十二条第一項中「第十条第一項の申請書を提出した者が次の各号」とあるのは「変更登録に係る申請書を提出した者が次の各号（第二号を除く。）」と読み替えるものとする。

(3) The provisions of Article 10, paragraph (2), Article 11 and Article 12 apply mutatis mutandis to the registration of the change as set forth in paragraph (1). In this case, the term "the following particulars" in Article 11, paragraph (1) is deemed to be replaced with "the particulars pertaining to the change"; and the term "If a person that has filed a written application set forth in Article 10, paragraph (1) falls under any of the following items" in paragraph (1) of Article 12 is to be replaced with "If a person that has filed a written application for registration of a change falls under any of the following items (except item (ii))."

4 第九条の登録を受けた者は、第十条第一項第一号の事項に変更があつたとき、又は第一項ただし書の総務省令で定める軽微な変更をしたときは、遅滞なく、その旨を総務大臣に届け出なければならない。その届出があつた場合には、総務大臣は、遅滞なく、当該登録を変更するものとする。

(4) If a person that has obtained the registration as set forth in Article 9 has changed any of the particulars set forth in Article 10, paragraph (1) item (i) or made any minor changes specified by Order of the Ministry of Internal Affairs and Communications, as set forth in the proviso of paragraph (1), the person must notify the Minister for Internal Affairs and Communications to that effect without delay. If that notification is filed, the Minister is to change the registration without delay.

(登録の取消し)

(Revocation of Registration)

第十四条 総務大臣は、第九条の登録を受けた者が次の各号のいずれかに該当するときは、同条の登録を取り消すことができる。

Article 14 (1) If a person that has obtained registration as set forth in Article 9 falls under any of the following items, the Minister for Internal Affairs and Communications may revoke the registration set forth in the same Article:

一 当該第九条の登録を受けた者がこの法律又はこの法律に基づく命令若しくは処分
に違反した場合において、公共の利益を阻害すると認めるとき。

(i) if the person that has obtained the registration set forth in Article 9 violates

this Act or any order or disposition made under this Act, and is found to impair the public interest;

二 不正の手段により第九条の登録、第十二条の二第一項の登録の更新又は前条第一項の変更登録を受けたとき。

(ii) if the person has obtained the registration as set forth in Article 9 , the renewal of the registration set forth in Article 12-2, paragraph (1), or the registration of the change set forth in paragraph (1) of the preceding Article through wrongful means;

三 第十二条第一項第一号又は第三号に該当するに至つたとき。

(iii) if the person falls under Article 12, paragraph (1), item (i) or item (iii).

2 第十二条第二項の規定は、前項の場合に準用する。

(2) The provisions of Article 12, paragraph (2) applies mutatis mutandis to the case set forth in the preceding paragraph.

(登録の抹消)

(Deletion of Registration)

第十五条 総務大臣は、第十八条第一項若しくは第二項の規定による電気通信事業の全部の廃止若しくは解散の届出があつたとき、第十二条の二第一項の規定により登録がその効力を失つたとき、又は前条第一項の規定による登録の取消しをしたときは、当該第九条の登録を受けた者の登録を抹消しなければならない。

Article 15 If a notification of the discontinuation of a telecommunications business in whole or a notification of dissolution is filed pursuant to the provisions of Article 18, paragraph (1) or paragraph (2), the registration ceases to be effective pursuant to the provisions of paragraph (1) of Article 12-2, or the Minister for Internal Affairs and Communications revokes the registration pursuant to the provisions of paragraph (1) of the Article, the Minister must delete the registration of the person that has obtained the registration set forth in Article 9.

(電気通信事業の届出)

(Notification of Telecommunications Business)

第十六条 電気通信事業を営もうとする者（第九条の登録を受けるべき者を除く。）は、総務省令で定めるところにより、次の事項を記載した書類を添えて、その旨を総務大臣に届け出なければならない。

Article 16 (1) A person (except a person that should obtain registration as set forth in Article 9) that intends to operate a telecommunications business must, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, file a notification with the Minister for Internal Affairs and Communications to that effect by attaching documents describing the following particulars:

一 氏名又は名称及び住所並びに法人にあつては、その代表者の氏名

(i) name and address of the applicant and, in the case of a corporation, the name of the representative;

二 業務区域

(ii) service areas;

三 電気通信設備の概要（第四十四条第一項の事業用電気通信設備を設置する場合に限る。）

(iii) outline of telecommunications facilities (limited to the cases in which the person runs telecommunications facilities used for telecommunications business set forth in Article 44, paragraph (1)).

2 前項の届出をした者は、同項第一号の事項に変更があつたときは、遅滞なく、その旨を総務大臣に届け出なければならない。

(2) If a person that has filed a notification set forth in the preceding paragraph has changed any of the particulars specified in item (i) of the same paragraph, the person must notify the Minister for Internal Affairs and Communications to that effect without delay.

3 第一項の届出をした者は、同項第二号又は第三号の事項を変更しようとするときは、その旨を総務大臣に届け出なければならない。ただし、総務省令で定める軽微な変更については、この限りでない。

(3) If a person that has filed a notification set forth in paragraph (1) intends to change any of the particulars set forth in item (ii) or item (iii) of the same paragraph, the person must notify the Minister for Internal Affairs and Communications to that effect; provided, however, that this does not apply to minor changes specified by Order of the Ministry of Internal Affairs and Communications.

4 第一項の届出をした者は、第四十一条第三項の規定により新たに指定をされたときは、総務省令で定めるところにより、その指定の日から一月以内に、第一項第三号の事項を総務大臣に届け出なければならない。

(4) If a person that has filed a notification as set forth in paragraph (1) received new designation pursuant to Article 41, paragraph (3), the person must, as specified by Order of the Ministry of Internal Affairs and Communications, notify the Minister for Internal Affairs and Communications of the particulars set forth in paragraph (1), item (iii) within one month from that date of designation

(承継)

(Succession)

第十七条 電気通信事業の全部の譲渡しがあつたとき、又は電気通信事業者について合併、分割（電気通信事業の全部を承継させるものに限る。）若しくは相続があつたときは、当該電気通信事業の全部を譲り受けた者又は合併後存続する法人若しくは合併により設立した法人、分割により当該電気通信事業の全部を承継した法人若しくは相続人（相続人が二人以上ある場合においてその協議により当該電気通信事業を承継す

べき相続人を定めたときは、その者。以下この項において同じ。)は、電気通信事業者の地位を承継する。ただし、当該電気通信事業者が第九条の登録を受けた者である場合において、当該電気通信事業の全部を譲り受けた者又は合併後存続する法人若しくは合併により設立した法人、分割により当該電気通信事業の全部を承継した法人若しくは相続人が第十二条第一項第一号から第三号までのいずれかに該当するときは、この限りでない。

Article 17 (1) In the event of an assignment of a telecommunications business in whole, or a merger, split (limited to a split resulting in the succession to a telecommunications business in whole) or inheritance of a telecommunications carrier, the assignee of the telecommunications business in whole, or, the corporation surviving after the merger or the corporation newly established upon the merger, the corporation that has succeeded to the telecommunications business in whole upon the split or the heir (if one particular heir has been selected from among two or more heirs as the successor to the telecommunications business by agreement among the heirs, the selected heir; hereinafter the same applies in this paragraph) succeeds to the status of the telecommunications carrier; provided, however, that this does not apply to the cases in which the telecommunications carrier has obtained the registration set forth in Article 9, and the assignee of the telecommunications business in whole, or, the corporation surviving after the merger or the corporation newly established upon the merger, the corporation that has succeeded to the telecommunications business in whole upon the split, or the heir falls under any of item (i) through (iii) of Article 12, paragraph (1).

2 前項の規定により電気通信事業者の地位を承継した者は、遅滞なく、その旨を総務大臣に届け出なければならない。

(2) A person that has succeeded to the status of telecommunications carrier pursuant to the provisions of the preceding paragraph must notify the Minister for Internal Affairs and Communications to that effect without delay.

(事業の休止及び廃止並びに法人の解散)

(Suspension and Discontinuation of Business and the Dissolution of Corporations)

第十八条 電気通信事業者は、電気通信事業の全部又は一部を休止し、又は廃止したときは、遅滞なく、その旨を総務大臣に届け出なければならない。

Article 18 (1) If a telecommunications carrier suspends or discontinues its telecommunications business in whole or in part, it must notify the Minister for Internal Affairs and Communications to that effect without delay.

2 電気通信事業者たる法人が合併以外の事由により解散したときは、その清算人(解散が破産手続開始の決定による場合にあつては、破産管財人)は、遅滞なく、その旨を総務大臣に届け出なければならない。

(2) If a corporation that is a telecommunications carrier dissolves due to reasons

other than a merger, the liquidator in charge (in the case of dissolution due to an order for the commencement of bankruptcy proceedings, the bankruptcy trustee) must notify the Minister for Internal Affairs and Communications to that effect without delay.

- 3 電気通信事業者は、電気通信事業の全部又は一部を休止し、又は廃止しようとするときは、総務省令で定めるところにより、当該休止又は廃止しようとする電気通信事業の利用者に対し、その旨を周知させなければならない。ただし、利用者の利益に及ぼす影響が比較的少ないものとして総務省令で定める電気通信事業の休止又は廃止については、この限りでない。

- (3) If a telecommunications carrier intends to suspend or discontinue its telecommunications business in whole or in part, it must, as specified by Order of the Ministry of Internal Affairs and Communications, fully inform the users of the telecommunications business to be suspended or discontinued to that effect; provided, however, that this does not apply to the cases of suspension or discontinuation of a telecommunications business that is specified by Order of the Ministry of Internal Affairs and Communications as a business which has a comparatively small influence on the interests of its users.

第三節 業務

Section 3 Operations

(基礎的電気通信役務の契約約款)

(General Conditions of Contracts for Universal Telecommunications Services)

- 第十九条 基礎的電気通信役務を提供する電気通信事業者は、その提供する基礎的電気通信役務に関する料金その他の提供条件（第五十二条第一項又は第七十条第一項第一号の規定により認可を受けるべき技術的条件に係る事項及び総務省令で定める事項を除く。）について契約約款を定め、総務省令で定めるところにより、その実施前に、総務大臣に届け出なければならない。これを変更しようとするときも、同様とする。

- Article 19 (1) A telecommunications carrier that provides universal telecommunications services must establish general conditions of contracts concerning charges and other terms and conditions for the provision of its universal telecommunications services (except particulars pertaining to technical conditions to be authorized pursuant to the provision of Article 52, paragraph (1) or Article 70, paragraph (1) item (i) and particulars specified by Order of the Ministry of Internal Affairs and Communications) and notify the Minister for Internal Affairs and Communications of the general conditions of contracts prior to the implementation of them, pursuant to Order of the Ministry of Internal Affairs and Communication,. The same also applies to the cases in which it intends to change those general conditions of contracts.

- 2 総務大臣は、前項の規定により届け出た契約約款が次の各号のいずれかに該当すると認めるときは、基礎的電気通信役務を提供する当該電気通信事業者に対し、相当の

期限を定め、当該契約約款を変更すべきことを命ずることができる。

- (2) If the Minister for Internal Affairs and Communications finds that the general conditions of contracts the notification of which has been filed pursuant to the provisions of the preceding paragraph fall under any of the following items, the Minister may order the telecommunications carrier that provides the universal telecommunications services to change the general conditions of contracts, designating an adequate time limit:
- 一 料金の額の算出方法が適正かつ明確に定められていないとき。
 - (i) if the general conditions of contracts do not properly and explicitly specify means of calculating charges;
 - 二 電気通信事業者及びその利用者の責任に関する事項並びに電気通信設備の設置の工事その他の工事に関する費用の負担の方法が適正かつ明確に定められていないとき。
 - (ii) if the general conditions of contracts do not properly and explicitly specify particulars concerning the responsibilities of the telecommunications carrier and of its users, and means of sharing the costs of installation and other works of telecommunications facilities;
 - 三 電気通信回線設備の使用の態様を不当に制限するものであるとき。
 - (iii) if the general conditions of contracts unreasonably restrict the way the telecommunication line facilities are used;
 - 四 特定の者に対し不当な差別的取扱いをするものであるとき。
 - (iv) if the general conditions of contracts treat certain persons in an unfair and discriminatory manner;
 - 五 重要通信に関する事項について適切に配慮されているものでないとき。
 - (v) if the general conditions of contracts do not include proper consideration to matters concerning essential communications;
 - 六 他の電気通信事業者との間に不当な競争を引き起こすものであり、その他社会的経済的事情に照らして著しく不相当であるため、利用者の利益を阻害するものであるとき。
 - (vi) if the general conditions of contracts lead to unfair competition with other telecommunications carriers, are extremely inappropriate in light of social and economic circumstances, and thereby impair the interests of users.
- 3 基礎的電気通信役務を提供する電気通信事業者は、第一項の規定により契約約款で定めるべき料金その他の提供条件については、同項の規定により届け出た契約約款によらなければ当該基礎的電気通信役務を提供してはならない。ただし、次項の規定により契約約款に定める当該基礎的電気通信役務の料金を減免する場合は、この限りでない。
- (3) A telecommunications carrier must not provide universal telecommunications services unless charges and other terms and conditions for providing those services, which are to be specified in the general conditions of contracts pursuant to the provisions of paragraph (1), are in accordance with the general

conditions of contracts the notification of which is filed pursuant to the provisions of the same paragraph; provided, however, that this does not apply to the cases in which the charges for universal telecommunications services specified in the general conditions of contracts are reduced or exempted pursuant to the provisions of the following paragraph.

4 基礎的電気通信役務を提供する電気通信事業者は、総務省令で定める基準に従い、第一項の規定により届け出た契約約款に定める当該基礎的電気通信役務の料金を減免することができる。

(4) A telecommunications carrier that provides universal telecommunications services may, in accordance with the standards specified by Order of the Ministry of Internal Affairs and Communications, reduce or exempt charges for those services specified in the general conditions of contracts notified pursuant to the provisions of paragraph (1).

(指定電気通信役務の保障契約約款)

(General Conditions of Contracts for Securing the Provision of the Designated Telecommunications Services)

第二十条 指定電気通信役務（第一種指定電気通信設備を設置する電気通信事業者が当該第一種指定電気通信設備を用いて提供する電気通信役務であつて、当該電気通信役務に代わるべき電気通信役務が他の電気通信事業者によつて十分に提供されないことその他の事情を勘案して当該第一種指定電気通信設備を設置する電気通信事業者が当該第一種指定電気通信設備を用いて提供する電気通信役務の適正な料金その他の提供条件に基づく提供を保障することにより利用者の利益を保護するため特に必要があるものとして総務省令で定めるものをいう。以下同じ。）を提供する電気通信事業者は、その提供する指定電気通信役務に関する料金その他の提供条件（第五十二条第一項又は第七十条第一項第一号の規定により認可を受けるべき技術的条件に係る事項及び総務省令で定める事項を除く。第五項及び第二十五条第二項において同じ。）について契約約款を定め、総務省令で定めるところにより、その実施前に、総務大臣に届け出なければならない。これを変更しようとするときも、同様とする。

Article 20 (1) A telecommunications carrier that provides designated telecommunications services (telecommunications services which a telecommunications carrier running Category I designated telecommunications facilities provides by using those facilities, and which are specified by the provisions of Order of the Ministry of Internal Affairs and Communications as those are particularly necessary in order to protect the interests of users by means of the relevant telecommunications carrier's ensuring the provision of those telecommunications services by using those facilities based on proper charges or the other terms and conditions, in consideration of the circumstances in which substitute telecommunications services are not sufficiently provided by other carriers, or other circumstances; hereinafter the same applies) must establish general conditions of contracts concerning

charges and other terms and conditions for the provision of its designated telecommunications services (except particulars pertaining to technical conditions to be authorized pursuant to the provisions of Article 52, paragraph (1) or Article 70, paragraph (1), item (i), and particulars specified by Order of the Ministry of Internal Affairs and Communications; the same applies in paragraph (5) and Article 25, paragraph (2)) and must notify the Minister for Internal Affairs and Communications of those general conditions of contracts to prior to the implementation of them, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications,. The same applies to the cases in which it intends to change them.

2 指定電気通信役務であつて、基礎的電気通信役務である電気通信役務については、前項（第四項の規定により読み替えて適用する場合を含む。）の規定は適用しない。

(2) The provisions of the preceding paragraph (including the cases in which the preceding paragraph applies with the replacement of the terms pursuant to the provisions of paragraph (4)) do not apply to telecommunications services which are both designated telecommunications services and universal telecommunications services.

3 総務大臣は、第一項（次項の指定により読み替えて適用する場合を含む。）の規定により届け出た契約約款（以下「保障契約約款」という。）が次の各号のいずれかに該当すると認めるときは、指定電気通信役務を提供する該当電気通信事業者に対し、相当の期限を定め、該当保障契約約款を変更すべきことを命ずることができる。

(3) If the Minister for Internal Affairs and Communications finds that the general conditions of contracts notified pursuant to the provisions of paragraph (1) (including the cases in which paragraph (1) applies with the replacement of the terms pursuant to the provisions of the following paragraph) (hereinafter referred to as "general conditions of contracts for securing the provision of the telecommunications services") fall under any of the following items, the Minister may order the telecommunications carrier that provides the designated telecommunications services to change the general conditions of contracts for securing the provision of the telecommunications services within a reasonable time limit designated by the Minister:

一 料金の額の算出方法が適正かつ明確に定められていないとき。

(i) if the general conditions of contracts for securing the provision of the telecommunications services do not properly and explicitly specify means of calculating charges;

二 電気通信事業者及びその利用者の責任に関する事項並びに電気通信設備の設置の工事その他の工事に関する費用の負担の方法が適正かつ明確に定められていないとき。

(ii) if the general conditions of contracts for securing the provision of the telecommunications services do not properly and explicitly specify particulars concerning the responsibilities of the telecommunications carrier

and of its users, and means of sharing the costs of installation and other works of telecommunications facilities;

三 電気通信回線設備の使用の態様を不当に制限するものであるとき。

(iii) if the general conditions of contracts for securing the provision of the telecommunications services unreasonably restrict the way the telecommunication line facilities are used;

四 特定の者に対し不当な差別的取扱いをするものであるとき。

(iv) if the general conditions of contracts for securing the provision of the telecommunications services treat certain persons in an unfair and discriminatory manner;

五 重要通信に関する事項について適切に配慮されているものでないとき。

(v) if the general conditions of contracts for securing the provision of the telecommunications services do not include proper consideration to the particulars related to essential communications;

六 他の電気通信事業者との間に不当な競争を引き起こすものであり、その他社会的経済的事情に照らして著しく不相当であるため、利用者の利益を阻害するものであるとき。

(vi) if the general conditions of contracts for securing the provision of the telecommunications services lead to unfair competition with other telecommunications carriers, or are extremely inappropriate in light of social and economic circumstances, and thereby impair the interests of users.

4 第三十三条第一項の規定により新たに指定をされた電気通信設備を設置する電気通信事業者がその指定の日以後最初に第一項の規定により総務大臣に届け出るべき契約約款については、同項中「その実施前に、総務大臣に届け出なければならない。これを変更しようとするときも、同様とする。」とあるのは、「第三十三条第一項の規定により新たに指定をされた日から三月以内に、総務大臣に届け出なければならない。」とする。

(4) With respect to the general conditions of contracts of which a telecommunications carrier running the telecommunications facilities newly designated pursuant to the provisions of Article 33, paragraph (1) must notify the Minister for Internal Affairs and Communications for the first time after the designation date pursuant to the provisions of paragraph (1), the term "must notify the Minister for Internal Affairs and Communications of the general conditions of contracts prior to the implementation of them, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications. The same applies to the cases in which it intends to change them" in the same paragraph is deemed to be replaced with "must notify the the Minister for Internal Affairs and Communications of the general conditions of contracts within three months from the date on which the designation is granted pursuant to the provisions of Article 33, paragraph (1)."

5 指定電気通信役務を提供する電気通信事業者は、当該指定電気通信役務の提供の相

手方と料金その他の提供条件について別段の合意がある場合を除き、保障契約約款に定める料金その他の提供条件によらなければ当該指定電気通信役務を提供してはならない。ただし、次項の規定により保障契約約款に定める当該指定電気通信役務の料金を減免する場合は、この限りでない。

(5) A telecommunications carrier must not, provide the designated telecommunications services unless the charges and other terms and conditions for the provision of those services are in accordance with those specified in the general conditions of contracts for securing the provision of the telecommunications services, except as otherwise provided by an agreement with the party receiving the designated telecommunications services on charges and other terms and conditions for the provision of those services; provided, however, that this does not apply to the cases in which charges for the designated telecommunications services specified in the general conditions of contracts for securing the provision of the telecommunications services are reduced or exempted pursuant to the provisions of the following paragraph.

6 指定電気通信役務を提供する電気通信事業者は、総務省令で定める基準に従い、保障契約約款に定める当該指定電気通信役務の料金を減免することができる。

(6) A telecommunications carrier that provides designated telecommunications services may, in accordance with the standards specified by Order of the Ministry of Internal Affairs and Communications, reduce or exempt charges for the designated telecommunications services specified in the general conditions of contracts for securing the provision of the telecommunications services.

(特定電気通信役務の料金)

(Charges for Specified Telecommunications Services)

第二十一条 総務大臣は、毎年少なくとも一回、総務省令で定めるところにより、指定電気通信役務であつて、その内容、利用者の範囲等からみて利用者の利益に及ぼす影響が大きいものとして総務省令で定めるもの（以下「特定電気通信役務」という。）に関する料金について、総務省令で定める特定電気通信役務の種別ごとに、能率的な経営の下における適正な原価及び物価その他の経済事情を考慮して、通常実現することができると思われる水準の料金を料金指数（電気通信役務の種別ごとに、料金の水準を表す数値として、通信の距離及び速度その他の区分ごとの料金額並びにそれらが適用される通信量、回線数等を基に総務省令で定める方法により算出される数値をいう。以下同じ。）により定め、その料金指数（以下「基準料金指数」という。）を、その適用の日の総務省令で定める日数前までに、当該特定電気通信役務を提供する電気通信事業者に通知しなければならない。

Article 21 (1) With regard to designated telecommunications services specified by Order of the Ministry of Internal Affairs and Communications as what has a significant influence on the interests of users in light of their content, scope of users, etc. (hereinafter referred to as "specified telecommunications services"), the Minister for Internal Affairs and Communications must, at least once a

year, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, determine the level of charges that may be generally found feasible, in consideration of reasonable costs under efficient management, commodity prices and other economic circumstances, for each type of specified telecommunications services specified by Order of the Ministry of Internal Affairs and Communications by using a charge index (figures to represent the level of charges for each type of telecommunications service, which are calculated using the means specified by Order of the Ministry of Internal Affairs and Communications from charges based on the distance and speed of communications and other classifications as well as the amount of traffic, number of circuits, etc. to which the charges are applied; hereinafter the same applies) and must notify the telecommunications carrier that provides the specified telecommunications services of the charge index (hereinafter referred to as "the standard charge index") within the number of days specified by Order of the Ministry of Internal Affairs and Communications before the date on which the standard charge index becomes applicable.

- 2 特定電気通信役務を提供する電気通信事業者は、特定電気通信役務に関する料金を変更しようとする場合において、当該変更後の料金の料金指数が当該特定電気通信役務に係る基準料金指数を超えるものであるときは、第十九条第一項又は前条第一項（同条第四項の規定により読み替えて適用する場合を含む。）の規定にかかわらず、総務大臣の認可を受けなければならない。

(2) If a telecommunications carrier that provides specified telecommunications services intends to change charges for those services and the charge index after the change exceeds the standard charge index for specified telecommunications services, it must obtain authorization from the Minister for Internal Affairs and Communications, notwithstanding the provisions of Article 19, paragraph (1) or paragraph (1) of the preceding Article (including the cases in which paragraph (1) of the preceding Article applies with the replacement of the terms pursuant to the provisions of paragraph (4) of the same Article).

- 3 総務大臣は、前項の認可の申請があつた場合において、基準料金指数以下の料金指数の料金により難い特別な事情があり、かつ、当該申請に係る変更後の料金が次の各号のいずれにも該当しないと認めるときは、同項の認可をしなければならない。

(3) The Minister for Internal Affairs and Communications must grant the authorization as set forth in the same paragraph if an application for the authorization set forth in the preceding paragraph is filed, and the Minister finds that there are special circumstances making it difficult to offer charges based on a charge index that is equivalent to or less than the standard charge index and that the charges after the change pertaining to the application do not fall under any of the following items:

一 料金の額の算出方法が適正かつ明確に定められていないこと。

(i) if the means of calculating charges are not properly and explicitly specified;

二 特定の者に対し不当な差別的取扱いをするものであること。

(ii) if the charges after the change treat certain persons in an unfair and discriminatory manner;

三 他の電気通信事業者との間に不当な競争を引き起こすものであり、その他社会的経済的事情に照らして著しく不適當であるため、利用者の利益を阻害するものであること。

(iii) if the charges after the change lead to unfair competition with other telecommunications carriers, or are extremely inappropriate in light of social and economic circumstances, and thereby impair the interests of users.

4 総務大臣は、基準料金指数の適用後において、当該基準料金指数が適用される特定電気通信役務に関する料金の料金指数が当該基準料金指数を超えている場合は、当該基準料金指数以下の料金指数により難い特別な事情があると認めるときを除き、当該特定電気通信絵気宇を提供する電気通信事業者に対し、相当の期限を定め、当該特定電気通信役務に関する料金を変更すべきことを命ずるものとする。

(4) If the charge index of the charges for the specified telecommunications services, to which the standard charge index is applicable, exceeds that index after the application of it, the Minister for Internal Affairs and Communications is to order the telecommunications carrier that provides the specified telecommunications services to change the charges for the specified telecommunications services within a reasonable time limit designated by the Minister, except for the cases in which the Minister finds that there are special circumstances making it difficult to offer charges based on a charge index that is equivalent to or less than the standard charge index.

5 第一種指定電気通信設備であつた電気通信設備を設置している電気通信事業者が当該電気通信設備を用いて提供する電気通信役務（基礎的電気通信役務に限る。）に関する料金であつて第三十三条第一項の規定による指定の解除の際現に第二項の規定により認可を受けているものは、第十九条第一項の規定により届け出た契約約款に定める料金とみなす。

(5) Charges for telecommunications services which a telecommunications carrier running the telecommunications facilities that were formerly Category I designated telecommunications facilities provides by using those facilities (limited to universal telecommunications services) and which have been authorized pursuant to the provisions of Article 33, paragraph (2) as of the time of the cancellation of the designation under Article 33, paragraph (1) are deemed to be the charges specified by general conditions of contracts about which the notification has been filed pursuant to the provisions of Article 19, paragraph (1).

6 特定電気通信役務を提供する電気通信事業者は、第二項の規定により認可を受けべき料金については、同項の規定により認可を受けた料金によらなければ当該特定電気通信役務を提供してはならない。ただし、次項の規定により当該特定電気通信役務の料金を減免する場合は、この限りでない。

(6) With respect to charges to be authorized pursuant to the provisions of paragraph (2), a telecommunications carrier that provides specified telecommunications services must not provide those services unless the charges are in accordance with the charges authorized pursuant to the provisions of the same paragraph; provided, however, that this does not apply to cases in which charges for those services are reduced or exempted pursuant to the provisions of the following paragraph.

7 特定電気通信役務を提供する電気通信事業者は、総務省令で定める基準に従い、第二項の規定により認可を受けた当該特定電気通信役務の料金を減免することができる。

(7) A telecommunications carrier that provides specified telecommunications services may, in accordance with the standards specified by Order of the Ministry of Internal Affairs and Communications, reduce or exempt charges for the specified telecommunications services authorized pursuant to the provisions of paragraph (2).

(通信量等の記録)

(Records of Traffic Volume)

第二十二條 特定電気通信役務を提供する電気通信事業者は、総務省令で定める方法により、その提供する特定電気通信役務の通信量、回線数等を記録しておかなければならない。

Article 22 A telecommunications carrier that provides specified telecommunications services must keep records of the amount of traffic, number of circuits, etc. of its specified telecommunications services by means specified by Order of the Ministry of Internal Affairs and Communications.

(契約約款等の掲示等)

(Posting of the General Conditions of Contracts)

第二十三條 基礎的電気通信役務、指定電気通信役務又は特定電気通信役務を提供する電気通信事業者は、第十九条第一項又は第二十条第一項（同条第四項の規定により読み替えて適用する場合を含む。）の規定により届け出た契約約款（第五十二条第一項又は第七十条第一項第一号の規定により認可を受けた技術的条件を含む。）又は第二十一条第二項の規定により認可を受けた料金を、総務省令で定めるところにより、公表するとともに、営業所その他の事業所において公衆の見やすいように掲示しておかなければならない。

Article 23 (1) A telecommunications carrier that provides universal telecommunications services, designated telecommunications services or specified telecommunications services must, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, announce the general conditions of contracts (including the technical conditions authorized pursuant to the provisions of Article 52, paragraph (1) or Article 70, paragraph (1) item (i)) notified pursuant to the provisions of Article 19, paragraph (1) or

Article 20, paragraph (1) (including the cases in which Article 20, paragraph (1) applies with the replacement of the terms pursuant to the provisions of the paragraph (4) of the same Article) or charges authorized pursuant to the provisions of Article 21, paragraph (2), and must post those general conditions or charges at its business offices and other places of business in a manner in which the public can easily see them.

2 前項の規定は、第十九条第一項又は第二十条第一項の総務省令で定める事項に係る提供条件について準用する。

(2) The provisions of the preceding paragraph applies mutatis mutandis to the terms and conditions for the provision of those services pertaining to the particulars specified by Order of the Ministry of Internal Affairs and Communications set forth in Article 19, paragraph (1) or Article 20, paragraph (1).

(会計の整理)

(Keeping of Accounts)

第二十四条 次に掲げる電気通信事業者は、総務省令で定める勘定科目の分類その他会計に関する手続に従い、その会計を整理しなければならない。

Article 24 The following telecommunications carriers must keep accounts in accordance with the classification of accounting titles and other accounting procedures specified by Order of the Ministry of Internal Affairs and Communications:

一 次に掲げる電気通信役務を提供する電気通信事業者

(i) any telecommunications carrier that provides the following telecommunications services:

イ 基礎的電気通信役務

(a) universal telecommunications services;

ロ 指定電気通信役務

(b) designated telecommunications services; or

ハ 特定ドメイン名電気通信役務（ドメイン名電気通信役務（第百六十四条第二項第一号に規定するドメイン名電気通信役務をいう。第四十一条及び第四十一条の二において同じ。）のうち、確実かつ安定的な提供を特に確保する必要があるものとして総務省令で定めるものをいう。第三十九条の三において同じ。）

(c) specified domain name telecommunications services (domain name telecommunication services (those defined in Article 164, paragraph (2) item (i); the same applies to Article 41 and Article 41-2) that are specified by Order of the Ministry of Internal Affairs and Communications as those that it is particularly necessary to secure the provision of in a reliable and stable manner; the same applies to Article 39-3)

二 第三十条第一項の規定により指定された電気通信事業者

(ii) telecommunications carriers designated pursuant to the provisions of

Article 30, paragraph (1); or
三 第一種指定電気通信設備を設置する電気通信事業者
(iii) telecommunications carriers running the Category I designated
telecommunications facilities.

(提供義務)

(Obligation to Provide Services)

第二十五条 基礎的電気通信役務を提供する電気通信事業者は、正当な理由がなければ、その業務区域における基礎的電気通信役務の提供を拒んではならない。

Article 25 (1) A telecommunications carrier must not, without justifiable grounds, refuse to provide its universal telecommunications services within its service areas.

2 指定電気通信役務を提供する電気通信事業者は、当該指定電気通信役務の提供の相手方と料金その他の提供条件について別段の合意がある場合を除き、正当な理由がなければ、その業務区域における保障契約約款に定める料金その他の提供条件による当該指定電気通信役務の提供を拒んではならない。

(2) A telecommunications carrier must not, without justifiable grounds, refuse to provide designated telecommunications services based on the charges and other terms and conditions for the provision of those services specified in the general conditions of contracts for insuring the provision of the telecommunications services within its service areas, except as otherwise provided by an agreement with the party receiving the designated telecommunications services on charges and other terms and conditions for the provision of those services.

(提供条件の説明)

(Explanation of Terms and Conditions for the Provision of Services)

第二十六条 電気通信事業者及び電気通信事業者から電気通信役務の提供に関する契約の締結の媒介、取次ぎ又は代理（以下「媒介等」という。）の業務及びこれに付随する業務の委託を受けた者（その者から委託（二以上の段階にわたる委託を含む。）を受けた者を含む。以下「媒介等業務受託者」という。）は、利用者（電気通信役務の提供を受けようとする者を含み、電気通信事業者である者を除く。以下この項、第二十七条、第二十七条の二及び第二十九条第二項において同じ。）と次に掲げる電気通信役務の提供に関する契約の締結又はその媒介等をしようとするときは、総務省令で定めるところにより、当該電気通信役務に関する料金その他の提供条件の概要について、その者に説明しなければならない。ただし、当該契約の内容その他の事情を勘案し、当該提供条件の概要について利用者に説明しなくても利用者の利益の保護のため支障を生ずることがないと認められるものとして総務省令で定める場合は、この限りでない。

Article 26 (1) If a telecommunications carrier or a person that is entrusted by a telecommunications carrier to conduct intermediation, or act as a brokerage or

agency (hereinafter collectively referred to as "intermediation, etc.") for concluding a contract for the provision of telecommunications services and for performing other operations associated therewith (including any person entrusted by that telecommunications carrier (including further entrustment at the second or higher degree of separation from the original entrustment); hereinafter collectively referred to as "person entrusted with intermediation, etc.") intends to conclude a contract, or to conduct intermediation, etc. for concluding a contract for the provision of telecommunication services listed in below, with a user (including a person that intends to receive telecommunication services, but excluding a telecommunications carrier; the same applies in this paragraph, Article 27, Article 27-2 and Article 29 paragraph (2)), they must, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, explain to the user an outline of the charges and other terms and conditions for the provision of the telecommunications services; provided, however, that this does not apply to the cases that are specified by Order of the Ministry of Internal Affairs and Communications as those in which it is found that the protection of the interests of users would not be compromised even if the outline of the charges and other terms and conditions for service provision were not explained to the user, in consideration of the contents of the contract and other circumstances:

一 その一端が移動端末設備と接続される伝送路設備を用いて提供される電気通信役務であつて、その内容、料金その他の提供条件、利用者の範囲及び利用状況を勘案して利用者の利益を保護するため特に必要があるものとして総務大臣が指定するもの

(i) telecommunication services which are provided by using transmission-line facilities interconnected to mobile terminal facilities at one end, and which the Minister for Internal Affairs and Communications designates as those that are particularly necessary in order to protect their interests of users, in consideration of their content, the charges and other terms and conditions for the provision, the scope of users, and the usage of them;

二 その一端が移動端末設備と接続される伝送路設備を用いて提供される電気通信役務以外の電気通信役務であつて、その内容、料金その他の提供条件、利用者の範囲及び利用状況を勘案して利用者の利益を保護するため特に必要があるものとして総務大臣が指定するもの

(ii) telecommunication services which are other than those provided by using transmission-line facilities interconnected to mobile terminal facilities at one end, and which the Minister for Internal Affairs and Communications designates as those that are particularly necessary in order to protect the interests of the users, in consideration of their contents, the charges and other terms and conditions for the provision, the scope of the users, and the usage of them; and

三 前二号に掲げるもののほか、その内容、料金その他の提供条件、利用者の範囲その他の事情を勘案して利用者の利益に及ぼす影響が少なくないものとして総務大臣が指定する電気通信役務

(iii) beyond what is provided for in the preceding two items, other telecommunication services that the Minister for Internal Affairs and Communications designates as services that have non-negligible effects on the interests of users, in consideration of their content, the charges and other terms and conditions for the provision, the scope of the users and other conditions.

2 前項各号の規定による指定は、告示によつて行う。

(2) The designations set forth in each item of the preceding paragraph are made by issuing a public notice.

(書面の交付)

(Delivery of Documents)

第二十六条の二 電気通信事業者は、前条第一項各号に掲げる電気通信役務の提供に関する契約が成立したときは、遅滞なく、総務省令で定めるところにより、書面を作成し、これを利用者（電気通信事業者である者を除く。以下この条及び次条において同じ。）に交付しなければならない。ただし、当該契約の内容その他の事情を勘案し、当該書面を利用者に交付しなくても利用者の利益の保護のため支障を生ずることがないと認められるものとして総務省令で定める場合は、この限りでない。

Article 26-2 (1) If a telecommunications carrier effects a contract for provision of telecommunication services as listed in each item of paragraph (1) of the preceding Article, the telecommunications carrier must prepare a document and deliver it to the user (excluding telecommunications carriers; the same applies in this Article and the following Article) without delay pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications; provided, however, that this does not apply to the cases that are specified by Order of the Ministry of Internal Affairs and Communications as those in which it is found that the protection of the interests of users would not be compromised even if the document were not delivered to the user, in consideration of the contents of the contract and other circumstances.

2 電気通信事業者は、前項の規定による書面の交付に代えて、政令で定めるところにより、利用者の承諾を得て、当該書面に記載すべき事項を電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法であつて総務省令で定めるものにより提供することができる。この場合において、当該電気通信事業者は、当該書面を交付したものとみなす。

(2) With the consent of the user and pursuant to the provisions of Cabinet Order, in lieu of delivering the document under the provisions of the preceding paragraph, a telecommunications carrier may provide the user with the particulars that are required to be stated in that document by means of an

electronic data processing system or by any other means of information and communications technology specified by Order of the Ministry of Internal Affairs and Communications. In doing this, the telecommunications carrier is deemed to have delivered the document.

3 前項に規定する方法（総務省令で定める方法を除く。）により第一項の規定による書面の交付に代えて行われた当該書面に記載すべき事項の提供は、利用者の使用に係る電子計算機に備えられたファイルへの記録がされた時に当該利用者に到達したものとみなす。

(3) The particulars required to be included in a document, provided by means stipulated in paragraph (1) (excluding means specified by Order of the Ministry of Internal Affairs and Communications) in lieu of the delivery of the document under paragraph (1), are deemed to be delivered to a user when those particulars are recorded in a file stored on a computer employed by that user.

（書面による解除）

(Written Cancellations)

第二十六条の三 電気通信事業者と第二十六条第一項第一号又は第二号に掲げる電気通信役務の提供に関する契約を締結した利用者は、総務省令で定める場合を除き、前条第一項の書面を受領した日（当該電気通信役務（第二十六条第一項第一号に掲げる電気通信役務に限る。）の提供が開始された日が当該受領した日より遅いときは、当該開始された日）から起算して八日を経過するまでの間（利用者が、電気通信事業者又は媒介等業務受託者が第二十七条の二第一号の規定に違反してこの項の規定による当該契約の解除に関する事項につき不実のことを告げる行為をしたことにより当該告げられた内容が事実であるとの誤認をし、これによつて当該期間を経過するまでの間にこの項の規定による当該契約の解除を行わなかつた場合には、当該利用者が、当該電気通信事業者が総務省令で定めるところによりこの項の規定による当該契約の解除を行うことができる旨を記載して交付した書面を受領した日から起算して八日を経過するまでの間）、書面により当該契約の解除を行うことができる。

Article 26-3 (1) Except as otherwise provided by Order of the Ministry of Internal Affairs and Communications, a user that has concluded a contract with a telecommunications carrier for the provision of telecommunication services listed in Article 26, paragraph (1), item (i) or item (ii) may cancel that contract in writing, unless eight days have elapsed since the day on which the customer received the document set forth in paragraph (1) of the preceding Article (or, the date of commencement of the telecommunication services, if the provision of the telecommunication services (limited to telecommunication services stipulated in Article 26, paragraph (1), item (i)) commences after the receipt date of the document) (or, unless eight days have elapsed since the date on which the user received a document in which the telecommunications carrier has, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, described that the user may cancel that contract

pursuant to the provisions of this paragraph and which the telecommunications carrier has delivered to the user, if the telecommunications carrier or the person entrusted with intermediation, etc. misrepresented the information on cancellation of that contract under this paragraph, in violation of the provisions in Article 27-2, item (i), and as a result of that false explanation, the user misconstrued that the explanation was correct, and did not cancel that contract pursuant to the provisions of this paragraph within that period).

2 前項の規定による電気通信役務の提供に関する契約の解除は、当該契約の解除を行う旨の書面を發した時に、その効力を生ずる。

(2) The cancellation of a contract for the provision of telecommunication services under the preceding paragraph becomes effective when a document indicating that the contract for the provision of telecommunication services is cancelled is issued.

3 電気通信事業者は、第一項の規定による電気通信役務の提供に関する契約の解除があつた場合には、利用者に対し、当該契約の解除に伴い損害賠償若しくは違約金を請求し、又はその他の金銭等（金銭その他の財産をいう。次項において同じ。）の支払若しくは交付を請求することができない。ただし、当該契約の解除までの期間において提供を受けた電気通信役務に対して利用者が支払うべき金額その他の当該契約に関して利用者が支払うべき金額として総務省令で定める額については、この限りでない。

(3) The telecommunications carrier may not demand of the user any compensation or penalty for the cancellation of a contract for the provision of telecommunication services under paragraph (1) or payment or delivery of other monies (including money and other property; the same applies in the next paragraph); provided, however, that this does not apply to the amount of money specified by Order of the Ministry of Internal Affairs and Communications as the amount of money payable by the user for services received in the period until the cancellation of that contract, or other amount of money payable by the user with regard to that contract.

4 電気通信事業者は、第一項の規定による電気通信役務の提供に関する契約の解除があつた場合において、当該契約に関連して金銭等を受領しているときは、利用者に対し、速やかに、これを返還しなければならない。ただし、当該契約に関連して受領した金銭等のうち前項ただし書の総務省令で定める額については、この限りでない。

(4) If a contract for the provision of telecommunication services becomes subject to a cancellation under paragraph (1), the telecommunications carrier must promptly return monies received from the user in connection with that contract; provided, however, that this does not apply to the amount of money specified by Order of the Ministry of Internal Affairs and Communications stipulated in the proviso to the preceding paragraph, among the monies received in connection with that contract.

5 前各項の規定に反する特約で利用者に不利なものは、無効とする。

(5) A special provision that is contrary to the provisions of the preceding paragraphs and disadvantageous to a user is void.

(苦情等の処理)

(Procedure for Processing Complaints)

第二十七条 電気通信事業者は、第二十六条第一項各号に掲げる電気通信役務に係る当該電気通信事業者の業務の方法又は当該電気通信事業者が提供する同項各号に掲げる電気通信役務についての利用者からの苦情及び問合せについては、適切かつ迅速にこれを処理しなければならない。

Article 27 A telecommunications carrier must, properly and promptly, process complaints and inquiries from users with regard to the telecommunications carrier's means of conducting its operations in relation to the telecommunications services stipulated in each item in Article 26, paragraph (1) or with regard to the telecommunications services as set forth in each item in the same paragraph, which are provided by the telecommunications carrier.

(電気通信事業者等の禁止行為)

(Prohibited Conduct of Telecommunications Carriers)

第二十七条の二 電気通信事業者又は媒介等業務受託者は、次に掲げる行為をしてはならない。

Article 27-2 Telecommunications carriers and persons entrusted with intermediation, etc. must not engage in any of the following:

一 利用者に対し、第二十六条第一項各号に掲げる電気通信役務の提供に関する契約に関する事項であつて、利用者の判断に影響を及ぼすこととなる重要なものにつき、故意に事実を告げず、又は不実のことを告げる行為

(i) intentionally failing to disclose or misrepresenting material particulars about the contract for the provision of telecommunication services stipulated in each item in Article 26, paragraph (1), that would affect the decision of users; or

二 第二十六条第一項各号に掲げる電気通信役務の提供に関する契約の締結の勧誘を受けた者（電気通信事業者である者を除く。）が当該契約を締結しない旨の意思（当該勧誘を引き続き受けることを希望しない旨の意思を含む。）を表示したにもかかわらず、当該勧誘を継続する行為（利用者の利益の保護のため支障を生ずるおそれがないものとして総務省令で定めるものを除く。）

(ii) continuing to solicit a person (excluding telecommunications carriers) for a contract for the provision of telecommunication services stipulated in each item in Article 26, paragraph (1) after the person that receives the solicitation manifests the intention not to conclude that contract (including a refusal to receive the solicitation thereafter)(excluding solicitations specified by Order of the Ministry of Internal Affairs and Communications as not being likely to compromise the protection of the interests of users).

(媒介等業務受託者に対する指導)

(Guidance to Persons Entrusted with Intermediation)

第二十七条の三 電気通信事業者は、電気通信役務の提供に関する契約の締結の媒介等の業務及びこれに付随する業務の委託をした場合には、総務省令で定めるところにより、当該委託に係る媒介等業務受託者に対する指導その他の当該委託に係る業務の適正かつ確実な遂行を確保するために必要な措置を講じなければならない。

Article 27-3 If a telecommunications carrier entrusts a person to conduct intermediation, etc. for concluding a contract for the provision of telecommunication services or for any other associated operations, the telecommunications carrier must, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, provide the guidance to the person entrusted with intermediation, etc. related to that entrustment and take other measures necessary for ensuring that the operations related to that entrustment are conducted in a proper and secure manner.

(業務の停止等の報告)

(Reporting on the Suspension of Telecommunications Operations and on Serious Accidents)

第二十八条 電気通信事業者は、第八条第二項の規定により電気通信業務の一部を停止したとき、又は電気通信業務に関し通信の秘密の漏えいその他総務省令で定める重大な事故が生じたときは、その旨をその理由又は原因とともに、遅滞なく、総務大臣に報告しなければならない。

Article 28 If a telecommunications carrier suspends its telecommunications operations in part pursuant to the provisions of Article 8, paragraph (2), or a violation of secrecy of communications or any other serious accident specified by Order of the Ministry of Internal Affairs and Communications has occurred with respect to telecommunications operations, it must report without delay to the Minister for Internal Affairs and Communications to that effect including its reason or cause.

(業務の改善命令)

(Order to Improve Business Activities)

第二十九条 総務大臣は、次の各号のいずれかに該当すると認めるときは、電気通信事業者に対し、利用者の利益又は公共の利益を確保するために必要な限度において、業務の方法の改善その他の措置をとるべきことを命ずることができる。

Article 29 (1) If the Minister for Internal Affairs and Communications finds that the operations of a telecommunications carrier fall under any of the following items, the Minister may order the telecommunications carrier to improve its means of conducting the operations or take other measures to the extent necessary for ensuring the interests of users or the public interest:

- 一 電気通信事業者の業務の方法に関し通信の秘密の確保に支障があるとき。
(i) if there is a hindrance in ensuring secrecy of communications with respect to the telecommunications carrier's means of conducting operations;
- 二 電気通信事業者が特定の者に対し不当な差別的取扱いを行つており、
(ii) if the telecommunications carrier treats certain persons in an unfair and discriminatory manner;
- 三 電気通信事業者が重要通信に関する事項について適切に配慮していないとき。
(iii) if the telecommunications carrier does not give proper consideration to the particulars related to essential communications;
- 四 電気通信事業者が提供する電気通信役務（基礎的電気通信役務又は指定電気通信役務（保障契約約款に定める料金その他の提供条件により提供されるものに限る。）を除く。次号から第七号までにおいて同じ。）に関する料金についてその額の算出方法が適正かつ明確でないため、利用者の利益を阻害しているとき。
(iv) if means of calculating charges for telecommunications services (except universal telecommunications services or designated telecommunications services (limited to those provided in accordance with the charges and other terms and conditions for the provision of those services specified in general conditions of contracts for securing the provision of the telecommunications services)); the same applies in the following item through item (vii) provided by the telecommunications carrier are not specified properly and explicitly, and thereby impair the interests of users;
- 五 電気通信事業者が提供する電気通信役務に関する料金その他の提供条件が他の電気通信事業者との間に不当な競争を引き起こすものであり、その他社会的経済的事情に照らして著しく不適當であるため、利用者の利益を阻害しているとき。
(v) if the charges and other terms and conditions for the provision of the telecommunications services provided by the telecommunications carrier lead to unfair competition with other telecommunications carriers or are extremely inappropriate in light of social and economic circumstances, and thereby impair the interests of users;
- 六 電気通信事業者が提供する電気通信役務に関する提供条件（料金を除く。次号において同じ。）において、電気通信事業者及びその利用者の責任に関する事項並びに電気通信設備の設置の工事その他の工事に関する費用の負担の方法が適正かつ明確でないため、利用者の利益を阻害しているとき。
(vi) if the terms and conditions (except charges; the same applies in the following item) for the provision of the telecommunications services provided by the telecommunications carrier do not properly and explicitly specify particulars related to the responsibilities of the telecommunications carrier and of its users, and the means of sharing the costs of installation and other work for the telecommunications facilities, and thereby impair the interests of users;
- 七 電気通信事業者が提供する電気通信役務に関する提供条件が電気通信回線設備の

使用の態様を不当に制限するものであるとき。

(vii) if the terms and conditions for the provision of the telecommunications services provided by the telecommunications carrier unreasonably restrict the way the telecommunication line facilities are used;

八 事故により電気通信役務の提供に支障が生じている場合に電気通信事業者がその支障を除去するために必要な修理その他の措置を速やかに行わないとき。

(viii) if there is a hindrance to the provision of telecommunications services due to an accident, and the telecommunications carrier fails to promptly make repairs or to take other measures necessary for removing that hindrance;

九 電気通信事業者が国際電気通信事業に関する条約その他の国際約束により課された義務を誠実に履行していないため、公共の利益が著しく阻害されるおそれがあるとき。

(ix) if the telecommunications carrier does not fulfill its obligations imposed by treaties or other international agreements in relation to the international telecommunications business in a sincere manner, and is thereby likely to seriously impair the public interest;

十 電気通信事業者が電気通信設備の接続、共用又は卸電気通信役務（電気通信事業者の電気通信事業の用に供する電気通信役務をいう。以下同じ。）の提供について特定の電気通信事業者に対し不当な差別的取扱いを行いその他これらの業務に関し不当な運営を行つていることにより他の電気通信事業者の業務の適正な実施に支障が生じているため、公共の利益が著しく阻害されるおそれがあるとき。

(x) if the telecommunications carrier hinders other telecommunications carriers from properly conducting their operations by treating certain telecommunications carriers in an unfair and discriminatory manner in interconnecting or sharing telecommunications facilities or in providing wholesale telecommunications services (telecommunications services used for the telecommunications business of other telecommunications carriers; hereinafter the same applies) or by conducting other unfair managements related to these operations,, and is thereby likely to seriously impair the public interest;

十一 電気通信回線設備を設置することなく電気通信役務を提供する電気通信事業の経営によりこれと電気通信役務に係る需要を共通とする電気通信回線設備を設置して電気通信役務を提供する電気通信事業の当該需要に係る電気通信回線設備の保持が経営上困難となるため、公共の利益が著しく阻害されるおそれがあるとき。

(xi) if a management of telecommunications business of a telecommunications carrier involved in providing telecommunications services without running telecommunication line facilities makes it difficult for another telecommunications carrier that is running those facilities and is providing the telecommunications services to maintain the telecommunication line facilities related to the same demand for telecommunications business of that other telecommunications carrier, as the demand for telecommunications

business of the telecommunications carrier involved in providing telecommunications services without running telecommunication line facilities, from the perspective of the management, and is thereby likely to seriously impair the public interest;

十二 前各号に掲げるもののほか、電気通信事業者の事業の運営が適正かつ合理的でないため、電気通信の健全な発達又は国民の利便の確保に支障が生ずるおそれがあるとき。

(xii) Beyond the cases listed in the preceding items, if the telecommunications carrier does not manage its operations properly and reasonably, and is thereby likely to hinder the sound development of telecommunications or securing convenience for the people.

2 総務大臣は、次の各号のいずれかに該当するときは、当該各号に定める者に対し、利用者の利益を確保するために必要な限度において、業務の方法の改善その他の措置をとるべきことを命ずることができる。

(2) If either of conditions set forth in the following items occur, the Minister for Internal Affairs and Communications may order the person prescribed respectively in those items to improve the means of conducting its business activities or take other measures to the extent necessary for ensuring the interests of users:

一 電気通信事業者又は媒介等業務受託者が第二十六条第一項又は第二十七条の二の規定に違反したとき 当該電気通信事業者又は媒介等業務受託者

(i) if a telecommunications carrier or a person entrusted with intermediation, etc. breaches Article 26, paragraph (1) or Article 27-2: the telecommunications carrier or the person entrusted with intermediation, etc.;

二 電気通信事業者が第二十六条の二第一項、第二十七条又は第二十七条の三の規定に違反したとき 当該電気通信事業者

(ii) if a telecommunications carrier that breaches Article 26-2, paragraph (1), Article 27 or Article 27-3: the telecommunications carrier.

(第一種指定電気通信設備を設置する電気通信事業者等の禁止行為等)

(Prohibited Acts of Telecommunications Carriers running Category I Designated Telecommunications Facilities)

第三十条 総務大臣は、総務省令で定めるところにより、第二種指定電気通信設備を設置する電気通信事業者について、当該第二種指定電気通信設備を用いる電気通信役務の提供の業務に係る最近一年間における収益の額の、当該電気通信役務に係る業務区域と同一の区域内における全ての同種の電気通信役務の提供の業務に係る当該一年間における収益の額を合算した額に占める割合が総務省令で定める割合を超える場合において、当該割合の推移その他の事情を勘案して他の電気通信事業者との間の適正な競争関係を確保するため必要があると認めるときは、当該第二種指定電気通信設備を設置する電気通信事業者を第三項、第五項及び第六項の規定の適用を受ける電気通信事業者として指定することができる。

Article 30 (1) If the amount of the profit that a telecommunications carrier running Category II designated telecommunications facilities earned from its operation involved in providing telecommunications services using those facilities in the most recent year accounts for a proportion of the total amount of the profit earned in the same year from all operations of the same kind involved in providing telecommunications services within the same area as that of the telecommunications carrier and that proportion exceeds the proportion specified by Order of the Ministry of Internal Affairs and Communications, and if the Minister for Internal Affairs and Communications finds it necessary to ensure proper competition with other telecommunications carriers in consideration of changes in that proportion and other circumstances, the Minister may, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, designate the telecommunications carrier as a telecommunications carrier to which the provisions of paragraph (3), paragraph (5) and paragraph (6) apply.

2 総務大臣は、前項の規定による指定の必要がなくなつたと認めるときは、当該指定を解除しなければならない。

(2) If the Minister for Internal Affairs and Communications finds the designation under the preceding paragraph is no longer necessary, the Minister must cancel the designation.

3 第一項の規定により指定された電気通信事業者は、次に掲げる行為をしてはならない。

(3) The telecommunications carrier designated pursuant to paragraph (1) must not conduct the following acts:

一 他の電気通信事業者の電気通信設備との接続の業務に関して知り得た当該他の電気通信事業者及びその利用者に関する情報を当該業務の用に供する目的以外の目的のために利用し、又は提供すること。

(i) using or providing information related to other telecommunications carriers and its users, which came to its knowledge in relation to operations involved in interconnecting its telecommunication facilities with those of other telecommunications carriers for purposes other than those operations; or

二 当該電気通信事業者が法人である場合において、その電気通信業務について、当該電気通信事業者の特定関係法人（第十二条の二第四項第一号に規定する特定関係法人をいう。次条第一項において同じ。）である電気通信事業者であつて総務大臣が指定するものに対し、不当に優先的な取扱いをし、又は利益を与えること。

(ii) if the telecommunications carrier is a corporation, applying preferential treatment or giving an advantage in an unreasonable manner in connection with its telecommunication services to another telecommunications carrier that is a corporation with a specific affiliation to that telecommunications carrier (a corporation with a specified affiliation as defined in Article 12-2, paragraph (4), item (i); the same applies in paragraph (1) of the following

Article) and that is designated by the Minister for Internal Affairs and Communications.

4 第一種指定電気通信設備を設置する電気通信事業者は、次に掲げる行為をしてはならない。

(4) A telecommunications carrier running Category I designated

telecommunications facilities must not conduct any of the following acts:

一 他の電気通信事業者の電気通信設備との接続の業務に関して知り得た当該他の電気通信事業者及びその利用者に関する情報を当該業務の用に供する目的以外の目的のために利用し、又は提供すること。

(i) using or providing information related other telecommunications carriers and its users, which came to its knowledge in relation to operations involved in interconnecting its telecommunications facilities with those of other telecommunications carriers, for purposes other than those operations;

二 その電気通信業務について、特定の電気通信事業者に対し、不当に優先的な取扱いをし、若しくは利益を与え、又は不当に不利な取扱いをし、若しくは不利益を与えること。

(ii) applying preferential treatment or giving an advantage to certain telecommunications carriers in an unreasonable manner, or applying disadvantageous treatment to certain telecommunications carriers or putting them at a disadvantage in an unreasonable manner, with regard to telecommunications operations;

三 他の電気通信事業者（第百六十四条第一項各号に掲げる電気通信事業を営む者を含む。）又は電気通信設備の製造業者若しくは販売業者に対し、その業務について、不当に規律をし、又は干渉をすること。

(iii) Unreasonably disciplining or intervening in the operations of other telecommunications carriers (including those that operate any of the telecommunications business listed in items of Article 164, paragraph (1)), or manufacturers or sellers of telecommunications facilities.

5 総務大臣は、前二項の規定に違反する行為があると認めるときは、第一項の規定により指定された電気通信事業者又は第一種指定電気通信設備を設置する電気通信事業者に対し、当該行為の停止又は変更を命ずることができる。

(5) If the Minister for Internal Affairs and Communications finds that an act undertaken by a telecommunications carrier that has been designated pursuant to the provisions of paragraph (1) or a telecommunications carrier running Category I designated telecommunications facilities violates the provisions of the preceding two paragraphs, the Minister may order the telecommunications carrier to suspend or change that act.

6 第一項の規定により指定された電気通信事業者及び第一種指定電気通信設備を設置する電気通信事業者は、総務省令で定めるところにより、電気通信役務に関する収支の状況その他その会計に関し総務省令で定める事項を公表しなければならない。

(6) A telecommunications carrier that has been designated pursuant to the

provisions of paragraph (1) and a telecommunications carrier running Category I designated telecommunications facilities must, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, announce the status of income and expenditure for its telecommunications services and other accounting particulars specified by Order of the Ministry of Internal Affairs and Communications.

第三十一条 第一種指定電気通信設備を設置する電気通信事業者が法人であるときは、その役員は、当該電気通信事業者の特定関係法人（その総株主（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主を除き、会社法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主を含む。第三項において同じ。）又は総社員の議決権の過半数を当該電気通信事業者が有する会社（以下この条において「子会社」という。））、当該電気通信事業者を子会社とする親法人（同法第八百七十九条第一項に規定する親法人をいう。以下この項及び第八十七条第一項第三号イにおいて同じ。）又は当該親法人の子会社（当該電気通信事業者を除く。）である電気通信事業者に限る。）であつて総務大臣が指定するもの（以下「特定関係事業者」という。）の役員を兼ねてはならない。

Article 31 (1) If a telecommunications carrier running Category I designated telecommunications facilities is a corporation, its officers must not concurrently serve as an officer of what is a corporation with a specific affiliation to it (limited to a telecommunications carrier which is a company in which the relevant telecommunications carrier owns a majority of the voting rights of all shareholders (excluding shareholders that cannot exercise their voting rights with regard to all particulars that may be resolved at the shareholders meetings, and including shareholders that are deemed to have voting rights pursuant to the provisions of Article 879, paragraph (3) of the Companies Act) or of all employees (hereinafter referred to as a "subsidiary" in this paragraph), the parent company that owns the relevant telecommunications carrier as a subsidiary (a parent corporation prescribed in Article 879, paragraph (1) of the same Act; hereinafter the same applies in this paragraph and Article 87, paragraph (1), item (iii), (a)) or as a subsidiary of the relevant telecommunications carrier's parent corporation (except the telecommunications carrier itself) and is designated by the Minister for Internal Affairs and Communications (hereinafter referred to as a "carrier with a specific affiliation").

2 第一種指定電気通信設備を設置する電気通信事業者（法人である場合に限る。以下この条において同じ。）は、次に掲げる行為をしてはならない。ただし、総務省令で定めるやむを得ない理由があるときは、この限りでない。

(2) A telecommunications carrier running Category I designated telecommunications facilities (limited to a corporation; hereinafter the same applies in this Article) must not conduct the following acts; provided, however,

that this does not apply if there are compelling reasons specified by Order of the Ministry of Internal Affairs and Communications:

一 第一種指定電気通信設備との接続に必要な電気通信設備の設置若しくは保守、土地及びこれに定着する建物その他の工作物の利用又は情報の提供について、特定関係事業者に比して他の電気通信事業者に不利な取扱いをすること。

(i) treating other telecommunications carriers in a disadvantageous manner in comparison to the carriers with a specific affiliation to it, with regard to installing or maintaining telecommunications facilities necessary for interconnection with Category I designated telecommunications facilities, or using or providing information on the land and buildings and other structures affixed thereto, or

二 電気通信役務の提供に関する契約の締結の媒介等その他他の電気通信事業者からの業務の受託について、特定関係事業者に比して他の電気通信事業者に不利な取扱いをすること。

(ii) treating other telecommunications carriers in a disadvantageous manner in comparison to the carriers with a specific affiliation to it, with regard to consigning an intermediation, etc. for concluding a contract for the provision of telecommunications services or other operations of other telecommunications carriers.

3 第一種指定電気通信設備を設置する電気通信事業者は、電気通信業務又はこれに付随する業務の全部又は一部を子会社に委託する場合には、当該委託に係る業務に関し前条第四項各号に掲げる行為及び前項各号に掲げる行為（同項ただし書の理由があるときにおいて行われる行為を除く。次項において同じ。）が行われないよう、当該委託を受けた子会社に対し必要かつ適切な監督を行わなければならない。この場合において、当該電気通信事業者及びその一若しくは二以上の子会社又は当該電気通信事業者の一若しくは二以上の子会社がその総株主又は総社員の議決権の過半数を有する他の会社は、当該電気通信事業者の子会社とみなす。

(3) If a telecommunications carrier running Category I designated telecommunications facilities entrusts the whole or a part of the telecommunication business or any other business incidental thereto to a subsidiary, that telecommunications carrier must conduct the necessary and proper supervision of the entrusted subsidiary so that the subsidiary does not conduct the acts (except acts conducted for a reason in the proviso of the same paragraph. The same applies in the following paragraph) listed in each item of paragraph (4) of the preceding Article and each item of the preceding paragraph concerning the entrusted business. In this case, the other companies of which a majority of the voting rights of the shareholders or all members of the company is possessed by that telecommunications carrier and one or more of the subsidiaries thereof or by the one or more of the subsidiaries of that telecommunications carrier are regarded as subsidiaries of the telecommunications carrier.

4 総務大臣は、第一種指定電気通信設備を設置する電気通信事業者が第二項各号に掲げる行為を行っていると認めるとき、又は前項前段の委託を受けた子会社（同項後段の規定により当該電気通信事業者の子会社とみなされた会社を含む。以下この項において同じ。）が前条第四項各号に掲げる行為若しくは第二項各号に掲げる行為を行っていると認めるときは、当該電気通信事業者に対し、同項各号に掲げる行為の停止若しくは変更を命じ、又は当該委託を受けた子会社による同条第四項各号に掲げる行為若しくは第二項各号に掲げる行為を停止させ、若しくは変更させ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。

(4) If the Minister for Internal Affairs and Communications finds that a telecommunications carrier running Category I designated telecommunications facilities undertakes any act listed in each item of paragraph (2), or finds that the entrusted subsidiary (including any subsidiary regarded as that of the telecommunications carrier pursuant to the provisions in the second sentence of the preceding paragraph. Hereinafter the same applies in this paragraph) in the first sentence of the preceding item undertakes any act listed in each item of paragraph (4) of the preceding Article or any act listed in each item of paragraph (2), the Minister may order the telecommunications carrier to suspend or change the act listed in each item of the same paragraph, or take necessary measures to suspend or change the acts listed in each item of paragraph (4) of the same Article or the acts listed in each item of paragraph (2) undertaken by the entrusted subsidiary.

5 第一種指定電気通信設備を設置する電気通信事業者は、他の電気通信事業者との間の適正な競争関係を確保するため、総務省令で定めるところにより、当該第一種指定電気通信設備と他の電気通信事業者の電気通信設備との接続の業務に関して知り得た情報を適正に管理し、かつ、当該接続の業務の実施状況を適切に監視するための体制の整備その他必要な措置を講じなければならない。

(5) In order to ensure an appropriate competitive relationship with other telecommunications carriers, a telecommunications carrier running Category I designated telecommunications facilities must, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, establish a system or take other necessary measures to properly control the information which came to its knowledge in relation to the operations involved in interconnection between the Category I designated telecommunications facilities and the telecommunications facilities of the other telecommunications carrier, and to properly supervise the status of the implementation of those operations.

6 前項に規定する体制の整備その他必要な措置は、次に掲げる事項を含むものでなければならない。

(6) The system or other necessary measures specified in the preceding paragraph must include the following particulars:

一 第一種指定電気通信設備（これと一体として設置される電気通信設備を含む。）

の設置、管理及び運営並びにこれらに付随する業務を行う専任の部門（次号及び第三号において「設備部門」という。）を置くこと。

(i) establishing a division dedicated for installing, controlling and operating of Category I designated telecommunications facilities (including telecommunications facilities installed in combination with the Category I designated telecommunications facilities), and providing services incidental thereto (referred to as a "facilities division" in the following item and item (iii));

二 第一種指定電気通信設備と他の電気通信事業者の電気通信設備との接続の業務に関して知り得た情報の管理責任者を設備部門に置くこと。

(ii) assigning a person responsible for controlling information which has been learned in relation to the operations involved in interconnection between the Category I designated telecommunications facilities and the telecommunications facilities of the other telecommunications carriers in the facilities division;

三 第一種指定電気通信設備と他の電気通信事業者の電気通信設備との接続の業務の実施状況を監視する部門を設備部門とは別に置くこと。

(iii) establishing, aside from the facilities division, a division for supervising the status of implementation of the operations involved in interconnection between the Category I designated telecommunications facilities and the telecommunications facilities of the other telecommunications carriers.

7 第一種指定電気通信設備を設置する電気通信事業者は、毎年、総務省令で定めるところにより、第二項、第三項及び第五項の規定の遵守のために講じた措置及びその実施状況に関し総務省令で定める事項を総務大臣に報告しなければならない。

(7) A telecommunications carrier running the Category I designated telecommunications facilities must, every year, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, report to the Minister for Internal Affairs and Communications on particulars specified by Order of the Ministry of Internal Affairs and Communications with respect to the measures it has taken to comply with the provisions of paragraph (2), paragraph (3) and paragraph (5) and the status of implementation of those measures.

（電気通信回線設備との接続）

(Interconnection with Telecommunication Line Facilities)

第三十二条 電気通信事業者は、他の電気通信事業者から当該他の電気通信事業者の電気通信設備をその設置する電気通信回線設備に接続すべき旨の請求を受けたときは、次に掲げる場合を除き、これに応じなければならない。

Article 32 If a telecommunications carrier receives a request from another telecommunications carrier to interconnect the telecommunications facilities of the requesting telecommunications carrier with those of the requested

telecommunications carrier, it must accept the request except the following cases:

一 電気通信役務の円滑な提供に支障が生ずるおそれがあるとき。

(i) if the interconnection is likely to hinder telecommunications services from being provided in a smooth manner;

二 当該接続が当該電気通信事業者の利益を不当に害するおそれがあるとき。

(ii) if the interconnection is likely to unreasonably harm the interests of the requested telecommunications carrier;

三 前二号に掲げる場合のほか、総務省令で定める正当な理由があるとき。

(iii) beyond the cases listed in the preceding two items, if there are justifiable grounds specified by Order of the Ministry of Internal Affairs and Communications

(第一種指定電気通信設備との接続)

(Interconnection with Category I Designated Telecommunications Facilities)

第三十三条 総務大臣は、総務省令で定めるところにより、全国の区域を分けて電気通信役務の利用状況及び都道府県の区域を勘案して総務省令で定める区域ごとに、その一端が利用者の電気通信設備（移動端末設備を除く。）と接続される伝送路設備のうち同一の電気通信事業者が設置するものであつて、その伝送路設備の電気通信回線の数の、当該区域内に設置される全ての同種の伝送路設備の電気通信回線の数のうちに占める割合が総務省令で定める割合を超えるもの及び当該区域において当該電気通信事業者がこれと一体として設置する電気通信設備であつて総務省令で定めるものの総体を、他の電気通信事業者の電気通信設備との接続が利用者の利便の向上及び電気通信の総合的かつ合理的な発達に欠くことのできない電気通信設備として指定することができる。

Article 33 (1) The Minister for Internal Affairs and Communications may, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, designate the aggregates of transmission line facilities which are interconnected to the telecommunication facilities of users (except for mobile terminal facilities) at one end, which are installed by one single telecommunications carrier, for each of the areas specified by Order of the Ministry of Internal Affairs and Communications, by dividing all districts of Japan and considering usage of telecommunications services and prefectural districts, and whose telecommunications circuits come to account for a proportion exceeding the proportion specified by Order of the Ministry of Internal Affairs and Communications of the total number of telecommunications circuits of all transmission line facilities of the same kind installed within those areas, and telecommunications facilities which are installed by the telecommunications carrier as single units with the relevant transmission-line facilities in those areas, and which are stipulated by Order of the Ministry of Internal Affairs and Communications, as telecommunications

facilities whose interconnection with telecommunications facilities of other telecommunications carriers is indispensable for improving convenience of users and developing telecommunications in a comprehensive and reasonable manner.

- 2 前項の規定により指定された電気通信設備（以下「第一種指定電気通信設備」という。）を設置する電気通信事業者は、当該第一種指定電気通信設備と他の電気通信事業者の電気通信設備との接続に関し、当該第一種指定電気通信設備を設置する電気通信事業者が取得すべき金額（以下この条において「接続料」という。）及び他の電気通信事業者の電気通信設備との接続箇所における技術的条件、電気通信役務に関する料金を定める電気通信事業者の別その他の接続の条件（以下「接続条件」という。）について接続約款を定め、総務大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

(2) A telecommunications carrier running telecommunications facilities designated pursuant to the provisions of the preceding paragraph (hereinafter referred to as "Category I designated telecommunications facilities") must, with respect to interconnection between the Category I designated telecommunications facilities and other telecommunications carriers' telecommunications facilities, establish general conditions of contracts for interconnection concerning the amount of money that the telecommunications carrier running Category I designated telecommunications facilities is to receive (hereinafter referred to as "interconnection charges" in this Article) and the technical conditions required at the points of interconnection with other telecommunications carriers' telecommunications facilities, and other terms and conditions of interconnection, including distinctions of telecommunications carriers according to which charges for telecommunications services are specified (hereinafter referred to as "terms and conditions of interconnection"), and must obtain authorization from the Minister for Internal Affairs and Communications. The same also applies when it intends to change those general conditions of contracts for interconnection.

- 3 前項の認可を受けるべき接続約款に定める接続料及び接続条件であつて、その内容からみて利用者の利便の向上及び電気通信の総合的かつ合理的な発達に及ぼす影響が比較的少ないものとして総務省令で定めるものは、同項の規定にかかわらず、その認可を要しないものとする。

(3) Interconnection charges and terms and conditions of interconnection specified in the general conditions of contracts for interconnection for which authorization is to be obtained as set forth in the preceding paragraph and which are also specified by Order of the Ministry of Internal Affairs and Communications as those which have a comparatively small influence on improving user convenience and developing telecommunications in a comprehensive and reasonable manner are not to be required to obtain authorization, notwithstanding the provisions of the same paragraph.

4 総務大臣は、第二項（第十六項の規定により読み替えて適用する場合を含む。以下この項、第六項、第九項、第十項及び第十四項において同じ。）の認可の申請が次の各号のいずれにも適合していると認めるときは、第二項の認可をしなければならない。

(4) The Minister for Internal Affairs and Communications must grant permission as set forth in paragraph (2) if the Minister finds that an application for authorization as set forth in paragraph (2) (including the cases in which paragraph (2) applies with the replacement of the terms pursuant to the provisions of paragraph (16); hereinafter the same applies in this paragraph, paragraph (6), paragraph (9), paragraph (10) and paragraph (14)) complies with all of the following items:

一 次に掲げる事項が適正かつ明確に定められていること。

(i) the particulars listed below are specified properly and explicitly:

イ 他の電気通信事業者の電気通信設備を接続することが技術的及び経済的に可能な接続箇所のうち標準的なものとして総務省令で定める箇所における技術的条件

(a) technical conditions at the points specified by Order of the Ministry of Internal Affairs and Communications as standard points, from among interconnection points where interconnection with the telecommunications facilities of other telecommunications carriers are technically and economically feasible

ロ 総務省令で定める機能ごとの接続料

(b) interconnection charges for respective functions specified by Order of the Ministry of Internal Affairs and Communications

ハ 第一種指定電気通信設備を設置する電気通信事業者及びこれとその電気通信設備を接続する他の電気通信事業者の責任に関する事項

(c) particulars related to the responsibilities of the telecommunications carrier running Category I designated telecommunications facilities and of other telecommunications carriers that interconnect their telecommunications facilities with those facilities

ニ 電気通信役務に関する料金を定める電気通信事業者の別

(d) distinctions of telecommunications carriers, according to which charges for telecommunications services are specified

ホ イからニまでに掲げるもののほか、第一種指定電気通信設備との接続を円滑に行うために必要なものとして総務省令で定める事項

(e) in addition to the particulars listed in (a) through (d) above, those specified by Order of the Ministry of Internal Affairs and Communications as being necessary for smooth interconnection with Category I designated telecommunications facilities.

二 接続料が能率的な経営の下における適正な原価に適正な利潤を加えた金額を算定するものとして総務省令で定める方法により算定された金額に照らし公正妥当なものであること。

(ii) the interconnection charges are fair and appropriate in light of the amounts

calculated by the means specified by Order of the Ministry of Internal Affairs and Communications as that for calculating a reasonable cost plus reasonable profits under efficient management;

三 接続条件が、第一種指定電気通信設備を設置する電気通信事業者がその第一種指定電気通信設備に自己の電気通信設備を接続することとした場合の条件に比して不利なものでないこと。

(iii) the terms and conditions of interconnection are not disadvantageous in comparison with those applicable to the cases in which the telecommunications carrier running Category I designated telecommunications facilities interconnects its own telecommunications facilities with Category I designated telecommunications facilities;

四 特定の電気通信事業者に対し不当な差別的取扱いをするものでないこと。

(iv) the general conditions of contracts for interconnection do not treat certain telecommunications carriers in an unfair and discriminatory manner.

5 前項第二号の総務省令で定める方法（同項第一号口の総務省令で定める機能のうち、高度で新しい電気通信技術の導入によつて、第一種指定電気通信設備との接続による当該機能に係る電気通信役務の提供の効率化が相当程度図られると認められるものとして総務省令で定める機能に係る接続料について定めるものに限る。）は、第一種指定電気通信設備を通常用いることができる高度で新しい電気通信技術を利用した効率的なものとなるように新たに構成するものとした場合に当該第一種指定電気通信設備との接続により当該第一種指定電気通信設備によつて提供される電気通信役務に係る通信量又は回線数の増加に応じて増加することとなる当該第一種指定電気通信設備に係る費用を勘案して金額を算定するものでなければならない。

(5) If Category I designated telecommunications facilities are reorganized to improve their efficiency with the use of advanced new telecommunications technologies that are generally available, the means specified by Order of the Ministry of Internal Affairs and Communications as set forth in item (ii) of the preceding paragraph (limited to the those which specify interconnection charges for functions specified by Order of the Ministry of Internal Affairs and Communications as those, from among the functions specified by Order of the Ministry of Internal Affairs and Communications as set forth in item (i) (b) of the same paragraph, found to have the potential to achieve the considerable extent increased efficiency in provision of telecommunications services in relation to the function, through interconnection with Category I designated telecommunications facilities, by the introduction of advanced new telecommunications technologies) must be those by which the amount is calculated in consideration of the expenses pertaining to the Category I designated telecommunications facilities, which may rise in accordance with an increase in the amount of traffic or the number of circuits pertaining to the telecommunications services provided by the Category I designated telecommunications facilities and through interconnection with the Category I

designated telecommunications facilities.

- 6 総務大臣は、第二項の認可を受けた接続約款で定める接続料が第四項第二号に規定する金額に照らして不相当となつたため又は当該接続約款で定める接続条件が社会的経済的事情の変動により著しく不相当となつたため公共の利益の増進に支障があると認めるときは、第一種指定電気通信設備を設置する電気通信事業者に対し、相当の期限を定め、当該接続約款の変更の認可を申請すべきことを命ずることができる。

(6) If the Minister for Internal Affairs and Communications finds that the interconnection charges specified in the general conditions of contracts for interconnection which have been authorized as set forth in paragraph (2) become inappropriate in light of the amount set forth in paragraph (4) item (ii), or that the terms and conditions of interconnection specified in the general conditions of contracts for interconnection become particularly inappropriate due to changes in the social and economic circumstances, and thereby hinder promotion of the public interest, the Minister may order the telecommunications carrier running Category I designated telecommunications facilities to apply for authorization for a change of the general conditions of contracts for interconnection within a reasonable time limit designated by the Minister.

- 7 第一種指定電気通信設備を設置する電気通信事業者は、その設置する第一種指定電気通信設備との接続に関する接続料及び接続条件であつて、第三項の総務省令で定めるものについて接続約款を定め、その実施前に総務大臣に届け出なければならない。これを変更しようとするときも、同様とする。

(7) A telecommunications carrier running Category I designated telecommunications facilities must establish the general conditions of contracts for interconnection for interconnection charges and terms and conditions of interconnection specified by Order of the Ministry of Internal Affairs and Communications, as set forth in paragraph (3), with respect to interconnection with the Category I designated telecommunications facilities of that carrier, and must notify the Minister for Internal Affairs and Communications of those general conditions prior to the implementation of them. The same also applies when it intends to change them .

- 8 総務大臣は、前項（第十七項の規定により読み替えて適用する場合を含む。）の規定により届け出た接続約款で定める接続料又は接続条件が公共の利益の増進に支障があると認めるときは、第一種指定電気通信設備を設置する電気通信事業者に対し、相当の期限を定め、当該接続約款を変更すべきことを命ずることができる。

(8) If the Minister for Internal Affairs and Communications finds that the interconnection charges or terms and conditions of interconnection specified in the general conditions of contracts for interconnection notified pursuant to the provisions of the preceding paragraph (including cases where the preceding paragraph applies with the replacement pursuant to the provision of paragraph (17)) hinder promotion of the public interest, the Minister may order

the telecommunications carrier running the Category I designated telecommunications facilities to change the general conditions of contracts for interconnection within a reasonable time limit designated by the Minister.

9 第一種指定電気通信設備を設置する電気通信事業者は、第二項の規定により認可を受け又は第七項（第十七項の規定により読み替えて適用する場合を含む。）の規定により届け出た接続約款（以下この条において「認可接続約款等」という。）によらなければ、他の電気通信事業者との間において、その設置する第一種指定電気通信設備との接続に関する協定を締結し、又は変更してはならない。

(9) A telecommunications carrier running Category I designated telecommunications facilities must not conclude nor amend an agreement with other telecommunications carriers on interconnection with the Category I designated telecommunications facilities of that carrier, unless in accordance with the general conditions of contracts for interconnection authorized pursuant to the provisions of paragraph (2) or notified of pursuant to the provisions of paragraph (7) (including the cases in which paragraph (7) applies with the replacement of the terms pursuant to the provisions of paragraph (17)) (hereinafter referred to as "authorized general conditions of contracts for interconnection, etc." in this Article).

10 前項の規定にかかわらず、認可接続約款等により難い特別な事情があるときは、第一種指定電気通信設備を設置する電気通信事業者は、総務大臣の認可を受けて、当該認可接続約款等で定める接続料及び接続条件と異なる接続料及び接続条件（第二項に規定する接続料及び接続条件に該当するものにあつては、第四項各号（第一号イ及びロを除く。）のいずれにも適合しているものに限る。）のその設置する第一種指定電気通信設備との接続に関する協定を締結し、又は変更することができる。

(10) Notwithstanding the provisions of the preceding paragraph, if there are special circumstances that make it difficult to comply with authorized general conditions of contracts for interconnection, etc., a telecommunications carrier running Category I designated telecommunications facilities may, upon authorization from the Minister for Internal Affairs and Communications, conclude or amend an agreement on interconnection with the Category I designated telecommunications facilities of that carrier under interconnection charges and terms and conditions of interconnection different from those charges and terms and conditions specified in the authorized general conditions of contracts for interconnection, etc. (in the case of those that fall under the interconnection charges and terms and conditions of interconnection as set forth in paragraph (2), limited to those conforming to all items (except item (i), (a) and (b)) in paragraph (4)).

11 第一種指定電気通信設備を設置する電気通信事業者は、総務省令で定めるところにより、認可接続約款等を公表しなければならない。

(11) A telecommunications carrier running Category I designated telecommunications facilities must, pursuant to the provisions of Order of the

Ministry of Internal Affairs and Communications, announce its authorized general conditions of contracts for interconnection, etc.

- 1 2 第一種指定電気通信設備を設置する電気通信事業者は、総務省令で定めるところにより、当該第一種指定電気通信設備との接続に係る第四項第一号ロの総務省令で定める機能ごとに、通信量又は回線数その他総務省令で定める事項（第十四項において「通信量等」という。）を記録しておかなければならない。

(12) A telecommunications carrier running Category I designated

telecommunications facilities must, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, keep records of the amount of traffic or the number of circuits, and other particulars specified by Order of the Ministry of Internal Affairs and Communications (referred to as "amount of traffic, etc." in paragraph (14)) for respective functions specified by Order of the Ministry of Internal Affairs and Communications, as set forth in paragraph (4) item (i), (b), in relation to interconnection with the Category I designated telecommunications facilities.

- 1 3 第一種指定電気通信設備を設置する電気通信事業者は、総務省令で定めるところにより、第一種指定電気通信設備との接続に関する会計を整理し、及びこれに基づき当該接続に関する収支の状況その他総務省令で定める事項を公表しなければならない。

(13) A telecommunications carrier running Category I designated

telecommunications facilities must, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, keep accounts for interconnection with its Category I designated telecommunications facilities, and based on the accounting, announce the status of income and expenditure regarding the interconnection and other particulars specified by Order of the Ministry of Internal Affairs and Communications.

- 1 4 第一種指定電気通信設備を設置する電気通信事業者は、第五項に規定する接続料にあつては第二項の認可を受けた後五年を超えない範囲内で総務省令で定める期間を経過するごとに、それ以外の接続料にあつては前項の規定により毎事業年度の会計を整理したときに、通信量等の記録及び同項の規定による会計の整理の結果に基づき第四項第二号の総務省令で定める方法により算定された金額に照らし公正妥当なものとするために、接続料を再計算しなければならない。

(14) In order to keep the interconnection charges fair and justifiable, a

telecommunications carrier running Category I designated telecommunications facilities must recalculate the interconnection charges, in light of the amount calculated by means specified by Order of the Ministry of Internal Affairs and Communications as set forth in paragraph (4) item (ii), based on records of the amount of traffic, etc. and on the results of accounts as set forth in the preceding paragraph, every time the number of the year within a period not exceeding five years specified by Order of the Ministry of Internal Affairs and Communications has passed, after the date of authorization set forth in paragraph (2) in the case of interconnection charges set forth in paragraph (5),

or every year time a telecommunications carrier has closed accounts for the preceding business year pursuant to the provisions of the preceding paragraph in the cases of other interconnection charges.

1 5 第一種指定電気通信設備を設置する電気通信事業者は、他の電気通信事業者がその電気通信設備と第一種指定電気通信設備との接続を円滑に行うために必要な情報の提供に努めなければならない。

(15) A telecommunications carrier running Category I designated telecommunications facilities must endeavor to provide other telecommunications carriers with any information necessary for smooth interconnection between their telecommunications facilities and the Category I designated telecommunications facilities.

1 6 第一項の規定により新たに指定をされた電気通信設備を設置する電気通信事業者がその指定の日以後最初に第二項の規定により総務大臣の認可を受けるべき接続約款に定める接続料及び接続条件については、同項中「総務大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。」とあるのは、「前項の規定により新たに指定をされた日から三月以内に、総務大臣に対し、認可の申請をしなければならない。」とする。

(16) With regard to interconnection charges and terms and conditions of interconnection specified in the general conditions of contracts for interconnection for which a telecommunications carrier running telecommunications facilities, newly designated pursuant to the provisions of paragraph (1), is to obtain authorization from the Minister for Internal Affairs and Communications for the first time after the date of designation pursuant to the provisions of paragraph (2), the term "must obtain authorization from the Minister for Internal Affairs and Communications. The same also applies when it intends to change those general conditions of contracts for interconnection" in the same paragraph is deemed to be replaced with "must apply for authorization from the Minister for Internal Affairs and Communications within three months from the date on which the designation is newly granted pursuant to the provisions of the preceding paragraph."

1 7 第一項の規定により新たに指定をされた電気通信設備を設置する電気通信事業者がその指定の日以後最初に第七項の規定により総務大臣に届け出るべき接続約款に定める接続料及び接続条件については、同項中「その実施前に総務大臣に届け出なければならない。これを変更しようとするときも、同様とする。」とあるのは、「第一項の規定により新たに指定をされた日から三月以内に、総務大臣に届け出なければならない。」とする。

(17) With regard to interconnection charges and the terms and conditions of interconnection specified in the general conditions of contracts for interconnection of which the telecommunications carrier running the telecommunications facilities newly designated pursuant to the provisions of paragraph (1) is to notify the Minister for Internal Affairs and

Communications for the first time after the date of the designation pursuant to the provision of paragraph (7), the term "must notify the Minister for Internal Affairs and Communications of those general conditions prior to the implementation of them. The same also applies when it intends to change them" in the same paragraph is deemed to be replaced with "must file notify the Minister for Internal Affairs and Communications of those general conditions within three months from the date on which designation is newly granted pursuant to the provisions of paragraph (1)."

18 第一項の規定により新たに指定をされた電気通信設備を設置する電気通信事業者が、第十六項の規定により読み替えて適用する第二項の規定により当該電気通信事業者が認可の申請をした接続約款に対する総務大臣の認可があつた日又は前項の規定により読み替えて適用する第七項の規定により当該電気通信事業者が接続約款を届け出た日のいずれか遅い日（以下この項において「起算日」という。）に現に締結している他の電気通信事業者との電気通信設備の接続に関する協定のうち当該新たに指定をされた電気通信設備との接続に関するものについては、第九項の規定は、起算日から起算して三月間は、適用しない。

(18) The provisions of paragraph (9) do not apply for three months from whichever date comes later, the date on which the authorization from the Minister for Internal Affairs and Communications is granted with respect to the general conditions of contracts for interconnection that the telecommunications carrier running the telecommunications facilities newly designated pursuant to the provisions of paragraph (1) has applied for pursuant to the provisions of paragraph (2), as applied pursuant to the provisions of paragraph (16) following the deemed replacement of terms, or the date on which the notification of the general conditions of contracts for interconnection is filed from the telecommunications carrier pursuant to the provisions of paragraph (7), as applied pursuant to the provisions of the preceding paragraph following the deemed replacement of terms (hereinafter referred to as "initial date of reckoning" in this paragraph), to the agreements on interconnection that the telecommunications carrier has concluded with other telecommunications carriers as of the initial date of reckoning, and that are related to the newly designated telecommunications facilities.

（第二種指定電気通信設備との接続）

(Interconnection with Category II Designated Telecommunications Facilities)

第三十四条 総務大臣は、総務省令で定めるところにより、その一端が特定移動端末設備と接続される伝送路設備のうち同一の電気通信事業者が設置するものであつて、その伝送路設備に接続される特定移動端末設備の数の、その伝送路設備を用いる電気通信役務に係る業務区域と同一の区域内に設置されている全ての同種の伝送路設備に接続される特定移動端末設備の数のうちに占める割合が総務省令で定める割合を超えるもの及び当該電気通信事業者が当該電気通信役務を提供するために設置する電気通信

設備であつて総務省令で定めるものの総体を、他の電気通信事業者の電気通信設備との適正かつ円滑な接続を確保すべき電気通信設備として指定することができる。

Article 34 (1) The Minister for Internal Affairs and Communications may, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, designate the aggregates of transmission line facilities which are interconnected to the specific mobile terminal facilities at one end, which are installed by one single telecommunications carrier, and which have these specified mobile terminal facilities interconnected to them come to account for a proportion exceeding the proportion specified by Order of the Ministry of Internal Affairs and Communications of the total number of specified mobile terminal facilities interconnected to all transmission line facilities of the same type installed within the same area as the service area of the telecommunications services provided by using the relevant transmission line facilities, and telecommunications facilities which are installed by the telecommunications carrier to provide the telecommunications services, and which are specified by Order of the Ministry of Internal Affairs and Communications, as telecommunications facilities whose appropriate and smooth interconnection with the telecommunications facilities of other telecommunications carriers is to be ensured.

2 前項の規定により指定された電気通信設備（以下「第二種指定電気通信設備」という。）を設置する電気通信事業者は、当該第二種指定電気通信設備と他の電気通信事業者の電気通信設備との接続に関し、当該第二種指定電気通信設備を設置する電気通信事業者が取得すべき金額及び接続条件について接続約款を定め、総務省令で定めるところにより、その実施前に、総務大臣に届け出なければならない。これを変更しようとするときも、同様とする。

(2) A telecommunications carrier running telecommunications facilities designated pursuant to the provisions of the preceding paragraph (hereinafter referred to as "Category II designated telecommunications facilities") must, with respect to the interconnection between the Category II designated telecommunications facilities and the facilities of other telecommunications carriers, establish the general conditions of contracts for interconnection concerning the amount of money that the telecommunications carrier running the Category II designated telecommunications facilities receives and the terms and conditions of interconnection, and notify, the Minister for Internal Affairs and Communications of those general conditions prior to implementation of them, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications. The same also applies to the case in which it intends to change them.

3 総務大臣は、前項（第八項の規定により読み替えて適用する場合を含む。）の規定により届け出た接続約款が次の各号のいずれかに該当すると認めるときは、当該第二種指定電気通信設備を設置する電気通信事業者に対し、相当の期限を定め、当該接続

約款を変更すべきことを命ずることができる。

(3) If the Minister for Internal Affairs and Communications finds that the general conditions of contracts for interconnection notified to the Minister pursuant to the provisions of the preceding paragraph (including cases in which the preceding paragraph applies with the replacement of the terms pursuant to the provisions of paragraph (8)) fall under any of the following items, the Minister may order the telecommunications carrier running the Category II designated telecommunications facilities to change the general conditions of contracts for interconnection within a reasonable time limit designated by the Minister:

一 次に掲げる事項が適正かつ明確に定められていないとき。

(i) if particulars listed below are not specified properly and explicitly:

イ 他の電気通信事業者の電気通信設備を接続することが技術的及び経済的に可能な接続箇所のうち標準的なものとして総務省令で定める箇所における技術的条件

(a) technical conditions required at the points specified by Order of the Ministry of Internal Affairs and Communications as standard interconnection points, from among the interconnection points where interconnection with the facilities of other telecommunications carriers is technically and economically feasible;

ロ 総務省令で定める機能ごとの第二種指定電気通信設備を設置する電気通信事業者が取得すべき金額

(b) the amount of money that the telecommunications carrier running Category II designated telecommunications facilities is to receive for respective functions specified by Order of the Ministry of Internal Affairs and Communications;

ハ 第二種指定電気通信設備を設置する電気通信事業者及びこれとその電気通信設備を接続する他の電気通信事業者の責任に関する事項

(c) particulars related to the responsibilities of the telecommunications carrier running the Category II designated telecommunications facilities and of other telecommunications carriers that interconnect their telecommunications facilities with those facilities;

ニ 電気通信役務に関する料金を定める電気通信事業者の別

(d) distinction of telecommunications carriers, according to which charges for telecommunications services are specified;

ホ イからニまでに掲げるもののほか、第二種指定電気通信設備との接続を円滑に行うために必要なものとして総務省令で定める事項

(e) beyond the particulars listed in (a) through (d) above, particulars specified by Order of the Ministry of Internal Affairs and Communications as being necessary for smooth interconnection with Category II designated telecommunications facilities.

二 第二種指定電気通信設備を設置する電気通信事業者が取得すべき金額が能率的な

経営の下における適正な原価に適正な利潤を加えたものを算定するものとして総務省令で定める方法により算定された金額を超えるものであるとき。

(ii) if the amount of money that the telecommunications carrier running Category II designated telecommunications facilities is to receive exceeds the amount of money calculated by the means specified by Order of the Ministry of Internal Affairs and Communications as that for calculating reasonable costs plus reasonable profits under efficient management;

三 接続条件が、第二種指定電気通信設備を設置する電気通信事業者がその第二種指定電気通信設備に自己の電気通信設備を接続することとした場合の条件に比して不利なものであるとき。

(iii) if the terms and conditions of interconnection are disadvantageous in comparison with those applicable to the cases in which the telecommunications carrier running Category II designated telecommunications facilities interconnects its own telecommunications facilities with the Category II designated telecommunication facilities;

四 特定の電気通信事業者に対し不当な差別的な取扱いをするものであるとき。

(iv) if the general conditions of contracts for interconnection treat certain telecommunications carriers in an unfair and discriminatory manner.

4 第二種指定電気通信設備を設置する電気通信事業者は、第二項（第八項の規定により読み替えて適用する場合を含む。次項において同じ。）の規定により届け出た接続約款によらなければ、他の電気通信事業者との間において、第二種指定電気通信設備との接続に関する協定を締結し、又は変更してはならない。

(4) A telecommunications carrier running Category II designated telecommunications facilities must neither conclude nor amend an agreement with other telecommunications carriers on interconnection with the Category II designated telecommunications facilities, unless in accordance with the general conditions of contracts for interconnection notification of which is filed pursuant to the provisions of paragraph (2) (including as applied pursuant to the provisions of paragraph (8) following the deemed replacement of terms; the same applies in the following paragraph).

5 第二種指定電気通信設備を設置する電気通信事業者は、総務省令で定めるところにより、第二項の規定により届け出た接続約款を公表しなければならない。

(5) A telecommunications carrier running Category II designated telecommunications facilities must, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, announce the general conditions of contracts for interconnection notification of which is filed pursuant to the provision of paragraph (2).

6 第二種指定電気通信設備を設置する電気通信事業者は、総務省令で定めるところにより、第二種指定電気通信設備との接続に関する会計を整理し、及びこれに基づき当該接続に関する収支の状況その他総務省令で定める事項を公表しなければならない。

(6) A telecommunications carrier running Category II designated

telecommunications facilities must, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, keep accounts and announce status on income and expenditure concerning the interconnection based on the accounts and other particulars specified by Order of the Ministry of Internal Affairs and Communications.

7 第二種指定電気通信設備を設置する電気通信事業者は、他の電気通信事業者がその電気通信設備と第二種指定電気通信設備との接続を円滑に行うために必要な情報の提供に努めなければならない。

(7) A telecommunications carrier running Category II designated telecommunications facilities must endeavor to provide other telecommunications carriers with any information for smooth interconnection between their telecommunications facilities and Category II designated telecommunication facilities.

8 第一項の規定により新たに指定をされた電気通信設備を設置する電気通信事業者がその指定の日以後最初に第二項の規定により総務大臣に届け出るべき接続約款に定める当該電気通信事業者が取得すべき金額及び接続条件については、同項中「その実施前に、総務大臣に届け出なければならない。これを変更しようとするときも、同様とする。」とあるのは、「前項の規定により新たに指定をされた日から三月以内に、総務大臣に届け出なければならない。」とする。

(8) With regard to the amount of money that a telecommunications carrier running telecommunications facilities newly designated pursuant to the provisions of paragraph (1) is to receive, and the terms and conditions of interconnection specified in the general conditions of contracts for interconnection which the telecommunications carrier is to notify the Minister for Internal Affairs and Communications of for the first time after the date of designation pursuant to the provisions of paragraph (2), the term "and notify the Minister for Internal Affairs and Communications of the general conditions of contracts prior to the implementation of them, pursuant to Order of the Ministry of Internal Affairs and Communication,. The same also applies to the cases in which it intends to change those general conditions of contracts" in the same paragraph is deemed to be replaced with "and notify the Minister for Internal Affairs and Communications of the general conditions of contracts within three months from the date on which designation is newly granted pursuant to the provisions of the preceding paragraph, pursuant to Order of the Ministry of Internal Affairs and Communication."

9 第一項の規定により新たに指定をされた電気通信設備を設置する電気通信事業者が、前項の規定により読み替えて適用する第二項の規定により当該電気通信事業者が接続約款の届出をした日（以下この項において「届出日」という。）に現に締結している他の電気通信事業者との電気通信設備の接続に関する協定のうち当該新たに指定をされた電気通信設備との接続に関するものについては、第四項の規定は、届出日から起算して三月間は、適用しない。

(9) The provisions of paragraph (4) do not apply, for three months from the date of notification, to the agreements on interconnection that a telecommunications carrier running telecommunications facilities newly designated pursuant to the provisions of paragraph (1) has concluded with other telecommunications carriers, as of the date when the notification of the general conditions of contracts for interconnection is filed from the telecommunications carrier pursuant to the provisions of paragraph (2), as applied pursuant to the provisions of the preceding paragraph following the deemed replacement of terms (hereinafter referred to as "date of notification"), and that is related to interconnection with the newly designated telecommunication facilities.

(電気通信設備の接続に関する命令等)

(Order on Interconnection with Telecommunications Facilities)

第三十五条 総務大臣は、電気通信事業者が他の電気通信事業者に対し当該他の電気通信事業者が設置する電気通信回線設備と当該電気通信事業者の電気通信設備との接続に関する協定の締結を申し入れたにもかかわらず当該他の電気通信事業者がその協議に応じず、又は当該協議が調わなかつた場合で、当該協定の締結を申し入れた電気通信事業者から申立てがあつたときは、第三十二条各号に掲げる場合に該当すると認めるとき及び第百五十五条第一項の規定による仲裁の申請がされているときを除き、当該他の電気通信事業者に対し、その協議の開始又は再開を命ずるものとする。

Article 35 (1) If a telecommunications carrier requests another telecommunications carrier to conclude an agreement on interconnection between the requested telecommunications carrier's telecommunications facilities and those of the requesting telecommunications carrier, but the requested telecommunications carrier refuses to hold negotiations or those negotiations fail, resulting in the requesting telecommunications carrier filing a petition, the Minister for Internal Affairs and Communications is to order the requested telecommunications carrier to start or restart those negotiations, except in cases in which the Minister finds that interconnection falls under the items of Article 32 and cases in which an application for arbitration has been filed pursuant to the provisions of Article 155, paragraph (1).

2 総務大臣は、前項に規定する場合のほか、電気通信事業者間において、その一方が電気通信設備の接続に関する協定の締結を申し入れたにもかかわらず他の一方がその協議に応じず、又は当該協議が調わなかつた場合で、当該一方の電気通信事業者から申立てがあつた場合において、その接続が公共の利益を増進するために特に必要であり、かつ、適切であると認めるときは、第百五十五条第一項の規定による仲裁の申請がされているときを除き、他の一方の電気通信事業者に対し、その協議の開始又は再開を命ずることができる。

(2) Beyond the cases set forth in the preceding paragraph, if a telecommunications carrier requests another telecommunications carrier to conclude an agreement on interconnection between the requested

telecommunications carrier's telecommunications facilities and those of the requesting telecommunications carrier, but the requested telecommunications carrier refuses to hold negotiations or those negotiations fail, resulting in the requesting telecommunications carrier filing a petition, and the Minister for Internal Affairs and Communications finds that that interconnection is particularly necessary and appropriate for increasing the public interest, the Minister may order the requested telecommunications carrier to start or restart those negotiations, except in cases in which an application for arbitration has been filed pursuant to the provisions of Article 155, paragraph (1).

3 電気通信事業者の電気通信設備との接続に関し、当事者が取得し、若しくは負担すべき金額又は接続条件その他協定の細目について当事者間の協議が調わないときは、当該電気通信設備に接続する電気通信設備を設置する電気通信事業者は、総務大臣の裁定を申請することができる。ただし、当事者が第百五十五条第一項の規定による仲裁の申請をした後は、この限りでない。

(3) If negotiations between the parties about interconnection with the telecommunications facilities of a telecommunications carrier fail on the amount of money to be received or paid by the parties, the terms and conditions of interconnection, or the other details of the agreement, the telecommunications carrier running telecommunications facilities to be interconnected to them may apply to the Minister for Internal Affairs and Communications for a ruling; provided, however, that this does not apply to the cases in which the parties have already filed an application for arbitration under Article 155, paragraph (1).

4 前項に規定する場合のほか、第一項又は第二項の規定による命令があつた場合において、当事者が取得し、若しくは負担すべき金額又は接続条件その他協定の細目について、当事者間の協議が調わないときは、当事者は、総務大臣の裁定を申請することができる。

(4) Beyond the cases set forth in the preceding paragraph, if an order has been issued pursuant to the provisions of paragraph (1) or paragraph (2) and negotiations between the parties fail on the amount of money to be received or paid by the parties, the terms and conditions of interconnection, and the details of the agreement, the party (or parties) may apply to the Minister for Internal Affairs and Communication for a ruling.

5 総務大臣は、前二項の規定による裁定の申請を受理したときは、その旨を他の当事者に通知し、期間を指定して答弁書を提出する機会を与えなければならない。

(5) When the Minister for Internal Affairs and Communications receives the application for a ruling under the preceding two paragraphs, the Minister must notify the other party (or parties) to that effect, and must give the party (or parties) an opportunity to file written answers within a period designated by the Minister.

6 総務大臣は、第三項又は第四項の裁定をしたときは、遅滞なく、その旨を当事者に通知しなければならない。

(6) If the Minister for Internal Affairs and Communications renders arbitration as set forth in paragraph (3) or paragraph (4), the Minister must notify the parties to that effect without delay.

7 第三項又は第四項の裁定があつたときは、その裁定の定めるところに従い、当事者間に協議が調つたものとみなす。

(7) If a ruling is rendered as set forth in paragraph (3) or paragraph (4), the negotiations between the parties is deemed to have reached agreement as specified by in accordance with the ruling.

8 第三項又は第四項の裁定のうち当事者が取得し、又は負担すべき金額について不服のある者は、その裁定があつたことを知つた日から六月以内に、訴えをもつてその金額の増減を請求することができる。

(8) Any of the parties that are dissatisfied with the ruling set forth in paragraph (3) or paragraph (4) with regard to the amount of money to be received or paid by the party (or parties) may demand an increase or decrease in the amount by filing an action within six months from the date on which the party is informed of the ruling.

9 前項の訴えにおいては、他の当事者を被告とする。

(9) In filing an action as set forth in the preceding paragraph, the other party is the defendant.

10 第三項又は第四項の裁定についての審査請求においては、当事者が取得し、又は負担すべき金額についての不服をその裁定の不服の理由とすることができない。

(10) In the request for administrative review to the ruling set forth in paragraph (3) or paragraph (4), dissatisfaction with the amount of money to be received or paid by the party (or parties) does not constitute grounds for dissatisfaction with the ruling.

(第一種指定電気通信設備の機能の変更又は追加に関する計画)

(Plans for Changes to or Addition of Functions of Category I Designated Telecommunications Facilities)

第三十六条 第一種指定電気通信設備を設置する電気通信事業者は、当該第一種指定電気通信設備の機能（総務省令で定めるものを除く。）の変更又は追加の計画を有するときは、総務省令で定めるところにより、その計画を当該工事の開始の日の総務省令で定める日数前までに総務大臣に届け出なければならない。その届け出た計画を変更しようとするときも、同様とする。

Article 36 (1) If a telecommunications carrier running Category I designated telecommunications facilities has a plan to change or make an addition to existing functions (except those specified by Order of the Ministry of Internal Affairs and Communications) of the Category I designated telecommunications facilities, it must, pursuant to the provisions of Order of the Ministry of

Internal Affairs and Communications, notify the Minister for Internal Affairs and Communications of the plan within the number of days specified by Order of the Ministry of Internal Affairs and Communications prior to the date on which the installation work starts. The same also applies if it intends to change the plan notified to the Minister.

2 第一種指定電気通信設備を設置する電気通信事業者は、総務省令で定めるところにより、前項の規定により届け出た計画を公表しなければならない。

(2) A telecommunications carrier running Category I designated telecommunications facilities must, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, announce the plan notification of which is filed pursuant to the provisions of the preceding paragraph.

3 総務大臣は、第一項の規定による届出があつた場合において、その届け出た計画の実施により他の電気通信事業者の電気通信設備と第一種指定電気通信設備との円滑な接続に支障が生ずるおそれがあると認めるときは、当該第一種指定電気通信設備を設置する電気通信事業者に対し、その計画を変更すべきことを勧告することができる。

(3) If a notification is filed pursuant to the provisions of paragraph (1) and the Minister for Internal Affairs and Communications finds that the implementation of the notified plan is likely to hinder the smooth interconnection between the Category I designated telecommunications facilities and those of another telecommunications carrier, the Minister may recommend the telecommunications carrier running the Category I designated telecommunications facilities to change its plan.

(第一種指定電気通信設備の共用に関する協定)

(Agreement on Sharing Category I Designated Telecommunications Facilities)

第三十七条 第一種指定電気通信設備を設置する電気通信事業者は、他の電気通信事業者と当該第一種指定電気通信設備の共用に関する協定を締結し、又は変更しようとするときは、総務省令で定めるところにより、あらかじめ総務大臣に届け出なければならない。

Article 37 (1) If a telecommunications carrier running Category I designated telecommunications facilities intends to conclude or amend an agreement with other telecommunications carriers on sharing its Category I designated telecommunications facilities, it must, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, notify the Minister for Internal Affairs and Communications of it in advance.

2 第三十三条第一項の規定により新たに指定をされた電気通信設備を設置する電気通信事業者は、当該指定の際現に当該電気通信事業者が締結している他の電気通信事業者との協定のうち当該電気通信設備の共用に関するものを、総務省令で定めるところにより、遅滞なく、総務大臣に届け出なければならない。

(2) A telecommunications carrier running telecommunications facilities which

are newly designated pursuant to the provisions of Article 33, paragraph (1) must notify the Minister for Internal Affairs and Communications of the agreement that it has, as of the time of the designation, concluded with other telecommunications carriers, and that is related to sharing the telecommunications facilities, without delay, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

(電気通信設備等の共用に関する命令等)

(Order to Share Telecommunications Facilities)

第三十八条 総務大臣は、電気通信事業者間においてその一方が電気通信設備又は電気通信設備設置用工作物（電気通信事業者が電気通信設備を設置するために使用する建物その他の工作物をいう。以下同じ。）の共用に関する協定の締結を申し入れたにもかかわらず他の一方がその協議に応じず又は当該協議が調わなかつた場合で、当該一方の電気通信事業者から申立てがあつた場合において、その共用が公共の利益を増進するために特に必要であり、かつ、適切であると認めるときは、第百五十六条第一項において準用する第百五十五条第一項の規定による仲裁の申請がされているときを除き、他の一方の電気通信事業者に対し、その協議の開始又は再開を命ずることができる。

Article 38 (1) If a telecommunications carrier requests another telecommunications carrier to conclude an agreement on sharing telecommunications facilities or structures for telecommunications facilities installation (referring to buildings and other structures used by telecommunications carriers to install telecommunications facilities; the same applies hereinafter), but the requested telecommunications carrier refuses to hold negotiations or those negotiations fail, resulting in the requesting telecommunications carrier filing a petition, and the Minister for Internal Affairs and Communications finds that sharing is particularly necessary and appropriate for increasing the public interest, the Minister may order the requested telecommunications carrier to start or restart negotiations, except the cases in which an application for arbitration is filed pursuant to the provisions of Article 155, paragraph (1), as applied mutatis mutandis pursuant to Article 156, paragraph (1).

2 第三十五条第三項から第十項までの規定は、電気通信設備又は電気通信設備設置用工作物の共用について準用する。この場合において、同条第三項及び第四項中「接続条件」とあるのは「共用の条件」と、同条第三項中「電気通信設備に接続する電気通信設備を設置する」とあるのは「電気通信事業者と協定を締結しようとする」と、「第百五十五条第一項」とあるのは「第百五十六条第一項において準用する第百五十五条第一項」と、同条第四項中「第一項又は第二項」とあるのは「第三十八条第一項」と読み替えるものとする。

(2) The provisions of Article 35, paragraph (3) through paragraph (10) apply mutatis mutandis to the sharing of telecommunications facilities or structures

for telecommunications facilities installation. In this case, the term "terms and conditions of interconnection" in paragraph (3) and paragraph (4) of the same Article is to be replaced with "terms and conditions for sharing"; the term "running telecommunications facilities to be interconnected with the telecommunications facilities" and the term "Article 155, paragraph (1)" in paragraph (3) of the same Article are to be replaced with "that intends to conclude an agreement with the telecommunications carrier" and "Article 155, paragraph (1), as applied mutatis mutandis pursuant to Article 156, paragraph (1)," respectively; and, the term "paragraph (1) or paragraph (2)" in paragraph (4) of the same Article is to be replaced with "Article 38, paragraph (1)."

(第一種指定電気通信設備又は第二種指定電気通信設備を用いる卸電気通信役務の提供)

(Provision of Wholesale Telecommunication Services by Using Category I or Category II Designated Telecommunications Facilities)

第三十八条の二 第一種指定電気通信設備又は第二種指定電気通信設備を設置する電気通信事業者は、当該第一種指定電気通信設備又は第二種指定電気通信設備を用いる卸電気通信役務の提供の業務を開始したときは、総務省令で定めるところにより、遅滞なく、その旨、総務省令で定める区分ごとの卸電気通信役務の種類その他総務省令で定める事項を総務大臣に届け出なければならない。届け出た事項を変更し、又は当該業務を廃止したときも、同様とする。

Article 38-2 If a telecommunications carrier running Category I or Category II Designated Telecommunications Facilities commences the operations involved in the providing wholesale telecommunication services by using those Category I or Category II Designated Telecommunications Facilities, the telecommunications carrier must notify the Minister for Internal Affairs and Communications describing of the commencement of those services, the type of wholesale telecommunication services by each classification, as well as other information designated by Order of the Ministry of Internal Affairs and Communications, without delay, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications. The same applies to the case in which it amends the particulars notified to the Minister or discontinues those operations.

(卸電気通信役務の提供についての準用)

(Application Mutatis Mutandis to the Provision of Wholesale Telecommunications Services)

第三十九条 第三十五条第三項から第十項まで及び第三十八条第一項の規定は、卸電気通信役務の提供について準用する。この場合において、第三十五条第三項及び第四項中「接続条件」とあるのは「提供の条件」と、同条第三項及び第四項並びに第三十八条第一項中「協定」とあるのは「契約」と、第三十五条第三項中「電気通信設備に接

続する電気通信設備を設置する」とあるのは「電気通信事業者と契約を締結しようとする」と、「第百五十五条第一項」とあるのは「第百五十六条第二項において準用する第百五十五条第一項」と、同条第四項中「第一項又は第二項」とあるのは「第三十九条において準用する第三十八条第一項」と、第三十八条第一項中「その共用」とあるのは「その提供」と、「第百五十六条第一項」とあるのは「第百五十六条第二項」と読み替えるものとする。

Article 39 The provisions of Article 35, paragraph (3) through paragraph (10) and paragraph (1) of Article 38 apply mutatis mutandis to the provision of wholesale telecommunications services. In this case, the term "terms and conditions of interconnection" in Article 35, paragraph (3) and paragraph (4) is to be replaced with "terms and conditions for the provision of those services"; the term "agreement" in paragraph (3) and paragraph (4) of the same Article and paragraph (1) of Article 38 is to be replaced with "contract"; the term "running telecommunications facilities to be interconnected to them" and the term "Article 155, paragraph (1)" in Article 35, paragraph (3) is to be replaced with "that intends to conclude a contract with the telecommunications carrier" and "Article 155, paragraph (1), as applied mutatis mutandis pursuant to Article 156, paragraph (2)," respectively; the term "paragraph (1) or paragraph (2)" in paragraph (4) of the same Article is to be replaced with "Article 38, paragraph (1), as applied mutatis mutandis pursuant to Article 39"; and the term "that sharing" and the term "Article 156, paragraph (1)" in paragraph (1) of Article 38 are to be replaced with "that provision" and "Article 156, paragraph (2)," respectively.

(第一種指定電気通信設備及び第二種指定電気通信設備に関する情報の公表)

(Publication of Information Concerning Category I and Category II Designated Telecommunications Facilities)

第三十九条の二 総務大臣は、その保有する第一種指定電気通信設備及び第二種指定電気通信設備に関する次に掲げる情報を整理し、これをインターネットの利用その他の適切な方法により公表するものとする。

Article 39-2 The Minister for Internal Affairs and Communications is to compile the following information concerning Category I and Category II Designated Telecommunications Facilities that the Minister possesses and to publish the compiled information via the Internet or any other appropriate means:

一 第三十三条第一項の規定による指定及び同条第二項の規定による認可に関して作成し、又は取得した情報

(i) information created or obtained in connection with the designation under Article 33, paragraph (1) or the authorization under paragraph (2) of the same Article;

二 第三十四条第一項の規定による指定及び同条第二項の規定による届出に関して作成し、又は取得した情報

(ii) information created or obtained in connection with the designation under Article 34, paragraph (1) or the notification under paragraph (2) of the same Article;

三 第三十八条の二の規定による届出に関して作成し、又は取得した情報

(iii) information created or obtained in connection with the notification under Article 38-2;

四 その他総務省令で定める情報

(iv) other information specified by Order of the Ministry of Internal Affairs and Communications.

(特定ドメイン名電気通信役務を提供する電気通信事業者の提供義務等)

(Obligations of Telecommunications Carriers to Provide Specified Domain Name Telecommunications Services)

第三十九条の三 特定ドメイン名電気通信役務を提供する電気通信事業者は、正当な理由がなければ、その業務区域における特定ドメイン名電気通信役務の提供を拒んではならない。

Article 39-3 (1) A telecommunications carrier that provides specified domain name telecommunications services must not, without justifiable grounds, refuse to provide its services in its service areas.

2 総務大臣は、特定ドメイン名電気通信役務を提供する電気通信事業者が前項の規定に違反したときは、当該電気通信事業者に対し、利用者の利益又は公共の利益を確保するために必要な限度において、業務の方法の改善その他の措置をとるべきことを命ずることができる。

(2) If a telecommunications carrier providing specified domain name telecommunications services has violated the provisions of the preceding paragraph, the Minister for Internal Affairs and Communications may order the telecommunications carrier to improve its means of conducting operations or take other measures, to the extent necessary for ensuring the interests of users or the public interest.

3 特定ドメイン名電気通信役務を提供する電気通信事業者は、総務省令で定めるところにより、電気通信役務に関する収支の状況その他その会計に関し総務省令で定める事項を公表しなければならない。

(3) A telecommunications carrier that provides specified domain name telecommunications services must, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, announce the status of income and expenditure for its telecommunications services and other accounting particulars specified by Order of the Ministry of Internal Affairs and Communications.

(外国政府等との協定等の認可)

(Authorization for Agreements with Foreign Governments)

第四十条 電気通信事業者は、外国政府又は外国人若しくは外国法人との間に、電気通信業務に関する協定又は契約であつて総務省令で定める重要な事項を内容とするものを締結し、変更し、又は廃止しようとするときは、総務大臣の認可を受けなければならない。

Article 40 If a telecommunications carrier intends to conclude, amend or discontinue an agreement or contract on telecommunications activities, which includes important particulars specified by Order of the Ministry of Internal Affairs and Communications, with foreign governments, or foreign nationals or foreign corporations, it must obtain authorization from the Minister for Internal Affairs and Communications.

第四節 電気通信設備

Section 4 Telecommunications Facilities

第一款 電気通信事業の用に供する電気通信設備

Subsection 1 Telecommunications Facilities Used for Telecommunications Business

(電気通信設備の維持)

(Maintenance of Telecommunications Facilities)

第四十一条 電気通信回線設備を設置する電気通信事業者は、その電気通信事業の用に供する電気通信設備（専らドメイン名電気通信役務を提供する電気通信事業の用に供するもの及びその損壊又は故障等による利用者の利益に及ぼす影響が軽微なものとして総務省令で定めるものを除く。）を総務省令で定める技術基準に適合するように維持しなければならない。

Article 41 (1) A telecommunications carrier running telecommunication line facilities must maintain telecommunications facilities used for telecommunications business (excluding those telecommunications facilities exclusively used for the telecommunications businesses to provide domain name telecommunications services, and telecommunications facilities specified by Order of the Ministry of Internal Affairs and Communications as those that have a minor influence on the interests of users in the event of damage, failure, etc.) in conformity with the technical standards specified by Order of the Ministry of Internal Affairs and Communications.

2 基礎的電気通信役務を提供する電気通信事業者は、その基礎的電気通信役務を提供する電気通信事業の用に供する電気通信設備（前項に規定する電気通信設備及び専らドメイン名電気通信役務を提供する電気通信事業の用に供する電気通信設備を除く。）を総務省令で定める技術基準に適合するように維持しなければならない。

(2) A telecommunications carrier that provides universal telecommunications services must maintain its telecommunications facilities (except those set forth in the preceding paragraph and telecommunication facilities exclusively used for telecommunications business to provide domain name telecommunications

services) used for the telecommunications business to provide universal telecommunications services in conformity with the technical standards specified by Order of the Ministry of Internal Affairs and Communications.

3 総務大臣は、総務省令で定めるところにより、電気通信役務（基礎的電気通信役務及びドメイン名電気通信役務を除く。）のうち、内容、利用者の範囲等からみて利用者の利益に及ぼす影響が大きいものとして総務省令で定める電気通信役務を提供する電気通信事業者を、その電気通信事業の用に供する電気通信設備を適正に管理すべき電気通信事業者として指定することができる。

(3) The Minister for Internal Affairs and Communications may, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, designate telecommunications carriers that provide telecommunication services (excluding universal telecommunications services and domain name telecommunications services) that are specified by Order of the Ministry of Internal Affairs and Communications as those that have a great influence on the interests of users considering their contents, the scope of users and other factors, as telecommunications carriers that are required to properly maintain their telecommunication facilities used for telecommunication businesses.

4 前項の規定により指定された電気通信事業者は、同項の総務省令で定める電気通信役務を提供する電気通信事業の用に供する電気通信設備（第一項に規定する電気通信設備を除く。）を総務省令で定める技術基準に適合するように維持しなければならない。

(4) Telecommunications carriers designated pursuant to the provisions in the preceding paragraph must maintain their telecommunications facilities used for telecommunication businesses to provide telecommunication services specified by Order of the Ministry of Internal Affairs and Communications in the same paragraph (excluding telecommunication facilities specified in paragraph (1)) in conformity with the technical standards specified by Order of the Ministry of Internal Affairs and Communications.

5 第一項、第二項及び前項の技術基準は、これにより次の事項が確保されるものとして定められなければならない。

(5) The technical standards set forth in paragraph (1), paragraph (2) and the preceding paragraph must be specified so as to ensure the following particulars:

一 電気通信設備の損壊又は故障により、電気通信役務の提供に著しい支障を及ぼさないようにすること。

(i) damage or failure of those telecommunications facilities does not significantly hinder the provision of telecommunications services;

二 電気通信役務の品質が適正であるようにすること。

(ii) quality of telecommunications services are maintained at an appropriate level;

三 通信の秘密が侵されないようにすること。

(iii) secrecy of communications are maintained;

四 利用者又は他の電気通信事業者の接続する電気通信設備を損傷し、又はその機能に障害を与えないようにすること。

(iv) the telecommunications facilities do not damage telecommunications facilities which users or other telecommunications carriers interconnect with nor cause an obstruction to their functioning;

五 他の電気通信事業者の接続する電気通信設備との責任の分界が明確であるようにすること。

(v) the demarcation of responsibilities between the telecommunications carrier's telecommunications facilities and telecommunications facilities which other telecommunications carriers interconnect with are clearly specified.

第四十一条の二 ドメイン名電気通信役務を提供する電気通信事業者は、そのドメイン名電気通信役務を提供する電気通信事業の用に供する電気通信設備を当該電気通信設備の管理に関する国際的な標準に適合するように維持しなければならない。

Article 41-2 A telecommunications carrier that provides domain name telecommunications services must maintain its telecommunications facilities used for telecommunications businesses to provide domain name telecommunications services in conformity with the international standards applicable to the management of those telecommunications facilities.

(電気通信事業者による電気通信設備の自己確認)

(Self-Confirmation of Telecommunications Facilities by Telecommunications Carrier)

第四十二条 電気通信回線設備を設置する電気通信事業者は、第四十一条第一項に規定する電気通信設備の使用を開始しようとするときは、当該電気通信設備（総務省令で定めるものを除く。）が、同項の総務省令で定める技術基準に適合することについて、総務省令で定めるところにより、自ら確認しなければならない。

Article 42 (1) If a telecommunications carrier running telecommunication line facilities intends to start using the telecommunications facilities set forth in Article 41, paragraph (1), it must confirm by itself, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, whether the telecommunications facilities (except those specified by Order of the Ministry of Internal Affairs and Communications) conform to the technical standards specified by Order of the Ministry of Internal Affairs and Communications, as set forth in the same paragraph.

2 電気通信回線設備を設置する電気通信事業者は、第十条第一項第三号又は第十六条第一項第三号の事項を変更しようとするときは、当該変更後の第四十一条第一項に規定する電気通信設備（前項の総務省令で定めるものを除く。）が、同条第一項の総務省令で定める技術基準に適合することについて、総務省令で定めるところにより、自

ら確認しなければならない。

(2) If a telecommunications carrier running telecommunication line facilities intends to change particulars specified in Article 10, paragraph (1), item (iii) or Article 16, paragraph (1), item (iii), it must confirm by itself, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, whether the telecommunications facilities specified in Article 41, paragraph (1) (except those specified by Order of the Ministry of Internal Affairs and Communications as stipulated in the preceding paragraph) after its change conform to the technical standards specified by Order of the Ministry of Internal Affairs and Communications as set forth in paragraph (1) of the same Article.

3 電気通信回線設備を設置する電気通信事業者は、第一項又は前項の規定により確認した場合には、当該各項に規定する電気通信設備の使用の開始前に、総務省令で定めるところにより、その結果を総務大臣に届け出なければならない。

(3) If a telecommunications carrier running telecommunication line facilities has made confirmation pursuant to the provisions of paragraph (1) or the preceding paragraph, it must, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, notify the Minister for Internal Affairs and Communications of the results of its confirmation before it starts using the telecommunications facilities as set forth respectively in those paragraphs.

4 前三項の規定は、基礎的電気通信役務を提供する電気通信事業者について準用する。この場合において、第一項及び第二項中「第四十一条第一項」とあるのは「第四十一条第二項」と、同項中「同条第一項」とあるのは「同条第二項」と読み替えるものとする。

(4) The provisions of the preceding three paragraphs apply mutatis mutandis to a telecommunications carrier that provides universal telecommunications services. In this case, the term "Article 41, paragraph (1)" in paragraphs (1) and (2) is to be replaced with "Article 41, paragraph (2)," and the term "the same Article, paragraph (1)" in the same paragraphs is to be replaced with "the same Article, paragraph (2)."

5 第一項から第三項までの規定は、第四十一条第三項の規定により指定された電気通信事業者について準用する。この場合において、第一項及び第二項中「第四十一条第一項」とあるのは「第四十一条第四項」と、同項中「同条第一項」とあるのは「同条第四項」と読み替えるものとする。

(5) Provisions in paragraphs (1) through (3) apply mutatis mutandis to telecommunications carriers designated pursuant to the provisions of Article 41 paragraph (3). In this case, the term "Article 41, paragraph (1)" in paragraphs (1) and (2) is to be replaced with "Article 41, paragraph (4)" and the term "the same Article, paragraph (1)" is to be replaced with "the same Article, paragraph (4)."

6 第四十一条第三項の規定により新たに指定をされた電気通信事業者がその指定の日

以後最初に前項において読み替えて準用する第一項の規定によりすべき確認及び当該確認に係る前項において準用する第三項の規定により総務大臣に対してすべき届出については、前項において読み替えて準用する第一項中「第四十一条第四項に規定する電気通信設備の使用を開始しようとするときは、当該」とあるのは「第四十一条第三項の規定により新たに指定をされた日から三月以内に、同条第四項に規定する」と、前項において準用する第三項中「当該各項に規定する電気通信設備の使用の開始前に」とあるのは「遅滞なく」とする。

(6) With regard to the first confirmation that the telecommunications carrier newly designated pursuant to the provisions in Article 41, paragraph (3) should make after the date of that designation pursuant to the provisions of paragraph (1), as applied mutatis mutandis pursuant to the preceding paragraph following the deemed replacement of terms, or a notification related to confirmation that the telecommunications carrier should give to the Minister for Internal Affairs and Communications pursuant to the provisions of paragraph (3), as applied mutatis mutandis pursuant to the preceding paragraph, the term "If a telecommunications carrier running telecommunication line facilities intends to start using the telecommunications facilities set forth in Article 41, paragraph (4), it must" in paragraph (1), as applied mutatis mutandis pursuant to the provisions of the preceding paragraph following the deemed replacement of terms is replaced with "A telecommunications carriers running telecommunication line facilities must, within three months from the date of the new designation under Article 41, paragraph (3)," and the term "before it starts using the telecommunications facilities as set forth respectively in those paragraphs" in paragraph (3), as applied mutatis mutandis to the preceding paragraph is replaced with "without delay."

(技術基準適合命令)

(Order to Conform to Technical Standards)

第四十三条 総務大臣は、第四十一条第一項に規定する電気通信設備が同項の総務省令で定める技術基準に適合していないと認めるときは、当該電気通信設備を設置する電気通信事業者に対し、その技術基準に適合するように当該設備を修理し、若しくは改造することを命じ、又はその使用を制限することができる。

Article 43 (1) If the Minister for Internal Affairs and Communications finds that the telecommunications facilities set forth in Article 41, paragraph (1) do not conform to the technical standards specified by Order of the Ministry of Internal Affairs and Communications, as set forth in the same paragraph, the Minister may order the telecommunications carrier running telecommunications facilities to repair or alter them to conform to the technical standards, or may restrict their use.

2 前項の規定は、第四十一条第二項又は第四項に規定する電気通信設備が当該各項の

総務省令で定める技術基準に適合していないと認める場合について準用する。

- (2) The provisions of the preceding paragraph apply mutatis mutandis to the cases in which the telecommunications facilities set forth in Article 41, paragraph (2) or (4) are found not to conform to the technical standards specified by Order of the Ministry of Internal Affairs and Communications, as set forth respectively in the those paragraphs.

(管理規程)

(Administrative Regulations)

第四十四条 電気通信事業者は、総務省令で定めるところにより、第四十一条第一項、第二項若しくは第四項又は第四十一条の二に規定する電気通信設備（以下「事業用電気通信設備」という。）の管理規程を定め、電気通信事業の開始前に、総務大臣に届け出なければならない。

Article 44 (1) A telecommunications carrier must, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, establish administrative regulations for the telecommunications facilities set forth in Article 41, paragraph (1), paragraph (2) or paragraph (4) or Article 41-2 (hereinafter referred to as "telecommunications facilities used for telecommunications business") and notify the Minister for Internal Affairs and Communications of those administrative regulations prior to the commencement of its telecommunications business..

2 管理規程は、電気通信役務の確実かつ安定的な提供を確保するために電気通信事業者が遵守すべき次に掲げる事項に関し、総務省令で定めるところにより、必要な内容を定めたものでなければならない。

(2) Administrative regulations must be those that set forth necessary regulations pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications with regard to the following particulars to be observed by telecommunications carriers in order to secure the provision of telecommunications services in a reliable and stable manner:

一 電気通信役務の確実かつ安定的な提供を確保するための事業用電気通信設備の管理の方針に関する事項

(i) particulars pertaining to policies for managing telecommunications facilities used for telecommunications businesses to secure the provision of telecommunications services in a reliable and stable manner;

二 電気通信役務の確実かつ安定的な提供を確保するための事業用電気通信設備の管理の体制に関する事項

(ii) particulars pertaining to systems for managing telecommunications facilities used for telecommunications businesses to secure the provision of telecommunications services in a reliable and stable manner;

三 電気通信役務の確実かつ安定的な提供を確保するための事業用電気通信設備の管理の方法に関する事項

(iii) particulars pertaining to means for managing telecommunications facilities used for telecommunications businesses to secure the provision of telecommunications services in a reliable and stable manner;

四 第四十四条の三第一項に規定する電気通信設備統括管理者の選任に関する事項

(iv) particulars pertaining to the appointment of a general manager of telecommunication facilities as stipulated in Article 44-3, paragraph (1).

3 電気通信事業者は、管理規程を変更したときは、遅滞なく、変更した事項を総務大臣に届け出なければならない。

(3) If a telecommunications carrier amends its administrative regulations, it must notify the Minister for Internal Affairs and Communications of the amended particulars without delay.

4 第四十一条第三項の規定により新たに指定をされた電気通信事業者がその指定の日以後最初に第一項の規定により総務大臣に対してすべき届出については、同項中「電気通信事業の開始前に」とあるのは、「第四十一条第三項の規定により新たに指定をされた日から三月以内に」とする。

(4) With regard to the first notification that the telecommunications carrier newly designated pursuant to the provisions in Article 41, paragraph (3) must give after the date of that designation to the Minister for Internal Affairs and Communications pursuant to the provisions of paragraph (1), the term "prior to the commencement of its telecommunications business" in the same paragraph is to be replaced with "within three months from the date of new designation under Article 41, paragraph (3)."

(管理規程の変更命令等)

(Order for Modifying Administrative Regulations)

第四十四条の二 総務大臣は、電気通信事業者が前条第一項又は第三項の規定により届け出た管理規程が同条第二項の規定に適合しないと認めるときは、当該電気通信事業者に対し、これを変更すべきことを命ずることができる。

Article 44-2 (1) If the Minister for Internal Affairs and Communications finds that administrative regulations notified to the Minister by a telecommunications carrier pursuant to the provisions of paragraph (1) or paragraph (3) of the preceding Article do not conform to the provisions of paragraph (2) of the same Article, the Minister may order that telecommunications carrier to modify those administrative regulations.

2 総務大臣は、電気通信事業者が管理規程を遵守していないと認めるときは、当該電気通信事業者に対し、電気通信役務の確実かつ安定的な提供を確保するために必要な限度において、管理規程を遵守すべきことを命ずることができる。

(2) If the Minister for Internal Affairs and Communications finds that a telecommunications carrier does not observe its administrative regulations, the Minister may order that telecommunications carrier to observe the administrative regulations to the extent necessary to secure the provision of

telecommunication services in a reliable and stable manner.

(電気通信設備統括管理者)

(General Manager of Telecommunication Facilities)

第四十四条の三 電気通信事業者は、第四十四条第二項第一号から第三号までに掲げる事項に関する業務を統括管理させるため、事業運営上の重要な決定に参画する管理的地位にあり、かつ、電気通信設備の管理に関する一定の実務の経験その他の総務省令で定める要件を備える者のうちから、総務省令で定めるところにより、電気通信設備統括管理者を選任しなければならない。

Article 44-3 (1) Each telecommunications carrier must, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, appoint a general manager of the telecommunication facilities who is responsible for the general management of particulars listed in Article 44, paragraph (2) items (i) through (iii) from among persons who are in managerial positions and participate in making important decisions in business operations, and who possesses specific practical experiences in the management of telecommunication facilities and other requirements as specified by Order of the Ministry of Internal Affairs and Communications.

2 電気通信事業者は、電気通信設備統括管理者を選任し、又は解任したときは、総務省令で定めるところにより、遅滞なく、その旨を総務大臣に届け出なければならない。

(2) If a telecommunications carrier appoints or removes the general manager of telecommunication facilities, it must notify the Minister for Internal Affairs and Communications to that effect without delay pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

3 第四十一条第三項の規定により新たに指定をされた電気通信事業者がその指定の日以後最初に第一項の規定によりすべき選任は、その指定の日から三月以内にしなければならない。

(3) A telecommunications carrier newly designated pursuant to the provisions of Article 41, paragraph (3) must make the initial appointment they should make after the date of that designation pursuant to the provisions of paragraph (1) within three months from the date of designation.

(電気通信設備統括管理者等の義務)

(Obligations of General Managers of Telecommunication Facilities)

第四十四条の四 電気通信設備統括管理者は、誠実にその職務を行わなければならない。

Article 44-4 (1) General managers of telecommunication facilities must perform their duties in a sincere manner.

2 電気通信事業者は、電気通信役務の確実かつ安定的な提供の確保に関し、電気通信設備統括管理者のその職務を行う上での意見を尊重しなければならない。

(2) The telecommunications carrier must respect the opinions of general managers in the course of performing their duties regarding the provision of

telecommunication services in a reliable and stable manner.

(電気通信設備統括管理者の解任命令)

(Order for Dismissal of General Managers of Telecommunication Facilities)

第四十四条の五 総務大臣は、電気通信設備統括管理者がその職務を怠つた場合であつて、当該電気通信設備統括管理者が引き続きその職務を行うことが電気通信役務の確実かつ安定的な提供の確保に著しく支障を及ぼすおそれがあると認めるときは、電気通信事業者に対し、当該電気通信設備統括管理者を解任すべきことを命ずることができる。

Article 44-5 If the Minister for Internal Affairs and Communications finds that the general manager of telecommunication facilities of a telecommunications carrier has neglected their duties and that their continued engagement in those duties might significantly affect the securing of the provision of telecommunication services in a reliable and stable manner, the Minister may order the telecommunications carrier to dismiss that general manager of the telecommunication facilities.

(電気通信主任技術者)

(Chief Telecommunications Engineers)

第四十五条 電気通信事業者は、事業用電気通信設備の工事、維持及び運用に関し総務省令で定める事項を監督させるため、総務省令で定めるところにより、電気通信主任技術者資格者証の交付を受けている者のうちから、電気通信主任技術者を選任しなければならない。ただし、その事業用電気通信設備が小規模である場合その他の総務省令で定める場合は、この限りでない。

Article 45 (1) A telecommunications carrier must, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, appoint a chief telecommunications engineer to supervise particulars related to installation, maintenance and operation of telecommunications facilities used for telecommunications business specified by Order of the Ministry of Internal Affairs and Communications, from among persons that have a chief telecommunications engineer's license; provided, however, that this does not apply to cases in which the telecommunications facilities used for telecommunications business are small in scale or the cases specified by Order of the Ministry of Internal Affairs and Communications.

2 電気通信事業者は、前項の規定により電気通信主任技術者を選任したときは、遅滞なく、その旨を総務大臣に届け出なければならない。これを解任したときも、同様とする。

(2) If a telecommunications carrier has appointed a chief telecommunications engineer pursuant to the provisions of the preceding paragraph, it must notify the Minister for Internal Affairs and Communications to that effect without delay. The same also apply if it dismisses that chief telecommunications

engineer.

3 第四十一条第三項の規定により新たに指定をされた電気通信事業者がその指定の日以後最初に第一項の規定によりすべき選任は、その指定の日から三月以内にしなければならない。

(3) A telecommunications carrier newly designated pursuant to the provisions of Article 41, paragraph (3) must make the initial appointment they should make after the date of that designation pursuant to the provisions of paragraph (1) within three months from the date of designation.

(電気通信主任技術者資格者証)

(Chief Telecommunications Engineer's Licenses)

第四十六条 電気通信主任技術者資格者証の種類は、伝送交換技術及び線路技術について総務省令で定める。

Article 46 (1) Classes of chief telecommunications engineer's licenses for transmission and switching technology and for transmission line technology are respectively specified by Order of the Ministry of Internal Affairs and Communications.

2 電気通信主任技術者資格者証の交付を受けている者が監督することができる電気通信設備の工事、維持及び運用に関する事項の範囲は、前項の電気通信主任技術者資格者証の種類に応じて総務省令で定める。

(2) The scope of particulars that the persons that have a chief telecommunications engineer's license may supervise with respect to installation, maintenance and operation of telecommunications facilities are specified by Order of the Ministry of Internal Affairs and Communications according to the classes of the chief telecommunications engineer's license as set forth in the preceding paragraph.

3 総務大臣は、次の各号のいずれかに該当する者に対し、電気通信主任技術者資格者証を交付する。

(3) The Minister for Internal Affairs and Communications grants a chief telecommunications engineer's license to persons that fall under any of the following items:

一 電気通信主任技術者試験に合格した者

(i) a person that has passed the qualification examination for chief telecommunications engineers;

二 電気通信主任技術者資格者証の交付を受けようとする者の養成課程で、総務大臣が総務省令で定める基準に適合するものであることの認定をしたものを修了した者

(ii) a person that has completed a training course for persons that intend to obtain a chief telecommunications engineer's license, which the Minister for Internal Affairs and Communications has certified as conforming to the standards specified by Order of the Ministry of Internal Affairs and Communications;

三 前二号に掲げる者と同等以上の専門的知識及び能力を有すると総務大臣が認定した者

(iii) a person that the Minister for Internal Affairs and Communications certifies as having expert knowledge and ability equivalent to or greater than those of the persons listed in the preceding two paragraphs.

4 総務大臣は、前項の規定にかかわらず、次の各号のいずれかに該当する者に対しては、電気通信主任技術者資格者証の交付を行わないことができる。

(4) Notwithstanding the provisions of the preceding paragraph, the Minister for Internal Affairs and Communications may refuse to grant a chief telecommunications engineer's license to persons that fall under any of the following items:

一 次条の規定により電気通信主任技術者資格者証の返納を命ぜられ、その日から一年を経過しない者

(i) a person that was ordered to return their chief telecommunications engineer's license pursuant to the provisions of the following Article, if a year has not passed since that date of the order;

二 この法律の規定により罰金以上の刑に処せられ、その執行を終わり、又はその執行を受けることがなくなった日から二年を経過しない者

(ii) a person that has been sentenced to a fine or a heavier punishment pursuant to the provisions of this Act, if two years have not passed since the date on which the enforcement of that punishment has been completed or has become inapplicable.

5 電気通信主任技術者資格者証の交付に関する手続的事項は、総務省令で定める。

(5) The procedural particulars concerning the granting of chief telecommunications engineer's licenses are specified by Order of the Ministry of Internal Affairs and Communications.

(電気通信主任技術者資格者証の返納)

(Returning Chief Telecommunications Engineer's Licenses)

第四十七条 総務大臣は、電気通信主任技術者資格者証を受けている者がこの法律又はこの法律に基づく命令の規定に違反したときは、その電気通信主任技術者資格者証の返納を命ずることができる。

Article 47 If a person that has been granted a chief telecommunications engineer's license violates the provisions of this Act or any order issued pursuant to this Act, the Minister for Internal Affairs and Communications may order them to return their chief telecommunications engineer's license.

(電気通信主任技術者試験)

(Qualification Examination for Chief Telecommunications Engineers)

第四十八条 電気通信主任技術者試験は、電気通信設備の工事、維持及び運用に関して必要な専門的知識及び能力について行う。

Article 48 (1) The qualification examination for chief telecommunications engineers covers the expert knowledge and abilities necessary for the installation, maintenance and operation of telecommunications facilities.

2 電気通信主任技術者試験は、電気通信主任技術者資格者証の種類ごとに、総務大臣が行う。

(2) The qualification examination for chief telecommunications engineers is conducted by the Minister for Internal Affairs and Communications for respective classes of the chief telecommunications engineer's license.

3 電気通信主任技術者試験の試験科目、受験手続その他電気通信主任技術者試験の実施細目は、総務省令で定める。

(3) The subjects, application procedures and other details of the qualification examination for chief telecommunications engineers are specified by Order of the Ministry of Internal Affairs and Communications.

(電気通信主任技術者等の義務)

(Obligations of Chief Telecommunications Engineers and Carriers)

第四十九条 電気通信主任技術者は、事業用電気通信設備の工事、維持及び運用に関する事項の監督の職務を誠実に行わなければならない。

Article 49 (1) A chief telecommunications engineer must conduct the supervision of particulars related to the installation, maintenance and operation of telecommunications facilities used for telecommunications business in a sincere manner.

2 電気通信事業者は、電気通信主任技術者に対し、その職務の執行に必要な権限を与えなければならない。

(2) Telecommunications carriers must give chief telecommunications engineers the necessary authority to perform their duties.

3 電気通信事業者は、電気通信主任技術者のその職務を行う事業場における事業用電気通信設備の工事、維持又は運用に関する助言を尊重しなければならない。事業用電気通信設備の工事、維持又は運用に従事する者は、電気通信主任技術者がその職務を行うため必要であると認めてする指示に従わなければならない。

(3) Telecommunications carriers must respect advice given by the chief telecommunications engineers regarding installation, maintenance and the operation of telecommunications facilities for telecommunications business in the workplace where they perform their duties, and persons that are engaged in installation, maintenance and the operation of telecommunications facilities for use in telecommunications business must follow instructions given by the chief telecommunications engineers that they deem necessary for performing their duties.

4 電気通信事業者は、総務省令で定める期間ごとに、電気通信主任技術者に、第八十五条の二第一項の規定により登録を受けた者（以下「登録講習機関」という。）が行う事業用電気通信設備の工事、維持及び運用に関する事項の監督に関する講習（次節

第二款、第七十四條第一項第四号及び別表第一において「講習」という。)を受けさせなければならない。

(4) Telecommunications carriers must make chief telecommunications engineers receive training for supervising particulars related to the installation, maintenance and operation of telecommunications facilities for use in telecommunications business, provided by a person registered pursuant to the provisions in Article 85-2, paragraph (1) (hereinafter referred to as a "registered training agency") (referred to as "training" in Subsection 2, Article 174, paragraph 1, item (iv) of the following Section and Appended Table 1), for every period specified by Order of the Ministry of Internal Affairs and Communications.

(電気通信番号の基準)

(Standards for Telecommunications Numbers)

第五十条 電気通信事業者は、電気通信番号（電気通信事業者が電気通信役務の提供に当たり送信の場所と受信の場所との間を接続するために電気通信設備を識別し、又は提供すべき電気通信役務の種類若しくは内容を識別するために用いる番号、記号その他の符号をいう。以下同じ。）を用いて電気通信役務を提供する場合には、その電気通信番号が総務省令で定める基準に適合するようにしなければならない。ただし、ドメイン名（第六十四條第二項第二号に規定するドメイン名をいう。）、アイ・ピー・アドレス（同項第三号に規定するアイ・ピー・アドレスをいう。）その他の総務省令で定める電気通信番号については、この限りでない。

Article 50 (1) If a telecommunications carrier provides telecommunications services by using telecommunications numbers (numbers, signs or other codes that telecommunications carriers use in providing telecommunications services, for identifying telecommunications facilities in order to connect places of transmission with places of reception, or identifying types or content of telecommunications services to provide; hereinafter the same applies), it must ensure that its telecommunications numbers conform to the standards specified by Order of the Ministry of Internal Affairs and Communications; provided, however, that this does not apply to domain names (domain names defined in Article 164, paragraph (2), item (ii)), IP addresses (IP addresses defined in item (iii) of the same paragraph) and any other telecommunications numbers specified by Order of the Ministry of Internal Affairs and Communications.

2 前項の基準は、これにより次の事項が確保されるものとして定められなければならない。

(2) The standards set forth in the preceding paragraph must be specified so as to ensure the following particulars:

一 電気通信番号により電気通信事業者及び利用者が電気通信設備の識別又は電気通信役務の種類若しくは内容の識別を明確かつ容易にできるようにすること。

(i) the telecommunications numbers make it possible for telecommunications

- carriers and users to clearly and easily identify telecommunications facilities or the types or content of the telecommunications services;
- 二 電気通信役務の提供に必要な電気通信番号が十分に確保されるようにすること。
- (ii) sufficient telecommunications numbers necessary for providing telecommunications services are secured;
- 三 電気通信番号の変更ができるだけ生じないようにすること。
- (iii) Changes to the telecommunications numbers are avoided as much as possible;
- 四 電気通信番号が公平かつ効率的に使用されるようにすること。
- (iv) the telecommunications numbers are used in a fair and efficient manner.

(適合命令)

(Order for Conformity)

第五十一条 総務大臣は、電気通信事業者が他の電気通信事業者と電気通信設備の接続をしている場合に用いる電気通信番号又は電気通信事業者が公共の利益のため緊急に行うことを要する通信を取り扱うために用いる電気通信番号が前条第一項の総務省令で定める基準に適合していないと認めるときは、当該電気通信事業者に対し、その基準に適合するように当該電気通信番号を変更することを命じ、又はその使用を禁止することができる。

Article 51 If the Minister for Internal Affairs and Communications finds that the telecommunications numbers that a telecommunications carrier uses to interconnect its telecommunications facilities with those of other telecommunications carriers, or the telecommunications numbers that a telecommunications carrier uses for communications that requires to be performed urgently for the public interest, do not conform to the standards specified by Order of the Ministry of Internal Affairs and Communications, as set forth in paragraph (1) of the preceding Article, the Minister may order the telecommunications carrier to change the telecommunications numbers to conform to the standards, or may prohibit their use.

第二款 端末設備の接続等

Subsection 2 Interconnection of Terminal Facilities

(端末設備の接続の技術基準)

(Technical Standards for the Interconnection of Terminal Facilities)

第五十二条 電気通信事業者は、利用者から端末設備（電気通信回線設備の一端に接続される電気通信設備であつて、一の部分の設置の場所が他の部分の設置の場所と同一の構内（これに準ずる区域内を含む。）又は同一の建物内であるものをいう。以下同じ。）をその電気通信回線設備（その損壊又は故障等による利用者の利益に及ぼす影響が軽微なものとして総務省令で定めるものを除く。第六十九条及び第七十条において同じ。）に接続すべき旨の請求を受けたときは、その接続が総務省令で定める技術

基準（当該電気通信事業者又は当該電気通信事業者とその電気通信設備を接続する他の電気通信事業者であつて総務省令で定めるものが総務大臣の認可を受けて定める技術的条件を含む。次項及び第六十九条において同じ。）に適合しない場合その他総務省令で定める場合を除き、その請求を拒むことができない。

Article 52 (1) When a telecommunications carrier receives a request from a user to interconnect their terminal facilities (telecommunications facilities one end of which is interconnected to telecommunication line facilities and a part of which is installed on the same premises (including the area equivalent to those premises) or in the same building where other parts of those facilities are installed; hereinafter the same applies) with its telecommunication line facilities (except those specified by Order of the Ministry of Internal Affairs and Communications as what has a minor influence on the interests of users in the event of damage, failure, etc.; the same applies in Article 69 and Article 70), it must not refuse that request, except in the cases in which that interconnection does not conform to the technical standards specified by Order of the Ministry of Internal Affairs and Communications (including technical conditions established, with the authorization from the Minister for Internal Affairs and Communications, by the requested telecommunications carrier or by another telecommunications carrier whose telecommunications facilities are interconnected to those of the requested telecommunications carrier, and that is specified by Order of the Ministry of Internal Affairs and Communications; the same applies in the following paragraph and Article 69) and other cases specified by Order of the Ministry of Internal Affairs and Communications.

2 前項の技術基準は、これにより次の事項が確保されるものとして定められなければならない。

(2) The technical standards set forth in the preceding paragraph must be specified so as to ensure the following particulars:

一 電気通信回線設備を損傷し、又はその機能に障害を与えないようにすること。

(i) the technical standards do not result in damage to the telecommunication line facilities nor cause an obstruction to their function;

二 電気通信回線設備を利用する他の利用者に迷惑を及ぼさないようにすること。

(ii) the technical standards do not cause inconvenience to other users of the telecommunication line facilities;

三 電気通信事業者の設置する電気通信回線設備と利用者の接続する端末設備との責任の分界が明確であるようにすること。

(iii) the demarcation of responsibilities between the telecommunication line facilities installed by the telecommunications carrier and the terminal facilities interconnected to them by users is clearly specified.

(端末機器技術基準適合認定)

(Technical Standards Conformity Approval for Terminal Equipment)

第五十三条 第八十六条第一項の規定により登録を受けた者（以下「登録認定機関」という。）は、その登録に係る技術基準適合認定（前条第一項の総務省令で定める技術基準に適合していることの認定をいう。以下同じ。）を受けようとする者から求めがあつた場合には、総務省令で定めるところにより審査を行い、当該求めに係る端末機器（総務省令で定める種類の端末設備の機器をいう。以下同じ。）が前条第一項の総務省令で定める技術基準に適合していると認めるときに限り、技術基準適合認定を行うものとする。

Article 53 (1) If a person that has obtained registration pursuant to the provisions of Article 86 paragraph (1) (hereinafter referred to as "registered approval body") receives a request from another person that intends to obtain a technical standards conformity approval (an approval for conformity to the technical standards specified by Order of the Ministry of Internal Affairs and Communications, as set forth in paragraph (1) of the preceding Article; hereinafter the same applies) related to its registration, it is to examine the request pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications and is to grant technical standards conformity approval only if it finds that the terminal equipment (equipment of terminal facilities of types specified by Order of the Ministry of Internal Affairs and Communications; hereinafter the same applies) related to the request conforms to the technical standards specified by Order of the Ministry of Internal Affairs and Communications, as set forth in paragraph (1) of the preceding Article.

2 登録認定機関は、その登録に係る技術基準適合認定をしたときは、総務省令で定めるところにより、その端末機器に技術基準適合認定をした旨の表示を付さなければならない。

(2) If a registered approval body grants a technical standards conformity approval pertaining to its registration, it must mark the equipment to indicate that the technical standards conformity approval is granted, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

3 何人も、前項（第百四条第四項において準用する場合を含む。）、第五十八条（第百四条第七項において準用する場合を含む。）、第六十五条、第六十八条の二又は第六十八条の八第三項の規定により表示を付する場合を除くほか、国内において端末機器又は端末機器を組み込んだ製品にこれらの表示又はこれらと紛らわしい表示を付してはならない。

(3) Except the case in which terminal equipment is marked pursuant to the provisions of the preceding paragraph (including as applied mutatis mutandis pursuant to Article 104, paragraph (4)), Article 58 (including as applied mutatis mutandis pursuant to Article 104, paragraph (7)), Article 65, Article 68-2 or Article 68-8, paragraph (3), it is prohibited for any person to affix those marks or other confusingly similar marks on terminal equipment or a product incorporating terminal equipment in Japan.

(妨害防止命令)

(Order to Prevent Disturbances)

第五十四条 総務大臣は、登録認定機関による技術基準適合認定を受けた端末機器であつて前条第二項又は第六十八条の八第三項の表示が付されているものが、第五十二条第一項の総務省令で定める技術基準に適合しておらず、かつ、当該端末機器の使用により電気通信回線設備を利用する他の利用者の通信に妨害を与えるおそれがあると認める場合において、当該妨害の拡大を防止するために特に必要があると認めるときは、当該技術基準適合認定を受けた者に対し、当該端末機器による妨害の拡大を防止するために必要な措置を講ずべきことを命ずることができる。

Article 54 If the Minister for Internal Affairs and Communications finds that the terminal equipment which has obtained technical standards conformity approval from a registered approval body and on which the mark set forth in paragraph (2) of the preceding Article or Article 68-8, paragraph (3) is affixed does not conform to the technical standards specified by Order of the Ministry of Internal Affairs and Communications, as set forth in Article 52, paragraph (1), and that the use of the terminal equipment is likely to disturb communications of other users of the telecommunication line facilities, and the Minister finds it particularly necessary in order to prevent the spread of the disturbance, the Minister may order the person that has obtained the technical standards conformity approval to take necessary measures to prevent the spread of the disturbance caused by the terminal equipment.

(表示が付されていないものとみなす場合)

(Cases in which Terminal Equipment Is Deemed Not to Be Marked)

第五十五条 登録認定機関による技術基準適合認定を受けた端末機器であつて第五十三条第二項又は第六十八条の八第三項の規定により表示が付されているものが第五十二条第一項の総務省令で定める技術基準に適合していない場合において、総務大臣が電気通信回線設備を利用する他の利用者の通信への妨害の発生を防止するため特に必要があると認めるときは、当該端末機器は、第五十三条第二項又は第六十八条の八第三項の規定による表示が付されていないものとみなす。

Article 55 (1) If the terminal equipment which has obtained a technical standards conformity approval from a registered approval body and which is marked pursuant to the provisions of Article 53, paragraph (2) or Article 68-8, paragraph (3) does not conform to the technical standards specified by Order of the Ministry of Internal Affairs and Communications, as set forth in Article 52, paragraph (1), and the Minister for Internal Affairs and Communications finds it particularly necessary in preventing a disturbance in the communications of other users of the telecommunication line facilities, the terminal equipment is deemed not to be marked pursuant to the provisions of Article 53, paragraph (2) or Article 68-8, paragraph (3).

2 総務大臣は、前項の規定により端末機器について表示が付されていないものとみな

されたときは、その旨を公示しなければならない。

- (2) If terminal equipment is deemed not to be marked pursuant to the provisions of the preceding paragraph, the Minister for Internal Affairs and Communications must issue a public notice to that effect.

(端末機器の設計についての認証)

(Certification of Design of Terminal Equipment)

第五十六条 登録認定機関は、端末機器を取り扱うことを業とする者から求めがあつた場合には、その端末機器を、第五十二条第一項の総務省令で定める技術基準に適合するものとして、その設計（当該設計に合致することの確認の方法を含む。）について認証（以下「設計認証」という。）する。

Article 56 (1) If a registered approval body receives a request from a person engaged in the business of handling terminal equipment, the registered approval body certifies the terminal equipment as conforming to the technical standards specified by Order of the Ministry of Internal Affairs and Communications, as set forth in Article 52, paragraph (1), with regard to its design (including the means of confirming whether that terminal equipment is in accordance with that design) (hereinafter referred to as "certification of design").

2 登録認定機関は、その登録に係る設計認証の求めがあつた場合には、総務省令で定めるところにより審査を行い、当該求めに係る設計が第五十二条第一項の総務省令で定める技術基準に適合するものであり、かつ、当該設計に基づく端末機器のいずれもが当該設計に合致するものとなることを確保することができるものと認めるときに限り、設計認証を行うものとする。

- (2) If a registered approval body receives a request for the certification of design related to its registration, a registered approval body is to conduct the examination pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, and is to issue a certification of design only if it finds that the design pertaining to the request conforms to the technical standards specified by Order of the Ministry of Internal Affairs and Communications, as set forth in Article 52, paragraph (1) and that any of the terminal equipment made based on that design is ensured to be in accordance with that design.

(設計合致義務等)

(Obligation for Terminal Equipment to Fulfill Design Criteria)

第五十七条 登録認定機関による設計認証を受けた者（以下「認証取扱業者」という。）は、当該設計認証に係る設計（以下「認証設計」という。）に基づく端末機器を取り扱う場合においては、当該端末機器を当該認証設計に合致するようにしなければならない。

Article 57 (1) If a person that has obtained a certification of design from a

registered approval body (hereinafter referred to as a "certified dealer") handles terminal equipment based on a design related to that certification of design (hereinafter referred to as a "certified design"), that person must ensure that the terminal equipment is in accordance with the certified design.

2 認証取扱業者は、設計認証に係る確認の方法に従い、その取扱いに係る前項の端末機器について検査を行い、総務省令で定めるところにより、その検査記録を作成し、これを保存しなければならない。

(2) A certified dealer must inspect terminal equipment which it handles as set forth in the preceding paragraph in accordance with the means of confirmation related to the certification of design, and must make and keep a record of the inspection pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

(認証設計に基づく端末機器の表示)

(Marking Terminal Equipment Based on Certified Design)

第五十八条 認証取扱業者は、認証設計に基づく端末機器について、前条第二項の規定による義務を履行したときは、当該端末機器に総務省令で定める表示を付することができる。

Article 58 If a certified dealer has fulfilled its obligation with regard to terminal equipment based on a certified design pursuant to the provisions of paragraph (2) of the preceding Article, it may affix the marks specified by Order of the Ministry of Internal Affairs and Communications on the terminal equipment.

(認証取扱業者に対する措置命令)

(Orders for Certified Dealers to Take Measures)

第五十九条 総務大臣は、認証取扱業者が第五十七条第一項の規定に違反していると認める場合には、当該認証取扱業者に対し、設計認証に係る確認の方法を改善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 59 If the Minister for Internal Affairs and Communications finds that a certified dealer violates the provisions of Article 57, paragraph (1), the Minister may order the certified dealer to take the necessary measures to improve the means of confirmation related to a certification of design.

(表示の禁止)

(Prohibition on Marking)

第六十条 総務大臣は、次の各号に掲げる場合には、認証取扱業者に対し、二年以内の期間を定めて、当該各号に定める認証設計又は設計に基づく端末機器に第五十八条の表示を付することを禁止することができる。

Article 60 (1) In the cases set forth in the following items, the Minister for Internal Affairs and Communications may designate the period not exceeding two years and prohibit a certified dealer, for that period, from affixing the

marks set forth in Article 58 on terminal equipment based on a certified design or the design prescribed respectively in those items:

一 認証設計に基づく端末機器が第五十二条第一項の総務省令で定める技術基準に適合していない場合において、電気通信回線設備を利用する他の利用者の通信への妨害の発生を防止するため特に必要があると認めるとき（第六号に掲げる場合を除く。）。当該端末機器の認証設計

(i) if terminal equipment based on a certified design does not conform to the technical standards specified by Order of the Ministry of Internal Affairs and Communications, as set forth in Article 52, paragraph (1), and the prohibition is found to be particularly necessary for preventing a disturbance in the communications of other users of telecommunication line facilities (except the cases set forth in item (vi)): The certified design of the terminal equipment;

二 認証取扱業者が第五十七条第二項の規定に違反したとき。当該違反に係る端末機器の認証設計

(ii) if a certified dealer has violated the provisions of Article 57, paragraph (2): The certified design of the terminal equipment related to the violation;

三 認証取扱業者が前条の規定による命令に違反したとき。当該違反に係る端末機器の認証設計

(iii) if a certified dealer has violated an order issued pursuant to the provisions of the preceding Article: The certified design of the terminal equipment related to the violation;

四 認証取扱業者が不正な手段により登録認定機関による設計認証を受けたとき。当該設計認証に係る設計

(iv) if a certified dealer has obtained a certification of design through dishonest means from a registered approval body: The design related to the certification of design;

五 登録認定機関が第五十六条第二項の規定又は第百三条において準用する第九十一条第二項の規定に違反して設計認証をしたとき。当該設計認証に係る設計

(v) if a registered approval body has issued a certification of design in violation of the provision of Article 56, paragraph (2) or Article 91, paragraph (2), as applied mutatis mutandis pursuant to Article 103: The design related to the certification of design;

六 第五十二条第一項の総務省令で定める技術基準が変更された場合において、当該変更前に設計認証を受けた設計が当該変更後の技術基準に適合しないと認めるとき。当該設計

(vi) if the technical standards specified by Order of the Ministry of Internal Affairs and Communications, as set forth in Article 52, paragraph (1), have been changed and the design that obtained the certification of design prior to the change is found not to conform to the technical standards after the change: That design.

2 総務大臣は、前項の規定により表示を付することを禁止したときは、その旨を公示しなければならない。

(2) If the Minister for Internal Affairs and Communications prohibits a certified dealer from marking the terminal equipment, pursuant to the provisions of the preceding paragraph, the Minister must issue a public notice to that effect.

(準用)

(Application Mutatis Mutandis)

第六十一条 第五十四条の規定は認証取扱業者について、第五十五条の規定は認証設計に基づく端末機器について準用する。この場合において、第五十四条中「登録認定機関による技術基準適合認定を受けた」とあるのは「認証設計に基づく」と、同条中「前条第二項」とあり、及び第五十五条第一項中「第五十三条第二項」とあるのは「第五十八条」と、第五十四条中「は、当該」とあるのは「は、当該認証設計に係る」と読み替えるものとする。

Article 61 The provisions of Article 54 apply mutatis mutandis to certified dealers, and the provisions of Article 55 apply mutatis mutandis to terminal equipment based on a certified design. In these cases, the term "which has obtained technical standards conformity approval from a registered approval body" in Article 54 is to be replaced with "based on the certified design"; the term "paragraph (2) of the preceding Article" in Article 54 and the term "Article 53, paragraph (2)" in Article 55 paragraph (1) are to be replaced with "Article 58"; and the term "the person that has obtained the technical standards conformity approval" in Article 54 is to be replaced with "the person that has obtained the technical standards conformity approval in relation to the certified design."

(外国取扱業者)

(Foreign Dealers)

第六十二条 登録認定機関による技術基準適合認定を受けた者が外国取扱業者（外国において本邦内で使用されることとなる端末機器を取り扱うことを業とする者をいう。以下同じ。）である場合における当該外国取扱業者に対する第五十四条の規定の適用については、同条中「命ずる」とあるのは、「請求する」とする。

Article 62 (1) With regard to the application of the provisions of Article 54 to a foreign dealer (a person in a foreign state that engages in the business of handling terminal equipment to be used in Japan; hereinafter the same applies) as a person that has obtained technical standards conformity approval from a registered approval body, the term "order" in the same Article is to be replaced with "request."

2 認証取扱業者が外国取扱業者である場合における当該外国取扱業者に対する第五十九条、第六十条第一項第三号及び前条において準用する第五十四条の規定の適用については、第五十九条及び前条において準用する第五十四条中「命ずる」とあるのは

「請求する」と、第六十条第一項第三号中「命令に違反した」とあるのは「請求に応じなかった」と、「違反に」とあるのは「請求に」とする。

(2) With regard to the application of the provisions of Article 54, as applied mutatis mutandis pursuant to Article 59, Article 60, paragraph (1), item (iii) and the preceding Article, to a foreign dealer as a certified dealer, the term "order" in Article 54, as applied mutatis mutandis pursuant to Article 59 and the preceding Article, is to be replaced with "request"; and the term "has violated an order" and the term "violation" in Article 60, paragraph (1), item (iii) are to be replaced with "has not responded to a request" and "request," respectively.

3 第六十条第一項の規定によるほか、総務大臣は、次の各号に掲げる場合には、登録認定機関による設計認証を受けた外国取扱業者に対し、二年以内の期間を定めて、当該各号に定める認証設計に基づく端末機器に第五十八条の表示を付することを禁止することができる。

(3) Beyond the provisions of Article 60, paragraph (1), in the cases set forth in the following items, the Minister for Internal Affairs and Communications may designate the period not exceeding two years and prohibit a foreign dealer that has obtained a certification of design from a registered approval body, for that period, from affixing the marks set forth in Article 58 on terminal equipment based on a certified design prescribed respectively in those items:

一 総務大臣が第百六十六条第三項において準用する同条第二項の規定により当該外国取扱業者に対し報告をさせようとした場合において、その報告がされず、又は虚偽の報告がされたとき。 当該報告に係る端末機器の認証設計

(i) if the Minister for Internal Affairs and Communications has the foreign dealer submit a report pursuant to the provisions of Article 166, paragraph (2), as applied mutatis mutandis pursuant to paragraph (3) of the same Article, but the foreign dealer does not submit that report or makes a false report: The certified design of the terminal equipment related to the report;

二 総務大臣が第百六十六条第三項において準用する同条第二項の規定によりその職員に当該外国取扱業者の事業所において検査をさせようとした場合において、その検査が拒まれ、妨げられ、又は忌避されたとき。 当該検査に係る端末機器の認証設計

(ii) if the Minister for Internal Affairs and Communications has ministerial officials conduct an inspection at the place of business of the foreign dealer pursuant to the provisions of Article 166, paragraph (2), as applied mutatis mutandis pursuant to paragraph (3) of the same Article, but it refuses, obstructs or evades that inspection: The certified design of the terminal equipment related to the inspection;

三 当該外国取扱業者が第百六十七条第六項の規定により読み替えて適用する同条第一項の規定による請求に応じなかったとき。 当該請求に係る端末機器の認証設計

(iii) if the foreign dealer does not respond to the request made pursuant to the

provisions of Article 167, paragraph (1), as applied pursuant to the provisions of paragraph (6) of the same Article following the deemed replacement of terms: The certified design of the terminal equipment related to the request.

4 総務大臣は、前項の規定により表示を付することを禁止したときは、その旨を公示しなければならない。

(4) If the Minister for Internal Affairs and Communications prohibits the foreign dealer from marking the terminal equipment, pursuant to the provisions of the preceding paragraph, the Minister must issue a public notice to that effect.

(技術基準適合自己確認等)

(Self-Confirmation of Conformity to Technical Standards)

第六十三条 端末機器のうち、端末機器の技術基準、使用の態様等を勘案して、電気通信回線設備を利用する他の利用者の通信に著しく妨害を与えるおそれが少ないものとして総務省令で定めるもの（以下「特定端末機器」という。）の製造業者又は輸入業者は、その特定端末機器を、第五十二条第一項の総務省令で定める技術基準に適合するものとして、その設計（当該設計に合致することの確認の方法を含む。）について自ら確認することができる。

Article 63 (1) A manufacturer or importer of the terminal equipment specified by Order of the Ministry of Internal Affairs and Communications, in consideration of the technical standards for the terminal equipment, the way it is used, or other things, as what is not likely to disturb communications of other users of telecommunication line facilities considerably (hereinafter referred to as "specified terminal equipment") may confirm by itself whether the design (including means of confirming whether the terminal equipment is in accordance with the design) of their specified terminal equipment conforms to the technical standards specified by Order of the Ministry of Internal Affairs and Communications, as set forth in Article 52, paragraph (1).

2 製造業者又は輸入業者は、総務省令で定めるところにより検証を行い、その特定端末機器の設計が第五十二条第一項の総務省令で定める技術基準に適合するものであり、かつ、当該設計に基づく特定端末機器のいずれもが当該設計に合致するものとなることを確保することができるものと認めるときに限り、前項の規定による確認（次項において「技術基準適合自己確認」という。）を行うものとする。

(2) A manufacturer or importer is to carry out confirmation pursuant to the provisions of the preceding paragraph (referred to as "self-confirmation of technical standards conformity" in the following paragraph), only if it conducts verification pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications and finds that the design of its specified terminal equipment conforms to the technical standards specified by Order of the Ministry of Internal Affairs and Communications, as set forth in Article 52, paragraph (1), and that any piece of the specified terminal equipment based on

the design is ensured to be in accordance with that design.

3 製造業者又は輸入業者は、技術基準適合自己確認をしたときは、総務省令で定めるところにより、次に掲げる事項を総務大臣に届け出ることができる。

(3) If any manufacturer or importer has conducted self-confirmation of technical standards conformity, it may notify the Minister for Internal Affairs and Communications of the particulars listed below:

一 氏名又は名称及び住所並びに法人にあつては、その代表者の氏名

(i) name and address of the manufacturer or importer and, in the case of a corporation, the name of the representative;

二 技術基準適合自己確認を行つた特定端末機器の種別及び設計

(ii) type and design of specified terminal equipment for which the self-confirmation of technical standards conformity was carried out;

三 前項の検証の結果の概要

(iii) outline of the results of the verification set forth in the preceding paragraph;

四 第二号の設計に基づく特定端末機器のいずれもが当該設計に合致することの確認の方法

(iv) a means of confirming whether any piece of the specified terminal equipment based on the design set forth in item (ii) is in accordance with that design;

五 その他技術基準適合自己確認の方法等に関する事項で総務省令で定めるもの

(v) other particulars specified by Order of the Ministry of Internal Affairs and Communications concerning the means of self-confirmation of technical standards conformity.

4 前項の規定による届出をした者（以下「届出業者」という。）は、総務省令で定めるところにより、第二項の検証に係る記録を作成し、これを保存しなければならない。

(4) A person that has notified the Minister for Internal Affairs and Communications of the particulars above pursuant to the provisions of the preceding paragraph (hereinafter referred to as a "notifying supplier") must make and keep a record related to the verification set forth in paragraph (2) pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

5 届出業者は、第三項第一号、第四号又は第五号に掲げる事項に変更があつたときは、総務省令で定めるところにより、遅滞なく、その旨を総務大臣に届け出なければならない。

(5) If any of the particulars listed in paragraph (3), item (i), item (iv) or item (v) has been changed, notifying suppliers must, as specified by Order of the Ministry of Internal Affairs and Communications, notify the Minister for Internal Affairs and Communications to that effect without delay.

6 総務大臣は、第三項の規定による届出があつたときは、総務省令で定めるところにより、その旨を公示しなければならない。前項の規定による届出があつた場合におい

て、その公示した事項に変更があつたときも、同様とする。

- (6) If a notification is filed pursuant to the provisions of paragraph (3), the Minister for Internal Affairs and Communications must, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, issue a public notice to that effect. The same also applies to the cases in which a notification is filed pursuant to the provisions of the preceding paragraph, and any of the particulars in that public notice has been changed.

(設計合致義務等)

(Obligation for Terminal Equipment to Fulfill Criteria for its Design)

第六十四条 届出業者は、前条第三項の規定による届出に係る設計（以下「届出設計」という。）に基づく特定端末機器を製造し、又は輸入する場合には、当該特定端末機器を当該届出設計に合致するようにしなければならない。

Article 64 (1) If a notifying supplier manufactures or imports a specified terminal equipment based on the design related to the notification filed pursuant to the provisions of paragraph (3) of the preceding Article (hereinafter referred to as "notified design"), it must ensure that the specified terminal equipment is in accordance with the notified design.

2 届出業者は、前条第三項の規定による届出に係る確認の方法に従い、その製造又は輸入に係る前項の特定端末機器について検査を行い、総務省令で定めるところにより、その検査記録を作成し、これを保存しなければならない。

(2) A notifying supplier must inspect the specified terminal equipment set forth in the preceding paragraph, which it manufactures or imports, in accordance with the means of confirmation related to the notification filed pursuant to the provisions of paragraph (3) of the preceding Article, and must make and keep a record related to the inspection pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

(表示)

(Marks)

第六十五条 届出業者は、届出設計に基づく特定端末機器について、前条第二項の規定による義務を履行したときは、当該特定端末機器に総務省令で定める表示を付することができる。

Article 65 If a notifying supplier has fulfilled its obligation pursuant to the provisions of paragraph (2) of the preceding Article with regard to the specified terminal equipment based on the notified design, it may affix the marks specified by Order of the Ministry of Internal Affairs and Communications on the specified terminal equipment.

(表示の禁止)

(Prohibition on Marking)

第六十六条 総務大臣は、次の各号に掲げる場合には、届出業者に対し、二年以内の期間を定めて、当該各号に定める届出設計又は設計に基づく特定端末機器に前条の表示を付することを禁止することができる。

Article 66 (1) In the cases set forth in the following items, the Minister for Internal Affairs and Communications may designate the period not exceeding two years and prohibit a notifying supplier, for that period, from affixing the marks set forth in the preceding Article on the specified terminal equipment based on the notified design or design prescribed respectively in those items:

一 届出設計に基づく特定端末機器が第五十二条第一項の総務省令で定める技術基準に適合していない場合において、電気通信回線設備を利用する他の利用者の通信への妨害の発生を防止するため特に必要があると認めるとき（第五号に掲げる場合を除く。）。当該特定端末機器の届出設計

(i) if the specified terminal equipment based on the notified design does not conform to the technical standards specified by Order of the Ministry of Internal Affairs and Communications, as set forth in Article 52, paragraph (1), and the prohibition is found to be particularly necessary in preventing a disturbance in the communications of other users of telecommunication line facilities (except the cases set forth in item (v)): The notified design of the specified terminal equipment;

二 届出業者が第六十三条第三項の規定による届出をする場合において、虚偽の届出をしたとき。当該虚偽の届出に係る設計

(ii) if the notifying supplier files a false notification when it files the notification pursuant to the provisions of Article 63, paragraph (3): The design related to the false notification;

三 届出業者が第六十三条第四項又は第六十四条第二項の規定に違反したとき。当該違反に係る特定端末機器の届出設計

(iii) if the notifying supplier has violated the provisions of Article 63, paragraph (4) or Article 64, paragraph (2): The notified design of the specified terminal equipment related to the violation;

四 届出業者が第六十八条において準用する第五十九条の規定による命令に違反したとき。当該違反に係る特定端末機器の届出設計

(iv) if the notifying supplier has violated an order issued pursuant to the provisions of Article 59, as applied mutatis mutandis pursuant to Article 68: The notified design of the specified terminal equipment related to the violation;

五 第五十二条第一項の総務省令で定める技術基準が変更された場合において、当該変更前に第六十三条第三項の規定により届け出た設計が当該変更後の技術基準に適合しないと認めるとき。当該設計

(v) if the technical standards specified by Order of the Ministry of Internal Affairs and Communications, as set forth in Article 52, paragraph (1), have been changed and the design of which notification has been filed pursuant to

the provisions of Article 63, paragraph (3) prior to the change is found not to conform to the technical standards after the change: That design.

2 総務大臣は、前項の規定により表示を付することを禁止したときは、その旨を公示しなければならない。

(2) If the Minister for Internal Affairs and Communications prohibits a notifying supplier from marking the specified terminal equipment, pursuant to the provisions of the preceding paragraph, the Minister must issue a public notice to that effect.

第六十七条 総務大臣は、届出業者が前条第一項第二号から第四号までのいずれかに該当した場合において、再び同項第二号から第四号までのいずれかに該当するおそれがあると認めるときは、当該届出業者に対し、二年以内の期間を定めて、特定端末機器に第六十五条の表示を付することを禁止することができる。

Article 67 (1) If a notifying supplier has falls under any of paragraph (1), item (ii) through (iv) of the preceding Article and the Minister for Internal Affairs and Communications finds that it is likely to fall under any of item (ii) through (iv) of the same paragraph again, the Minister may designate the period not exceeding two years and prohibit the notifying supplier, for that period, from affixing the marks set forth in Article 65 on the specified terminal equipment.

2 総務大臣は、前項の規定により表示を付することを禁止したときは、その旨を公示しなければならない。

(2) If the Minister for Internal Affairs and Communications prohibits the notifying supplier from marking the specified terminal equipment, pursuant to the provisions of the preceding paragraph, the Minister must issue a public notice to that effect.

(準用)

(Application Mutatis Mutandis)

第六十八条 第五十四条及び第五十九条の規定は特定端末機器及び届出業者について、第五十五条の規定は届出設計に基づく特定端末機器について準用する。この場合において、第五十四条中「登録認定機関による技術基準適合認定を受けた」とあるのは「届出設計に基づく」と、同条中「前条第二項」とあり、及び第五十五条第一項中「第五十三条第二項」とあるのは「第六十五条」と、第五十四条中「は、当該」とあるのは「は、当該届出設計に係る」と、第五十九条中「第五十七条第一項」とあるのは「第六十四条第一項」と、「設計認証」とあるのは「第六十三条第三項の規定による届出」と読み替えるものとする。

Article 68 The provisions of Article 54 and Article 59 apply mutatis mutandis to the specified terminal equipment and the notifying supplier, and the provisions of Article 55 apply mutatis mutandis to the specified terminal equipment based on the notified design. In these cases, the term "which has obtained technical standards conformity approval from a registered approval body" in Article 54 is

deemed to be replaced with "based on a notified design"; the term "paragraph (2) of the preceding Article" in the same Article and the term "Article 53, paragraph (2)" in Article 55 paragraph (1) are deemed to be replaced with "Article 65"; the term "the person that has obtained technical standards conformity approval" in Article 54" is deemed to be replaced with "the person that has obtained technical standards conformity approval in relation to the notified design"; and the term "Article 57, paragraph (1)" and the term "certification of design" in Article 59 are deemed to be replaced with "Article 64, paragraph (1)" and "notification filed pursuant to the provisions of Article 63, paragraph (3)," respectively.

(同一の表示を付することができる場合)

(Cases in which Affixing the Same Marks is Permitted)

第六十八条の二 第五十三条第二項（第百四条第四項において準用する場合を含む。）、第五十八条（第百四条第七項において準用する場合を含む。）若しくは第六十五条又は第六十八条の八第三項の規定により表示が付されている端末機器（第五十五条第一項（第六十一条、前条並びに第百四条第四項及び第七項において準用する場合を含む。）の規定により表示が付されていないものとみなされたものを除く。以下「適合表示端末機器」という。）を組み込んだ製品を取り扱うことを業とする者は、総務省令で定めるところにより、製品に組み込まれた適合表示端末機器に付されている表示と同一の表示を当該製品に付することができる。

Article 68-2 A person engaged in the business of handling products that incorporate a terminal equipment marked pursuant to the provisions of Article 53, paragraph (2) (including as applied mutatis mutandis in Article 104, paragraph (4)), Article 58, (including as applied mutatis mutandis in Article 104 paragraph (7)) or Article 65, or Article 68-8, paragraph (3) (excluding terminal equipment that is deemed not to be marked pursuant to the provisions in Article 55, paragraph (1) (including as applied mutatis mutandis in Article 61, the preceding Article and paragraphs (4) and (7) of Article 104); hereinafter referred to as "conformity-marked terminal equipment") may, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, affix on its products the same marks that has been affixed on the conformity-marked terminal equipment incorporated in those product.

(修理業者の登録)

(Registration of Repairers)

第六十八条の三 特定端末機器（適合表示端末機器に限る。以下この条、次条及び第六十八条の七から第六十八条の九までにおいて同じ。）の修理の事業を行う者は、総務大臣の登録を受けることができる。

Article 68-3 (1) A person engaged in the business of repairing specified terminal equipment (limited to conformity-marked terminal equipment; the same

applies in this Article, the following Article, and Article 68-7 through Article 68-9) may obtain a registration from the Minister for Internal Affairs and Communications.

2 前項の登録を受けようとする者は、総務省令で定めるところにより、次に掲げる事項を記載した申請書を総務大臣に提出しなければならない。

- (2) A person that intends to obtain the registration under the preceding paragraph must file a written application describing the following particulars with the Minister for Internal Affairs and Communications pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications:
- 一 氏名又は名称及び住所並びに法人にあつては、その代表者の氏名
 - (i) the name and address of that person and, in the case of a corporation, the name of the representative;
 - 二 事務所の名称及び所在地
 - (ii) the name and address of the office;
 - 三 修理する特定端末機器の範囲
 - (iii) the scope of specified terminal equipment that the person repairs;
 - 四 特定端末機器の修理の方法の概要
 - (iv) outline of the means used for repairing specified terminal equipment; and
 - 五 修理された特定端末機器が第五十二条第一項の総務省令で定める技術基準に適合することの確認（次項、次条及び第六十八条の七から第六十八条の九までにおいて「修理の確認」という。）の方法の概要
 - (v) outline of the means used to confirm that the repaired specified terminal equipment conforms to the technical standards as specified by Order of the Ministry of Internal Affairs and Communications in Article 52, paragraph (1) (referred to as "confirmation of repair" in the following paragraph, the following Article and Article 68-7 through Article 68-9).

3 前項の申請書には、総務省令で定めるところにより、特定端末機器の修理の方法及び修理の確認の方法を記載した修理方法書その他総務省令で定める書類を添付しなければならない。

- (3) The written application in the preceding paragraph must be filed, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, with written repair procedures describing the means of repair of specified terminal equipment and the means of confirmation of repair and other documents specified by Order of the Ministry of Internal Affairs and Communications attached thereto.

(登録の基準)

(Criteria for Registration)

第六十八条の四 総務大臣は、前条第一項の登録を申請した者が次の各号のいずれにも適合しているときは、その登録をしなければならない。

Article 68-4 (1) The Minister for Internal Affairs and Communications must

register a person that applies for the registration in paragraph (1) of the preceding Article and that conforms to both of the following requirements:

一 特定端末機器の修理の方法が、修理された特定端末機器の使用により電気通信回線設備を利用する他の利用者の通信に著しく妨害を与えるおそれが少ないものとして総務省令で定める基準に適合するものであること。

(i) the means for repairing specified terminal equipment conforms to the standards specified by Order of the Ministry of Internal Affairs and Communications, as the means that are not likely to disturb the communications of other users of telecommunication line facilities considerably if the specified terminal equipment repaired by those means is used; and

二 修理の確認の方法が、修理された特定端末機器が第五十二条第一項の総務省令で定める技術基準に適合することを確認できるものであること。

(ii) the means used for confirmation of repair can confirm that the repaired specified terminal equipment conforms to the technical standards as specified by Order of the Ministry of Internal Affairs and Communications in Article 52, paragraph (1).

2 次の各号のいずれかに該当する者は、前条第一項の登録を受けることができない。

(2) A person falling under either of the following conditions is not qualified to obtain registration in paragraph (1) of the preceding Article:

一 第六十八条の十一の規定により登録を取り消され、その取消の日から二年を経過しない者であること。

(i) the person's registration was revoked pursuant to Article 68-11 and two years have not yet passed since the date of the revocation; or

二 法人であつて、その役員のうち前号に該当する者があること。

(ii) the person is a corporation and any officer thereof falls under the condition stipulated in the preceding item.

3 前条及び前二項に規定するもののほか、同条第一項の登録に関し必要な事項は、総務省令で定める。

(3) Beyond what is set forth in the preceding Article and the two preceding paragraphs, the particulars necessary for the registration under paragraph (1) of the same Article are stipulated by Order of the Ministry of Internal Affairs and Communications.

(登録簿)

(Register)

第六十八条の五 総務大臣は、第六十八条の三第一項の登録を受けた者（以下「登録修理業者」という。）について、登録修理業者登録簿を備え、次に掲げる事項を登録しなければならない。

Article 68-5 The Minister for Internal Affairs and Communications must prepare a register for persons that have obtained registration in Article 68-3,

paragraph (1) (hereinafter referred to as "registered repairers") and register the following particulars with regard to registered repairers:

一 登録の年月日及び登録番号

(i) date of registration and registration number; and

二 第六十八条の三第二項各号に掲げる事項

(ii) particulars set forth in the each item of Article 68-3, paragraph (2).

(変更登録等)

(Registration of Changes)

第六十八条の六 登録修理業者は、第六十八条の三第二項第三号から第五号までに掲げる事項を変更しようとするときは、総務大臣の変更登録を受けなければならない。ただし、総務省令で定める軽微な変更については、この限りでない。

Article 68-6 (1) If a registered repairer intends to change the particulars stipulated in items (iii) through (v) of Article 68-3, paragraph (2), the registered repairer must obtain a registration of change from the Minister for Internal Affairs and Communications; provided, however, that this does not apply to minor changes specified by Order of the Ministry of Internal Affairs and Communications.

2 前項の変更登録を受けようとする者は、総務省令で定めるところにより、変更に係る事項を記載した申請書を総務大臣に提出しなければならない。

(2) A person that intends to obtain the registration of change under the preceding paragraph must file a written application describing the particulars related to that change with the Minister for Internal Affairs and Communications pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

3 第六十八条の三第三項及び第六十八条の四の規定は、第一項の変更登録について準用する。

(3) The provisions of Article 68-3, paragraph (3) and Article 68-4 apply mutatis mutandis to the registration of the change as set forth in paragraph (1).

4 登録修理業者は、第六十八条の三第二項第一号若しくは第二号に掲げる事項に変更があつたとき、修理方法書を変更したとき（第一項の変更登録を受けたときを除く。）又は第一項ただし書の総務省令で定める軽微な変更をしたときは、遅滞なく、その旨を総務大臣に届け出なければならない。

(4) If any of the particulars set forth in item (i) or (ii) of Article 68-3, paragraph (2) has been changed, the written repair procedures have been changed (excluding cases in which the change is registered pursuant to the provisions of paragraph (1)) or any minor change specified by Order of the Ministry of Internal Affairs and Communications as set forth in the proviso of paragraph (1) has been made, the registered repairer must notify the Minister for Internal Affairs and Communications to that effect without delay.

(登録修理業者の義務)

(Obligations of Registered Repairers)

第六十八条の七 登録修理業者は、その登録に係る特定端末機器を修理する場合には、修理方法書に従い、修理及び修理の確認をしなければならない。

Article 68-7 (1) If a registered repairer repairs the specified terminal equipment related to the registration, it must perform and confirm the repair in accordance with the written repair procedures.

2 登録修理業者は、その登録に係る特定端末機器を修理する場合には、総務省令で定めるところにより、修理及び修理の確認の記録を作成し、これを保存しなければならない。

(2) If a registered repairer repairs the specified terminal equipment related to the registration, it must make and retain a record of the repair and the confirmation of repair pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

(表示)

(Marks)

第六十八条の八 登録修理業者は、その登録に係る特定端末機器を修理したときは、総務省令で定めるところにより、当該特定端末機器に修理をした旨の表示を付さなければならない。

Article 68-8 (1) If a registered repairer has repaired the specified terminal equipment related to its registration, it must mark the equipment to indicate completion of the repair pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

2 何人も、前項の規定により表示を付する場合を除くほか、国内において端末機器に同項の表示又はこれと紛らわしい表示を付してはならない。

(2) Except the case in which terminal equipment is marked pursuant to the provisions in the preceding paragraph, it is prohibited for any person to affix the marks set forth in the same paragraph or other confusingly similar marks on terminal equipment in Japan.

3 登録修理業者は、修理方法書に従い、その登録に係る特定端末機器の修理及び修理の確認をしたときは、総務省令で定めるところにより、当該特定端末機器に、第五十三条第二項（第百四条第四項において準用する場合を含む。）、第五十八条（第百四条第七項において準用する場合を含む。）、第六十五条又はこの項の規定により当該特定端末機器に付されている表示と同一の表示を付することができる。

(3) If a registered repairer has performed repair and confirmation of repair for specified terminal equipment related to its registration by following its written repair procedures, it may affix on the specified terminal equipment the same marks that has been affixed on it pursuant to the provisions of Article 53, paragraph (2) (including as applied mutatis mutandis pursuant to Article 104, paragraph (4)), Article 58 (including as applied mutatis mutandis pursuant to

Article 104, paragraph (7)), Article 65 or this paragraph, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

(登録修理業者に対する改善命令等)

(Orders for Improvement to Registered Repairers)

第六十八条の九 総務大臣は、登録修理業者が第六十八条の四第一項各号のいずれかに適合しなくなつたと認めるときは、当該登録修理業者に対し、これらの規定に適合するために必要な措置をとるべきことを命ずることができる。

Article 68-9 (1) If the Minister for Internal Affairs and Communications finds that a registered repairer has failed to conform to any of the standards stipulated in the items of Article 68-4, paragraph (1), the Minister may order that registered repairer to take necessary measures to conform to those standards.

2 総務大臣は、登録修理業者が第六十八条の七の規定に違反していると認めるときは、当該登録修理業者に対し、修理の方法又は修理の確認の方法の改善その他の措置をとるべきことを命ずることができる。

(2) If the Minister for Internal Affairs and Communications finds that a registered repairer has violated the provisions of Article 68-7, the Minister may order that registered repairer to improve its means of repair or its means of confirmation of repair, or take other measures.

3 総務大臣は、登録修理業者が修理したその登録に係る特定端末機器が、第五十二条第一項の総務省令で定める技術基準に適合しておらず、かつ、当該特定端末機器の使用により電気通信回線設備を利用する他の利用者の通信に妨害を与えるおそれがあると認める場合において、当該妨害の拡大を防止するために特に必要があると認めるときは、当該登録修理業者に対し、当該特定端末機器による妨害の拡大を防止するために必要な措置を講ずべきことを命ずることができる。

(3) If the Minister for Internal Affairs and Communications finds that specified terminal equipment related to the registration repaired by a registered repairer does not conform to the technical standards specified by Order of the Ministry of Internal Affairs and Communications as set forth in Article 52, paragraph (1), and that the use of that terminal equipment is likely to disturb the communications of other users of telecommunication line facilities, and the Minister finds it particularly necessary in order to prevent the spread of the disturbance, the Minister may order the registered repairer to take necessary measures to prevent further disturbance caused by the terminal equipment.

(廃止の届出)

(Notification of the Discontinuance of Business)

第六十八条の十 登録修理業者は、その登録に係る事業を廃止したときは、遅滞なく、その旨を総務大臣に届け出なければならない。

Article 68-10 (1) If a registered repairer has discontinued the business related to

its registration, it must notify the Minister for Internal Affairs and Communications to that effect without delay.

2 前項の規定による届出があつたときは、第六十八条の三第一項の登録は、その効力を失う。

(2) If a notification is filed pursuant to the provisions of the preceding paragraph, the registration set forth in Article 68-3, paragraph (1) ceases to be effective.

(登録の取消し)

(Revocation of Registration)

第六十八条の十一 総務大臣は、登録修理業者が第六十八条の四第二項第二号に該当するに至つたときは、その登録を取り消さなければならない。

Article 68-11 (1) If a registered repairer has fallen under the conditions in Article 68-4, paragraph (2), item (ii), the Minister for Internal Affairs and Communications must revoke its registration.

2 総務大臣は、登録修理業者が次の各号のいずれかに該当するときは、その登録を取り消すことができる。

(2) If a registered repairer falls under any of the following items, the Minister for Internal Affairs and Communications may revoke its registration:

一 第六十八条の六第一項若しくは第四項又は第六十八条の八第一項の規定に違反したとき。

(i) the registered repairer violates the provisions of Article 68-6, paragraph (1) or paragraph (4), or Article 68-8, paragraph (1);

二 第六十八条の九の規定による命令に違反したとき。

(ii) the registered repairer violates an order under Article 68-9; or

三 不正な手段により第六十八条の三第一項の登録又は第六十八条の六第一項の変更登録を受けたとき。

(iii) the registered repairer obtains the registration set forth in Article 68-3, paragraph (1) or registration of change set forth in Article 68-6, paragraph (1), through dishonest means.

(登録の抹消)

(Deletion of Registration)

第六十八条の十二 総務大臣は、第六十八条の十第二項の規定により登録修理業者の登録がその効力を失つたとき、又は前条の規定により登録修理業者の登録を取り消したときは、当該登録修理業者の登録を抹消しなければならない。

Article 68-12 If the registration of a person as a registered repairer ceases to be effective pursuant to the provisions of Article 68-10, paragraph (2) or the registration of a person as a registered repairer is revoked pursuant to the provisions of the preceding Article, the Minister for Internal Affairs and Communications must delete the registration of that person as a registered repairer.

(端末設備の接続の検査)

(Inspection of Terminal Facility Interconnections)

第六十九条 利用者は、適合表示端末機器を接続する場合その他総務省令で定める場合を除き、電気通信事業者の電気通信回線設備に端末設備を接続したときは、当該電気通信事業者の検査を受け、その接続が第五十二条第一項の技術基準に適合していると認められた後でなければ、これを使用してはならない。これを変更したときも、同様とする。

Article 69 (1) If a user interconnects terminal equipment to telecommunication line facilities of a telecommunications carrier, the user must not use that terminal equipment before the telecommunications carrier conducts an inspection to certify that the interconnection conforms to the technical standards set forth in Article 52, paragraph (1), except in cases in which the user interconnects a conformity-marked terminal equipment or other cases specified by Order of the Ministry of Internal Affairs and Communications. The same applies to the case in which an interconnection is changed.

2 電気通信回線設備を設置する電気通信事業者は、端末設備に異常がある場合その他電気通信役務の円滑な提供に支障がある場合において必要と認めるときは、利用者に対し、その端末設備の接続が第五十二条第一項の技術基準に適合するかどうかの検査を受けるべきことを求めることができる。この場合において、当該利用者は、正当な理由がある場合その他総務省令で定める場合を除き、その請求を拒んではならない。

(2) A telecommunications carrier running telecommunication line facilities may request its users to undergo an inspection to determine whether the interconnection of their terminal facilities conforms to the technical standards set forth in Article 52, paragraph (1), if there is a defect in the terminal facilities or the smooth provision of its telecommunications services is hindered otherwise, and that telecommunications carrier finds it necessary. In this case, the users must not refuse the request, except in the cases in which there are justifiable grounds and other cases specified by Order of the Ministry of Internal Affairs and Communications.

3 前二項の検査に従事する者は、その身分を示す証明書を携帯し、関係人に提示しなければならない。

(3) A person that engages in the inspection set forth in the preceding two paragraphs must carry a certificate for identification and show it to the persons concerned.

(自営電気通信設備の接続)

(Interconnection of Customer-Owned and Maintained Telecommunications Facilities)

第七十条 電気通信事業者は、電気通信回線設備を設置する電気通信事業者以外の者からその電気通信設備（端末設備以外のものに限る。以下「自営電気通信設備」とい

う。)をその電気通信回線設備に接続すべき旨の請求を受けたときは、次に掲げる場合を除き、その請求を拒むことができない。

Article 70 (1) If a telecommunications carrier receives a request from a person that is not a telecommunications carrier running telecommunication line facilities for interconnecting telecommunications facilities of that person (limited to those other than terminal facilities; hereinafter referred to as "customer-owned and maintained telecommunications facilities") to its telecommunication line facilities, it must not refuse that request except in the following cases:

一 その自営電気通信設備の接続が、総務省令で定める技術基準（当該電気通信事業者又は当該電気通信事業者とその電気通信設備を接続する他の電気通信事業者であつて総務省令で定めるものが総務大臣の認可を受けて定める技術的条件を含む。）に適合しないとき。

(i) if the interconnection of customer-owned and maintained telecommunications facilities does not conform to the technical standards specified by Order of the Ministry of Internal Affairs and Communications (including technical conditions established, with the authorization from the Minister for Internal Affairs and Communications, by that telecommunications carrier or other telecommunications carriers whose telecommunications facilities are interconnected to those of that telecommunications carrier and that are specified by Order of the Ministry of Internal Affairs and Communications)

二 その自営電気通信設備を接続することにより当該電気通信事業者の電気通信回線設備の保持が経営上困難となることについて当該電気通信事業者が総務大臣の認定を受けたとき。

(ii) if the telecommunications carrier has obtained approval from the Minister for Internal Affairs and Communications with regard to the possibility that the interconnection of the customer-owned and maintained telecommunications facilities would make it difficult, from the perspective of management, to maintain its telecommunication line facilities.

2 第五十二条第二項の規定は前項第一号の技術基準について、前条の規定は同項の請求に係る自営電気通信設備の接続の検査について準用する。この場合において、同条第一項及び第二項中「第五十二条第一項の技術基準」とあるのは、「第七十条第一項第一号の技術基準（同号の技術的条件を含む。）」と読み替えるものとする。

(2) The provisions of Article 52, paragraph (2) apply mutatis mutandis pursuant to the technical standards set forth in item (i) of the preceding paragraph, and the provisions of the preceding Article apply mutatis mutandis pursuant to the inspection of the interconnection of the customer-owned and maintained telecommunications facilities in relation to the request set forth in the preceding paragraph. In these cases, the term "technical standards set forth in Article 52, paragraph (1)" in paragraph (1) and paragraph (2) of the preceding

Article is deemed to be replaced with "technical standards set forth in Article 70, paragraph (1), item (i) (including the technical conditions set forth in the same item)."

(工事担任者による工事の実施及び監督)

(Conducting and the Supervision of Installation Work by Installation Technicians)

第七十一条 利用者は、端末設備又は自営電気通信設備を接続するときは、工事担任者資格者証の交付を受けている者（以下「工事担任者」という。）に、当該工事担任者資格者証の種類に応じ、これに係る工事を行わせ、又は実地に監督させなければならない。ただし、総務省令で定める場合は、この限りでない。

Article 71 (1) If a user interconnects the terminal facilities or customer-owned and maintained telecommunications facilities, the user must commission a person that has an installation technician's license (hereinafter referred to as an "installation technician") to carry out or supervise the installation on site, according to the class of the installation technician's license; provided, however, that this does not apply to the cases specified by Order of the Ministry of Internal Affairs and Communications.

2 工事担任者は、その工事の実施又は監督の職務を誠実に行わなければならない。

(2) Installation technicians must carry out or supervise the installation in a sincere manner.

(工事担任者資格者証)

(Installation Technician Licenses)

第七十二条 工事担任者資格者証の種類及び工事担任者が行い、又は監督することができる端末設備若しくは自営電気通信設備の接続に係る工事の範囲は、総務省令で定める。

Article 72 (1) The classes of installation technician's licenses and the scope of installation work to be conducted or supervised by installation technicians in relation to the interconnection of terminal facilities or customer-owned and maintained telecommunications facilities are specified by Order of the Ministry of Internal Affairs and Communications.

2 第四十六条第三項から第五項まで及び第四十七条の規定は、工事担任者資格者証について準用する。この場合において、第四十六条第三項第一号中「電気通信主任技術者試験」とあるのは「工事担任者試験」と、同項第三号中「専門的知識及び能力」とあるのは「知識及び技能」と読み替えるものとする。

(2) The provisions of Article 46, paragraph (3) through paragraph (5) and Article 47 apply mutatis mutandis pursuant to the installation technician's licenses. In these cases, the term "qualification examination for chief telecommunications engineers" in Article 46, paragraph (3) item (i) is to be replaced with "qualification examination for installation technicians"; and the

term "expert knowledge and ability" in item (iii) of the same paragraph is to be replaced with "knowledge and technical ability."

(工事担任者試験)

(Qualification Examinations for Installation Technicians)

第七十三条 工事担任者試験は、端末設備及び自営電気通信設備の接続に関して必要な知識及び技能について行う。

Article 73 (1) The qualification examination for installation technicians covers the knowledge and technical ability necessary for the interconnection of terminal facilities and customer-owned and maintained telecommunications facilities.

2 第四十八条第二項及び第三項の規定は、工事担任者試験について準用する。この場合において、同条第二項中「電気通信主任技術者資格者証」とあるのは、「工事担任者資格者証」と読み替えるものとする。

(2) The provisions of Article 48, paragraph (2) and paragraph (3) apply mutatis mutandis pursuant to the qualification examination for installation technicians. In these cases, the term "chief telecommunications engineer's license" in paragraph (2) of the same Article is deemed to be replaced with "installation technician's license."

第五節 指定試験機関等

Section 5 Designated Examination Bodies

第一款 指定試験機関

Subsection 1 Designated Examination Bodies

(指定試験機関の指定等)

(Designation of a Person as a Designated Examination Body)

第七十四条 総務大臣は、その指定する者（以下「指定試験機関」という。）に、電気通信主任技術者試験又は工事担任者試験の実施に関する事務（以下「試験事務」という。）を行わせることができる。

Article 74 (1) The Minister for Internal Affairs and Communications may make a person whom the Minister designates (hereinafter referred to as a "designated examination body") to undertake administration involved in conducting qualification examinations for chief telecommunications engineers and installation technicians (hereinafter referred to as "exam administration").

2 指定試験機関の指定は、総務省令で定める区分ごとに、試験事務を行おうとする者の申請により行う。

(2) The designation of a person as a designated examination body is made according to the classification specified by Order of the Ministry of Internal Affairs and Communications, upon application from a person that intends to conduct exam administration.

3 総務大臣は、指定試験機関の指定をしたときは、その旨を公示しなければならない。
(3) If the Minister for Internal Affairs and Communications designates a person as a designated examination body, the Minister must issue a public notice to that effect.

4 総務大臣は、指定試験機関の指定をしたときは、当該指定に係る区分の試験事務を行わないものとする。

(4) If the Minister for Internal Affairs and Communications designates a person as a designated examination body, the Minister is not to conduct the exam administration for the classification related to that designation.

(指定試験機関の指定の基準)

(Criteria for Designating a Person as a Designated Examination Body)

第七十五条 総務大臣は、前条第二項の申請に係る区分の試験事務につき他に指定試験機関の指定を受けた者がなく、かつ、当該申請が次の各号に適合していると認めるときでなければ、指定試験機関の指定をしてはならない。

Article 75 (1) The Minister for Internal Affairs and Communications must not designate a person as a designated examination body unless no other person has been designated as a designated examination body to conduct exam administration for the classification related to the application set forth in paragraph (2) of the preceding Article and unless the Minister finds that the applicant complies with all of the following items:

一 職員、設備、試験事務の実施の方法その他の事項についての試験事務の実施に関する計画が試験事務の適確な実施のために適切なものであること。

(i) the applicant's plan related to conducting exam administration, which specifies staff, facilities, the means of conducting exam administration, and other particulars is appropriate for properly conducting exam administration;

二 前号の試験事務の実施に関する計画を適確に実施するに足りる経理的基礎及び技術的能力があること。

(ii) the applicant has an adequate financial basis and technical capabilities to properly implement the plan for conducting exam administration set forth in the preceding item;

三 試験事務以外の業務を行っている場合には、その業務を行うことによつて試験事務が不公正になるおそれがないこと。

(iii) if the applicant engages in operations other than exam administration, the conducting of those operations is unlikely to cause unfairness in its exam administration.

2 総務大臣は、前条第二項の申請をした者が次の各号のいずれかに該当するときは、指定試験機関の指定をしてはならない。

(2) If a person that has filed an application set forth in paragraph (2) of the preceding Article falls under any of the following items, the Minister for

Internal Affairs and Communications must not designate the person as a designated examination body:

一 一般社団法人又は一般財団法人以外の者であること。

(i) a person other than general incorporated association or general incorporated foundation;

二 この法律又は有線電気通信法若しくは電波法の規定により罰金以上の刑に処せられ、その執行を終わり、又はその執行を受けることがなくなつた日から二年を経過しない者であること。

(ii) a person that has been sentenced to a fine or a heavier punishment pursuant to the provisions of this Act, the Cable Telecommunications Act or the Radio Act, if two years have not passed since the date on which the enforcement of that punishment has been completed or has become inapplicable;

三 第八十四条第一項又は第二項の規定により指定を取り消され、その取消の日から二年を経過しない者であること。

(iii) a person whose designation was revoked pursuant to the provisions of Article 84, paragraph (1) or paragraph (2), if two years have not passed since the date of revocation;

四 その役員のうち、次のいずれかに該当する者があること。

(iv) a person whose officers fall under any of the followings:

イ 第二号に該当する者

(a) a person that falls under item (ii)

ロ 第七十七条第三項の規定による命令により解任され、その解任の日から二年を経過しない者

(b) a person that has been dismissed by an order under Article 77, paragraph (3), if two years have not passed since the date of dismissal

(試験員)

(Qualification Examiners)

第七十六条 指定試験機関は、試験事務を行う場合において、電気通信主任技術者として必要な専門的知識及び能力又は工事担任者として必要な知識及び技能を有するかどうかの判定に関する事務については、総務省令で定める要件を備える者（以下「試験員」という。）に行わせなければならない。

Article 76 When conducting exam administration, a designated examination body must commission a person that satisfies the requirements specified by Order of the Ministry of Internal Affairs and Communications (hereinafter referred to as a "qualification examiner") to undertake administration involved in judging whether examinees have the expert knowledge and ability required of a chief telecommunications engineer or the knowledge and technical ability required of an installation technician.

(役員等の選任及び解任)

(Appointment and Dismissal of Officers)

第七十七条 指定試験機関の役員を選任及び解任は、総務大臣の認可を受けなければ、その効力を生じない。

Article 77 (1) An appointment and dismissal of officers of a designated examination body does not become effective unless authorized by the Minister for Internal Affairs and Communications.

2 指定試験機関は、試験員を選任し、又は解任したときは、遅滞なく、その旨を総務大臣に届け出なければならない。

(2) When a designated examination body appoints or dismisses its qualification examiner, it must notify the Minister for Internal Affairs and Communications to that effect without delay.

3 総務大臣は、指定試験機関の役員又は試験員が、この法律、この法律に基づく命令若しくは処分又は第七十九条第一項の試験事務規程に違反したときは、その指定試験機関に対し、その役員又は試験員を解任すべきことを命ずることができる。

(3) If an officer or qualification examiner of a designated examination body has violated this Act, any order or disposition made under this Act, or the rules for exam administration set forth in Article 79, paragraph (1), the Minister for Internal Affairs and Communications may order the designated examination body to dismiss the officer or qualification examiner.

(秘密保持義務等)

(Duty of Confidentiality)

第七十八条 指定試験機関の役員若しくは職員（試験員を含む。）又はこれらの職にあつた者は、試験事務に関して知り得た秘密を漏らしてはならない。

Article 78 (1) A officer or member of staff (including a qualification examiner) of a designated examination body, or a person that formerly held that position must not divulge any secret which came to their knowledge with respect to the exam administration.

2 試験事務に従事する指定試験機関の役員及び職員（試験員を含む。）は、刑法（明治四十年法律第四十五号）その他の罰則の適用については、法令により公務に従事する職員とみなす。

(2) A officer or member of staff (including a qualification examiner) of a designated examination body that engages in exam administration is deemed to be a person engaged in public service pursuant to laws and regulations, with regard to the application of the Penal Code (Act No. 45 of 1907) and other penal provisions.

(試験事務規程)

(Rules for Exam Administration)

第七十九条 指定試験機関は、総務省令で定める試験事務の実施に関する事項について

試験事務規程を定め、総務大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 79 (1) A designated examination body must establish the rules for exam administration that govern particulars specified by Order of the Ministry of Internal Affairs and Communications concerning the conducting of exam administration, and must obtain authorization from the Minister for Internal Affairs and Communications. The same also applies if it intends to amend those rules.

2 総務大臣は、前項の認可をした試験事務規程が試験事務の適確な実施上不相当となつたと認めるときは、その指定試験機関に対し、これを変更すべきことを命ずることができる。

(2) If the Minister for Internal Affairs and Communications finds that the authorized rules for exam administration set forth in the preceding paragraph become inappropriate for properly conducting exam administration, the Minister may order the designated examination body to amend those rules.

(事業計画等)

(Business Plans)

第八十条 指定試験機関は、毎事業年度、事業計画及び収支予算を作成し、当該事業年度の開始前に（指定を受けた日の属する事業年度にあつては、その指定を受けた後遅滞なく）、総務大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 80 (1) A designated examination body must prepare its business plan and its budget of income and expenditure for each business year, and must obtain authorization from the Minister for Internal Affairs and Communications before the business year starts (for the business year during which it is designated as that body, without delay after the designation). The same also applies to the case in which it intends to change that business plan and/or the budget of income and expenditure.

2 指定試験機関は、毎事業年度、事業報告書及び収支決算書を作成し、当該事業年度の終了後三月以内に総務大臣に提出しなければならない。

(2) A designated examination body must prepare its annual report of its business and settlement of income and expenditure for each business year, and must file them with the Minister for Internal Affairs and Communications within three months from the end of the business year.

(帳簿の備付け等)

(Keeping of Books)

第八十一条 指定試験機関は、総務省令で定めるところにより、帳簿を備え付け、これに試験事務に関する事項で総務省令で定めるものを記載し、及びこれを保存しなければならない。

Article 81 A designated examination body must, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, keep books, make entries as to particulars specified by Order of the Ministry of Internal Affairs and Communications concerning exam administration in them, and retain them.

(監督命令)

(Supervision Orders)

第八十二条 総務大臣は、この法律を施行するため必要があると認めるときは、指定試験機関に対し、試験事務に関し監督上必要な命令をすることができる。

Article 82 The Minister for Internal Affairs and Communications may issue to a designated examination body an order necessary for supervising it in relation to its exam administration, if the Minister finds it necessary for the enforcement of this Act.

(業務の休廃止)

(Suspension and Discontinuation of Operations)

第八十三条 指定試験機関は、総務大臣の許可を受けなければ、試験事務の全部若しくは一部を休止し、又は廃止してはならない。

Article 83 (1) A designated examination body must not suspend or discontinue its exam administration in whole or in part unless it obtains permission of the Minister for Internal Affairs and Communications.

2 総務大臣は、前項の許可をしたときは、その旨を公示しなければならない。

(2) If the Minister for Internal Affairs and Communications has granted permission set forth in the preceding paragraph, the Minister must issue a public notice to that effect.

(指定の取消し等)

(Revocation of Designations)

第八十四条 総務大臣は、指定試験機関が第七十五条第二項第一号、第二号又は第四号に該当するに至ったときは、その指定を取り消さなければならない。

Article 84 (1) If a designated examination body falls under Article 75, paragraph (2) item (i), item (ii) or item (iv), the Minister for Internal Affairs and Communications must revoke its designation.

2 総務大臣は、指定試験機関が次の各号のいずれかに該当するときは、その指定を取り消し、又は期間を定めて試験事務の全部若しくは一部の停止を命ずることができる。

(2) If a designated examination body falls under any of the following items, the Minister for Internal Affairs and Communications may revoke its designation, or designate the period and suspend its exam administration for that period:

一 この款の規定に違反したとき。

(i) if the designated examination body has violated the provisions of this

Subsection:

二 第七十五条第一項各号のいずれかに適合しなくなつたと認められるとき。

(ii) if the designated examination body is found to fail to conform to any of the items of Article 75, paragraph (1);

三 第七十七条第三項、第七十九条第二項又は第八十二条の規定による命令に違反したとき。

(iii) if the designated examination body has violated an order issued pursuant to the provisions of Article 77, paragraph (3), Article 79, paragraph (2) or Article 82;

四 第七十九条第一項の規定により認可を受けた試験事務規程によらないで試験事務を行つたとき。

(iv) if the designated examination body has conducted the exam administration not in accordance with the rules for exam administration authorized pursuant to the provisions of Article 79, paragraph (1);

五 不正な手段により指定を受けたとき。

(v) if the designated examination body has obtained its designation through dishonest means.

3 総務大臣は、第一項若しくは前項の規定により指定を取り消し、又は同項の規定により試験事務の全部若しくは一部の停止を命じたときは、その旨を公示しなければならない。

(3) If the Minister for Internal Affairs and Communications has revoked the designation pursuant to the provisions of paragraph (1) or the preceding paragraph, or ordered suspension in whole or in part of the exam administration pursuant to the provisions of the same paragraph, the Minister must issue a public notice to that effect.

(総務大臣による試験事務の実施)

(Conducting of Exam Administration by the Minister for Internal Affairs and Communications)

第八十五条 総務大臣は、指定試験機関が第八十三条第一項の規定により試験事務の全部若しくは一部を休止したとき、前条第二項の規定により指定試験機関に対し試験事務の全部若しくは一部の停止を命じたとき、又は指定試験機関が天災その他の事由により試験事務の全部若しくは一部を実施することが困難となつた場合において必要があると認めるときは、第七十四条第四項の規定にかかわらず、試験事務の全部又は一部を自ら行うものとする。

Article 85 (1) If a designated examination body has suspended its exam administration in whole or in part pursuant to the provisions of Article 83, paragraph (1), if the Minister for Internal Affairs and Communications has ordered a designated examination body to suspend its exam administration in whole or in part pursuant to the provisions of paragraph (2) of the preceding Article, or if it has become difficult for a designated examination body to

conduct its exam administration in whole or in part due to a natural disaster or for other reasons and the Minister for Internal Affairs and Communications finds it necessary, the Minister is to conduct the exam administration in whole or in part personally, notwithstanding the provisions of Article 74, paragraph (4).

2 総務大臣は、前項の規定により試験事務を行うこととし、又は同項の規定により行っている試験事務を行わないこととするときは、あらかじめその旨を公示しなければならない。

(2) If the Minister for Internal Affairs and Communications has decided to conduct the exam administration pursuant to the provisions of the preceding paragraph or has decided to discontinue the exam administration that the Minister has been conducting pursuant to the provisions of the same paragraph, the Minister must issue a public notice to that effect in advance.

3 総務大臣が、第一項の規定により試験事務を行うこととし、第八十三条第一項の規定により試験事務の廃止を許可し、又は前条第一項若しくは第二項の規定により指定を取り消した場合における試験事務の引継ぎその他の必要な事項は、総務省令で定める。

(3) If the Minister for Internal Affairs and Communications has decided to conduct the exam administration pursuant to the provisions of paragraph (1) and permitted the discontinuation of exam administration pursuant to the provisions of Article 83, paragraph (1) or revoked the designation pursuant to the provisions of paragraph (1) or paragraph (2) of the preceding Article, the succession of exam administration and other necessary particulars are specified by Order of the Ministry of Internal Affairs and Communications.

(登録講習機関の登録)

(Registration of a Person as a Registered Training Agency)

第八十五条の二 講習の実施に関する事務（以下「講習事務」という。）を行う者は、別表第一の各項の講習の欄に掲げる講習の区分ごとに、総務大臣の登録を受けることができる。

Article 85-2 (1) A person that is engaged in the administration involved in conducting training (hereinafter referred to as "training administration") may obtain a registration from the Minister for Internal Affairs and Communications for each classification of training specified in the Training column of each row in Appended Table 1.

2 前項の登録を受けようとする者は、総務省令で定めるところにより、次に掲げる事項を記載した申請書を総務大臣に提出しなければならない。

(2) A person that intends to obtain the registration set forth in the preceding paragraph must file a written application describing the following particulars with the Minister for Internal Affairs and Communications pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications:

- 一 氏名又は名称及び住所並びに法人にあつては、その代表者の氏名
(i) the name and address of the person applying and, in the case of a corporation, the name of the representative;
 - 二 登録を受けようとする別表第一の各項の講習の欄に掲げる講習の区分
(ii) the classification of training for which the person intends to obtain registration as listed in the Training column of each item in Appended Table 1;
 - 三 事務所の名称及び所在地
(iii) the name and address of the office;
 - 四 講習の講師の選任に関する事項
(iv) particulars related to the selection of training instructors; and
 - 五 講習事務の開始の予定期日
(v) the scheduled date to commence training administration
- 3 前項の申請書には、講習事務の実施に関する計画を記載した書類その他総務省令で定める書類を添付しなければならない。
- (3) The written application in the preceding paragraph must be filed with a document describing the plan for conducting training administration and other documents specified by Order of the Ministry of Internal Affairs and Communications attached thereto.

(登録の基準)

(Criteria for Registration)

第八十五条の三 総務大臣は、前条第一項の登録を申請した者の行う講習事務が、別表第一の各項の講習の欄に掲げる講習の区分に応じ、当該各項の科目の欄に掲げる科目について、それぞれ当該各項の講師の欄に掲げる者のいずれかに該当する者が講師として従事するものであるときは、その登録をしなければならない。

Article 85-3 (1) If the training administration conducted by a person that has applied for registration set forth in paragraph (1) of the preceding Article corresponds to each classification of training set forth in the Training column of Appended Table 1, and persons who constitute any of those set forth in Instructor column of the each row are engaged in the training administration as instructors for the training subjects set forth in Subject column of the each row, the Minister for Internal Affairs and Communications must register the person that has applied for the registration as a registered training agency.

2 次の各号のいずれかに該当する者は、前条第一項の登録を受けることができない。

- (2) A person falling under any of the following conditions is not qualified to obtain registration set forth in paragraph (1) of the preceding Article:
- 一 この法律又は有線電気通信法若しくは電波法の規定により罰金以上の刑に処せられ、その執行を終わり、又はその執行を受けることがなくなつた日から二年を経過しない者であること。
 - (i) a person that has been sentenced to a fine or heavier punishment pursuant

to the provisions of this Act, Cable Telecommunications Act, or the Radio Act, if two years have not passed since the day on which the enforcement of the punishment has been completed or has ceased to become applicable;

二 第八十五条の十三第一項又は第二項の規定により登録を取り消され、その取消しの日から二年を経過しない者であること。

(ii) a person whose registration has been revoked pursuant to the provisions of Article 85-13, paragraph (1) or (2), if two years have not passed since the revocation date; or

三 法人であつて、その役員のうち前二号のいずれかに該当する者があること。

(iii) a corporation any of whose officers fall under either of the preceding two items.

3 前条及び前二項に規定するもののほか、同条第一項の登録に関し必要な事項は、総務省令で定める。

(3) Beyond what is provided for in the preceding Article and the preceding two paragraphs, the particulars necessary for the registration set forth in paragraph (1) of the same Article are prescribed by Order of the Ministry of Internal Affairs and Communications.

(登録の更新)

(Renewal of Registrations)

第八十五条の四 第八十五条の二第一項の登録は、三年を下らない政令で定める期間ごとにその更新を受けなければ、その期間の経過によつて、その効力を失う。

Article 85-4 (1) If the registration set forth in Article 85-2, paragraph (1) is not renewed for every period of not less than three years specified by the Cabinet Order, the registration ceases to be effective upon the expiration of the period.

2 第八十五条の二第二項及び第三項並びに前条の規定は、前項の登録の更新について準用する。

(2) The provisions in Article 85-2, paragraphs (2) and (3) and the preceding Article apply mutatis mutandis pursuant to the renewal of registration in the preceding paragraph.

(登録簿)

(Register)

第八十五条の五 総務大臣は、登録講習機関について、登録講習機関登録簿を備え、次に掲げる事項を登録しなければならない。

Article 85-5 The Minister for Internal Affairs and Communications must prepare a register for registered training agencies, and register the following particulars with regard to registered training agencies:

一 登録及びその更新の年月日並びに登録番号

(i) the agency registration date, renewal date and registration number; and

二 第八十五条の二第二項第一号から第三号までに掲げる事項

(ii) particulars listed in Article 85-2, paragraph (2), items (i) through (iii).

(登録の公示等)

(Public Notification of Registration)

第八十五条の六 総務大臣は、第八十五条の二第一項の登録をしたときは、登録講習機関の氏名又は名称及び住所並びに登録に係る別表第一の各項の講習の欄に掲げる講習の区分、講習事務を行う事務所の所在地及び講習事務の開始の日を公示しなければならない。

Article 85-6 (1) If the Minister for Internal Affairs and Communications has made a registration set forth in Article 85-2, paragraph (1), the Minister must issue a public notice providing the name and the address of the registered training agency, the classification of training listed in the Training column of each row of Appended Table 1 related to the registration, the location of the office where the training administration is conducted and the date of commencement of the training administration.

2 登録講習機関は、第八十五条の二第二項第一号又は第三号に掲げる事項を変更しようとするときは、変更しようとする日の二週間前までに、その旨を総務大臣に届け出なければならない。

(2) A registered training agency that intends to change the particulars listed in Article 85-2, paragraph (2), item (i) or (iii) must notify the Minister for Internal Affairs and Communications to that effect by two weeks prior to the scheduled date of the change.

3 総務大臣は、前項の規定による届出（登録講習機関の氏名若しくは名称若しくは住所又は講習事務を行う事務所の所在地の変更に係るものに限る。）があつたときは、その旨を公示しなければならない。

(3) If a notification is filed pursuant to the provisions of the preceding paragraph (limited to a notification related to a change in the name or address of the registered training agency, or a change in the location of the office where the training administration is conducted), the Minister for Internal Affairs and Communications must issue the public notice to that effect.

(講習事務の実施に係る義務)

(Obligations Related to Conducting Training Administration)

第八十五条の七 登録講習機関は、公正に、かつ、第八十五条の三第一項の規定及び総務省令で定める基準に適合する方法により講習事務を行わなければならない。

Article 85-7 A registered training agency must conduct its training administration in a fair manner by means that conforms to the provisions in Article 85-3, paragraph (1) and the standard specified by Order of the Ministry of Internal Affairs and Communications.

(講習事務規程)

(Regulations for Training Administration)

第八十五条の八 登録講習機関は、その登録に係る講習事務に関する規程（次項において「講習事務規程」という。）を定め、講習事務の開始前に、総務大臣に届け出なければならない。これを変更しようとするときも、同様とする。

Article 85-8 (1) A registered training agency must establish regulations for the training administration related to the registration (referred to as "regulations for training administration" in the following paragraph) and notify the Minister for Internal Affairs and Communications of them before commencing the training administration; the same applies to the case in which it intends to change them.

2 講習事務規程には、講習の実施方法、講習に関する料金その他の総務省令で定める事項を定めておかなければならない。

(2) The regulations for training administration must include provisions in relation to the means of implementing training, training fees and other particulars specified by Order of the Ministry of Internal Affairs and Communications.

(財務諸表等の備付け及び閲覧等)

(Keeping and Inspection of Financial Statements)

第八十五条の九 登録講習機関は、毎事業年度経過後三月以内に、その事業年度の財産目録、貸借対照表及び損益計算書又は収支計算書並びに事業報告書（その作成に代えて電磁的記録（電子的方式、磁気的方式その他の人の知覚によつては認識することができない方式で作られる記録であつて、電子計算機による情報処理の用に供されるものをいう。以下この条及び第九十五条第二項において同じ。）の作成がされている場合における当該電磁的記録を含む。次項、第九十五条及び第百九十二条第三号において「財務諸表等」という。）を作成し、五年間事務所に備えて置かなければならない。

Article 85-9 (1) A registered training agency must, within three months from the end of each business year, prepare an inventory of assets, a balance sheet, and a profit and loss statement or an income and expenditure statement, and a business report (including electronic or magnetic records (meaning records used in computerized information processing which is created in an electronic form, magnetic form, or any other form that cannot be perceived by human senses; the same applies in this Article and Article 95, paragraph (2)), if electronic or magnetic records are prepared in lieu of written documents; hereinafter collectively referred to as "financial statements, etc." in the following paragraph, Article 95 and Article 192, item (iii)) for the business year, and must keep those financial statements, etc. at its office for five years.

2 講習を受けようとする者その他の利害関係人は、登録講習機関の業務時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号の請求をするには、登録講習機関の定めた費用を支払わなければならない。

(2) A person who intends to take training from a registered training agency, or

other interested persons may make any of the requests listed below to the registered training agency anytime within its business hours; provided, however, that those persons must pay a fee determined by the registered training agency for the requests set forth in item (ii) or (iv):

一 財務諸表等が書面をもつて作成されているときは、当該書面の閲覧又は謄写の請求

(i) if financial statements, etc. are prepared as written documents, a request to inspect or a copy of written documents;

二 前号の書面の謄本又は抄本の請求

(ii) a request for issuing certified copies or abridged copies of the written documents set forth in item (i) above;

三 財務諸表等が電磁的記録をもつて作成されているときは、当該電磁的記録に記録された事項を総務省令で定める方法により表示したものの閲覧又は謄写の請求

(iii) if financial statements, etc. are prepared in the form of electronic or magnetic records, a request for an inspection or a copy of the particulars recorded in the electronic or magnetic records, that are presented by means specified by Order of the Ministry of Internal Affairs and Communications; and

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

(iv) a request for the provision of particulars recorded in an electronic or magnetic record set forth in the preceding item by electronic or magnetic means specified by Order of the Ministry of Internal Affairs and Communications, or for the issuance of a written document describing those particulars.

(帳簿の備付け等)

(Keeping of Books)

第八十五条の十 登録講習機関は、総務省令で定めるところにより、帳簿を備え付け、これに講習事務に関する事項で総務省令で定めるものを記載し、及びこれを保存しなければならない。

Article 85-10 A registered training agency must, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, keep books, make entries as to particulars specified by Order of the Ministry of Internal Affairs and Communications concerning training administration in them, and retain them.

(改善命令等)

(Orders for Improvement)

第八十五条の十一 総務大臣は、登録講習機関が第八十五条の三第一項の規定に適合しなくなつたと認めるときは、当該登録講習機関に対し、同項の規定に適合するため必

要な措置をとるべきことを命ずることができる。

Article 85-11 (1) If the Minister for Internal Affairs and Communications finds that a registered training agency has failed to conform to the provisions of Article 85-3, paragraph (1), the Minister may order that registered training agency to take necessary measures to conform to the provisions of the same paragraph.

2 総務大臣は、登録講習機関が第八十五条の七の規定に違反していると認めるときは、当該登録講習機関に対し、同条の規定による講習事務を行うべきこと又は講習の方法その他の業務の方法の改善に関し必要な措置をとるべきことを命ずることができる。

(2) If the Minister for Internal Affairs and Communications finds that a registered training agency violates the provisions of Article 85-7, the Minister may order that registered training agency to conduct the training administration set forth in the same Article or take necessary measures to improve the means of training or any other operational means.

(講習事務の休廃止)

(Suspension or Discontinuance of Training Administration)

第八十五条の十二 登録講習機関は、その登録に係る講習事務を休止し、又は廃止しようとするときは、総務省令で定めるところにより、あらかじめ、その旨を総務大臣に届け出なければならない。

Article 85-12 (1) If a registered training agency intends to suspend or discontinue its training administration related to its registration, it must notify the Minister for Internal Affairs and Communications to that effect in advance, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

2 登録講習機関が講習事務の全部を廃止したときは、当該登録講習機関の登録は、その効力を失う。

(2) If a registered training agency discontinues all of its training administration, the registration of that person as a registered training agency ceases to be effective.

3 総務大臣は、第一項の規定による届出があつたときは、その旨を公示しなければならない。

(3) If a notification is filed pursuant to the provisions of paragraph (1), the Minister for Internal Affairs and Communications must issue a public notice to that effect.

(登録の取消し等)

(Revocation of Registration)

第八十五条の十三 総務大臣は、登録講習機関が第八十五条の三第二項第一号又は第三号に該当するに至つたときは、その登録を取り消さなければならない。

Article 85-13 (1) If a registered training agency falls under Article 85-3,

paragraph (2), item (i) or item (iii), the Minister for Internal Affairs and Communications must revoke its registration.

2 総務大臣は、登録講習機関が次の各号のいずれかに該当するときは、その登録を取り消し、又は期間を定めてその登録に係る講習事務の全部若しくは一部の停止を命ずることができる。

(2) If a registered training agency falls under any of the following items, the Minister for Internal Affairs and Communications may revoke its registration, or designate the period and order suspension of all or part of its training administration for that period:

一 この款の規定に違反したとき。

(i) the training agency violates the provisions in this Subsection;

二 正当な理由がないのに第八十五条の九第二項各号の規定による請求を拒んだとき。

(ii) the training agency refuses a request under any item of Article 85-9, paragraph (2) without justifiable grounds;

三 第八十五条の十一の規定による命令に違反したとき。

(iii) the training agency violates an order under Article 85-11; or

四 不正な手段により第八十五条の二第一項の登録又はその更新を受けたとき。

(iv) the training agency obtains the registration set forth in Article 85-2, paragraph (1) or renewal of that registration through dishonest means.

3 総務大臣は、第一項若しくは前項の規定により登録を取り消し、又は同項の規定により講習事務の全部若しくは一部の停止を命じたときは、その旨を公示しなければならない。

(3) If the Minister for Internal Affairs and Communications has revoked the registration pursuant to the provisions of paragraph (1) or the preceding paragraph, or ordered suspension of all or part of its training administration pursuant to the provisions of the same paragraph, the Minister must issue the public notice to that effect.

(登録の抹消)

(Deletion of Registration)

第八十五条の十四 総務大臣は、第八十五条の四第一項若しくは第八十五条の十二第二項の規定により登録講習機関の登録がその効力を失ったとき、又は前条第一項若しくは第二項の規定により登録講習機関の登録を取り消したときは、当該登録講習機関の登録を抹消しなければならない。

Article 85-14 If the registration of a person as a registered training agency ceases to be effective pursuant to the provisions of Article 85-4, paragraph (1) or Article 85-12, paragraph (2), or the registration of a person as a registered training agency is revoked pursuant to the provisions of paragraph (1) or (2) of the preceding Article, the Minister for Internal Affairs and Communications must delete the registration of that person as a registered training agency.

(総務大臣による講習事務の実施)

(Training Administration conducted by the Minister for Internal Affairs and Communications)

第八十五条の十五 総務大臣は、第八十五条の二第一項の登録を受けた者がいないとき、第八十五条の十二第一項の規定による講習事務の休止又は廃止の届出があつたとき、第八十五条の十三第一項若しくは第二項の規定により登録を取り消し、又は同項の規定により登録講習機関に対し講習事務の全部若しくは一部の停止を命じたとき、登録講習機関が天災その他の事由によりその登録に係る講習事務の全部又は一部を実施することが困難となつたとき、その他必要があると認めるときは、講習事務の全部又は一部を自ら行うことができる。

Article 85-15 (1) The Minister for Internal Affairs and Communications may personally conduct the training administration in whole or in part; if no persons are registered pursuant to the provisions of Article 85-2, paragraph (1); the notification of the suspension or discontinuance of the training administration is filed pursuant to Article 85-12, paragraph (1); the registration is revoked pursuant to Article 85-13, paragraph (1) or (2); the suspension of all or part of training administration is ordered to a registered training agency pursuant to the provisions of the same paragraph; it is difficult for a registered training agency to conduct all or part of its training administration as a result of a natural disaster or other cause; or the Minister finds it necessary otherwise.

2 総務大臣は、前項の規定により講習事務を行うこととし、又は同項の規定により行っている講習事務を行わないこととするときは、あらかじめその旨を公示しなければならない。

(2) If the Minister for Internal Affairs and Communications has decided to conduct the training administration pursuant to the provisions of the preceding paragraph, or has decided to discontinue the training administration that the Minister has been conducting pursuant to the provisions of the same paragraph, the Minister must issue the public notice to that effect in advance.

3 総務大臣が第一項の規定により講習事務を行うこととした場合における講習事務の引継ぎその他の必要な事項は、総務省令で定める。

(3) If the Minister for Internal Affairs and Communications has decided to conduct its training administration pursuant to paragraph (1), the succession of its training administration and other necessary particulars are specified by Order of the Ministry of Internal Affairs and Communications.

第三款 登録認定機関

Subsection 3 Registered Certifying Bodies

(登録認定機関の登録)

(Registration of a Person as a Registered Approval Body)

第八十六条 端末機器について、技術基準適合認定の事業を行う者は、総務省令で定める事業の区分（以下この節において単に「事業の区分」という。）ごとに、総務大臣の登録を受けることができる。

Article 86 (1) A person that conducts technical standards conformity approval for terminal equipment may obtain a registration from the Minister for Internal Affairs and Communications, for each classification of business specified by Order of the Ministry of Internal Affairs and Communications (hereinafter referred to simply as the "classification of business" in this Section).

2 前項の登録を受けようとする者は、総務省令で定めるところにより、次に掲げる事項を記載した申請書を総務大臣に提出しなければならない。

(2) A person that intends to obtain the registration as set forth in the preceding paragraph must file a written application describing the following particulars with the Minister for Internal Affairs and Communications, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications:

一 氏名又は名称及び住所並びに法人にあつては、その代表者の氏名

(i) name and address of the applicant and, in the case of a corporation, the name of the representative;

二 事業の区分

(ii) classification of business;

三 事務所の名称及び所在地

(iii) names and address of offices;

四 技術基準適合認定の審査に用いる測定器その他の設備の概要

(iv) outline of the measuring instrument or other equipment to be used for examination of technical standards conformity approval;

五 第九十一条第二項の認定員の選任に関する事項

(v) particulars concerning appointment of approval examiners as set forth in Article 91, paragraph (2);

六 業務開始の予定期日

(vi) scheduled starting date of business.

3 前項の申請書には、技術基準適合認定の業務の実施に関する計画を記載した書類その他総務省令で定める書類を添付しなければならない。

(3) The written application set forth in the preceding paragraph must be filed with documents describing a plan for conducting the operations for technical standards conformity approval and other documents specified by Order of the Ministry of Internal Affairs and Communications attached thereto.

(登録の基準)

(Criteria for Registration)

第八十七条 総務大臣は、前条第一項の登録を申請した者（以下この項において「登録申請者」という。）が次の各号のいずれにも適合しているときは、その登録をしなけ

ればならない。

- Article 87 (1) If a person that has applied for registration as set forth in paragraph (1) of the preceding Article (hereinafter referred to as "applicant for registration" in this paragraph) conforms to all of the following items, the Minister for Internal Affairs and Communications must register the person:
- 一 別表第二に掲げる条件のいずれかに適合する知識経験を有する者が技術基準適合認定を行うものであること。
 - (i) the person commissions a member of staff that has knowledge and experience that conform to any of the conditions listed in Appended Table 2 to conduct the technical standards conformity approval;
 - 二 別表第三に掲げる測定器その他の設備であつて、次のいずれかに掲げる較正又は校正（以下この号において「較正等」という。）を受けたもの（その較正等を受けた日の属する月の翌月の一日から起算して一年以内のものに限る。）を使用して技術基準適合認定を行うものであること。
 - (ii) the person conducts technical standards conformity approval by using the measuring instruments listed in Appended Table 3 or other equipment and for which calibration or correction of any of the following (hereinafter referred to as "calibration, etc." in this item) has been carried out (limited to those for which calibration, etc. has been carried out within a period not exceeding one year from the first day of the month following the month of calibration, etc.):
 - イ 国立研究開発法人情報通信研究機構（ハにおいて「機構」という。）又は電波法第百二条の十八第一項の指定較正機関が行う較正
 - (a) calibration conducted by the National Institute of Information and Communications Technology (referred to as "the Institute" in (c)) or the designated calibration body set forth in Article 102-18, paragraph (1) of the Radio Act
 - ロ 計量法（平成四年法律第五十一号）第百三十五条又は第百四十四条の規定に基づく校正
 - (b) correction under of Article 135 or Article 144 of the Measurement Act (Act No. 51 of 1992)
 - ハ 外国において行う較正であつて、機構又は電波法第百二条の十八第一項の指定較正機関が行う較正に相当するもの
 - (c) calibration conducted in a foreign state and equivalent to calibration conducted by the Institute or the designated calibration body set forth in Article 102-18, paragraph (1) of the Radio Act
 - ニ イからハまでのいずれかに掲げる較正等を受けたものを用いて行う較正等
 - (d) calibration, etc. conducted by using equipment for which the calibration, etc. listed in any of (a) through (c) has been carried out
 - 三 登録申請者が、端末機器の製造業者、輸入業者又は販売業者（以下この号において「特定製造業者等」という。）に支配されているものとして次のいずれかに該当

するものでないこと。

(iii) the applicant for registration, as a person controlled by a manufacturer, importer or seller of terminal equipment (hereinafter referred to as "specified manufacturer, etc.," in this item), does not fall under any of the following:

イ 登録申請者が株式会社である場合にあつては、特定製造業者等がその親法人であること。

(a) if the applicant for registration is a stock company, its parent company is a specified manufacturer, etc.

ロ 登録申請者の役員（持分会社（会社法第五百七十五条第一項に規定する持分会社をいう。）にあつては、業務を執行する社員）に占める特定製造業者等の役員又は職員（過去二年間に当該特定製造業者等の役員又は職員であつた者を含む。）の割合が二分の一を超えていること。

(b) The number of officers or members of staff from a specified manufacturer, etc. (including those that held a position of officer or member of staff in the specified manufacturer, etc. in the past two years) accounts for more than one half of the total number of the officers in the applicant for registration (in cases in which the applicant is a membership company (membership company prescribed in Article 575, paragraph (1) of the Companies Act), members executing its operations).

ハ 登録申請者（法人にあつては、その代表権を有する役員）が、特定製造業者等の役員又は職員（過去二年間に当該特定製造業者等の役員又は職員であつた者を含む。）であること。

(c) the applicant for registration (in cases in which the applicant is a corporation, an officer who has the right to represent it) is an officer or member of staff of a specified manufacturer, etc. (including those who held a position of officer or member of staff in the specified manufacturer, etc. in the past two years).

2 次の各号のいずれかに該当する者は、前条第一項の登録を受けることができない。

(2) A person that falls under any of the following items may not obtain the registration set forth in paragraph (1) of the preceding Article:

一 この法律又は有線電気通信法若しくは電波法の規定により罰金以上の刑に処せられ、その執行を終わり、又はその執行を受けることがなくなつた日から二年を経過しない者であること。

(i) a person who has been sentenced to a fine or a heavier punishment pursuant to the provisions of this Act, the Cable Telecommunications Act or the Radio Act, if two years have not passed since the date on which the enforcement of that punishment has been completed or has become inapplicable;

二 第百条第一項又は第二項（第百三条において準用する場合を含む。）の規定により登録を取り消され、その取消の日から二年を経過しない者であること。

(ii) A person whose registration was revoked pursuant to the provisions of Article 100, paragraph (1) or (2) (including as applied mutatis mutandis

pursuant to Article 103), if two years have not passed since that date of revocation;

三 法人であつて、その役員のうちの前二号のいずれかに該当する者があること。

(iii) a corporation any of whose officers fall under either of the preceding two items.

3 前条及び前二項に規定するもののほか、同条第一項の登録に関し必要な事項は、総務省令で定める。

(3) Beyond what is provided for in the preceding Article and the preceding two paragraphs, particulars necessary for the registration set forth in paragraph (1) of the same Article are specified by Order of the Ministry of Internal Affairs and Communications.

(登録の更新)

(Renewal of Registration)

第八十八条 第八十六条第一項の登録は、五年以上十年以内において政令で定める期間ごとにその更新を受けなければ、その期間の経過によつて、その効力を失う。

Article 88 (1) If the registration set forth in Article 86, paragraph (1) is not renewed for every five to ten year period specified by a Cabinet Order the registration cease to be effective upon the expiration of the period.

2 第八十六条第二項及び第三項並びに前条の規定は、前項の登録の更新について準用する。

(2) The provisions of Article 86, paragraph (2) and (3), and the preceding Article apply mutatis mutandis pursuant to the renewal of registration set forth in the preceding paragraph.

(登録簿)

(Registers)

第八十九条 総務大臣は、登録認定機関について、登録認定機関登録簿を備え、次に掲げる事項を登録しなければならない。

Article 89 The Minister for Internal Affairs and Communications must prepare a register for registered approval bodies and register the following particulars with regard to registered approval bodies:

一 登録及びその更新の年月日並びに登録番号

(i) registration date and its renewal date and registration number; and

二 第八十六条第二項第一号から第三号までに掲げる事項

(ii) particulars listed in Article 86, paragraph (2), item (i) through (iii)

(登録の公示等)

(Public Notice of Registration)

第九十条 総務大臣は、第八十六条第一項の登録をしたときは、登録認定機関の氏名又は名称及び住所並びに登録に係る事業の区分、技術基準適合認定の業務を行う事務所

の所在地及び技術基準適合認定の業務の開始の日を公示しなければならない。

Article 90 (1) If the Minister for Internal Affairs and Communications has made a registration set forth in Article 86, paragraph (1), the Minister must issue a public notice providing the name and address of the registered approval body and classification of business related to the registration, the addresses of offices where the operations for technical standards conformity approval are to be conducted, and the date on which the operations of technical standards conformity approval start.

2 登録認定機関は、第八十六条第二項第一号又は第三号に掲げる事項を変更しようとするときは、変更しようとする日の二週間前までに、その旨を総務大臣に届け出なければならない。

(2) If a registered approval agency intends to change the particulars listed in Article 86, paragraph (2), item (i) or item (iii), it must notify the Minister for Internal Affairs and Communications to that effect by two weeks prior to the date of that change.

3 総務大臣は、前項の規定による届出（登録認定機関の氏名若しくは名称若しくは住所又は技術基準適合認定の業務を行う事務所の所在地の変更に係るものに限る。）があつたときは、その旨を公示しなければならない。

(3) If a notification is filed pursuant to the provisions of the preceding paragraph, the Minister for Internal Affairs and Communications must issue a public notice to that effect (limited to a notification in relation to a change in the name or address of the registered approval body, or a change in the location of the office where the operations for technical standards conformity approval are to be conducted).

（技術基準適合認定の義務等）

(Obligation for Technical Standards Conformity Approval)

第九十一条 登録認定機関は、その登録に係る技術基準適合認定を行うべきことを求められたときは、正当な理由がある場合を除き、遅滞なく、技術基準適合認定のための審査を行わなければならない。

Article 91 (1) When a registered approval body is requested to approve conformity to technical standards related to its registration, it must conduct, without delay, an examination for technical standards conformity approval, except in cases in which there are justifiable grounds for not doing so.

2 登録認定機関は、前項の審査を行うときは、総務省令で定める方法に従い、別表第二に掲げる条件に適合する知識経験を有する者（以下「認定員」という。）に行わせなければならない。

(2) When conducting an examination as set forth in the preceding paragraph, a registered approval body must commission a person that has knowledge and experience that conform to the conditions listed in Appended Table 2 (hereinafter referred to as an "approval examiner") to conduct the examination

in accordance with means specified by Order of the Ministry of Internal Affairs and Communications.

(技術基準適合認定の報告等)

(Reporting of Technical Standards Conformity Approval)

第九十二条 登録認定機関は、その登録に係る技術基準適合認定をしたときは、技術基準適合認定を受けた端末機器の種別その他総務省令で定める事項を総務大臣に報告しなければならない。

Article 92 (1) If a registered approval body has granted technical standards conformity approval related to its registration, it must report to the Minister for Internal Affairs and Communications on the type of terminal equipment for which it granted the technical standards conformity approval and other particulars specified by Order of the Ministry of Internal Affairs and Communications.

2 総務大臣は、前項の報告を受けたときは、総務省令で定めるところにより、その旨を公示しなければならない。

(2) If the Minister for Internal Affairs and Communications has received a report set forth in the preceding paragraph, the Minister must issue a public notice to that effect pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

(役員等の選任及び解任)

(Appointment and Dismissal of Officers)

第九十三条 登録認定機関は、役員又は認定員を選任し、又は解任したときは、遅滞なく、その旨を総務大臣に届け出なければならない。

Article 93 If a registered approval body appoints or dismisses its officers or approval examiners, it must notify the Minister for Internal Affairs and Communications to that effect without delay.

(業務規程)

(Operational Rules)

第九十四条 登録認定機関は、その登録に係る事業の区分、技術基準適合認定の業務の実施の方法その他の総務省令で定める事項について業務規程を定め、当該業務の開始前に、総務大臣に届け出なければならない。これを変更しようとするときも、同様とする。

Article 94 A registered approval body must establish operational rules that govern the classification of operations related to its registration, means of conducting the operations for technical standards conformity approval and other particulars specified by Order of the Ministry of Internal Affairs and Communications, and must notify the Minister for Internal Affairs and Communications of them prior to the commencement of the operations. The

same applies to the case in which it intends to amend those rules.

(財務諸表等の備付け及び閲覧等)

(Keeping and Inspection of Financial Statements)

第九十五条 登録認定機関は、毎事業年度経過後三月以内に、その事業年度の財務諸表等を作成し、五年間事務所に備えて置かなければならない。

Article 95 (1) A registered approval body must, within three months from the end of each business year, prepare financial statements, etc., and must retain those documents for five years at its office.

2 端末機器を取り扱うことを業とする者その他の利害関係人は、登録認定機関の営業時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号の請求をするには、登録認定機関の定めた費用を支払わなければならない。

(2) A person engaged in the business of handling terminal equipment, or other interested persons may make the requests listed below anytime within the business hours of a registered approval body; provided, however, that those persons must pay a fee determined by the registered approval body for the requests set forth in item (ii) or item (iv):

一 財務諸表等が書面をもつて作成されているときは、当該書面の閲覧又は謄写の請求

(i) if financial statements, etc. are prepared as written documents, a request to inspect or a copy of written documents;

二 前号の書面の謄本又は抄本の請求

(ii) a request for a certified copy or abridged copy of the written documents set forth in the preceding item;

三 財務諸表等が電磁的記録をもつて作成されているときは、当該電磁的記録に記録された事項を総務省令で定める方法により表示したものの閲覧又は謄写の請求

(iii) if financial statements, etc. are prepared in the form of electronic or magnetic records, a request for an inspection, or a copy of, the particulars recorded in the electronic or magnetic records, that are presented by means specified by Order of the Ministry of Internal Affairs and Communications;

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

(iv) a request for provision of the particulars recorded in the electronic or magnetic record set forth in the preceding item by electronic or magnetic means specified by Order of the Ministry of Internal Affairs and Communications, or for the issuance of written documents describing those particulars.

(帳簿の備付け等)

(Keeping of Books)

第九十六条 登録認定機関は、総務省令で定めるところにより、帳簿を備え付け、これ

に技術基準適合認定の業務に関する事項で総務省令で定めるものを記載し、及びこれを保存しなければならない。

Article 96 A registered approval body must, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, keep books and make entries as to particulars specified by Order of the Ministry of Internal Affairs and Communications concerning the operations for technical standards conformity approval in them, and retain them.

(改善命令等)

(Orders for Improvement)

第九十七条 総務大臣は、登録認定機関が第八十七条第一項各号のいずれかに適合しなくなつたと認めるときは、当該登録認定機関に対し、これらの規定に適合するため必要な措置をとるべきことを命ずることができる。

Article 97 (1) If the Minister for Internal Affairs and Communications finds that a registered approval body has failed to conform to any of the items of Article 87, paragraph (1), the Minister may order that registered approval body to take the necessary measures to conform to those provisions.

2 総務大臣は、登録認定機関が第五十三条第一項又は第九十一条の規定に違反していると認めるときは、当該登録認定機関に対し、技術基準適合認定のための審査を行うべきこと又は技術基準適合認定のための審査の方法その他の業務の方法の改善に関し必要な措置をとるべきことを命ずることができる。

(2) If the Minister for Internal Affairs and Communications finds that a registered approval body violates the provisions of Article 53, paragraph (1), or Article 91, the Minister may order that approval body to conduct the examination for technical standards conformity approval or take the necessary measures to improve its means of examination for technical standards conformity approval and any other means for its operations.

(技術基準適合認定についての申請及び総務大臣の命令)

(Application for Technical Standards Conformity Approval and Orders from the Minister for Internal Affairs and Communications)

第九十八条 第五十三条第一項の規定により技術基準適合認定を求めた者は、その求めに係る端末機器について、登録認定機関が技術基準適合認定のための審査を行わない場合又は登録認定機関の技術基準適合認定の結果に異議のある場合は、総務大臣に対し、登録認定機関が技術基準適合認定のための審査を行うこと又は改めて技術基準適合認定のための審査を行うことを命ずべきことを申請することができる。

Article 98 (1) A person that has requested a technical standards conformity approval pursuant to the provisions of Article 53, paragraph (1) may file an application with the Minister for Internal Affairs and Communications to order the registered approval body to conduct the examination for technical standards conformity approval if a registered approval body does not examine

the terminal equipment in relation to its request, or that person may file an application with that Minister to order the registered approval body to conduct that examination again if that person has an objection to the results of the technical standards conformity approval of that registered approval body.

2 総務大臣は、前項の申請があつた場合において、当該申請に係る登録認定機関が第五十三条第一項又は第九十一条の規定に違反していると認めるときは、当該申請に係る登録認定機関に対し、前条第二項の規定による命令をしなければならない。

(2) If an application as set forth in the preceding paragraph is filed and the Minister for Internal Affairs and Communications finds that the registered approval body related to the application violates the provisions of Article 53, paragraph (1) or Article 91, the Minister must issue an order under paragraph (2) of the preceding Article to the registered approval body related to the application.

3 総務大臣は、前項の場合において、前条第二項の規定による命令をし、又は命令をしないことの決定をしたときは、遅滞なく、当該申請をした者に通知しなければならない。

(3) If the Minister for Internal Affairs and Communications has issued an order under paragraph (2) of the preceding Article or has made a decision not to issue that an order in the case set forth in the preceding paragraph, the Minister must notify the person that filed the application to that effect without delay.

(業務の休廃止)

(Suspension and Discontinuation of Business Activities)

第九十九条 登録認定機関は、その登録に係る技術基準適合認定の業務を休止し、又は廃止しようとするときは、総務省令で定めるところにより、あらかじめ、その旨を総務大臣に届け出なければならない。

Article 99 (1) If a registered approval body intends to suspend or discontinue the operations for technical standards conformity approval related to its registration, it must, pursuant to the provision of Order of the Ministry of Internal Affairs and Communications, notify the Minister for Internal Affairs and Communications to that effect in advance.

2 登録認定機関が技術基準適合認定の業務の全部を廃止したときは、当該登録認定機関の登録は、その効力を失う。

(2) If a registered approval body discontinues the operations for technical standards conformity approval in whole, the registration of the registered approval body ceases to be effective.

3 総務大臣は、第一項の規定による届出があつたときは、その旨を公示しなければならない。

(3) If a notification is filed pursuant to the provisions of paragraph (1), the Minister for Internal Affairs and Communications must issue a public notice to

that effect.

(登録の取消し等)

(Revocation of Registration)

第百条 総務大臣は、登録認定機関が第八十七条第二項第一号又は第三号に該当するに至つたときは、その登録を取り消さなければならない。

Article 100 (1) If a registered approval body falls under Article 87, paragraph (2), item (i) or (iii), the Minister for Internal Affairs and Communications must revoke its registration.

2 総務大臣は、登録認定機関が次の各号のいずれかに該当するときは、その登録を取り消し、又は期間を定めてその登録に係る技術基準適合認定の業務の全部若しくは一部の停止を命ずることができる。

(2) If a registered approval body falls under any of the following items, the Minister for Internal Affairs and Communications may revoke its registration or, designate the period and order the suspension in whole or in part of its operations for technical standards conformity approval related to its registration for that period:

一 この款の規定に違反したとき。

(i) if the registered approval body has violated the provisions of this Subsection;

二 第九十七条の規定による命令に違反したとき。

(ii) if the registered approval body has violated the order under the Article 97;

三 不正な手段により第八十六条第一項の登録又はその更新を受けたとき。

(iii) if the registered approval body has obtained registration set forth in Article 86, paragraph (1) or renewal of the registration through dishonest means.

3 総務大臣は、第一項若しくは前項の規定により登録を取り消し、又は同項の規定により技術基準適合認定の業務の全部若しくは一部の停止を命じたときは、その旨を公示しなければならない。

(3) If the Minister for Internal Affairs and Communications has revoked the registration pursuant to the provisions of paragraph (1) or the preceding paragraph, or ordered the suspension in whole or in part of its operations for technical standards conformity approval pursuant to the provisions of the preceding paragraph, the Minister must issue a public notice to that effect.

(登録の抹消)

(Deletion of Registration)

第百一条 総務大臣は、第八十八条第一項若しくは第九十九条第二項の規定により登録認定機関の登録がその効力を失つたとき、又は前条第一項若しくは第二項の規定により登録認定機関の登録を取り消したときは、当該登録認定機関の登録を抹消しなければならない。

Article 101 If the registration of a registered approval body has ceased to be effect pursuant to the provisions of Article 88, paragraph (1) or Article 99, paragraph (2), or the Minister for Internal Affairs and Communications has revoked the registration of a registered approval body pursuant to the provisions of paragraph (1) or paragraph (2) of the preceding Article, the Minister must delete the registration of the registered approval body.

(総務大臣による技術基準適合認定の実施)

(Conducting of Technical Standards Conformity Approval by the Minister for Internal Affairs and Communications)

第百二条 総務大臣は、第八十六条第一項の登録を受ける者がいないとき、又は登録認定機関が第九十九条第一項の規定により技術基準適合認定の業務を休止し、若しくは廃止した場合、第百条第一項若しくは第二項の規定により登録を取り消した場合、同項の規定により登録認定機関に対し技術基準適合認定の業務の全部若しくは一部の停止を命じた場合若しくは登録認定機関が天災その他の事由によりその登録に係る技術基準適合認定の業務の全部若しくは一部を実施することが困難となつた場合において必要があると認めるときは、技術基準適合認定の業務の全部又は一部を自ら行うものとする。

Article 102 (1) The Minister for Internal Affairs and Communications is to personally conduct in whole or in part the operations for technical standards conformity approval, if there is no person to be granted the registration set forth in Article 86, paragraph (1) or, if the Minister finds it necessary in the cases in which a registered approval body has suspended or discontinued the operations for technical standards conformity approval pursuant to the provisions of Article 99, paragraph (1), the Minister has revoked the registration pursuant to the provisions of Article 100, paragraph (1) or paragraph (2), the Minister has ordered a registered approval body to suspend in whole or in part the operations for technical standards conformity approval pursuant to the provisions of the same paragraph, or it has become difficult for a registered approval body to conduct in whole or in part the operations for technical standards conformity approval due to a natural disaster or for other reasons.

2 総務大臣は、前項の規定により技術基準適合認定の業務を行うこととし、又は同項の規定により行っている技術基準適合認定の業務を行わないこととするときは、あらかじめその旨を公示しなければならない。

(2) If the Minister for Internal Affairs and Communications has decided to conduct the operations for technical standards conformity approval pursuant to the provisions of the preceding paragraph or has decided to discontinue the operations for technical standards conformity approval that the Minister has been conducting pursuant to the provisions of the same paragraph, the Minister must issue a public notice to that effect in advance.

3 総務大臣が第一項の規定により技術基準適合認定の業務を行うこととした場合における技術基準適合認定の業務の引継ぎその他の必要な事項は、総務省令で定める。

(3) If the Minister for Internal Affairs and Communications has decided to conduct the operations for technical standards conformity approval pursuant to the provisions of paragraph (1), the succession of the operations for technical standards conformity approval and other necessary particulars are specified by Order of the Ministry of Internal Affairs and Communications.

(準用)

(Application Mutatis Mutandis)

第百三条 第九十一条から第九十三条まで、第九十六条、第九十七条第二項及び第九十八条の規定は登録認定機関が設計認証を行う場合について、第九十四条、第九十九条、第百条第二項及び第三項並びに前条の規定は登録認定機関が技術基準適合認定の業務及び設計認証の業務を行う場合について準用する。この場合において、第九十二条第一項中「を受けた」とあるのは「に係る設計に基づく」と、第九十四条中「当該業務」とあるのは「これらの業務」と、第九十七条第二項並びに第九十八条第一項及び第二項中「第五十三条第一項」とあるのは「第五十六条第二項」と、同条第一項中「端末機器」とあるのは「設計（当該設計に合致することの確認の方法を含む。）」と読み替えるものとする。

Article 103 The provisions of Article 91 through Article 93, Article 96, Article 97, paragraph (2) and Article 98 apply mutatis mutandis to the cases in which a registered approval body issues a certification of design, and the provisions of Article 94, Article 99, Article 100, paragraph (2) and paragraph (3) and the preceding Article apply mutatis mutandis to the cases in which a registered approval body conducts the operations for technical standards conformity approval and the operations for certification of design. In these cases, the term "for which it granted" in Article 92, paragraph (1) is deemed to be replaced with "based on a design in relation to"; the term "the operations" in Article 94 is deemed to be replaced with "these operations"; the term "Article 53 paragraph (1)" in Article 97, paragraph (2) and Article 98, paragraph (1) and paragraph (2) are deemed to be replaced with "Article 56 paragraph (2)"; and the term "terminal equipment" in paragraph (1) of the same Article are deemed to be replaced with "design (including the means of confirming whether that terminal equipment is in accordance with the design)."

第四款 承認認定機関

Subsection 4 Approved Certifying Bodies

(承認認定機関の承認等)

(Approval of a Person as an Approved Certifying Body)

第百四条 総務大臣は、外国の法令に基づく端末機器の検査に関する制度で技術基準適

合認定の制度に類するものに基づいて端末機器の検査、試験等を行う者であつて、当該外国において、外国取扱業者が取り扱う本邦内で使用されることとなる端末機器について技術基準適合認定を行おうとするものから申請があつたときは、事業の区分ごとに、これを承認することができる。

Article 104 (1) If an application is filed by a person conducting the things such as inspections or examinations of terminal equipment based on a system for terminal equipment inspection that is based on foreign laws and regulations and that is similar to the technical standards conformity approval system, and intending to, in a foreign state, conduct technical standards conformity approval for terminal equipment, which will be handled by foreign dealers for use in Japan, the Minister for Internal Affairs and Communications may approve this person for each classification of business.

2 前項の規定による承認を受けた者（以下「承認認定機関」という。）は、その承認に係る技術基準適合認定の業務を休止し、又は廃止したときは、遅滞なく、その旨を総務大臣に届け出なければならない。

(2) If a person that has been approved pursuant to the provisions of the preceding paragraph (hereinafter referred to as an "approved certifying body") suspends or discontinues its operations for technical standards conformity certification related to this approval, it must notify the Minister for Internal Affairs and Communications to that effect without delay.

3 総務大臣は、前項の規定による届出があつたときは、その旨を公示しなければならない。

(3) If a notification is filed pursuant to the provisions of the preceding paragraph, the Minister for Internal Affairs and Communications must issue a public notice to that effect.

4 第五十三条第一項及び第二項、第五十五条、第九十条第二項及び第三項、第九十一条、第九十二条、第九十四条並びに第九十六条から第九十八条までの規定は承認認定機関について、第五十四条の規定は承認認定機関による技術基準適合認定を受けた者について、第八十六条第二項及び第三項、第八十七条並びに第九十条第一項の規定は総務大臣が行う第一項の規定による承認について準用する。

(4) The provisions of Article 53, paragraph (1) and paragraph (2), Article 55, Article 90, paragraph (2) and paragraph (3), Article 91, Article 92, Article 94, and Article 96 through Article 98 apply mutatis mutandis to an approved certifying body. The provisions of Article 54 apply mutatis mutandis to a person that has obtained technical standards conformity approval from an approved certifying body. The provisions of Article 86, paragraph (2) and paragraph (3), Article 87, and Article 90, paragraph (1) apply mutatis mutandis to the approval that the Minister for Internal Affairs and Communications grants pursuant to the provisions of paragraph (1).

5 前項の場合において、次の表の上欄に掲げる規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句に読み替えるものとする。

(5) In the cases set forth in the preceding paragraph, the terms listed in the middle column of the following table, which are used in the provisions listed in the left column in the same table, are replaced with the terms listed in the right column of the same table.

第五十三条第一項及び第二項、第九十一条第一項、第九十二条第一項並びに第九十四条 Article 53, paragraph (1) and paragraph (2), Article 91, paragraph (1), Article 92, paragraph (1), and Article 94	登録 registration	承認 recognition
第五十四条 Article 54	登録認定機関 registered approval body	承認認定機関 recognized approval body
第八十七条第一項各号列記以外の部分 Article 87, paragraph (1), except the items thereof	命ずる order 登録申請者 applicant for registration	請求する request 承認申請者 applicant for recognition
	適合しているときは when	適合しているときでなければ unless
	しなければならない must	してはならない must not
第八十七条第一項第三号（イを除く。） Article 87, paragraph (1), item (iii), except (a)	登録申請者 applicant for registration	承認申請者 applicant for recognition
第八十七条第一項第三号イ Article 87, paragraph (1), item (iii), (a)	登録申請者 applicant for registration	承認申請者 applicant for recognition
	親法人 parent company	外国における親法人に相当するもの equivalent to a parent company in a foreign state
第八十七条第二項第二号 Article 87, paragraph (2), item (ii)	第百条第一項又は第二項（第百三条において準用する場合を含む。） Article 100, paragraph (1) or paragraph (2) (including as applied mutatis mutandis pursuant to Article 103)	第百五条第一項又は第二項 Article 105, paragraph (1) or paragraph (2)

第八十七条第三項 Article 87, paragraph (3)	前条及び前二項 the preceding Article and the preceding two paragraphs	前条第二項及び第三項、 前二項並びに第百四条第 一項 paragraph (2) and paragraph (3) of the preceding Article, the preceding two paragraphs, and Article 104, paragraph (1)
第九十条第一項 Article 90, paragraph (1)	登録認定機関 registered approval body	承認認定機関 recognized approval body
第九七条 Article 97	命ずる order	請求する request
第九十八条第二項及び第 三項 Article 98, paragraph (1)	命令 to order	請求 to request

6 承認認定機関は、外国取扱業者の求めにより、本邦内で使用されることとなる端末機器について、設計認証を行うことができる。

(6) Upon request from a foreign dealer, an approved certifying body may issue a certification of design to terminal equipment to be used in Japan.

7 第五十五条、第五十六条第二項、第九十一条、第九十二条、第九十六条、第九十七条第二項及び第九十八条の規定は承認認定機関が設計認証を行う場合について、第五十七条から第六十条まで、第六十一条において準用する第五十四条並びに第六十二条第三項及び第四項の規定は承認認定機関による設計認証を受けた者について、第九十四条並びに第二項及び第三項の規定は承認認定機関が技術基準適合認定の業務及び設計認証の業務を行う場合について準用する。

(7) The provisions of Article 55, Article 56, paragraph (2), Article 91, Article 92, Article 96, Article 97, paragraph (2) and Article 98 apply mutatis mutandis to the cases in which an approved certifying body issues a certification of design; the provisions of Article 57 through Article 60, Article 54, as applied mutatis mutandis pursuant to Article 61, and Article 62, paragraph (3) and paragraph (4) apply mutatis mutandis to a person that has obtained a certification of design from an approved certifying body; and the provisions of Article 94, and paragraph (2) and paragraph (3) apply mutatis mutandis to the cases in which an approved certifying body conducts the operations for technical standards conformity approval and certification of design.

8 前項の場合において、次の表の上欄に掲げる規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句に読み替えるものとする。

(8) In the cases set forth in the preceding paragraph, the terms listed in the middle column of the following table, which are used in the provisions listed in the left column in the same table, are to be replaced with the terms listed in

the right column of the same table.

第五十五条第一項 Article 55, paragraph (1)	を受けた which has obtained	に係る設計に基づく based on the design pertaining to
第五十六条第二項及び第 九十一条第一項 Article 56, paragraph (2) and Article 91, paragraph (1)	第五十三条第二項 Article 53 paragraph (2) 登録 registration	第五十八条 Article 58 承認 recognition
第五十九条及び第六十一 条において準用する第五 十四条 Article 59 and Article 54, as applied mutatis mutandis pursuant to Article 61	命ずる order	請求する request
第六十条第一項第三号 Article 60, paragraph (1), item (iii)	命令に違反した has violated an order	請求に応じなかつた has not responded to a request
第六十条第一項第四号 Article 60, paragraph (1), item (iv)	違反に violation	請求に request
第六十条第一項第五号 Article 60, paragraph (1), item (v)	登録認定機関 registered approval body	承認認定機関 recognized approval body
第六十二条第三項第一号 及び第二号 Article 62, paragraph (3), item (i) and item (ii)	登録認定機関 registered approval body	承認認定機関 recognized approval body
第六十二条第三項第三号 Article 62, paragraph (3) item (iii)	第三条 Article 103	第四百四条第七項 Article 104, paragraph (7)
第九十二条第一項 Article 92, paragraph (1)	第六十六条第三項 Article 166, paragraph (3)	第六十六条第六項 Article 166, paragraph (6)
第九十四条 Article 94	第六十七条第六項 Article 167, paragraph (6) 登録 registration を受けた for which it granted	第六十七条第七項 Article 167, paragraph (7) 承認 recognition に係る設計に基づく based on the design pertaining to
	登録 registration	承認 recognition

	当該業務 the operations	これらの業務 these operations
第九十七条第二項 Article 97, paragraph (2)	第五十三条第一項 Article 53, paragraph (1) 命ずる order	第五十六条第二項 Article 56, paragraph (2) 請求する request
第九十八条第一項 Article 98, paragraph (1)	第五十三条第一項 Article 53, paragraph (1) 端末機器 terminal equipment	第五十六条第二項 Article 56, paragraph (2) 設計（当該設計に合致す ることの確認の方法を含 む。） design (including the means of confirming whether the terminal equipment is in accordance with the design)
	命ずべき to order	請求すべき to request
第九十八条第二項 Article 98, paragraph (2)	第五十三条第一項 Article 53, paragraph (1) 命令 order	第五十六条第二項 Article 56, paragraph (2) 請求 request
第九十八条第三項 Article 98, paragraph (3)	命令 order	請求 request

(承認の取消し)

(Revocation of Approval)

第二百五条 総務大臣は、承認認定機関が前条第一項に規定する外国における資格を失つたとき又は同条第四項において準用する第八十七条第二項第一号若しくは第三号に該当するに至つたときは、その承認を取り消さなければならない。

Article 105 (1) If an approved certifying body has lost the status in the foreign state set forth in paragraph (1) of the preceding Article, or it falls under Article 87, paragraph (2), item (i) or (iii), as applied mutatis mutandis pursuant to paragraph (4) of the preceding Article, the Minister for Internal Affairs and Communications must revoke its approval.

2 総務大臣は、承認認定機関が次の各号のいずれかに該当するときは、その承認を取り消すことができる。

(2) If an approved certifying body falls under any of the following items, the Minister for Internal Affairs and Communications may revoke its approval:

一 前条第二項（同条第七項において準用する場合を含む。）の規定、同条第四項に

において準用する第九十条第二項、第九十一条、第九十二条第一項、第九十四条若しくは第九十六条の規定又は前条第七項において準用する第九十一条、第九十二条第一項、第九十四条若しくは第九十六条の規定に違反したとき。

(i) if the approved certifying body has violated the provisions of paragraph (2) of the preceding Article (including as applied mutatis mutandis pursuant to paragraph (7) of the same Article), the provisions of Article 90, paragraph (2), Article 91, Article 92 paragraph (1), Article 94 or Article 96, as applied mutatis mutandis pursuant to paragraph (4) of the preceding Article, or the provisions of Article 91, Article 92 paragraph (1), Article 94 or Article 96, as applied mutatis mutandis pursuant to paragraph (7) of the preceding Article;

二 前条第四項において準用する第九十七条の規定又は前条第七項において準用する第九十七条第二項の規定による請求に応じなかつたとき。

(ii) if the approved certifying body does not respond to a request under Article 97, as applied mutatis mutandis pursuant to paragraph (4) of the preceding Article, or a request under Article 97, paragraph (2), as applied mutatis mutandis pursuant to paragraph (7) of the preceding Article;

三 不正な手段により承認を受けたとき。

(iii) if the approved certifying body has been approved through dishonest means;

四 総務大臣が第百六十六条第六項において準用する同条第四項の規定により承認認定機関に対し報告をさせようとした場合において、その報告がされず、又は虚偽の報告がされたとき。

(iv) if the Minister for Internal Affairs and Communications has the approved certifying body submit a report pursuant to the provisions of Article 166, paragraph (4), as applied mutatis mutandis pursuant to paragraph (6) of the same Article, but the approved certifying body does not submit that report, or makes a false report;

五 総務大臣が第百六十六条第六項において準用する同条第四項の規定によりその職員に承認認定機関の事務所又は事業所において検査をさせようとした場合において、その検査が拒まれ、妨げられ、又は忌避されたとき。

(v) if the Minister for Internal Affairs and Communications has any ministerial official conduct inspection at an office or place of business of the approved certifying body pursuant to the provisions of Article 166, paragraph (4), as applied mutatis mutandis pursuant to paragraph (6) of the same Article, but the approved certifying body refuses, obstructs or evades that inspection.

3 総務大臣は、前二項の規定により承認を取り消したときは、その旨を公示しなければならない。

(3) If the Minister for Internal Affairs and Communications has revoked the approval pursuant to the provisions of the preceding two paragraphs, the Minister must issue a public notice to that effect.

第六節 基礎的電気通信役務支援機関

Section 6 Universal Telecommunications Service Support Institutions

(基礎的電気通信役務支援機関の指定)

(Designation of Universal Telecommunications Service Support Institutions)

第百六条 総務大臣は、基礎的電気通信役務の提供の確保に寄与することを目的とする一般社団法人又は一般財団法人であつて、次条に規定する業務（以下「支援業務」という。）に関し次に掲げる基準に適合すると認められるものを、その申請により、全国に一を限つて、基礎的電気通信役務支援機関（以下「支援機関」という。）として指定することができる。

Article 106 The Minister for Internal Affairs and Communications may designate a general incorporated association or general incorporated foundation, which is established to contribute to ensuring the provision of universal telecommunications services and which is found to conform to the criteria listed below with respect to the operations set forth in the following Article (hereinafter referred to as "support operations"), as the only Universal Telecommunications Service Support Institution (hereinafter referred to as the "support institution") in Japan, upon its application:

- 一 職員、設備、支援業務の実施の方法その他の事項についての支援業務の実施に関する計画が支援業務の適確な実施のために適切なものであること。
 - (i) the applicant's plan for conducting the support operations, with respect to staff, facilities, means of conducting the support operations and other particulars, is appropriate for properly conducting the support operations;
- 二 前号の支援業務の実施に関する計画を適確に実施するに足りる経理的基礎及び技術的能力があること。
 - (ii) the applicant has an adequate financial basis and technical capabilities to properly implement the plan for conducting the support operations set forth in the preceding item;
- 三 支援業務以外の業務を行つている場合には、その業務を行うことによつて支援業務が不公正になるおそれがないこと。
 - (iii) if the applicant engages in operations other than the support operations, the conducting of those operations is unlikely to cause unfairness in its support operations.

(業務)

(Operations)

第百七条 支援機関は、次に掲げる業務を行うものとする。

Article 107 The support institution is to conduct the following operations:

- 一 次条第一項の規定により指定された適格電気通信事業者に対し、当該指定に係る基礎的電気通信役務の提供に要する費用の額が当該指定に係る基礎的電気通信役務の提供により生ずる収益の額を上回ると見込まれる場合において、当該上回ると見

込まれる額の費用の一部に充てるための交付金を交付すること。

(i) to provide eligible telecommunications carriers that have been designated pursuant to the provisions of paragraph (1) of the following Article with subsidies to be allocated for covering part of the estimated excess if the costs required to provide universal telecommunications services related to the designation is likely to exceed the profit generated from the provision of them;

二 前号に掲げる業務に附帯する業務を行うこと。

(ii) to conduct the operations incidental to the operations described in the preceding item.

(適格電気通信事業者の指定)

(Designation of Eligible Telecommunications Carriers)

第百八条 総務大臣は、支援機関の指定をしたときは、基礎的電気通信役務を提供する電気通信事業者であつて、次に掲げる基準に適合すると認められるものを、その申請により、適格電気通信事業者として指定することができる。

Article 108 (1) If the Minister for Internal Affairs and Communications has designated the support institution, the Minister may designate a telecommunications carrier that provides universal telecommunications services and is found to conform to the criteria listed below, as an eligible telecommunications carrier upon its application:

一 総務省令で定めるところにより、申請に係る基礎的電気通信役務の提供の業務に関する収支の状況その他総務省令で定める事項を公表していること。

(i) the telecommunications carrier announces the status of income and expenditure and other particulars specified by Order of the Ministry of Internal Affairs and Communications with respect to the operations involved in providing universal telecommunications services related to its application, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications;

二 申請に係る基礎的電気通信役務を提供するために設置している電気通信設備が第一種指定電気通信設備及び第二種指定電気通信設備以外の電気通信設備であるときは、当該電気通信設備と他の電気通信事業者の電気通信設備との接続に関し、当該基礎的電気通信役務を提供する電気通信事業者が取得すべき金額及び接続条件について接続約款を定め、総務省令で定めるところにより、これを公表していること。

(ii) if the telecommunications facilities which the telecommunications carrier runs to provide universal telecommunications services related to the application are those other than Category I designated telecommunications facilities or Category II designated telecommunications facilities, the telecommunications carrier establishes the general conditions of contracts for interconnection on the amount of money that the telecommunications carrier that provides the universal telecommunications services is to receive and the

terms and conditions of interconnection, with respect to interconnection between its telecommunications facilities and those of other telecommunications carriers, and announces those general conditions pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications;

三 申請に係る基礎的電気通信役務に係る業務区域の範囲が総務省令で定める基準に適合するものであること。

(iii) the scope of service areas of the universal telecommunications services related to the application conforms to the standards specified by Order of the Ministry of Internal Affairs and Communications.

2 前項の規定による指定は、総務省令で定める基礎的電気通信役務の種別ごとに行う。

(2) The designation under the preceding paragraph is granted for each type of universal telecommunications services specified by Order of the Ministry of Internal Affairs and Communications.

3 適格電気通信事業者（第一種指定電気通信設備を設置する電気通信事業者又は第二種指定電気通信設備を設置する電気通信事業者以外の電気通信事業者に限る。）は、第一項第二号に規定する接続約款を変更しようとするときは、総務省令で定めるところにより、その実施前に、総務大臣に届け出るとともに、これを公表しなければならない。

(3) If an eligible telecommunications carrier (limited to a telecommunications carrier other than those running Category I designated telecommunications facilities or those running Category II telecommunications facilities) intends to change the general conditions of contracts for interconnection set forth in paragraph (1), item (ii), it must notify the Minister for Internal Affairs and Communications of and announce those changes, in advance, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

4 第十七条第一項の規定による電気通信事業者の地位の承継があつた場合において、当該電気通信事業者が適格電気通信事業者であつたときは、当該電気通信事業者の地位を承継した電気通信事業者は、適格電気通信事業者の地位を承継するものとする。

(4) If there is succession to the status of a telecommunications carrier under Article 17, paragraph (1), and a telecommunications carrier that is the subject of the succession is an eligible telecommunications carrier, the telecommunications carrier succeeding to the status of that telecommunications carrier is to succeed to the status of an eligible telecommunications carrier.

5 総務大臣は、適格電気通信事業者が次の各号のいずれかに該当するとき、又は適格電気通信事業者から第一項の指定の取消しの申請があつたときは、その指定を取り消すことができる。

(5) If an eligible telecommunications carrier falls under any of the following items or has filed an application for revocation of the designation set forth in paragraph (1), the Minister for Internal Affairs and Communications may

revoke its designation:

一 次条第二項又は第三項の規定に違反したとき。

(i) if the eligible telecommunications carrier has violated the provisions of paragraph (2) or paragraph (3) of the following Article;

二 第一項各号のいずれかに適合しなくなつたと認められるとき。

(ii) if the eligible telecommunications carrier is found to fail to conform to any of the items of paragraph (1).

(交付金の交付)

(Granting of Subsidies)

第百九条 支援機関は、年度（毎年四月一日から翌年三月三十一日までをいう。以下この節において同じ。）ごとに、総務省令で定める方法により第一百七条第一号の交付金（以下この節において単に「交付金」という。）の額を算定し、当該交付金の額及び交付方法について総務大臣の認可を受けなければならない。

Article 109 (1) The support institution must, by the means specified by Order of the Ministry of Internal Affairs and Communications, calculate the subsidies set forth in Article 107, item (i) (hereinafter referred to simply as "subsidies" in this Section), and must obtain authorization from the Minister for Internal Affairs and Communications with regard to the amount of the subsidies and means of granting them for each fiscal year (the year starting from April 1 and ending on March 31 of the following year; hereinafter the same applies in this Section).

2 適格電気通信事業者は、総務省令で定めるところにより、交付金の額を算定するための資料として、前年度における前条第一項の指定に係る基礎的電気通信役務の提供に要した原価及び当該指定に係る基礎的電気通信役務の提供により生じた収益の額その他総務省令で定める事項を支援機関に届け出なければならない。

(2) An eligible telecommunications carrier must, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, notify the support institution of the cost spent in the previous fiscal year to provide the universal telecommunications services related to the designation set forth in paragraph (1) of the preceding Article, the profit generated from the universal telecommunications services related to the designation, and other particulars specified by Order of the Ministry of Internal Affairs and Communications, as the basis for calculating the subsidies.

3 前項の原価は、能率的な経営の下における適正な原価を算定するものとして総務省令で定める方法により算定しなければならない。

(3) The cost set forth in the preceding paragraph must be calculated by the means specified by Order of the Ministry of Internal Affairs and Communications as that for calculating reasonable costs under efficient management.

4 支援機関は、第一項の認可を受けたときは、総務省令で定めるところにより、交付

金の額を公表しなければならない。

- (4) If the support institution has obtained authorization set forth in paragraph (1), it must announce the amount of subsidies pursuant to the provisions of by Order of the Ministry of Internal Affairs and Communications.

(負担金の徴収)

(Collection of Contributions)

第百十条 支援機関は、年度ごとに、支援業務に要する費用の全部又は一部に充てるため、次に掲げる電気通信事業者であつて、その事業の規模が政令で定める基準を超えるもの（以下この条において「接続電気通信事業者等」という。）から、負担金を徴収することができる。ただし、接続電気通信事業者等の前年度における電気通信役務の提供により生じた収益の額（その者が、前年度又はその年度（第三項の規定による通知を受けるまでの間に限る。）において、他の接続電気通信事業者等について合併、分割（電気通信事業の全部を承継させるものに限る。）若しくは相続があつた場合における合併後存続する法人若しくは合併により設立された法人、分割により当該事業の全部を承継した法人若しくは相続人又は他の接続電気通信事業者等から電気通信事業の全部を譲り受けた者であるときは、合併により消滅した法人、分割をした法人若しくは被相続人又は当該事業を譲り渡した接続電気通信事業者等の前年度における電気通信役務の提供により生じた収益の額を含む。）として総務省令で定める方法により算定した額に対する当該負担金（以下この節において単に「負担金」という。）の額の割合は、政令で定める割合を超えてはならない。

Article 110 (1) The support institution may, each fiscal year, collect contributions in order to allocate them to all or part of the costs required for the support operations from telecommunications carriers that are listed below and whose scale of business exceeds the standards specified by Cabinet Order (hereinafter referred to as "interconnecting telecommunications carriers, etc." in this Article); provided, however, that those contributions (hereinafter referred to simply as "contributions" in this Section) must not come to account for a proportion exceeding the proportion specified by Cabinet Order of the amounts calculated by means specified by Order of the Ministry of Internal Affairs and Communications as the profit generated from the provision of the telecommunications services provided in the previous business year by an interconnecting telecommunications carrier, etc. (including the profit generated from the provision of the telecommunications services in the previous fiscal year by a corporation disappearing in a merger, a corporation conducting a split (limited to those in which it has another corporation succeed to a telecommunications business in whole) or a decedent, or an interconnecting telecommunications carrier, etc. assigning its business, if that interconnecting telecommunications carrier, etc. is, in the event of a merger, split or inheritance with regard to another interconnecting telecommunications carrier, etc., in the previous fiscal year or in the fiscal year (limited to the

period until that interconnecting telecommunications carrier, etc. receives the notification under paragraph (3)), the corporation surviving after the merger or the corporation newly established upon the merger, the corporation that has succeeded to the telecommunications business in whole upon the split or the heir, or if that interconnecting telecommunications carrier, etc. is a person that has succeeded to the telecommunications business in whole from another interconnecting telecommunications carrier, etc. in the previous fiscal year or in the fiscal year (limited to the period until the person receives the notification under paragraph (3))):

一 適格電気通信事業者が第百八条第一項の指定に係る基礎的電気通信役務を提供するために設置している電気通信設備との接続に関する協定を締結している電気通信事業者

(i) a telecommunications carrier that has concluded an agreement on interconnection with telecommunications facilities which an eligible telecommunications carrier runs to provide universal telecommunications services related to its designation set forth in Article 108, paragraph (1);

二 前号に掲げる電気通信事業者の電気通信設備との接続に関する協定を締結している電気通信事業者その他電気通信事業者の電気通信設備を介して同号に規定する電気通信設備と接続する電気通信設備を設置している電気通信事業者

(ii) a telecommunications carrier that has concluded an agreement on interconnection with telecommunications facilities of the telecommunications carrier described in the preceding item, or other telecommunications carrier running telecommunications facilities which interconnect with the telecommunications facilities set forth in the same item via those of another telecommunications carrier;

三 第一号に規定する電気通信設備、これと接続する電気通信設備又は電気通信事業者の電気通信設備を介して同号に規定する電気通信設備と接続する電気通信設備を用いる卸電気通信役務の提供を受ける契約を締結している電気通信事業者

(iii) a telecommunications carrier that has concluded a contract to receive wholesale telecommunications services which use telecommunications facilities set forth in item (i), telecommunications facilities which interconnect with them, or telecommunications facilities which interconnect with telecommunications facilities set forth in item (i) via telecommunications facilities of a telecommunications carrier.

2 支援機関は、年度ごとに、総務省令で定める方法により負担金の額を算定し、負担金の額及び徴収方法について総務大臣の認可を受けなければならない。

(2) The support institution must calculate the contributions by means specified by Order of the Ministry of Internal Affairs and Communications, and must obtain authorization from the Minister for Internal Affairs and Communications with regard to the amount of contributions and means of collection of them for each fiscal year.

3 支援機関は、前項の認可を受けたときは、接続電気通信事業者等に対し、その認可を受けた事項を記載した書面を添付して、納付すべき負担金の額、納付期限及び納付方法を通知しなければならない。

(3) If the support institution has obtained authorization set forth in the preceding paragraph, it must send to interconnecting telecommunications carriers, etc. a notification describing the amount of the contributions they must pay, the time limit of paying them and means of paying them, with written documents describing the particulars authorized attached thereto.

4 接続電気通信事業者等は、前項の規定による通知に従い、支援機関に対し、負担金を納付する義務を負う。

(4) An interconnecting telecommunications carrier, etc. has the obligation to pay contributions to the support institution, in accordance with the notification sent pursuant to the provisions of the preceding paragraph.

5 第三項の規定による通知を受けた接続電気通信事業者等は、納付期限までにその負担金を納付しないときは、負担金の額に納付期限の翌日から当該負担金を納付する日までの日数一日につき総務省令で定める率を乗じて計算した金額に相当する金額の延滞金を納付する義務を負う。

(5) If an interconnecting telecommunications carrier, etc. has received the notification sent pursuant to the provisions of paragraph (3) but fails to pay the contributions to the support institution by the due date for the payment, it has the obligation to pay a delinquent charge equivalent to the amount calculated by multiplying the contributions by the rate specified by Order of the Ministry of Internal Affairs and Communications per day in the period from the date following the due date to the date of payment.

6 支援機関は、接続電気通信事業者等が納付期限までにその負担金を納付しないときは、督促状によつて、期限を指定して督促しなければならない。

(6) If an interconnecting telecommunications carrier, etc. fails to pay its contributions by the due date for the payment, the support institution must demand in writing that payment is to be made, designating a new time limit.

7 支援機関は、前項の規定による督促を受けた接続電気通信事業者等がその指定の期限までにその督促に係る負担金及び第五項の規定による延滞金を納付しないときは、総務大臣にその旨を申し立てることができる。

(7) If an interconnecting telecommunications carrier, etc. that has received a written demand under the preceding paragraph fails to pay the contributions related to the demand and the delinquent charge under paragraph (5) by the designated time limit, the support institution may file a petition with the Minister for Internal Affairs and Communications to that effect.

8 総務大臣は、前項の規定による申立てがあつたときは、当該接続電気通信事業者等に対し、支援機関に負担金及び第五項の規定による延滞金を納付すべきことを命ずることができる。

(8) If a petition is filed pursuant to the provisions of the preceding paragraph,

the Minister for Internal Affairs and Communications may order the interconnecting telecommunications carrier, etc. to pay to the support institution the contributions and the delinquent charge under paragraph (5).

(資料の提出の請求)

(Request for the Submission of Data)

第百十一条 支援機関は、支援業務を行うため必要があるときは、電気通信事業者に対し、資料の提出を求めることができる。

Article 111 The support institution may request telecommunications carriers to submit data, if that data is necessary for conducting support operations.

(区分経理)

(Separate Accounting)

第百十二条 支援機関は、支援業務以外の業務を行つている場合には、当該業務に係る経理と支援業務に係る経理とを区分して整理しなければならない。

Article 112 If the support institution conducts the operations other than support operations, it must separate accounts related to those operations from accounts related to support operations.

(支援業務諮問委員会)

(Consultation Commission for Support Operations)

第百十三条 支援機関には、支援業務諮問委員会を置かなければならない。

Article 113 (1) The support institution must establish a consultation commission for support operations.

2 支援業務諮問委員会は、支援機関の代表者の諮問に応じ、交付金の額及び交付方法、負担金の額及び徴収方法その他支援業務の実施に関する重要事項を調査審議し、及びこれらに関し必要と認める意見を支援機関の代表者に述べることができる。

(2) The consultation commission for support operations may, in response to consultation from the representative of the support institution, conduct the study and deliberation on the amount of subsidies and means of granting them, the amount of contributions and means of collecting them, and other important particulars concerning the conducting of the support operations, and provide the representative of the support institution with the opinions that it finds necessary for those matters.

3 支援業務諮問委員会の委員は、電気通信事業者及び学識経験を有する者のうちから、総務大臣の認可を受けて、支援機関の代表者が任命する。

(3) The representative of the support institution appoints members of the consultation commission for support operations from among telecommunications carriers and experts with authorization from the Minister for Internal Affairs and Communications.

(支援機関の指定を取り消した場合における経過措置)

(Transitional Measures upon Revocation of Support Institution Designation)

第百十四条 第百十六条第一項において準用する第八十四条第一項又は第二項の規定により支援機関の指定を取り消した場合において、総務大臣がその取消し後に新たに支援機関を指定したときは、取消しに係る支援機関の支援業務に係る財産は、新たに指定を受けた支援機関に帰属する。

Article 114 (1) If the Minister for Internal Affairs and Communications has revoked the designation of the support institution pursuant to the provisions of Article 84, paragraph (1) or paragraph (2), as applied mutatis mutandis pursuant to Article 116, paragraph (1), and newly designates a support institution after the revocation, the assets related to the support operations of the support institution related to the revocation belong to the newly designated support institution.

2 前項に定めるもののほか、第百十六条第一項において準用する第八十四条第一項又は第二項の規定により支援機関の指定を取り消した場合における支援業務に係る財産の管理その他所要の経過措置（罰則に関する経過措置を含む。）は、合理的に必要と判断される範囲内において、政令で定める。

(2) Beyond what is provided for in the preceding paragraph, the management of the assets related to the support operations and other necessary transitional measures (including transitional measures concerning penal provisions) in the case in which the Minister for Internal Affairs and Communications revokes the designation of a support institution pursuant to the provisions of Article 84, paragraph (1) or paragraph (2), as applied mutatis mutandis pursuant to Article 106, paragraph (1), are specified by Cabinet Order within a scope considered reasonably necessary .

(支援機関への情報提供等)

(Provision of Information to the Support Institution)

第百十五条 総務大臣は、支援機関に対し、支援業務の実施に関し必要な情報及び資料の提供又は指導及び助言を行うものとする。

Article 115 The Minister for Internal Affairs and Communications is to provide information and data, or guidance and advice necessary for conducting the support operations to the support institution.

(準用)

(Application, Mutatis Mutandis)

第百十六条 第七十五条第二項第二号から第四号まで、第七十七条第一項及び第三項、第七十八条から第八十四条まで並びに第九十条の規定は、支援機関について準用する。

Article 116 (1) The provisions of Article 75, paragraph (2), item (ii) through (iv), Article 77, paragraph (1) and paragraph (3), Article 78, through Article 84 and Article 90 apply mutatis mutandis to the support institution.

2 前項の場合において、次の表の上欄に掲げる規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句に読み替えるものとする。

(2) In the cases set forth in the preceding paragraph, the terms listed in the middle column of the following table, which are used in the provisions listed in the left column in the same table, are deemed to be replaced with the terms listed in the right column of the same table.

第三章 土地の使用等

Chapter III Use of Land

第一節 事業の認定

Section 1 Approval of Business

(事業の認定)

(Approval of Business)

第百十七条 電気通信回線設備を設置して電気通信役務を提供する電気通信事業を営む電気通信事業者又は当該電気通信事業を営もうとする者は、次節の規定の適用を受けようとする場合には、申請により、その電気通信事業の全部又は一部について、総務大臣の認定を受けることができる。

Article 117 (1) If a telecommunications carrier operating a telecommunications business in which it runs telecommunication line facilities and provides telecommunications services or a person intending to operate such a telecommunications business intends to have the provisions of the following Section applied to it, it may obtain approval from the Minister for Internal Affairs and Communications for the telecommunications business in whole or in part by the way of an application.

2 前項の認定を受けようとする者は、総務省令で定めるところにより、次の事項を記載した申請書を総務大臣に提出しなければならない。

(2) A person that intends to obtain approval set forth in the preceding paragraph must, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, file with the Minister for Internal Affairs and

Communications a written application describing the following particulars:

一 氏名又は名称及び住所並びに法人にあつては、その代表者の氏名

(i) name and address of the applicant and, in the case of a corporation, the name of the representative;

二 申請に係る電気通信事業の業務区域

(ii) service areas of the telecommunications business related to the application;

三 申請に係る電気通信事業の用に供する電気通信設備の概要

(iii) outline of telecommunications facilities used for the telecommunications business related to the application.

3 前項の申請書には、事業計画書その他総務省令で定める書類を添付しなければならない。

(3) The written application set forth in the preceding paragraph must be filed with a business plan and other documents specified by Order of the Ministry of Internal Affairs and Communications attached thereto.

(欠格事由)

(Grounds for Disqualification)

第百十八条 次の各号のいずれかに該当する者は、前条第一項の認定を受けることができない。

Article 118 A person that falls under any of the following items may not obtain the approval set forth in paragraph (1) of the preceding Article:

一 この法律又は有線電気通信法若しくは電波法の規定により罰金以上の刑に処せられ、その執行を終わり、又はその執行を受けることがなくなった日から二年を経過しない者

(i) a person that has been sentenced to a fine or a heavier punishment pursuant to the provisions of this Act, the Cable Telecommunications Act or the Radio Act, if two years have not passed since the date on which the enforcement of that punishment has been completed or has become inapplicable;

二 第二百五条第二号に該当することにより認定がその効力を失い、その効力を失った日から二年を経過しない者又は第二百二十六条第一項の規定により認定の取消しを受け、その取消しの日から二年を経過しない者

(ii) a person whose approval ceased to be effective as that person fell under Article 125, item (ii), if two years have not passed since the date on which the approval ceased to be effective, or a person whose approval was revoked pursuant to the provisions of Article 126, paragraph (1), if two years have not passed since the date of revocation;

三 法人又は団体であつて、その役員のうち前二号のいずれかに該当する者があるもの

(iii) a corporation or association any of whose officers falls under either of the preceding two items.

(認定の基準)

(Criteria for Approval)

第百十九条 総務大臣は、第一百七条第一項の認定の申請が次の各号のいずれにも適合していると認めるときでなければ、同項の認定をしてはならない。

Article 119 The Minister for Internal Affairs and Communications must not grant the approval set forth in Article 117, paragraph (1), unless the Minister finds that an application for the approval under the same paragraph complies with all of the following items:

一 申請に係る電気通信事業を適確に遂行するに足りる経理的基礎及び技術的能力があること。

(i) the applicant has an adequate financial basis and the technical capabilities to properly conduct the telecommunications business related to their application;

二 申請に係る電気通信事業の計画が確実かつ合理的であること。

(ii) the plan of the telecommunications business related to their application is reliable and reasonable;

三 申請に係る電気通信事業を営むために必要とされる第九条の登録若しくは第十三条第一項の変更登録を受け、又は第十六条第一項若しくは第三項の届出をしていること。

(iii) the applicant has obtained the registration set forth in Article 9 that is necessary for operating the telecommunications business related to the application or the registration of change set forth in Article 13, paragraph (1), or has filed a notification set forth in Article 16, paragraph (1) or paragraph (3).

(事業の開始の義務)

(Obligation to Start Business)

第一百二十条 第一百十七条第一項の認定を受けた者（以下「認定電気通信事業者」という。）は、総務大臣が指定する期間内に、その認定に係る電気通信事業（以下「認定電気通信事業」という。）を開始しなければならない。

Article 120 (1) A person that has obtained approval set forth in Article 117, paragraph (1) (hereinafter referred to as an "approved telecommunications carrier") must start the telecommunications business related to the approval (hereinafter referred to as "approved telecommunications business") within the period designated by the Minister for Internal Affairs and Communications.

2 総務大臣は、特に必要があると認めるときは、第一百十七条第二項第二号の業務区域を区分して前項の期間の指定をすることができる。

(2) If the Minister for Internal Affairs and Communications finds it particularly necessary, the Minister may divide the service areas set forth in Article 117, paragraph (2), item (ii) and designate the period set forth in the preceding paragraph for each divided service area.

3 総務大臣は、認定電気通信事業者から申請があつた場合において、正当な理由があると認めるときは、第一項の期間を延長することができる。

(3) The Minister for Internal Affairs and Communications may extend the period set forth in paragraph (1), if the application is filed from an approved telecommunications carrier and the Minister finds that there are justifiable grounds for it.

4 認定電気通信事業者は、認定電気通信事業（第二項の規定により業務区域を区分して期間の指定があつたときは、その区分に係る認定電気通信事業）を開始したときは、遅滞なく、その旨を総務大臣に届け出なければならない。

(4) If an approved telecommunications carrier has commenced an approved

telecommunications business (in the case in which the period was designated for service areas divided pursuant to the provisions of paragraph (2), the approved telecommunications business related to the division), it must notify the Minister for Internal Affairs and Communications to that effect without delay.

(提供義務)

(Obligation to Provide Services)

第二百十一条 認定電気通信事業者は、正当な理由がなければ、認定電気通信事業に係る電気通信役務の提供を拒んではならない。

Article 121 (1) An approved telecommunications carrier must not, without justifiable grounds, refuse to provide telecommunications services related to its approved telecommunications business.

2 総務大臣は、認定電気通信事業者が前項の規定に違反したときは、当該認定電気通信事業者に対し、利用者の利益又は公共の利益を確保するために必要な限度において、業務の方法の改善その他の措置をとるべきことを命ずることができる。

(2) If an approved telecommunications carrier has violated the provisions of the preceding paragraph, the Minister for Internal Affairs and Communications may order the approved telecommunications carrier to improve the means of conducting its operations or take other measures, to the extent necessary for ensuring the interests of users or the public interest.

(変更の認定等)

(Approval of Changes)

第二百十二条 認定電気通信事業者は、第百十七条第二項第二号又は第三号の事項を変更しようとするときは、総務大臣の認定を受けなければならない。ただし、総務省令で定める軽微な変更については、この限りでない。

Article 122 (1) If an approved telecommunications carrier intends to change the particulars set forth in Article 117, paragraph (2), item (ii) or item (iii), it must obtain approval from the Minister for Internal Affairs and Communications; provided, however, that this does not apply to minor changes specified by Order of the Ministry of Internal Affairs and Communications.

2 認定電気通信事業者は、前項ただし書の総務省令で定める軽微な変更をしたときは、遅滞なく、その旨を総務大臣に届け出なければならない。

(2) If an approved telecommunications carrier has made minor changes specified by Order of the Ministry of Internal Affairs and Communications, which are set forth in the proviso of the preceding paragraph, it must notify the Minister for Internal Affairs and Communications to that effect without delay.

3 第百十七条第三項、第百十八条第一号及び第三号並びに第百十九条の規定は、第一項の認定について準用する。

(3) The provisions of Article 117, paragraph (3), Article 118, item (i) and item (iii),

and Article 119 apply mutatis mutandis to the approval set forth in paragraph (1).

4 第二百十条の規定は、第一項の場合（業務区域の減少の場合を除く。）に準用する。この場合において、同条第一項中「第百十七条第一項」とあるのは、「第百二十二条第一項」と読み替えるものとする。

(4) The provisions of Article 120 apply mutatis mutandis to the cases set forth in paragraph (1) (except cases in which the number of service areas is decreased). In this case, the term "Article 117, paragraph (1)" in paragraph (1) of the same Article is deemed to be replaced with "Article 122, paragraph (1)."

5 認定電気通信事業者は、第百十七条第二項第一号の事項に変更があつたときは、遅滞なく、その旨を総務大臣に届け出なければならない。

(5) If an approved telecommunications carrier changes any of the particulars set forth in Article 117, paragraph (2), item (i), it must notify the Minister for Internal Affairs and Communications to that effect without delay.

(承継)

(Succession)

第二百十三条 認定電気通信事業者が死亡した場合においては、その相続人（相続人が二人以上ある場合においてその協議により当該認定電気通信事業を承継すべき相続人を定めたときは、その者。）が被相続人たる認定電気通信事業者の地位を承継する。

Article 123 (1) If an approved telecommunications carrier dies, the heir (if one particular heir has been selected from among two or more heirs as the successor of the approved telecommunications business by agreement among the heirs, that selected heir) succeeds to the status of the approved telecommunications carrier as the decedent.

2 前項の相続人が被相続人の死亡後六十日以内にその相続について総務大臣の認可を申請しない場合又は同項の相続人がしたその申請に対し認可をしない旨の処分があつた場合には、その期間の経過した時又はその処分があつた時に、当該認定電気通信事業の認定は、その効力を失う。

(2) If an heir set forth in the preceding paragraph does not apply, within sixty days from the death of the decedent, for the authorization from the Minister for Internal Affairs and Communications with regard to succession, or a disposition not to authorize an application from the heir as set forth in the same paragraph is rendered, the approval of the approved telecommunications business ceases to be effective at the time when the period has passed or when the disposition is rendered.

3 認定電気通信事業者たる法人が合併又は分割（認定電気通信事業の全部を承継させるものに限る。）をしたときは、合併後存続する法人若しくは合併により設立された法人又は分割により当該認定電気通信事業の全部を承継した法人は、総務大臣の認可を受けて認定電気通信事業者の地位を承継することができる。

(3) If a corporation having the status of an approved telecommunications carrier

has conducted a merger or split (limited to those in which it has another corporation succeed to an approved telecommunications business in whole), the corporation surviving after the merger or the corporation newly established upon the merger, or the corporation that has succeeded to the approved telecommunications business in whole upon the split may succeed to the status of an approved telecommunications carrier with the authorization from the Minister for Internal Affairs and Communications.

4 認定電気通信事業者が認定電気通信事業の全部の譲渡しをしたときは、当該認定電気通信事業の全部を譲り受けた者は、総務大臣の認可を受けて認定電気通信事業者の地位を承継することができる。

(4) If an approved telecommunications carrier has assigned its approved telecommunications business in whole, the assignee of the approved telecommunications business in whole may succeed to the status of an approved telecommunications carrier with the authorization from the Minister for Internal Affairs and Communications.

5 第一百八条及び第一百九条の規定は、前三項の認可について準用する。

(5) The provisions of Article 118 and Article 119 apply mutatis mutandis to the authorization set forth in the preceding three paragraphs.

(事業の休止及び廃止)

(Suspension and Discontinuation of Business)

第二百二十四条 認定電気通信事業者は、認定電気通信事業の全部又は一部を休止し、又は廃止したときは、遅滞なく、その旨を総務大臣に届け出なければならない。

Article 124 (1) If an approved telecommunications carrier suspends or discontinues its approved telecommunications business in whole or in part, it must notify the Minister for Internal Affairs and Communications to that effect without delay.

2 前項の休止の期間は、一年を超えてはならない。

(2) The period of suspension set forth in the preceding paragraph must not exceed one year.

(認定の失効)

(Lapse of Approval)

第二百五条 認定電気通信事業者が次の各号のいずれかに該当するに至ったときは、その認定は、その効力を失う。

Article 125 If an approved telecommunications carrier falls under any of the following items, its approval ceases to be effective:

一 第十二条の二第一項の規定により登録がその効力を失ったとき。

(i) if the registration ceases to be effective pursuant to the provisions of Article 12-2, paragraph (1);

二 第十四条第一項の規定により登録を取り消されたとき。

(ii) if the registration of the approved telecommunications carrier is revoked pursuant to the provisions of Article 14, paragraph (1);

三 認定電気通信事業の全部を廃止したとき。

(iii) if the approved telecommunications carrier discontinues its approved telecommunications business in whole.

(認定の取消し)

(Revocation of Approval)

第二百二十六条 総務大臣は、認定電気通信事業者が次の各号のいずれかに該当するときは、その認定を取り消すことができる。

Article 126 (1) The Minister for Internal Affairs and Communications may revoke the approval of an approved telecommunications carrier if it falls under any of the following items:

一 第一百八条第一号又は第三号に該当するに至つたとき。

(i) if the approved telecommunications carrier falls under Article 118, item (i) or item (iii);

二 第二百十条第一項の規定により指定した期間（同条第三項の規定による延長があつたときは、延長後の期間）内に認定電気通信事業を開始しないとき。

(ii) if the approved telecommunications carrier does not commence its approved telecommunications business within the period designated pursuant to the provisions of Article 120, paragraph (1) (if the period has been extended pursuant to the provisions of paragraph (3) of the same Article, the extended period);

三 前二号に規定する場合のほか、認定電気通信事業者がこの法律又はこの法律に基づく命令若しくは処分に違反した場合において、公共の利益を阻害すると認めるとき。

(iii) beyond what is provided for in the preceding two items, if the approved telecommunications carrier violates this Act, or any order or disposition made under this Act, and this is found to hinder the public interest.

2 総務大臣は、前項の規定により認定を取り消したときは、文書によりその理由を付して通知しなければならない。

(2) If the Minister for Internal Affairs and Communications revokes approval pursuant to the provisions of the preceding paragraph, the Minister must notify the approved telecommunications carrier to that effect in writing with the reasons attached thereto.

(変更の認定の取消し)

(Revocation of Approval of Changes)

第二百二十七条 総務大臣は、第二百二十二条第一項の規定により第一百七条第二項第二号又は第三号の事項の変更の認定を受けた認定電気通信事業者が、第二百二十二条第四項において準用する第二百十条第一項の規定により指定した期間（第二百二十二条第四項

において準用する第百二十条第三項の規定による延長があつたときは、延長後の期間) 内にその事項を変更しないときは、その認定を取り消すことができる。

Article 127 (1) If an approved telecommunications carrier that has obtained approval of a change in the particulars set forth in Article 117, paragraph (2), item (ii) or item (iii), pursuant to the provisions of Article 122, paragraph (1), does not change the particulars within the period designated pursuant to the provisions of Article 120, paragraph (1), as applied mutatis mutandis pursuant to Article 122, paragraph (4) (if the period has been extended pursuant to the provisions of Article 120, paragraph (3), as applied mutatis mutandis pursuant to Article 122, paragraph (4), the extended period), the Minister for Internal Affairs and Communications may revoke its approval.

2 前条第二項の規定は、前項の場合に準用する。

(2) The provisions of paragraph (2) of the preceding Article apply mutatis mutandis to the cases set forth in the preceding paragraph.

第二節 土地の使用

Section 2 Use of Land

(土地等の使用権)

(Right to Use Land)

第百二十八条 認定電気通信事業者は、認定電気通信事業の用に供する線路及び空中線（主として一の構内（これに準ずる区域内を含む。）又は建物内（以下この項において「構内等」という。）にいる者の通信の用に供するため当該構内等に設置する線路及び空中線については、公衆の通行し、又は集合する構内等に設置するものに限る。）並びにこれらの附属設備（以下この節において「線路」と総称する。）を設置するため他人の土地及びこれに定着する建物その他の工作物（国有財産法（昭和二十三年法律第七十三号）第三条第二項に規定する行政財産、地方自治法（昭和二十二年法律第六十七号）第二百三十八条第三項に規定する行政財産その他政令で定めるもの（第四項において「行政財産等」という。）を除く。以下「土地等」という。）を利用することが必要かつ適当であるときは、総務大臣の認可を受けて、その土地等の所有者（所有権以外の権原に基づきその土地等を使用する者があるときは、その者及び所有者。以下同じ。）に対し、その土地等を使用する権利（以下「使用権」という。）の設定に関する協議を求めることができる。第三項の存続期間が満了した後において、その期間を延長して使用しようとするときも、同様とする。

Article 128 (1) If it is necessary and appropriate to use other persons' land and buildings or other structures affixed thereto (except administrative properties prescribed in Article 3, paragraph (2) of the National Property Act (Act No. 73 of 1948), administrative properties prescribed in Article 238, paragraph (3) of the Local Autonomy Act (Act No. 67 of 1947) and others specified by Cabinet Order (referred to as "administrative properties, etc." in paragraph (4)); hereinafter referred to as the "land, etc.") in order to install the wires and

cables and antennas (limited to those installed on a single premises (including the area equivalent to those premises) or in a single building (hereinafter referred to as "premises, etc." in this paragraph) which the public pass through or assemble at, in the case of wires and cables and antennas installed within the premises, etc. primarily for the use of communications for persons who are in the premises, etc.) and other facilities accessory to them (hereinafter referred to collectively as "lines" in this Section) for the use of its approved telecommunications business, an approved telecommunications carrier may request the owner of the land, etc. (if there is a person that uses the land, etc. based on their title other than ownership, the person and the owner; hereinafter the same applies) to hold negotiations related to the establishment of the right to use the land, etc. (hereinafter referred to as "right to use"), with the authorization of the Minister for Internal Affairs and Communications. The same applies to the case in which an approved telecommunications carrier intends to extend the duration of the right to use as set forth in paragraph (3) and to use the land, etc. continuously after the end of that duration of the right.

2 前項の認可は、認定電気通信事業者がその土地等の利用を著しく妨げない限度において使用する場合にすることができる。ただし、他の法律によつて土地等を収用し、又は使用することができる事業の用に供されている土地等にあつてはその事業のための土地等の利用を妨げない限度において利用する場合に限り、建物その他の工作物にあつては線路を支持するために利用する場合に限る。

(2) The authorization set forth in the preceding paragraph may be granted if an approved telecommunications carrier uses the land, etc. to an extent which does not seriously impair the use of the land, etc.; provided, however, that in the cases of land, etc. used for a business in which the land, etc. may be expropriated or used pursuant to the provisions of any other law, the authorization may be granted as long as the use of land, etc. does not obstruct the use for that business and in the cases of buildings and other structures, the authorization may be granted as long as they are used to support the lines.

3 第一項の使用権の存続期間は、十五年（地下ケーブルその他の地下工作物又は鉄鋼若しくはコンクリート造の地上工作物の設置を目的とするものにあつては、五十年）とする。ただし、同項の協議又は第百三十二条第二項若しくは第三項の裁定においてこれより短い期間を定めたときは、この限りでない。

(3) The duration of the right to use as set forth in paragraph (1) is fifteen years (or fifty years if the purpose of use is to establish underground cables or other underground structures, or aboveground structures made of steel or concrete); provided, however, that this does not apply to cases in which a shorter duration is set as a result of negotiations set forth in the same paragraph or a ruling set forth in Article 132, paragraph (2) or paragraph (3).

4 総務大臣は、第一項の認可の申請があつた場合において、必要があると認めるときは、その土地等の所有者（その土地等が行政財産等に定着する建物その他の工作物で

あるときは、当該行政財産等を管理する者その他の政令で定める者を含む。次項並びに第百三十条第一項及び第百三十一条において同じ。)の意見を聴くものとする。

(4) If an application for authorization set forth in paragraph (1) is filed and the Minister for Internal Affairs and Communications finds it necessary, the Minister is to hear the opinions of the owner of the land, etc. (including the administrator of administrative properties, etc., and other persons specified by Cabinet Order, if the land, etc. is a building or other structures affixed to the administrative properties, etc.; the same applies in the following paragraph and Article 130, paragraph (1) and Article 131).

5 総務大臣は、第一項の認可をしたときは、その旨をその土地等の所有者に通知するとともに、これを公告しなければならない。

(5) If the Minister for Internal Affairs and Communications has granted authorization set forth in paragraph (1), the Minister must notify the owner of the land, etc. to that effect, and issue a public notice thereof.

6 第一項の協議が調った場合には、認定電気通信事業者及び土地等の所有者は、総務省令で定めるところにより、その協議において定めた事項を総務大臣に届け出るものとする。

(6) If an agreement is reached on the negotiations set forth in paragraph (1), the approved telecommunications carrier and the owner of the land, etc. are to, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, notify the Minister for Internal Affairs and Communications of the particulars decided through those negotiations.

7 前項の届出があつたときは、その届け出たところに従い、認定電気通信事業者がその土地等の使用権を取得し、又は当該使用権の存続期間が延長されるものとする。

(7) If the notification set forth in the preceding paragraph is filed, the approved telecommunications carrier is to acquire the right to use the land, etc., or the duration of the right to use is to be extended, in accordance with that notification.

8 認定電気通信事業者及び土地等の所有者は、その合意により、使用権を消滅させることができる。この場合においては、遅滞なく、その旨を総務大臣に届け出なければならない。

(8) The approved telecommunications carrier and the owner of the land, etc. may extinguish the right to use through an agreement. In this case, they must notify the Minister for Internal Affairs and Communications to that effect without delay.

(裁定の申請)

(Application for Arbitration)

第百二十九条 前条第一項の規定による協議が調わないとき、又は協議をすることができないときは、認定電気通信事業者は、総務省令で定める手続に従い、その土地等の使用について、総務大臣の裁定を申請することができる。ただし、同項の認可があつ

た日から三月を経過したときは、この限りでない。

Article 129 (1) If negotiations conducted pursuant to the provisions of paragraph (1) of the preceding Article fail or cannot be conducted, an approved telecommunications carrier may, in accordance with the procedures specified by Order of the Ministry of Internal Affairs and Communications, apply to the Minister for Internal Affairs and Communications for a ruling concerning the use of the land, etc.; provided, however, that this does not apply to cases in which three months have passed since the date on which the authorization set forth in the same paragraph was granted.

2 認定電気通信事業者は、使用権の存続期間の延長について前項の規定により裁定を申請したときは、その裁定があるまでは、引き続きその土地等を使用することができる。

(2) If an approved telecommunications carrier applies for a ruling concerning extension of the duration of the right to use pursuant to the provisions of the preceding paragraph, it may continue to use the land, etc. until the ruling is rendered.

(裁定)

(Rulings)

第三十条 総務大臣は、前条第一項の規定による裁定の申請を受理したときは、三日以内に、その申請書の写しを当該市町村長に送付するとともに、土地等の所有者に裁定の申請があつた旨を通知しなければならない。

Article 130 (1) When the Minister for Internal Affairs and Communications has received an application for a ruling under paragraph (1) of the preceding Article, the Minister must, within three days, send a copy of the application to the mayor of the municipality, and notify the owner of the land, etc. to the effect that the application for a ruling has been filed.

2 市町村長は、前項の書類を受け取つたときは、三日以内に、その旨を公告し、公告の日から一週間、これを公衆の縦覧に供しなければならない。

(2) When the mayor of the municipality receives the documents set forth in the preceding paragraph, the mayor must issue a public notice to that effect within three days and must make the documents available for public inspection for one week from the date of that public notice.

3 市町村長は、前項の規定による公告をしたときは、公告の日を総務大臣に報告しなければならない。

(3) When the mayor of the municipality issues the public notice under the preceding paragraph, the mayor must report the date on which the public notice is issued to the Minister for Internal Affairs and Communications.

4 前三項の規定の適用については、これらの規定中「市町村長」とあるのは、特別区のある地にあつては「特別区の区長」と、地方自治法第二百五十二条の十九第一項の指定都市にあつては「区長又は総合区長」とする。

(4) With regard to the application of the provisions of the preceding three paragraphs, the term "mayor of the municipality" in those provisions is replaced with "mayor of the special ward" in a place where a special ward exists; and with "mayor of the ward or mayor of consolidated ward" in a designated city prescribed in Article 252-19, paragraph (1) of the Local Autonomy Act.

第百三十一条 前条第二項の規定による公告があつたときは、土地等の所有者その他利害関係人は、公告の日から十日以内に、総務大臣に意見書を提出することができる。

Article 131 When a public notice is issued pursuant to the provisions of paragraph (2) of the preceding Article, the owner of the land, etc. or any other interested persons may file with the Minister for Internal Affairs and Communications their written opinions within ten days from the date of the public notice.

第百三十二条 総務大臣は、前条の期間が経過した後、速やかに、裁定をしなければならない。

Article 132 (1) The Minister for Internal Affairs and Communications must render a ruling promptly after the period set forth in the preceding Article has passed.

2 使用権を設定すべき旨を定める裁定においては、次の事項を定めなければならない。

(2) The ruling which determines that the right to use be established must specify the following particulars:

一 使用権を設定すべき土地等の所在地及びその範囲

(i) location and scope of the land, etc. on or across which the right to use is to be established;

二 線路の種類及び数

(ii) type and number of lines;

三 使用開始の時期

(iii) scheduled starting date of use;

四 使用権の存続期間を定めたときは、その期間

(iv) duration of the right to use, if that duration has been determined;

五 対価の額並びにその支払の時期及び方法

(v) amount of consideration and the time and means of payment.

3 使用権の存続期間を延長すべき旨を定める裁定においては、延長する期間（延長に際し前項第五号に掲げる事項を変更するときは、延長する期間及び当該変更後の同号に掲げる事項）を定めなければならない。

(3) a ruling which determines that the duration of the right to use be extended must specify the extended period (if the particulars listed in item (v) of the preceding paragraph are changed in the case of extending the period, the extended period and the particulars listed in the same item after the change).

- 4 総務大臣は、第二項第五号に掲げる事項（前項に規定する変更後のものを含む。）については、あらかじめその土地等の所在する都道府県の収用委員会の意見を聴き、これに基づいて裁定しなければならない。この場合において、同号の対価の額の基準は、その使用により通常生ずる損失を償うように、線路及び土地等の種類ごとに政令で定める。
- (4) The Minister for Internal Affairs and Communications must, with regard to the particulars listed in paragraph (2), item (v) (including the particulars set forth in the preceding paragraph after the change), hear the opinions of the expropriation committee of the prefecture which has jurisdiction over the land, etc. in advance, and render a ruling based on those opinions. In this case, the standards of the consideration set forth in the same item are specified by Cabinet Order for each type of line and land, etc. to cover losses which may generally arise from its use.
- 5 総務大臣は、第二百二十九条第一項の裁定をしたときは、遅滞なく、その旨を認定電気通信事業者及び土地等の所有者に通知するとともに、これを公告しなければならない。
- (5) When the Minister for Internal Affairs and Communications renders a ruling set forth in Article 129, paragraph (1), the Minister must notify the approved telecommunications carrier and the owner of the land, etc. to that effect without delay and must issue a public notice thereof.
- 6 使用権を設定すべき旨を定める裁定があつたときは、その裁定において定められた使用開始の時期に、認定電気通信事業者は、その土地等の使用権を取得するものとする。
- (6) If a ruling which determines that the right to use be established is rendered, the approved telecommunications carrier is to acquire the right to use the land, etc. on the scheduled starting date of use, which is specified in the ruling.
- 7 使用権の存続期間を延長すべき旨を定める裁定があつたときは、当該使用権の存続期間は、その裁定において定められた期間延長されるものとする。
- (7) If a ruling which determines that the duration of the right to use be extended is rendered, the duration of the right to use is to be extended for the period specified in the ruling.
- 8 第三十五条第八項から第十項までの規定は、第二百二十九条第一項の裁定について準用する。この場合において、第三十五条第八項及び第十項中「当事者が取得し、又は負担すべき金額」とあるのは、「対価の額」と読み替えるものとする。
- (8) The provisions of Article 35, paragraph (8) through (10) apply mutatis mutandis to the ruling set forth in Article 129, paragraph (1). In this case, the term "the amount of money to be received or paid by the party (or parties)" in Article 35, paragraph (8) and paragraph (10) is replaced with "the amount of consideration."

（土地等の一時使用）

(Temporary Use of Land)

第百三十三条 認定電気通信事業者は、認定電気通信事業の実施に関し、次に掲げる目的のため他人の土地等を利用することが必要であつて、やむを得ないときは、その土地等の利用を著しく妨げない限度において、一時これを使用することができる。ただし、建物その他の工作物にあつては、線路を支持するために利用する場合に限る。

Article 133 (1) An approved telecommunications carrier may use another person's land, etc. temporarily to the extent that this does not seriously obstruct the use of the land, etc. with respect to conducting an approved telecommunications business, if the use of it for the purposes listed below is necessary and unavoidable; provided, however, that, in the cases of buildings or other structures, that use is limited for the purpose of supporting lines:
一 線路に関する工事の施行のため必要な資材及び車両の置場並びに土石の捨場の設置

(i) establishing sites for materials and vehicles and dump-sites for soil and stone, which are necessary for conducting line installation;

二 天災、事変その他の非常事態が発生した場合その他特にやむを得ない事由がある場合における重要な通信を確保するための線路その他の電気通信設備の設置

(ii) establishing lines and other telecommunications facilities necessary for securing essential communications in the case in which a natural disaster, accident or any other emergency has occurred or the other cases in which any particularly compelling reasons exist;

三 測標の設置

(iii) setting up land survey markings.

2 認定電気通信事業者は、前項の規定により他人の土地等を一時使用しようとするときは、総務大臣の許可を受けなければならない。ただし、天災、事変その他の非常事態が発生した場合において十五日以内の期間一時使用するときは、この限りでない。

(2) If an approved telecommunications carrier intends to use another person's land, etc. temporarily pursuant to the provisions of the preceding paragraph, it must obtain permission of the Minister for Internal Affairs and Communications; provided, however, that this does not apply to temporary use for a period not exceeding fifteen days in the event of a natural disaster, accident or any other emergency.

3 認定電気通信事業者は、第一項の規定により他人の土地等を一時使用しようとするときは、あらかじめ、土地等の占有者に通知しなければならない。ただし、あらかじめ通知することが困難なときは、使用開始の後、遅滞なく、通知することをもつて足りる。

(3) If an approved telecommunications carrier intends to use another person's land, etc. temporarily pursuant to the provisions of paragraph (1), it must notify the possessor of the land, etc. of it in advance; provided, however, that, if the notification is difficult to file in advance, it is sufficient for the approved telecommunications carrier to notify the possessor of it without delay after the

commencement of using the land.

4 第一項の規定により一時使用しようとする土地等が居住の用に供されているときは、その居住者の承諾を得なければならない。

(4) If the land, etc. that an approved telecommunications carrier intends to use temporarily pursuant to the provisions of paragraph (1) is currently in use as part of a residence, the carrier must obtain the consent of the residence staying there.

5 第一項の規定による一時使用の期間は、六月（同項第二号に規定する場合において仮線路又は測標を設置したときは、一年）を超えることができない。

(5) The period of temporary use under paragraph (1) does not exceed six months (if temporary lines or land survey markings have been set up in the cases set forth in item (ii) of the same paragraph, one year).

6 第一項の規定による一時使用のため他人の土地等に立ち入る者は、第二項の許可を受けたことを証する書面（同項ただし書の場合にあつては、その身分を示す証明書）を携帯し、関係人に提示しなければならない。

(6) A person that enters another person's land, etc. for the purpose of temporary use under paragraph (1) must carry a document certifying that the person has obtained the permission set forth in paragraph (2) (in the cases of the proviso of the same paragraph, a certificate for identification) and must show it to the persons concerned.

（土地の立入り）

（Entry into Land）

第三百三十四条 認定電気通信事業者は、線路に関する測量、実地調査又は工事のため必要があるときは、他人の土地に立ち入ることができる。

Article 134 (1) An approved telecommunications carrier may enter another person's land if it is necessary to do so in order to conduct a survey, on-site investigation, or installation in relation to lines.

2 前条第二項から第四項まで及び第六項の規定は、認定電気通信事業者が前項の規定により他人の土地に立ち入る場合について準用する。

(2) The provisions of paragraph (2) through (4) and paragraph (6) of the preceding Article apply mutatis mutandis to the cases in which an approved telecommunications carrier enters another person's land pursuant to the provisions of the preceding paragraph.

（通行）

（Passage）

第三百三十五条 認定電気通信事業者は、線路に関する工事又は線路の維持のため必要があるときは、他人の土地を通行することができる。

Article 135 (1) An approved telecommunications carrier may pass through another person's land if it is necessary to do so in order to conduct line

installation or maintenance.

2 第六十九条第三項並びに第一百三十三条第三項及び第四項の規定は、認定電気通信事業者が前項の規定により他人の土地を通行する場合について準用する。

(2) The provisions of Article 69, paragraph (3) and Article 133, paragraph (3) and paragraph (4) apply mutatis mutandis to the cases in which an approved telecommunications carrier passes through another person's land pursuant to the provisions of the preceding paragraph.

(植物の伐採)

(Clearing Plants)

第三十六条 認定電気通信事業者は、植物が線路に障害を及ぼし、若しくは及ぼすおそれがある場合又は植物が線路に関する測量、実地調査若しくは工事に支障を及ぼす場合において、やむを得ないときは、総務大臣の許可を受けて、その植物を伐採し、又は移植することができる。

Article 136 (1) If plants cause, or are likely to cause, an obstruction to lines, or hinder surveys, on-site investigations or installation in relation to lines, and if it is unavoidable to do so, an approved telecommunications carrier may clear or move the plants with the permission of the Minister for Internal Affairs and Communications.

2 認定電気通信事業者は、前項の規定により植物を伐採し、又は移植するときは、あらかじめ、植物の所有者に通知しなければならない。ただし、あらかじめ通知することが困難なときは、伐採又は移植の後、遅滞なく、通知することをもつて足りる。

(2) If an approved telecommunications carrier clears or moves a plant pursuant to the provisions of the preceding paragraph, it must notify the owner of the plant to that effect in advance; provided, however, that, if the notification is difficult to make in advance, it is sufficient for the approved telecommunications carrier to notify the owner without delay after clearing or moving the plant.

3 認定電気通信事業者は、植物が線路に障害を及ぼしている場合において、その障害を放置するときは、線路を著しく損壊し、通信の確保に重大な支障を生ずると認められるときは、第一項の規定にかかわらず、総務大臣の許可を受けずに、その植物を伐採し、又は移植することができる。この場合においては、伐採又は移植の後、遅滞なく、その旨を総務大臣に届け出るとともに、植物の所有者に通知しなければならない。

(3) If the plants cause an obstruction to lines and an approved telecommunications carrier finds that these plant will seriously damage the lines and hinder the securing of communications in the case of leaving the obstruction unsolved, it may clear or move the plants without the permission of the Minister for Internal Affairs and Communications, notwithstanding the provision of paragraph (1). In this case, the approved telecommunications carrier must, without delay after clearing or transplanting the plant, notify the

Minister for Internal Affairs and Communications to that effect, and must notify the owner of the plant of it.

(損失補償)

(Compensation for Loss)

第百三十七条 認定電気通信事業者は、第百三十三条第一項の規定により他人の土地等を一時使用し、第百三十四条第一項の規定により他人の土地に立ち入り、第百三十五条第一項の規定により他人の土地を通行し、又は前条第一項若しくは第三項の規定により植物を伐採し、若しくは移植したことによつて損失を生じたときは、損失を受けた者に対し、これを補償しなければならない。

Article 137 (1) If an approved telecommunications carrier has caused a loss by temporarily using another person's land, etc. pursuant to the provisions of Article 133, paragraph (1), by entering another person's land pursuant to the provisions of Article 134, paragraph (1), by passing through another person's land pursuant to the provisions of Article 135, paragraph (1), or by clearing or moving plants pursuant to the provisions of paragraph (1) or paragraph (3) of the preceding Article, it must compensate the person for any losses that person have suffered..

2 前項の規定による損失の補償について、認定電気通信事業者と損失を受けた者との間に協議が調わないとき、又は協議をすることができないときは、認定電気通信事業者又は損失を受けた者は、総務省令で定める手続に従い、都道府県知事の裁定を申請することができる。

(2) If negotiations on compensation for loss under the preceding paragraph between an approved telecommunications carrier and a person that has suffered the loss fail or cannot be conducted, the approved telecommunications carrier or the person that has suffered the loss may file with the prefectural governor an application for a ruling in accordance with the procedures specified by Order of the Ministry of Internal Affairs and Communications.

3 第三十五条第五項から第十項までの規定は、前項の裁定について準用する。この場合において、同条第五項中「総務大臣」とあるのは「都道府県知事」と、「答弁書」とあるのは「答弁書（損失を受けた者に通知する場合にあつては、意見書）」と、同条第六項中「総務大臣」とあるのは「都道府県知事」と、同条第八項及び第十項中「当事者が取得し、又は負担すべき金額」とあるのは「補償金の額」と読み替えるものとする。

(3) The provisions of Article 35, paragraph (5) through (10) apply mutatis mutandis to the ruling set forth in the preceding paragraph. In this case, the term "the Minister for Internal Affairs and Communications" and the term "written answers" in paragraph (5) of the same Article are deemed to be replaced with "the prefectural governor" and "written answers (or written opinions when notifying the person that has suffered the loss of it)," respectively; the term "the Minister for Internal Affairs and Communications"

in paragraph (6) of the same Article is replaced with "the prefectural governor"; and the term "the amount of money to be received or paid by the party (or parties)" in paragraph (8) and paragraph (10) of the same Article is replaced with "the amount of compensation."

4 損失の補償をすべき旨を定める裁定においては、補償金の額並びにその支払の時期及び方法を定めなければならない。

(4) The ruling which determines that compensation be paid must specify the amount of compensation and the date and method of the payment.

(線路の移転等)

(Relocation of Lines)

第百三十八条 使用権に基づいて線路が設置されている土地等又はこれに近接する土地等の利用の目的又は方法が変更されたため、その線路が土地等の利用に著しく支障を及ぼすようになったときは、その土地等の所有者は、認定電気通信事業者に、線路の移転その他支障の除去に必要な措置をすべきことを請求することができる。

Article 138 (1) If the purpose or means of use of the land, etc. on which lines are installed based on the right to use or the land, etc. adjacent thereto has been changed and thereby the lines seriously hinder the use of that land, etc., the owner of that land, etc. may request an approved telecommunications carrier to take measures necessary to remove the hindrance, including relocation of the lines.

2 認定電気通信事業者は、前項の措置が業務の遂行上又は技術上著しく困難な場合を除き、同項の措置をしなければならない。

(2) An approved telecommunications carrier must take the measures set forth in the preceding paragraph, except in cases in which it is extremely difficult for conducting its operations, or from a technical perspective to take the measures set forth in the preceding paragraph.

3 第一項の措置について、認定電気通信事業者と土地等の所有者との間に協議が調わないとき、又は協議をすることができないときは、認定電気通信事業者又は土地等の所有者は、総務省令で定める手続に従い、総務大臣の裁定を申請することができる。

(3) If negotiations between an approved telecommunications carrier and the owner of the land, etc. on the measures set forth in paragraph (1) fail or cannot be conducted, the approved telecommunications carrier or the owner of the land, etc. may apply to the Minister for Internal Affairs and Communications for a ruling in accordance with the procedures specified by Order of the Ministry of Internal Affairs and Communications.

4 第百三十条、第百三十一条並びに第百三十二条第一項及び第五項の規定は、前項の裁定について準用する。

(4) The provisions of Article 130, Article 131, and Article 132, paragraph (1) and paragraph (5) apply mutatis mutandis to the ruling set forth in the preceding paragraph.

5 第一項の措置をすべき旨を定める裁定においては、その措置に要する費用の全部又は一部を土地等の所有者が負担すべき旨を定めることができる。

(5) The ruling which determines that the measures set forth in paragraph (1) be taken may specify that the cost of the measures in whole or in part is to be borne by the owner of the land, etc.

6 第一項の措置をすべき旨を定める裁定においては、その措置をすべき時期（前項の場合にあつては、その時期並びに土地等の使用者が負担すべき費用の額、支払の時期及び支払の方法）を定めなければならない。

(6) The ruling which determines that the measures set forth in paragraph (1) be taken must specify the date when those measures should be taken (in the case set forth in the preceding paragraph, the date when those measures should be taken and the amount, date and means of payment of the money to be borne by the owner of the land, etc.).

7 第四項において準用する第一百三十二条第五項の規定による公告があつたときは、裁定の定めるところに従い、認定電気通信事業者と土地等の所有者との間に協議が調つたものとみなす。

(7) When a public notice has been issued pursuant to the provisions of Article 132, paragraph (5), as applied mutatis mutandis pursuant to paragraph (4), the negotiations between the approved telecommunications carrier and the owner of the land, etc. are deemed to have reached an agreement pursuant to the provisions of the ruling.

8 第三十五条第八項から第十項までの規定は、第三項の裁定について準用する。この場合において、同条第八項及び第十項中「当事者が取得し、又は負担すべき金額」とあるのは、「費用の負担の額」と読み替えるものとする。

(8) The provisions of Article 35, paragraph (8) through (10) apply mutatis mutandis to the ruling set forth in paragraph (3). In this case, the term "the amount of money to be received or paid by the party (or parties)" in paragraph (8) and paragraph (10) of the same Article is replaced with "the amount of costs to be borne."

（原状回復の義務）

(Obligation of Restoration)

第一百三十九条 認定電気通信事業者は、土地等の使用を終わつたとき、又はその使用する土地等を認定電気通信事業の用に供する必要がなくなつたときは、その土地等を原状に回復し、又は原状に回復しないことによつて生ずる損失を補償して、これを返還しなければならない。

Article 139 When an approved telecommunications carrier has extinguished the use of the land, etc. or the use of the land, etc. for its approved telecommunications business becomes unnecessary, it must return that land, etc. after restoring it or compensating for the losses arising from not restoring it.

(公用水面の使用)

(Use of Public Waters)

第百四十条 認定電気通信事業者は、公共の用に供する水面（以下「水面」という。）に認定電気通信事業の用に供する水底線路（以下「水底線路」という。）を敷設しようとするときは、あらかじめ、次の事項を総務大臣及び関係都道府県知事（漁業法（昭和二十四年法律第二百六十七号）第百三十六条の規定により農林水産大臣が自ら都道府県知事の権限を行う漁場たる水面については、農林水産大臣を含む。次項において同じ。）に届け出なければならない。

Article 140 (1) If an approved telecommunications carrier intends to lay an underwater cable to be used for its telecommunications business (hereinafter referred to as an "underwater cable") under any surface of water for public use (hereinafter referred to as "waters"), it must notify the Minister for Internal Affairs and Communications and the relevant prefectural governor (including the Minister of Agriculture, Forestry and Fisheries are include, if the waters are fishing grounds over which the Minister of Agriculture, Forestry and Fisheries exercises the authorities of the prefectural governor pursuant to the provisions of Article 136 of the Fishery Act (Act No. 267 of 1949); the same applies in the following paragraph) of the following particulars in advance:

一 水底線路の位置及び次条第一項の申請をしようとする区域

(i) locations of the underwater cable and areas for which the approved telecommunications carrier intends to file the application set forth in paragraph of the following Article;

二 工事の開始及び完了の時期

(ii) date of the start and completion of the installation work;

三 工事の概要

(iii) outline of the installation work.

2 関係都道府県知事は、前項の規定による届出があつた場合において、漁業権（漁業法による漁業権をいう。以下同じ。）に関する利害関係人若しくは同項第一号の区域において次条第四項の政令で定める漁業を現に適法に行つている者の意見により、又は漁業に対する影響を勘案して、前項の届出に係る事項を変更する必要があると認めるときは、他の関係都道府県知事がある場合にあつては必要な協議を行つた上、届出があつた日から三十日以内に、その旨を総務大臣及び当該認定電気通信事業者に通知することができる。

(2) When a notification is filed pursuant to the provisions of the preceding paragraph and the relevant prefectural governor finds it necessary to change the particulars related to the notification set forth in the preceding paragraph, based on the opinions of the interested persons related to the fishing rights (fishing rights under the Fishery Act; hereinafter the same applies) or of any persons actually and lawfully engaged in a fishery specified by Cabinet Order set forth in paragraph (4) of the following Article within the area set forth in

item (i) of the preceding paragraph or in consideration of the impact to fisheries, the governor may notify the Minister for Internal Affairs and Communications and the approved telecommunications carrier to that effect, after conducting the necessary negotiations with other relevant prefectural governors if there are any, within thirty days from the date on which the notification was filed.

3 漁業法第十一条第六項の規定は、前項の規定による通知について準用する。この場合において、同条第六項中「都道府県知事」とあるのは、「電気通信事業法第四十条第一項の規定による届出を受けた関係都道府県知事」と読み替えるものとする。

(3) The provisions of Article 11, paragraph (6) of the Fishery Act apply mutatis mutandis to the notification under the preceding paragraph. In this case, the term "the prefectural governor" in paragraph (6) of the same Article is deemed to be replaced with "the relevant prefectural governor that received the notification under Article 140, paragraph (1) of the Telecommunications Business Act."

4 認定電気通信事業者は、第二項の規定による通知を受けた場合には、当該事項を変更しなければならない。ただし、当該事項の変更がその業務の遂行上著しい支障がある場合において、その変更を要しない旨の総務大臣の認可を受けたときは、その事項については、この限りでない。

(4) If an approved telecommunications carrier has received a notification under paragraph (2), it must change the particulars; provided, however, that this does not apply to the particulars if changing those particulars seriously hinders the conducting of its operations and the authorization to the effect that the changes to those particulars are not necessary is obtained from the Minister for Internal Affairs and Communications.

(水底線路の保護)

(Protection of Underwater Cables)

第四百四十一条 総務大臣は、認定電気通信事業者の申請があつた場合において、前条に定める敷設の経路を経た水底線路を保護するため必要があるときは、その水底線路から千メートル（河川法（昭和三十九年法律第百六十七号）が適用され、又は準用される河川（以下「河川」という。）については、五十メートル）以内の区域を保護区域として指定することができる。

Article 141 (1) If the application from an approved telecommunications carrier is filed and it is necessary for the protection of the underwater cable laid in accordance with the procedures set forth in the preceding Article, the Minister for Internal Affairs and Communications may designate an area within one thousand meters (in the case of a river to which the River Act (Act No. 167 of 1964) applies, or applies mutatis mutandis (hereinafter referred to as "river"), fifty meters) of the underwater cable as a protected area.

2 前項の規定による指定は、告示によつて行う。

- (2) The designation set forth in the preceding paragraph is made by issuing a notice.
- 3 認定電気通信事業者は、第一項の規定による保護区域の指定があつたときは、総務省令で定めるところにより、これを示す陸標を設置し、かつ、その陸標の位置を公告しなければならない。
- (3) If a protected area has been designated pursuant to the provisions of paragraph (1), an approved telecommunications carrier must, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, set up landmarks indicating that area and issue a public notice of the locations of the landmarks.
- 4 何人も、第一項の保護区域内において、船舶をびよう泊させ、底びき網を用いる漁業その他の政令で定める漁業を行い、若しくは土砂を掘採し、又は前項の陸標に舟若しくはいかだをつないでなければならない。ただし、河川管理者が河川工事を行う場合、海岸法（昭和三十一年法律第百一号）第二条第三項に規定する海岸管理者（以下この条において「海岸管理者」という。）が同法第二条第一項に規定する海岸保全施設（以下この項において「海岸保全施設」という。）に関する工事を施行する場合又は同法第六条第一項の規定により主務大臣が海岸保全施設に関する工事を施行する場合においてやむを得ない事情があるとき、その他政令で定める場合は、この限りでない。
- (4) In the protected area set forth in paragraph (1), it is prohibited for any person to anchor a vessel, engage in fishing using a trawl net or other fishing specified by Cabinet Order, mine soil, or moor a boat or raft to the landmarks set forth in the preceding paragraph; provided, however, that this does not apply to the cases in which there are compelling reasons for a river administrator to conduct river construction, for a coast administrator as prescribed in Article 2, paragraph (3) of the Coast Act (Act No. 101 of 1956) (hereinafter referred to as "coastal administrator" in this Article) to conduct construction work for coast conservation facilities prescribed in Article 2, paragraph (1) of the same Act (hereinafter referred to as "coastal conservation facilities" in this paragraph), or for the competent minister to conduct construction work for coastal conservation facilities pursuant to the provisions of Article 6, paragraph (1) of the same Act, or in other cases specified by Cabinet Order.
- 5 都道府県知事（漁業法第百三十六条の規定により農林水産大臣が自ら都道府県知事の権限を行う場合は、農林水産大臣。第七項において同じ。）は、認定電気通信事業者の申請があつた場合において、水底線路を保護する必要があると認めるときは、第一項の保護区域内の水面に設定されている漁業権を取り消し、変更し、又はその行使の停止を命ずることができる。
- (5) If an application is filed by an approved telecommunications carrier and the prefectural governor (in cases in which the Minister for Agriculture, Forestry and Fisheries personally exercises the authorities of the prefectural governor pursuant to the provisions of Article 136 of the Fishery Act, the Minister for Agriculture, Forestry and Fisheries; the same applies in paragraph (7)) finds it

necessary to protect underwater cables, the governor may revoke or change the fishing rights which have been established on the waters within the protected area set forth in paragraph (1), or order to suspend the exercise of those rights.

6 漁業法第十一条第六項の規定は、前項の規定による漁業権の取消し若しくは変更又はその行使の停止について準用する。この場合において、同条第六項中「都道府県知事」とあるのは、「電気通信事業法第四百四十一条第五項の規定による申請を受けた都道府県知事」と読み替えるものとする。

(6) The provisions of Article 11, paragraph (6) of the Fishery Act apply mutatis mutandis to the revocation or change of the fishing rights, or suspension of the exercise of those rights, pursuant to the provisions of the preceding paragraph. In these cases, the term "prefectural governor" in paragraph (6) of the same Article is deemed to be replaced with "prefectural governor that has received the application under Article 141, paragraph (5) of the Telecommunications Business Act."

7 都道府県知事は、第一項の保護区域内の水面における漁業権の設定については、水底線路の保護に必要な配慮をしなければならない。

(7) The prefectural governor must pay necessary consideration to protecting underwater cables with regard to establishing fishing rights on the waters within the protected area set forth in paragraph (1).

8 海岸管理者は、第一項の保護区域の水面における施設若しくは工作物の設置又は行為の許可については、水底線路の保護に必要な配慮をしなければならない。

(8) A coastal administrator must pay necessary consideration to protecting underwater cables with regard to permitting the establishment of facilities or structures or any act on the waters within the protected area set forth in paragraph (1).

第四百四十二条 認定電気通信事業者は、前条第五項の規定による漁業権の取消し、変更又はその行使の停止によつて生じた損失を当該漁業権者に対し補償しなければならない。

Article 142 (1) An approved telecommunications carrier must compensate any person that holds the fishing rights for any loss caused by the revocation or change to their fishing rights or the suspension of the exercise of those rights under paragraph (5) of the preceding Article.

2 漁業法第三十九条第七項から第十二項までの規定は、前項の規定による損失の補償について準用する。この場合において、同条第十項及び第十一項中「都道府県」とあるのは、「認定電気通信事業者」と読み替えるものとする。

(2) The provisions of Article 39, paragraph (7) through (12) of the Fishery Act apply mutatis mutandis to the compensation for the loss under the preceding paragraph. In this case, the term "prefecture" in paragraph (10) and paragraph (11) of the same Article is deemed to be replaced with "approved telecommunications carrier."

第百四十三条 船舶は、認定電気通信事業者の水底線路の敷設若しくは修理に従事している船舶であつて、その旨を示す標識を掲げているものから千メートル以内で総務省令で定める範囲内（河川については、五十メートル以内）又は施設若しくは修理中の水底線路の位置を示す浮標であつて、その旨の標識を掲げてあるものから四百メートル以内で総務省令で定める範囲内（河川については、三十メートル以内）の水面を航行してはならない。

Article 143 A vessel must not navigate on the waters within the scope specified by Order of the Ministry of Internal Affairs and Communications within one thousand meters (in the case of a river, fifty meters) of a vessel which is engaged in laying or repairing underwater cables of an approved telecommunications carrier and posts a sign to that effect, or within the scope specified by Order of the Ministry of Internal Affairs and Communications within four hundred meters (in the case of a river, thirty meters) of a buoy which marks the location of the underwater cables being laid or repaired and posts a sign to that effect.

第四章 電気通信紛争処理委員会

Chapter IV Telecommunications Dispute Settlement Commission

第一節 設置及び組織

Section 1 Establishment and Organization

(設置及び権限)

(Establishment and Authority)

第百四十四条 総務省に、電気通信紛争処理委員会（以下「委員会」という。）を置く。

Article 144 (1) A Telecommunications Dispute Settlement Commission

(hereinafter referred to as the "Commission") is established under the Ministry of Internal Affairs and Communications.

2 委員会は、この法律、電波法及び放送法の規定によりその権限に属させられた事項を処理する。

(2) The Commission processes with the particulars authorized pursuant to the provisions of this Act, the Radio Act and the Broadcasting Act.

(組織)

(Organization)

第百四十五条 委員会は、委員五人をもつて組織する。

Article 145 (1) The Commission is composed of five commission members.

2 委員は、非常勤とする。ただし、そのうち二人以内は、常勤とすることができる。

(2) The commission members serve on a part-time basis; provided, however, that up to two of them may serve on a full-time basis.

(委員長)

(Chair)

第百四十六条 委員会に、委員長を置き、委員の互選により選任する。

Article 146 (1) The Commission has a chair, who is appointed by the commission members from among themselves.

2 委員長は、会務を総理し、委員会を代表する。

(2) The chair presides over the affairs of the Commission and represents the Commission.

3 委員会は、あらかじめ、委員長に事故があるときにその職務を代理する委員を定めておかなければならない。

(3) The chair must designate, in advance, a commission member to carry out the chair's duties in place of the chair if the chair is unable to attend to them.

(委員の任命)

(Appointment of Commission Members)

第百四十七条 委員は、電気通信事業、電波の利用又は放送の業務に関して優れた識見を有する者のうちから、両議院の同意を得て、総務大臣が任命する。

Article 147 (1) The commission members are appointed by the Minister for Internal Affairs and Communications, from among persons with deep insight into the telecommunications business, utilization of radio waves or broadcasting operations, with the consent of both Houses of the Diet.

2 委員の任期が満了し、又は欠員が生じた場合において、国会の閉会又は衆議院の解散のために両議院の同意を得ることができないときは、総務大臣は、前項の規定にかかわらず、同項に定める資格を有する者のうちから、委員を任命することができる。

(2) When the term of office of a commission member expires or a vacancy for that a position occurs and the Minister for Internal Affairs and Communications is not able to obtain the consent of both Houses of the Diet because the Diet is closed or because the House of Representatives has been dissolved, the Minister may appoint a person from qualified persons set forth in the preceding paragraph as a commission member, notwithstanding the provisions of the preceding paragraph.

3 前項の場合においては、任命後最初の国会で両議院の事後の承認を得なければならない。この場合において、両議院の事後の承認を得られないときは、総務大臣は、直ちにその委員を罷免しなければならない。

(3) In the cases set forth in the preceding paragraph, the Minister for Internal Affairs and Communications must obtain the consent of both Houses of the Diet at the first Diet session following the appointment. In this case, if the Minister is not able to obtain the ex post facto approval of both Houses of the Diet, the Minister must immediately dismiss the commission member.

(任期)

(Term of Office)

第四百四十八条 委員の任期は、三年とする。ただし、補欠の委員の任期は、前任者の残任期間とする。

Article 148 (1) The term of office of a commission member is three years; provided, however, that the term of office of a commission member that has been appointed to fill a vacancy is the remaining term of the predecessor.

2 委員は、再任されることができる。

(2) The commission members may be reappointed.

3 委員の任期が満了したときは、当該委員は、後任者が任命されるまで引き続きその職務を行うものとする。

(3) When the term of office of a commission member expires, the commission member is to perform the duties until the successor is appointed.

(委員の罷免)

(Dismissal of Commission Members)

第四百四十九条 総務大臣は、委員が心身の故障のため職務の遂行ができないと認める場合又は委員に職務上の義務違反その他委員たるに適しない非行があると認める場合においては、両議院の同意を得て、これを罷免することができる。

Article 149 When the Minister for Internal Affairs and Communications finds that a commission member is unable to perform their duties due to a mental or physical disorder or that the commission member has violated the obligations in the course of duties or committed any other misconduct unfitting for a commission member, the Minister may dismiss the commission member with the consent of both Houses of the Diet.

(委員の服務)

(Service Standards of Commission Members)

第四百五十条 委員は、職務上知ることのできた秘密を漏らしてはならない。その職を退いた後も同様とする。

Article 150 (1) A commission member must not divulge any secrets which may have come to the knowledge in the course of the duties. The same applies even after the commission member has retired from office.

2 委員は、在任中、政党その他の政治的団体の役員となり、又は積極的に政治運動をしてはならない。

(2) A commission member must not become an official of a political party or any other political organization, or actively engage in a political campaign during the term of office.

3 常勤の委員は、在任中、総務大臣の許可のある場合を除くほか、報酬を得て他の職務に従事し、又は営利事業を営み、その他金銭上の利益を目的とする業務を行つてはならない。

(3) A full-time commission member must not, during the term of office, engage in

other duties for which that member receives remuneration, operate a business for profit, or conduct any other operations for monetary gain, except in the cases approved by the Minister for Internal Affairs and Communications.

(委員の給与)

(Remuneration of Commission Members)

第百五十一条 委員の給与は、別に法律で定める。

Article 151 Remuneration of commission members is prescribed separately by law.

(事務局)

(Secretariat)

第百五十二条 委員会の事務を処理させるため、委員会に事務局を置く。

Article 152 (1) A secretariat is established under the Commission to handle the administrative functions of the Commission.

2 事務局に、事務局長のほか、所要の職員を置く。

(2) A director-general and other officials considered necessary are placed under the secretariat.

3 事務局長は、委員長の名を受けて、局務を掌理する。

(3) The director-general handles the work of the secretariat upon the order of the chair.

(政令への委任)

(Delegation to Cabinet Order)

第百五十三条 この節に規定するもののほか、委員会に関し必要な事項は、政令で定める。

Article 153 Beyond what is provided for in this Section, particulars necessary for the Commission are specified by Cabinet Order.

第二節 あつせん及び仲裁

Section 2 Mediation and Arbitration

(電気通信設備の接続に関するあつせん)

(Mediation on about Interconnection of Telecommunications Facilities)

第百五十四条 電気通信事業者間において、その一方が電気通信設備の接続に関する協定の締結を申し入れたにもかかわらず他の一方がその協議に応じず、若しくは当該協議が調わないとき、又は電気通信設備の接続に関する協定の締結に関し、当事者が取得し、若しくは負担すべき金額若しくは接続条件その他協定の細目について当事者間の協議が調わないときは、当事者は、委員会に対し、あつせんを申請することができる。ただし、当事者が第三十五条第一項若しくは第二項の申立て、同条第三項の規定による裁定の申請又は次条第一項の規定による仲裁の申請をした後は、この限りでな

い。

Article 154 (1) If a telecommunications carrier requests another telecommunications carrier to conclude an agreement on interconnection of telecommunications facilities but the requested telecommunications carrier refuses to hold negotiations or those negotiations fail, or negotiations between the parties about concluding an agreement on the interconnection of telecommunications facilities fail on the amount of money to be received or paid by the parties, the terms and conditions of interconnection and the other details of the agreement, the parties may apply to the Commission for mediation; provided, however, that this does not apply to the cases in which the parties have already filed a petition set forth in Article 35, paragraph (1) or paragraph (2), an application for a ruling under paragraph (3) of the same Article, or an application for arbitration under paragraph (1) of the following Article.

2 委員会は、事件がその性質上あつせんをするのに適当でないと認めるとき、又は当事者が不当な目的のみだりにあつせんの申請をしたと認めるときを除き、あつせんを行うものとする。

(2) The Commission is to conduct mediation except the case in which it finds that this case is not appropriate for mediation by its nature, or the case it finds that the parties have filed an application for mediation without due cause and for unjust reasons.

3 委員会によるあつせんは、委員会の委員その他の職員（委員会があらかじめ指定する者に限る。次条第三項において同じ。）のうちから委員会が事件ごとに指名するあつせん委員が行う。

(3) The mediation of the Commission is conducted by mediation commissioners whom the Commission nominates for each case from among the commission members or other officials (limited to those whom the Commission designates in advance; the same applies in paragraph (3) of the following Article).

4 あつせん委員は、当事者間をあつせんし、双方の主張の要点を確かめ、事件が解決されるように努めなければならない。

(4) The mediation commissioners must mediate the parties, confirm the points of both parties' arguments, and make efforts to resolve the case.

5 あつせん委員は、当事者から意見を聴取し、又は当事者に対し報告を求め、事件の解決に必要なあつせん案を作成し、これを当事者に提示することができる。

(5) The mediation commissioners may hear opinions from the parties or request reports from the parties, prepare a draft of mediation as necessary for resolving the case, and present it to the parties.

6 あつせん委員は、あつせん中の事件について、当事者が第三十五条第一項若しくは第二項の申立て、同条第三項の規定による裁定の申請又は次条第一項の規定による仲裁の申請をしたときは、当該あつせんを打ち切るものとする。

(6) The mediation commissioners is to terminate the mediation on a case being

undertaken if the parties file a petition set forth in Article 35, paragraph (1) or paragraph (2), an application for a ruling under paragraph (3) of the same Article, or an application for arbitration under paragraph (1) of the following Article.

(電気通信設備の接続に関する仲裁)

(Arbitration on Interconnection of Telecommunications Facilities)

第百五十五条 電気通信事業者間において、電気通信設備の接続に関する協定の締結に関し、当事者が取得し、若しくは負担すべき金額又は接続条件その他協定の細目について当事者間の協議が調わないときは、当事者の双方は、委員会に対し、仲裁を申請することができる。ただし、当事者が第三十五条第一項若しくは第二項の申立て又は同条第三項の規定による裁定の申請をした後は、この限りでない。

Article 155 (1) If negotiations between telecommunications carriers about concluding an agreement on interconnection of telecommunications facilities fail on the amount of money to be received or paid by the parties, the terms and conditions of interconnection, or the other agreement details, the both parties may apply to the Commission for arbitration; provided, however, that this does not apply to the cases in which the parties have already filed a petition set forth in Article 35, paragraph (1) or paragraph (2), or an application for a ruling under paragraph (3) of the same Article.

2 委員会による仲裁は、三人の仲裁委員が行う。

(2) An arbitration of the Commission is conducted by three arbitration commissioners.

3 仲裁委員は、委員会の委員その他の職員のうちから当事者が合意によつて選定した者につき、委員会が指名する。ただし、当事者の合意による選定がなされなかつたときは、委員会の委員その他の職員のうちから委員会が指名する。

(3) The Commission appoints those selected with the agreement of the parties, from among the commission members and other officials, as arbitration commissioners; provided, however, that, if selection with the agreement of the parties has not been made, the Commission appoints arbitration commissioners from among the commission members and other officials.

4 仲裁については、この条に別段の定めがある場合を除いて、仲裁委員を仲裁人とみなして、仲裁法（平成十五年法律第百三十八号）の規定を準用する。

(4) Unless otherwise specified in this Article, the provisions of the Arbitration Act (Act No. 138 of 2003) apply mutatis mutandis to the arbitration by deeming arbitration commissioners as arbitrators.

(準用)

(Application Mutatis Mutandis)

第百五十六条 前二条の規定は、電気通信設備又は電気通信設備設置用工作物の共用に関する協定について準用する。この場合において、第百五十四条第一項及び前条第一

項中「接続条件」とあるのは「共用の条件」と、第百五十四条第一項及び第六項並びに前条第一項中「第三十五条第一項若しくは第二項」とあるのは「第三十八条第一項」と、「同条第三項」とあるのは「同条第二項において準用する第三十五条第三項」と読み替えるものとする。

Article 156 (1) The provisions of the preceding two Articles apply mutatis mutandis to agreements concerning the sharing of telecommunications facilities or structure for telecommunications facilities installation. In this case, the term "terms and conditions of interconnection" in Article 154, paragraph (1) and paragraph (1) of the preceding Article is deemed to be replaced with "terms and conditions for sharing"; and the term "Article 35, paragraph (1) or paragraph (2)" and the term "paragraph (3) of the same Article" in Article 154, paragraph (1) and paragraph (6) and paragraph (1) of the preceding Article is to be replaced with "Article 38, paragraph (1)" and "Article 35, paragraph (3), as applied mutatis mutandis pursuant to paragraph (2) of the same Article," respectively.

2 前二条の規定は、卸電気通信役務の提供に関する契約について準用する。この場合において、第百五十四条第一項及び前条第一項中「接続条件」とあるのは「提供の条件」と、「協定の細目」とあるのは「契約の細目」と、第百五十四条第一項及び第六項並びに前条第一項中「第三十五条第一項若しくは第二項」とあるのは「第三十九条において準用する第三十八条第一項」と、「同条第三項」とあるのは「第三十九条において準用する第三十五条第三項」と読み替えるものとする。

(2) The provisions of the preceding two Articles apply mutatis mutandis to contracts concerning the provision of wholesale telecommunications services. In this case, the term "terms and conditions of interconnection" and the term "details of the agreement" in Article 154, paragraph (1) and paragraph (1) of the preceding Article are deemed to be replaced with "terms and conditions for the provision of those services" and " details of the contract," respectively; and the term "Article 35, paragraph (1) or paragraph (2)" and the term "paragraph (3) of the same Article" in Article 154, paragraph (1) and paragraph (6) and paragraph (1) of the preceding Article are deemed to be replaced with "Article 38, paragraph (1), as applied mutatis mutandis pursuant to Article 39" and "Article 35, paragraph (3), as applied mutatis mutandis pursuant to Article 39," respectively.

(その他の協定等に関するあつせん等)

(Mediation Concerning Other Agreements)

第百五十七条 電気通信事業者間において、電気通信役務の円滑な提供の確保のためにその締結が必要なものとして政令で定める協定又は契約（第三項において「協定等」という。）の締結に関し、当事者が取得し、若しくは負担すべき金額又は条件その他その細目について当事者間の協議が調わないときは、当事者は、委員会に対し、あつせんを申請することができる。ただし、当事者が同項の規定による仲裁の申請をした

後は、この限りでない。

Article 157 (1) If negotiations between telecommunications carriers about concluding an agreement or contract specified by Cabinet Order as what is necessary to conclude in order to ensure that telecommunications services are smoothly provided (referred to as "agreement, etc." in paragraph (3)) fail on the amount of money to be received or paid by the parties, the terms and conditions, or the details of them, those parties may apply to the Commission for mediation; provided, however, that this does not apply to the cases in which any party has already filed an application for arbitration under the same paragraph.

2 第百五十四条第二項から第六項までの規定は、前項のあつせんについて準用する。この場合において、同条第六項中「第三十五条第一項若しくは第二項の申立て、同条第三項の規定による裁定の申請又は次条第一項」とあるのは、「第百五十七条第三項」と読み替えるものとする。

(2) The provisions of Article 154, paragraph (2) through paragraph (6) apply mutatis mutandis to the mediation set forth in the preceding paragraph. In this case, "a petition set forth in Article 35, paragraph (1) or paragraph (2), an application for a ruling under paragraph (3) of the same Article, or an application for arbitration under paragraph (1) of the following Article" is deemed to be replaced with "an application for arbitration under Article 157, paragraph (3)".

3 電気通信事業者間において、協定等の締結に関し、当事者が取得し、若しくは負担すべき金額又は条件その他その細目について当事者間の協議が調わないときは、当事者の双方は、委員会に対し、仲裁を申請することができる。

(3) If negotiations between telecommunications carriers about concluding an agreement etc. fail on the amount of money to be received or paid by the parties, the terms and conditions, or the details of them, the both parties may apply to the Commission for arbitration.

4 第百五十五条第二項から第四項までの規定は、前項の仲裁について準用する。

(4) The provisions of Article 155, paragraph (2) through paragraph (4) apply mutatis mutandis to the arbitration set forth in the preceding paragraph.

第百五十七条の二 電気通信事業者と第百六十四条第一項第三号に掲げる電気通信事業（以下「第三号事業」という。）を営む者との間において、当該第三号事業を営む者が申し入れた当該第三号事業を営むに当たって利用すべき電気通信役務の提供に関する契約（第三項において単に「契約」という。）の締結に関し、当事者が取得し、若しくは負担すべき金額又は条件その他その細目について当事者間の協議が調わないときは、当事者は、委員会に対し、あつせんを申請することができる。ただし、当事者が第三項の規定による仲裁の申請をした後は、この限りでない。

Article 157-2 (1) If negotiations between telecommunications carriers and a person operating a telecommunications business listed in Article 164,

paragraph (1), item (iii) (referred to as "business of item (iii)", about concluding a contract (hereinafter referred to simply as "contract" in paragraph (3)) related to provision of telecommunications service which is to be used in operating the business of item (iii), the provision of which the person operating that business has requested, fail on the amount of money to be received or paid by the parties, the terms and conditions, or the other details of them, the parties may apply to the Commission for mediation; provided, however, that this does not apply to the cases in which any party has already filed an application for arbitration under paragraph (3).

2 第百五十四条第二項から第六項までの規定は、前項のあつせんについて準用する。この場合において、同条第六項中「第三十五条第一項若しくは第二項の申立て、同条第三項の規定による裁定の申請又は次条第一項」とあるのは、「第百五十七条の二第三項」と読み替えるものとする。

(2) The provisions of Article 154, paragraph (2) through paragraph (6) apply *mutatis mutandis* to the mediation set forth in the preceding paragraph. In this case, the term "petition set forth in Article 35, paragraph (1) or paragraph (2), an application for arbitration pursuant to the provisions of paragraph (3) of the same Article, or the next Article paragraph (1)" is deemed to be replaced with the term "Article 157-2, paragraph (3)".

3 電気通信事業者と第三号事業を営む者との間において、当該第三号事業を営む者が申し入れた契約の締結に関し、当事者が取得し、若しくは負担すべき金額又は条件その他その細目について当事者間の協議が調わないときは、当事者の双方は、委員会に対し、仲裁を申請することができる。

(3) If negotiations between telecommunications carriers and the person operating the business of item (iii) about concluding an agreement etc. fail on the amount of money to be received or paid by the parties, the terms and conditions or the details of them, the both parties may apply to the Commission for arbitration.

4 第百五十五条第二項から第四項までの規定は、前項の仲裁について準用する。

(4) The provisions of Article 155, paragraph (2) through paragraph (4) applies *mutatis mutandis* to the arbitration set forth in the preceding paragraph.

(申請の経由)

(Application via the Minister)

第百五十八条 この節の規定により委員会に対してするあつせん又は仲裁の申請は、総務大臣を経由してしなければならない。

Article 158 An application for mediation or arbitration filed with the Commission pursuant to the provisions of this Section must be made via the Minister for Internal Affairs and Communications.

(政令への委任)

(Delegation to Cabinet Order)

第百五十九条 この節に規定するもののほか、あつせん及び仲裁の手續に関し必要な事項は、政令で定める。

Article 159 Beyond what is provided for in this Section, particulars necessary for procedures for mediation and arbitration are specified by Cabinet Order.

第三節 諮問等

Section 3 Consultations

(委員会への諮問)

(Consultations with the Commission)

第百六十条 総務大臣は、次に掲げる事項については、委員会に諮問しなければならない。ただし、委員会が軽微な事項と認めたものについては、この限りでない。

Article 160 The Minister for Internal Affairs and Communications must consult the Commission on the particulars listed below; provided, however, that this does not apply to particulars that the Commission finds to be minor:

一 第三十五条第一項若しくは第二項の規定による電気通信設備の接続に関する命令、同条第三項若しくは第四項の規定による電気通信設備の接続に関する裁定、第三十八条第一項の規定による電気通信設備若しくは電気通信設備設置用工作物の共用に関する命令、同条第二項において準用する第三十五条第三項若しくは第四項の規定による電気通信設備若しくは電気通信設備設置用工作物の共用に関する裁定、第三十九条において準用する第三十五条第三項若しくは第四項の規定による卸電気通信役務の提供に関する裁定、第三十九条において準用する第三十八条第一項の規定による卸電気通信役務の提供に関する命令、第二百二十八条第一項の規定による土地等の使用に関する認可、第二百二十九条第一項の規定による土地等の使用に関する裁定又は第百三十八条第三項の規定による支障の除去に必要な措置に関する裁定

(i) orders concerning interconnection of telecommunications facilities under Article 35, paragraph (1) or paragraph (2), rulings concerning interconnection of telecommunications facilities under paragraph (3) or paragraph (4) of the same Article, orders concerning sharing of telecommunications facilities or structures for telecommunications facilities installation under Article 38, paragraph (1), rulings concerning the sharing of telecommunications facilities or structures for telecommunications facilities installation under Article 35, paragraph (3) or paragraph (4), as applied mutatis mutandis pursuant to Article 38, paragraph (2), rulings concerning the provision of wholesale telecommunications services under Article 35, paragraph (3) or paragraph (4), as applied mutatis mutandis pursuant to Article 39, orders concerning provision of wholesale telecommunications services under Article 38, paragraph (1), as applied mutatis mutandis pursuant to Article 39, authorization concerning use of the land, etc. under Article 128, paragraph (1), rulings concerning use of the land, etc. under Article 129, paragraph (1), or rulings concerning measures

necessary to remove a hindrance under Article 138, paragraph (3);

二 第十九条第二項の規定による契約約款の変更の命令、第二十条第三項の規定による保障契約約款の変更の命令、第二十一条第四項の規定による特定電気通信役務の料金の変更の命令、第二十九条第一項の規定による業務の改善命令、第三十条第五項の規定による同条第三項若しくは第四項の規定に違反する行為の停止若しくは変更の命令、第三十一条第四項の規定による同条第二項各号に掲げる行為の停止若しくは変更の命令若しくは第三十条第四項各号若しくは第三十一条第二項各号に掲げる行為を停止させ若しくは変更させるために必要な措置をとるべきことの命令、第三十三条第六項の規定による接続約款の変更の認可の申請の命令、同条第八項の規定による接続約款の変更の命令、第三十四条第三項の規定による接続約款の変更の命令、第三十六条第三項の規定による計画の変更の勧告、第三十九条の三第二項の規定による業務の改善命令、第四十四条の五の規定による電気通信設備統括管理者の解任命令又は第百二十一条第二項の規定による業務の改善命令

(ii) orders to change general conditions of contracts under of Article 19, paragraph (2), orders to change general conditions of contracts for securing the provision of the telecommunications services under Article 20, paragraph (3), orders to change charges for specified telecommunications services under Article 21, paragraph (4), orders to improve operations under Article 29, paragraph (1), orders under Article 30, paragraph (5) to suspend or change acts violating the provisions of paragraph (3) or paragraph (4) of the same Article, orders under Article 31, paragraph (4) to suspend or change acts violating the provisions of each item of paragraph (2) of the same Article or orders under Article 31, paragraph (4) to take necessary measures to suspend or change acts listed in each item of paragraph (3) of Article 30, or each item of paragraph (2) of Article 31, orders relevant to the application for authorization for a change of general conditions of contracts for interconnection under Article 33, paragraph (6), orders to change general conditions of contracts for interconnection under paragraph (8) of the same Article, orders to change general conditions of contracts for interconnection under Article 34, paragraph (3), recommendations to change a plan under Article 36, paragraph (3), orders to improve the operations under Article 39-3, paragraph (2), orders to dismiss the general manager of telecommunication facilities under Article 44-5, or orders to improve operations under Article 121, paragraph (2).

(聴聞の特例)

(Special Provisions for Hearings)

第百六十一条 総務大臣は、第十九条第二項、第二十条第三項、第二十一条第四項、第二十九条、第三十条第五項、第三十一条第四項、第三十三条第六項若しくは第八項、第三十四条第三項、第三十五条第一項若しくは第二項、第三十八条第一項（第三十九条において準用する場合を含む。）、第三十九条の三第二項、第四十四条の二又は第

百二十一条第二項の規定による処分をしようとするときは、行政手続法（平成五年法律第八十八号）第十三条第一項の規定による意見の陳述のための手続の区分にかかわらず、聴聞を行わなければならない。

Article 161 (1) If the Minister for Internal Affairs and Communications intends to render a disposition under Article 19, paragraph (2), Article 20, paragraph (3), Article 21, paragraph (4), Article 29, Article 30, paragraph (5), Article 31, paragraph (4), Article 33, paragraph (6) or paragraph (8), Article 34, paragraph (3), Article 35, paragraph (1) or paragraph (2), Article 38, paragraph (1) (including as applied mutatis mutandis pursuant to Article 39), Article 39-3, paragraph (2), Article 44-2 or Article 121, paragraph (2), the Minister must hold a hearing notwithstanding the classification of procedures for hearing the statements of opinions under Article 13, paragraph (1) of the Administrative Procedure Act (Act No. 88 of 1993).

2 前項に規定する処分又は第四十四条の五の規定による処分に係る聴聞を行う場合において、当該処分が前条の規定により委員会に諮問すべきこととされている処分であるときは、当該処分に係る聴聞の主宰者は、委員会の委員のうちから、委員会の推薦により指名するものとする。

(2) When a hearing is held in relation to a disposition set forth in the preceding paragraph or a disposition under Article 44-5, and that disposition is to be subjected to consultation with the Commission pursuant to the provisions of the preceding Article, the official presiding over the hearing related to the disposition is appointed from among the commission members with a recommendation from the Commission.

3 第一項に規定する処分又は第四十四条の五の規定による処分に係る聴聞の主宰者は、行政手続法第十七条第一項の規定により当該処分に係る利害関係人が当該聴聞に関する手続に参加することを求めたときは、これを許可しなければならない。

(3) The presiding official of the hearing related to a disposition rendered set forth in paragraph (1) or a disposition under Article 44-5 must grant permission if the interested person related to the disposition has requested to participate in the procedures of the hearing pursuant to the provisions of Article 17, paragraph (1) of the Administrative Procedure Act.

(勧告)

(Recommendations)

第百六十二条 委員会は、この法律の規定によりその権限に属させられた事項に関し、総務大臣に対し、必要な勧告をすることができる。

Article 162 (1) The Commission may provide necessary recommendations to the Minister for Internal Affairs and Communications with respect to the particulars authorized pursuant to the provisions of this Act.

2 総務大臣は、前項の勧告を受けたときは、その内容を公表しなければならない。

(2) If the Minister for Internal Affairs and Communications receives a

recommendation set forth in the preceding paragraph, the Minister must announce that recommendation.

第五章 雑則

Chapter V Miscellaneous Provisions

(登録等の条件)

(Conditions for Registration)

第百六十三条 登録（第九条の登録（第十二条の二第一項の登録の更新及び第十三条第一項の変更登録を含む。）に限る。次項において同じ。）、認可、許可又は認定（技術基準適合認定を除く。同項において同じ。）には、条件を付し、及びこれを変更することができる。

Article 163 (1) Conditions may be attached to registration (limited to the registration under Article 9 (including renewal of registration under Article 12-2, paragraph (1) and the registration of change in Article 13, paragraph (1)); the same applies in the following paragraph), authorization, permission or approval (except technical standards conformity approval; the same applies in the same paragraph), and those conditions may be changed.

2 前項の条件は、登録、認可、許可若しくは認定の趣旨に照らして、又は登録、認可、許可若しくは認定に係る事項の確実な実施を図るため必要最小限度のものに限り、かつ、当該登録、認可、許可又は認定を受ける者に不当な義務を課することとなるものであつてはならない。

(2) Conditions set forth in the preceding paragraph are limited to what is minimally necessary in light of the purposes of registration, authorization, permission or approval, or to ensure the reliable implementation of things related to the registration, authorization, permission or approval, and must not impose unreasonable obligations on the person to whom the registration, authorization, permission or approval is granted.

(適用除外等)

(Exemptions)

第百六十四条 この法律の規定は、次に掲げる電気通信事業については、適用しない。

Article 164 (1) The provisions of this Act do not apply to the telecommunications businesses listed below:

- 一 専ら一の者に電気通信役務（当該一の者が電気通信事業者であるときは、当該一の者の電気通信事業の用に供する電気通信役務を除く。）を提供する電気通信事業
(i) a telecommunications business to exclusively provide telecommunications services to a single person (except telecommunications services provided for the use of telecommunications business of a single person if the person is a telecommunications carrier);
- 二 その一の部分の設置の場所が他の部分の設置の場所と同一の構内（これに準ずる

区域内を含む。)又は同一の建物内である電気通信設備その他総務省令で定める基準に満たない規模の電気通信設備により電気通信役務を提供する電気通信事業

(ii) a telecommunications business to provide telecommunications services by using telecommunications facilities a part of which are installed on the same premises (including the areas equivalent to those premises) or the same building where another part of those facilities are installed, or telecommunications facilities on a scale that do not meet the standards specified by Order of the Ministry of Internal Affairs and Communications;

三 電気通信設備を用いて他人の通信を媒介する電気通信役務以外の電気通信役務(ドメイン名電気通信役務を除く。)を電気通信回線設備を設置することなく提供する電気通信事業

(iii) a telecommunications business that provides, without running telecommunication line facilities, telecommunications services (excluding domain name telecommunications services) other than telecommunications services of intermediating other persons' communications through the use of telecommunications facilities.

2 この条において、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。

(2) In this Article, the meaning of the terms set forth in the following items is as prescribed respectively in those items:

一 ドメイン名電気通信役務 入力されたドメイン名の一部又は全部に対応してアイ・ピー・アドレスを出力する機能を有する電気通信設備を電気通信事業者の通信の用に供する電気通信役務のうち、确实かつ安定的な提供を確保する必要があるものとして総務省令で定めるものをいう。

(i) domain name telecommunications services: a telecommunications service in which telecommunications facilities having the functions to output IP addresses in correspondence to the whole or part of the domain name entered are provided for the use in telecommunications of telecommunications carriers, and which is specified by Order of the Ministry of Internal Affairs and Communications as one which it is necessary to secure the provision of in a reliable and stable manner;

二 ドメイン名 インターネットにおいて電気通信事業者が受信の場所にある電気通信設備を識別するために用いる電気通信番号のうち、アイ・ピー・アドレスに代わって用いられるものとして総務省令で定めるものをいう。

(ii) domain names: telecommunication numbers that are used on the Internet by telecommunications carriers to identify telecommunications facilities installed at places of reception and that are specified by Order of the Ministry of Internal Affairs and Communications as those used in place of IP addresses;

三 アイ・ピー・アドレス インターネットにおいて電気通信事業者が受信の場所にある電気通信設備を識別するために用いる電気通信番号のうち、当該電気通信設備に固有のものとして総務省令で定めるものをいう。

(iii) IP addresses: telecommunication numbers that are used on the Internet by telecommunications carriers to identify telecommunications facilities installed at places of reception and that are specified by Order of the Ministry of Internal Affairs and Communications as unique numbers assigned to individual telecommunications facilities.

3 第一項の規定にかかわらず、第三条及び第四条の規定は同項各号に掲げる電気通信事業を営む者の取扱中に係る通信について、第百五十七条の二の規定は第三号事業を営む者について、それぞれ適用する。

(3) Notwithstanding the provisions of paragraph (1), the provisions of Article 3 and Article 4 apply to communications handled by a person that operates telecommunications business listed in the items of the same paragraph, and the provisions of Article 157-2 apply to a person operating a business of item (iii).

(営利を目的としない電気通信事業を行う地方公共団体の取扱い)

(Handling of Local Governments Conducting Not-For-Profit Telecommunications Businesses)

第百六十五条 営利を目的としない電気通信事業（内容、利用者の範囲等からみて利用者の利益に及ぼす影響が比較的大きいものとして総務省令で定める電気通信役務を提供する電気通信事業に限る。）を行おうとする地方公共団体は、総務省令で定めるところにより、第十六条第一項各号に掲げる事項を記載した書類を添えて、その旨を総務大臣に届け出なければならない。

Article 165 (1) A local government that intends to conduct not-for-profit telecommunications business (limited to the business to provide telecommunications services specified by Order of the Ministry of Internal Affairs and Communications as those which have a comparatively significant influence on the interests of users in light of their content, the scope of users, etc.) must, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, notify the Minister for Internal Affairs and Communications to that effect, with documents describing the particulars listed in each item of paragraph (1) of Article 16 attached thereto.

2 前項の届出をした地方公共団体は、第十六条第一項の規定による届出をした電気通信事業者とみなす。ただし、第十九条から第二十五条まで、第三十条、第三十一条、第三十三条、第三十四条、第三十六条、第三十七条、第三十八条の二、第三十九条の三、第四十条、第四十二条、第四十四条、第四十五条、第五十二条、第六十九条、第七十条及び第二章第六節の規定の適用については、この限りでない。

(2) A local government that has filed a notification as set forth in the preceding paragraph is deemed to be a telecommunications carrier that has filed a notification under Article 16, paragraph (1); provided, however, that this does not apply to the application of the provisions of Article 19, through Article 25, Article 30, Article 31, Article 33, Article 34, Article 36, Article 37, Article 38-2,

Article 39-3, Article 40, Article 42, Article 44, Article 45, Article 52, Article 69, Article 70 and Chapter II, Section 6.

(報告及び検査)

(Reports and Inspections)

第百六十六条 総務大臣は、この法律の施行に必要な限度において、電気通信事業者若しくは媒介等業務受託者に対し、その事業に関し報告をさせ、又はその職員に、電気通信事業者若しくは媒介等業務受託者の営業所、事務所その他の事業場に立ち入り、電気通信設備（電気通信事業者の事業場に立ち入る場合に限る。）、帳簿、書類その他の物件を検査させることができる。

Article 166 (1) The Minister for Internal Affairs and Communications may, to the extent necessary for enforcement of this Act, have a telecommunications carrier or person entrusted with intermediation, etc. report on their business, or commission ministerial officials to enter into their business offices, offices or other places of business of the telecommunications carrier or person entrusted with intermediation, etc. to inspect their telecommunications facilities (limited to the case in which the ministerial officials enter the place of business of a telecommunications carrier), books and documents and other property.

2 総務大臣は、この法律の施行に必要な限度において、登録認定機関による技術基準適合認定を受けた者に対し、当該技術基準適合認定に係る端末機器に関し報告をさせ、又はその職員に、当該技術基準適合認定を受けた者の事業所に立ち入り、当該端末機器その他の物件を検査させることができる。

(2) The Minister for Internal Affairs and Communications may, to the extent necessary for enforcement of this Act, have a person that has obtained technical standards conformity approval from a registered approval body report on terminal equipment related to technical standards conformity approval, or commission ministerial officials to enter into the places of business of the person that has obtained the technical standards conformity approval to inspect the terminal equipment and other property.

3 前項の規定は、認証取扱業者、届出業者又は登録修理業者について、それぞれ準用する。この場合において、同項中「当該技術基準適合認定に」とあるのは、認証取扱業者については「当該認証取扱業者が受けた設計認証に」と、届出業者については「その届出に」と、登録修理業者については「当該登録修理業者が修理したその登録に」と読み替えるものとする。

(3) The provisions of the preceding paragraph apply mutatis mutandis to a certified dealer, a notifying supplier or a registered repairer, respectively. In this case, the term "technical standards conformity approval" in the same paragraph is deemed to be replaced with "certification of design granted to the certified dealer" for a certified dealer, "its notification" for a notifying supplier, and "its registration of the repair performed by that registered repairer" for a registered repairer.

4 総務大臣は、この法律の施行に必要な限度において、指定試験機関若しくは支援機関に対し、その業務に関し報告をさせ、又はその職員に、指定試験機関若しくは支援機関の事務所若しくは事業所に立ち入り、帳簿、書類その他の物件を検査させることができる。

(4) The Minister for Internal Affairs and Communications may, to the extent necessary for enforcement of this Act, have a designated examination body or the support institution report on its operations, or commission ministerial officials to enter into the offices or places of business of the designated examination body or the support institution to inspect its books and documents and other property.

5 前項の規定は、登録講習機関又は登録認定機関について準用する。

(5) The provisions of the preceding paragraph apply mutatis mutandis to a registered training agency or a registered approval body.

6 第二項の規定は承認認定機関による技術基準適合認定を受けた者又は承認認定機関による設計認証を受けた者について、第四項の規定は承認認定機関について、それぞれ準用する。この場合において、第二項中「技術基準適合認定」とあるのは、設計認証を受けた者については「設計認証」と読み替えるものとする。

(6) The provisions of paragraph (2) apply mutatis mutandis to a person that has obtained technical standards conformity approval from an approved certifying body or a person that has obtained a certification of design from an approved certifying body, respectively, and the provisions of paragraph (4) apply mutatis mutandis to an approved certifying body. In these cases, the term "technical standards conformity approval" in paragraph (2) is deemed to be replaced with "certification of design" for a person that has obtained a certification of design.

7 第一項の規定又は第二項（第三項若しくは前項において準用する場合を含む。）若しくは第四項（第五項若しくは前項において準用する場合を含む。）の規定により立入検査をする職員は、その身分を示す証明書を携帯し、関係人に提示しなければならない。

(7) A ministerial officials that conduct on-site inspection pursuant to the provisions of paragraph (1), or the provisions of paragraph (2) (including as applied mutatis mutandis pursuant to paragraph (3) or the preceding paragraph) or paragraph (4) (including as applied mutatis mutandis pursuant to paragraph (5) or the preceding paragraph) must carry a certificate for identification and show it to the persons concerned.

8 第一項の規定又は第二項（第三項若しくは第六項において準用する場合を含む。）若しくは第四項（第五項若しくは第六項において準用する場合を含む。）の規定による立入検査の権限は、犯罪捜査のために認められたものと解釈してはならない。

(8) The authority for on-site inspection under paragraph (1), or under paragraph (2) (including as applied mutatis mutandis pursuant to paragraph (3) or paragraph (6)) or paragraph (4) (including as applied mutatis mutandis pursuant to paragraph (5) or paragraph (6)) must not be construed as being

invested for criminal investigations.

(端末機器等の提出)

(Submission of Terminal Equipment)

第百六十七条 総務大臣は、前条第二項の規定によりその職員に検査をさせた場合において、その所在の場所において検査をさせることが著しく困難であると認められる端末機器又は当該端末機器の検査を行うために特に必要な物件があつたときは、登録認定機関による技術基準適合認定を受けた者に対し、期限を定めて、当該端末機器又は当該物件を提出すべきことを命ずることができる。

Article 167 (1) If the Minister for Internal Affairs and Communications has commissioned ministerial officials to conduct an inspection pursuant to the provisions of paragraph (2) of the preceding Article and those officials find terminal equipment which is extremely difficult to inspect on-site or particular properties which are particularly necessary for the inspection of the terminal equipment, the Minister may designate the time limit and order the person that has obtained technical standards conformity approval from the registered approval body to submit the terminal equipment or the properties within that time limit.

2 国は、前項の規定による命令によつて生じた損失を当該技術基準適合認定を受けた者に対し補償しなければならない。

(2) The State must compensate the person that has obtained technical standards conformity approval for any loss caused by the order under the preceding paragraph.

3 前項の規定により補償すべき損失は、第一項の命令により通常生ずべき損失とする。

(3) The loss to be compensated pursuant to the provisions of the preceding paragraph is the loss to be incurred ordinarily from the order set forth in paragraph (1).

4 前三項の規定は、認証取扱業者、届出業者又は登録修理業者について、それぞれ準用する。この場合において、第一項中「前条第二項」とあるのは、「前条第三項において準用する同条第二項」と読み替えるものとする。

(4) The provisions of the preceding three paragraphs apply mutatis mutandis to a certified dealer, a notifying supplier or a registered repairer, respectively. In these cases, the term "paragraph (2) of the preceding Article" in paragraph (1) is deemed to be replaced with the term "paragraph (2) of the same Article, as applied mutatis mutandis pursuant to paragraph (3) of the preceding Article."

5 技術基準適合認定を受けた者が外国取扱業者である場合における当該外国取扱業者に対する第一項から第三項までの規定の適用については、第一項中「命ずる」とあるのは「請求する」と、第二項及び第三項中「命令」とあるのは「請求」とする。

(5) With regard to the application of the provisions of paragraph (1) through paragraph (3) to a foreign dealer in cases in which a person that has obtained technical standards conformity approval is a foreign dealer, the term "order" in

paragraph (1) is replaced with "request" and the terms "the order" in paragraph (2) and paragraph (3) are replaced with "the request."

6 認証取扱業者が外国取扱業者である場合における当該外国取扱業者に対する第四項において準用する第一項から第三項までの規定の適用については、第一項中「命ずる」とあるのは「請求する」と、第二項及び第三項中「命令」とあるのは「請求」とする。

(6) With regard to the application of the provisions of paragraph (1) through paragraph (3), as applied mutatis mutandis pursuant to paragraph (4), to a foreign dealer in cases in which a certified dealer is a foreign dealer, the term "order" in paragraph (1) is replaced with the term "request" and the term "the order" in paragraph (2) and paragraph (3) is replaced with "the request."

7 第一項から第三項までの規定は、承認認定機関による技術基準適合認定を受けた者又は承認認定機関による設計認証を受けた者について、それぞれ準用する。この場合において、第一項中「前条第二項」とあるのは「前条第六項において準用する同条第二項」と、「命ずる」とあるのは「請求する」と、第二項及び第三項中「命令」とあるのは「請求」と読み替えるものとする。

(7) The provisions of paragraph (1) through paragraph (3) apply mutatis mutandis to a person that has obtained technical standards conformity approval from an approved certifying body or a person that has obtained a certification of design from an approved certifying body, respectively. In these cases, the term "paragraph (2) of the preceding Article" and the term "order" in paragraph (1) are deemed to be replaced with "paragraph (2) of the preceding Article, as applied mutatis mutandis pursuant to paragraph (6) of the same Article" and "request," respectively; and the term "the order" in paragraph (2) and paragraph (3) is deemed to be replaced with "the request."

(協議等)

(Negotiations)

第百六十八条 この法律の規定により、電気通信事業（電気通信回線設備を設置することなく電気通信役務を提供するものに限る。以下この条において同じ。）、「媒介等業務受託者又は端末機器に関し、総務大臣が総務省令（政令で定めるものに限る。）を定め、若しくは命令その他の処分（政令で定めるものに限る。）を行う場合又は総務大臣に対し電気通信事業に関する届出（政令で定めるものに限る。）があつた場合における必要な関係行政機関との協議、これに対する通知その他の手続については、政令で定める。

Article 168 In cases in which the Minister for Internal Affairs and Communications establishes an Order of the Ministry of Internal Affairs and Communications (limited to those specified by Cabinet Order) or issues an order or renders other dispositions (limited to those specified by Cabinet Order), or a notification concerning telecommunications business (limited to those specified by Cabinet Order) is filed with the Minister, pursuant to the

provisions of this Act, with respect to telecommunications business (limited to those to provide telecommunications services without running telecommunication line facilities; hereinafter the same applies in this Article), person entrusted with intermediation, etc. or terminal equipment, necessary negotiations with other relevant administrative organs, notifications to those organs and other procedures are specified by Cabinet Order.

(審議会等への諮問)

(Consultation with Councils)

第百六十九条 総務大臣は、次に掲げる事項については、審議会等（国家行政組織法（昭和二十三年法律第二十号）第八条に規定する機関をいう。）で政令で定めるものに諮問しなければならない。ただし、当該審議会等が軽微な事項と認めたものについては、この限りでない。

Article 169 The Minister for Internal Affairs and Communications must consult the councils, etc. (organizations prescribed in Article 8 of the National Government Organization Act (Act No. 120 of 1948)) specified by Cabinet Order with regard to the particulars listed below; provided, however, that this does not apply to particulars which the councils, etc. consider to be minor:

一 第二十一条第二項の規定による特定電気通信役務に関する料金の認可、第三十三条第二項の規定による接続約款の認可、同条第十項の規定による第一種指定電気通信設備との接続に関する協定の認可、第百八条第一項の規定による適格電気通信事業者の指定、第百九条第一項の規定による交付金の額及び交付方法の認可、第百十条第二項の規定による負担金の額及び徴収方法の認可又は第百十六条第一項において準用する第七十九条第一項の規定による支援業務規程の認可

(i) authorization for charges concerning specified telecommunications services under Article 21, paragraph (2), authorization for general conditions of contracts for interconnection under Article 33, paragraph (2), authorization for an agreement concerning interconnection with Category I designated telecommunications facilities under paragraph (10) of the same Article, designation of eligible telecommunications carriers under Article 108, paragraph (1), authorization for the amount of subsidies and means of granting them under Article 109, paragraph (1), authorization for the amount of contributions and means of collecting them under Article 110, paragraph (2), or authorization for support operations rules under Article 79, paragraph (1), as applied mutatis mutandis pursuant to Article 116, paragraph (1);

二 第十二条の二第四項第二号ロ若しくはニの規定による電気通信設備の指定、第二十一条第一項の規定による基準料金指数の設定、第二十六条第一項各号の規定による電気通信役務の指定、第三十条第一項若しくは第三項第二号若しくは第四十一条第三項の規定による電気通信事業者の指定、第三十一条第一項の規定による特定関係事業者の指定、第三十三条第一項の規定による第一種指定電気通信設備の指定又

は第三十四条第一項の規定による第二種指定電気通信設備の指定

(ii) designation of telecommunication facilities under Article 12-2, paragraph (4), item (ii), (b) or (d), setting of the standard charge index under Article 21, paragraph (1), designation of telecommunication services under each item of paragraph (1) of Article 26, designation of telecommunications carriers under Article 30, paragraph (1) or paragraph (3), item (ii), or Article 41, paragraph (3), designation of specified relevant carriers under Article 31, paragraph (1), designation of Category I designated telecommunications facilities under Article 33, paragraph (1), or designation of Category II designated telecommunications facilities under Article 34, paragraph (1);

三 第一百十条第一項の規定による政令の制定又は改廃の立案

(iii) planning of establishment, revision or discontinuation of Cabinet Orders under Article 110, paragraph (1);

四 第七条、第八条第三項、第九条ただし書、第十二条の二第四項第二号ロ若しくはニ、第二十条第一項、第二十一条第一項、第二十四条第一号ハ、第二十六条第一項、第二十六条の二第一項、第二十六条の三第一項若しくは第三項ただし書、第二十七条の二第二号、第三十条第一項若しくは第六項、第三十一条第二項ただし書、第五項若しくは第七項、第三十二条第三号、第三十三条第一項、第三項、第四項第一号イ、ロ若しくはホ若しくは第二号、第五項、第十一項、第十三項若しくは第十四項、第三十四条第一項、第三項第一号イ、ロ若しくはホ若しくは第二号、第五項若しくは第六項、第三十六条第一項若しくは第二項、第三十八条の二、第三十九条の三第三項、第四十一条第一項から第四項まで、第四十五条第一項ただし書、第五十条第一項、第五十二条第一項、第七十条第一項第一号、第一百八条第一項各号若しくは第三項、第一百九条第一項から第三項まで、第一百十条第一項若しくは第二項又は第一百六十四条第二項第一号の規定による総務省令の制定又は改廃

(iv) establishment, revision or discontinuation of Orders of the Ministry of Internal Affairs and Communications under Article 7, Article 8, paragraph (3), Article 9 proviso, Article 12-2, paragraph (4) item (ii), (b) or (d), Article 20, paragraph (1), Article 21, paragraph (1), Article 24, item (i), (c), Article 26, paragraph (1), Article 26-2, paragraph(1), Article 26-3, paragraph (1) or paragraph (3) proviso, Article 27-2, item (ii), Article 30, paragraph (1) or paragraph (6), Article 31, paragraph (2) proviso, paragraph (5) or paragraph (7), Article 32, item (iii), Article 33, paragraph (1), paragraph (3), paragraph (4), item (i), (a), (b) or (e), or item (ii), paragraph (5), paragraph (11), paragraph (13) or paragraph (14), Article 34, paragraph (1), paragraph (3) item (i), (a), (b) or (e) or item (ii), paragraph (5) or paragraph (6), Article 36, paragraph (1) or paragraph (2), Article 38-2, Article 39-3, paragraph (3), Article 41, paragraphs (1) through (4), Article 45, paragraph (1) proviso, Article 50, paragraph (1), Article 52, paragraph (1), Article 70, paragraph (1), item (i), every item of paragraph (1) of Article 108, or Article 108, paragraph (3), Article 109, paragraph (1) through paragraph (3), Article 110, paragraph

(1) or paragraph (2) or Article 164, paragraph (2), item (i).

(聴聞の特例)

(Special Provisions for Hearings)

第七十条 第十四条第一項、第四十七条（第七十二条第二項において準用する場合を含む。）、第七十七条第三項（第一百六条第一項において準用する場合を含む。）、第二百六条第一項又は第二百七条第一項の規定による処分に係る聴聞の主宰者は、行政手続法第十七条第一項の規定により当該処分に係る利害関係人が当該聴聞に関する手続に参加することを求めたときは、これを許可しなければならない。

Article 170 The presiding official of a hearing related to a disposition under Article 14, paragraph (1), Article 47 (including as applied mutatis mutandis pursuant to Article 72, paragraph (2)), Article 77, paragraph (3) (including as applied mutatis mutandis pursuant to Article 116, paragraph (1)), Article 126, paragraph (1) or Article 127, paragraph (1) must grant permission if the interested person related to the disposition has requested to participate in the procedures of the hearing pursuant to the provisions of Article 17, paragraph (1) of the Administrative Procedure Act.

(審査請求の手続における意見の聴取)

(Hearing of Opinions in Appeal Procedures)

第七十一条 この法律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、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意見の聴取をした後にしなければならない。

Article 171 (1) A ruling on a request for administrative review with respect to a disposition under this Act or an inaction of it must be rendered with advance notice issued with a reasonable time period to the requester of the administrative review and after the review officers set forth in Article 24 of the Administrative Appeal Act (Act No. 68 of 2014) conduct a hearing of opinions, except the case in which the request for administrative review is dismissed pursuant to the provisions of the same Act.

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、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) In the hearing of opinions set forth in the preceding paragraph, the requester of the administrative review and the interested persons must be presented with the evidence related to the case and given the opportunity to state their opinions.

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 Act 31 of the Administrative Appeal Act do not apply to the

request for administrative review set forth in paragraph (1) of this Act, and the provisions of paragraph (2) through (5) of Act 31 of the Administrative Appeal Act apply mutatis mutandis to the hearing of opinions set forth in paragraph (1) of this Act.

(意見の申出)

(Offering of Opinions)

第百七十二条 電気通信事業者の電気通信役務に関する料金その他の提供条件又は電気通信事業者若しくは媒介等業務受託者の業務の方法に関し苦情その他の意見のある者は、総務大臣に対し、理由を記載した文書を提出して意見の申出をすることができる。

Article 172 (1) A person that has complaints or other opinions on the charges and other terms and conditions for the provision of telecommunication services or on the means of conducting operations of telecommunications carriers or persons entrusted with intermediation, etc. may offer the opinion to the Minister for Internal Affairs and Communications by filing the documents describing the reason for those complaints or opinions.

2 総務大臣は、前項の申出があつたときは、これを誠実に処理し、処理の結果を申出者に通知しなければならない。

(2) In the case of the offerings set forth in the preceding paragraph, the Minister for Internal Affairs and Communications must process the offerings in a sincere manner and notify the person that offered the opinion of the result of the process.

(指定試験機関の処分等についての審査請求)

(Application for Examination of Administrative Disposition Rendered to Designated Examination Bodies)

第百七十三条 この法律の規定による指定試験機関の処分又はその不作為に不服がある者は、総務大臣に対し、審査請求をすることができる。この場合において、総務大臣は、行政不服審査法第二十五条第二項及び第三項、第四十六条第一項及び第二項、第四十七条並びに第四十九条第三項の規定の適用については、指定試験機関の上級行政庁とみなす。

Article 173 A person that is dissatisfied with a disposition rendered to a designated examination body pursuant to the provisions of this Act or an inaction of it may make a request for administrative review with the Minister for Internal Affairs and Communications. In this case, with respect to the application of the provisions of Article 25, paragraph 2 and paragraph 3, Article 46, paragraph 1 and paragraph 2, Article 47, and Article 49, paragraph 3, the Minister is deemed to be the higher administrative agency of the designated examination body.

(手数料)

(Fees)

第七百七十四条 次に掲げる者は、実費を勘案して政令で定める額の手数料を納めなければならない。

Article 174 (1) The following persons must pay fees specified by Cabinet Order in consideration of the actual cost:

一 第十二条の二第一項の規定による登録の更新を受けようとする者

(i) a person that intends to renew registration pursuant to the provisions of Article 12-2, paragraph (1);

二 電気通信主任技術者試験又は工事担任者試験を受けようとする者

(ii) a person that intends to take the examination for chief telecommunications engineers or for installation technicians;

三 第六十八条の三第一項の規定による登録又は第六十八条の六第一項の規定による変更登録を受けようとする者

(iii) a person that intends to obtain registration pursuant to the provisions of Article 68-3, paragraph (1) or registration of change pursuant to the provisions of Article 68-6, paragraph (1);

四 第八十五条の十五第一項の規定により総務大臣が行う講習を受けようとする者

(iv) a person that intends to take training provided by the Minister for Internal Affairs and Communications pursuant to the provisions of Article 85-15, paragraph (1);

五 第八十八条第一項の規定による登録の更新を受けようとする者

(v) a person that intends to renew registration pursuant to the provisions of Article 88, paragraph (1);

六 第二条第一項（第三条において準用する場合を含む。）の規定による技術基準適合認定又は設計認証を求める者

(vi) a person that intends to obtain technical standards conformity approval or certification of a design under Article 102, paragraph (1) (including as applied mutatis mutandis in Article 103); or

七 電気通信主任技術者資格者証又は工事担任者資格者証の交付又は再交付を受けようとする者

(vii) a person that intends to obtain or renew a chief telecommunications engineer's license or an installation technician's license.

2 前項の手数料は、指定試験機関がその試験事務を行う試験を受けようとする者の納めるものについては当該指定試験機関の、その他のものについては国庫の収入とする。

(2) With respect to the fees set forth in the preceding paragraph, those paid by persons that intend to take an examination of which a designated examination body is conducting its exam administration are the income of that body, while other fees are the revenue of the national treasury.

(経過措置)

(Transitional Measures)

第一百七十五条 この法律の規定に基づき命令を制定し、又は改廃するときは、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 175 When an order is established, revised or discontinued pursuant to the provisions of this Act, necessary transitional measures (including transitional measures concerning penal provisions) may be specified in that order within a scope that is found reasonably necessary in conjunction with that establishment, revision or discontinuation.

（事務の区分）

(Classification of Functions)

第一百七十六条 第一百三十条第二項及び第三項（これらの規定を第一百三十八条第四項において準用する場合を含む。）の規定により市町村が処理することとされている事務は、地方自治法第二条第九項第一号に規定する第一号法定受託事務とする。

Article 176 The functions to be handled by municipalities pursuant to the provisions of Article 130, paragraph (2) and paragraph (3) (including as applied mutatis mutandis pursuant to Article 138, paragraph (4)) are the Type 1 statutory entrusted functions prescribed in Article 2, paragraph (9), item (i) of the Local Autonomy Act.

第六章 罰則

Chapter VI Penal Provisions

第一百七十七条 第九条の規定に違反して電気通信事業を営んだ者は、三年以下の懲役若しくは二百万円以下の罰金に処し、又はこれを併科する。

Article 177 A person that has operated a telecommunications business in violation of the provisions of Article 9 is punished by imprisonment for not more than three years or a fine of not more than two million yen, or both.

第一百七十八条 第二十五条第一項又は第二項の規定に違反して電気通信役務の提供を拒んだ者は、二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。

Article 178 A person that has refused to provide telecommunications services in violation of the provisions of Article 25, paragraph (1) or paragraph (2) is punished by imprisonment for not more than two years or a fine of not more than one million yen, or both.

第一百七十九条 電気通信事業者の取扱中に係る通信（第六十四条第三項に規定する通信を含む。）の秘密を侵した者は、二年以下の懲役又は百万円以下の罰金に処する。

Article 179 (1) A person that has violated the secrecy of communications handled by a telecommunications carrier (including communications set forth in Article 164, paragraph (3)) is punished by not more than two years or a fine of not

more than one million yen.

2 電気通信事業に従事する者が前項の行為をしたときは、三年以下の懲役又は二百万円以下の罰金に処する。

(2) A person engaging in telecommunications business that has undertaken the act set forth in the preceding paragraph is punished by imprisonment of not more than three years or a fine of not more than two million yen.

3 前二項の未遂罪は、罰する。

(3) An attempt to commit the offenses set forth in the preceding two paragraphs is subject to punishment.

第一百八十条 みだりに電気通信事業者の事業用電気通信設備を操作して電気通信役務の提供を妨害した者は、二年以下の懲役又は五十万円以下の罰金に処する。

Article 180 (1) A person that has operated, without due cause, any telecommunications facilities used for the business of a telecommunications carrier and thereby disturbed the provision of telecommunications services is punished by more than two years or a fine of not more than five hundred thousand yen.

2 電気通信事業に従事する者が、正当な理由がないのに電気通信事業者の事業用電気通信設備の維持又は運用の業務の取扱いをせず、電気通信役務の提供に障害を生ぜしめたときも、前項と同様とする。

(2) The provisions of the preceding paragraph also apply to the cases in which a person that engages in a telecommunications business fails to carry out, without reasonable grounds, the operations of maintaining or operating the telecommunications facilities used for telecommunications business of a telecommunications carrier and thereby causes an obstruction with the provision of telecommunications services.

3 第一項の未遂罪は、罰する。

(3) An attempt at the offenses set forth in paragraph (1) is subject to punishment.

第一百八十一条 次の各号のいずれかに該当する者は、一年以下の懲役又は百万円以下の罰金に処する。

Article 181 A person that falls under either of the following items is punished by imprisonment for not more than one year or a fine of not more than one million yen:

一 第五十四条（第六十一条及び第六十八条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

(i) a person that has violated an order under Article 54 (including as applied mutatis mutandis pursuant to Article 61 and Article 68);

二 第六十条第一項（第一号に係る部分に限る。）、第六十六条第一項（第一号に係る部分に限る。）又は第六十七条第一項の規定による禁止に違反した者

(ii) a person that has violated the prohibition under Article 60, paragraph (1)

(limited to the part in relation to item (i)), Article 66, paragraph (1) (limited to the part in relation to item (i)), or Article 67, paragraph (1).

第百八十二条 第八十五条の十三第二項又は第百条第二項（第百三条において準用する場合を含む。）の規定による業務の停止の命令に違反した者は、一年以下の懲役又は五十万円以下の罰金に処する。

Article 182 A person that has violated an order to suspend operations under Article 85-13, paragraph (2) or Article 100, paragraph (2) (including as applied mutatis mutandis pursuant to Article 103) is punished by imprisonment for not more than one year or a fine of not more than five hundred thousand yen.

第百八十三条 第七十八条第一項（第百十六条第一項において準用する場合を含む。）の規定に違反してその職務に関し知り得た秘密を漏らした者は、一年以下の懲役又は五十万円以下の罰金に処する。

Article 183 A person that has divulged any secret that has come to the knowledge with respect to the duties in violation of the provisions of Article 78, paragraph (1) (including as applied mutatis mutandis pursuant to Article 116, paragraph (1)) is punished by not more than one year or a fine of not more than five hundred thousand yen.

第百八十四条 第八十四条第二項（第百十六条第一項において準用する場合を含む。）の規定による業務の停止の命令に違反したときは、その違反行為をした指定試験機関又は支援機関の役員又は職員は、一年以下の懲役又は五十万円以下の罰金に処する。

Article 184 If a designated examination body or the support institution has violated an order to suspend its operations under Article 84, paragraph (2) (including as applied mutatis mutandis pursuant to Article 116, paragraph (1)), officers or members of staff of the designated examination body or the support institution that has committed the violation are punished by not more than one year or a fine of not more five hundred thousand yen.

第百八十五条 第十六条第一項の規定に違反して電気通信事業を営んだ者（第九条の登録を受けるべき者を除く。）は、六月以下の懲役又は五十万円以下の罰金に処する。

Article 185 A person that has operated a telecommunications business in violation of the provisions of Article 16, paragraph (1) (except those that are to obtain registration set forth in Article 9) is punished by imprisonment for not more than six months or a fine of not more than five hundred thousand yen.

第百八十六条 次の各号のいずれかに該当する者は、二百万円以下の罰金に処する。

Article 186 A person that falls under any of the following items is punished by a fine of not more than two million yen:

- 一 第十三条第一項の規定に違反して第十条第一項第二号又は第三号の事項を変更し

た者

- (i) a person that has changed the particulars set forth in Article 10, paragraph (1), item (ii) or (iii) in violation of the provisions of Article 13, paragraph (1);
二 第十九条第三項、第二十条第五項又は第二十一条第六項の規定に違反して電気通信役務を提供した者
- (ii) a person that has provided telecommunications services in violation of the provisions of Article 19, paragraph (3), Article 20, paragraph (5), or Article 21, paragraph (6);
三 第十九条第二項、第二十条第三項、第二十一条第四項、第二十九条第一項若しくは第二項、第三十条第五項、第三十一条第四項、第三十三条第六項若しくは第八項、第三十四条第三項、第三十五条第一項若しくは第二項、第三十八条第一項（第三十九条において準用する場合を含む。）、第三十九条の三第二項、第四十三条第一項（同条第二項において準用する場合を含む。）、第四十四条の二第一項若しくは第二項、第四十四条の五、第五十一条又は第二百二十一条第二項の規定による命令又は処分に違反した者
- (iii) a person that has violated any order or disposition under Article 19, paragraph (2), Article 20, paragraph (3), Article 21, paragraph (4), Article 29, paragraph (1) or paragraph (2), Article 30, paragraph (5), Article 31, paragraph (4), Article 33, paragraph (6) or paragraph (8), Article 34, paragraph (3), Article 35, paragraph (1) or paragraph (2), Article 38, paragraph (1) (including as applied mutatis mutandis pursuant to Article 39), Article 39-3, paragraph (2), Article 43, paragraph (1) (including as applied mutatis mutandis pursuant to paragraph (2) of the same Article), Article 44-2, paragraph (1) or paragraph (2), Article 44-5, Article 51 or Article 121, paragraph (2);
四 第三十三条第九項、第三十四条第四項又は第四十条の規定に違反して協定又は契約を締結し、変更し、又は廃止した者
- (iv) a person that has concluded, revised or discontinued an agreement or contract in violation of the provisions of Article 33, paragraph (9), Article 34, paragraph (4) or Article 40;
五 第四十四条の三第一項の規定に違反して電気通信設備統括管理者を選任しなかつた者
- (v) a person that has not appointed a general manager of telecommunication facilities in violation of Article 44-3, paragraph (1);
六 第四十五条第一項の規定に違反して電気通信主任技術者を選任しなかつた者
- (vi) a person that has failed to appoint a chief telecommunications engineer in violation of the provisions of Article 45, paragraph (1).

第百八十七条 次の各号のいずれかに該当する者は、五十万円以下の罰金に処する。

Article 187 A person that falls under either of the following items is punished by a fine of not more than five hundred thousand yen:

- 一 第十六条第三項又は第四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 that has failed to file a notification pursuant to the provisions of Article 16, paragraph (3) or paragraph (4) or has filed a false notification;
- 二 第五十三条第三項又は第六十八条の八第二項の規定に違反して表示を付した者
(ii) a person that has affixed marks in violation of the provisions of Article 53, paragraph (3) or Article 68-8, paragraph (2).

第百八十八条 次の各号のいずれかに該当する者は、三十万円以下の罰金に処する。

Article 188 A person that falls under any of the following items is punished by a fine of not more than three hundred thousand yen:

- 一 第十七条第二項、第十八条第一項、第三十六条第一項、第三十七条第一項若しくは第二項、第三十八条の二、第四十二条第三項（同条第四項及び第五項において準用する場合を含む。）、第四十四条第一項若しくは第三項、第四十四条の三第二項、第四十五条第二項、第百八条第三項、第百二十条第四項（第百二十二条第四項において準用する場合を含む。）又は第百二十四条第一項の規定による届出をせず、又は虚偽の届出をした者
(i) a person that has failed to file a notification pursuant to the provisions of Article 17, paragraph (2), Article 18, paragraph (1), Article 36, paragraph (1), Article 37, paragraph (1) or paragraph (2), Article 38-2, Article 42, paragraph (3) (including as applied mutatis mutandis pursuant to paragraph (4) and paragraph (5) of the same Article), Article 44, paragraph (1) or paragraph (3), Article 44-3, paragraph (2), Article 45, paragraph (2), Article 108, paragraph (3), Article 120, paragraph (4) (including as applied mutatis mutandis pursuant to Article 122, paragraph (4)) or Article 124, paragraph (1), or has filed a false notification;
- 二 第二十条第一項の規定による届出をしなかつた者
(ii) a person that has failed to file a notification under Article 20, paragraph (1);
- 三 第二十二条又は第三十三条第十二項の規定による記録をせず、又は虚偽の記録をした者
(iii) a person that has failed to keep records under Article 22 or Article 33, paragraph (12), or kept false records;
- 四 第二十三条第一項の規定に違反した者
(iv) a person that has violated the provisions of Article 23, paragraph (1)
- 五 第二十六条の二第一項の規定に違反して、書面を交付せず、又は虚偽の記載をした書面を交付した者
(v) a person that has, in violation of the provisions of Article 26-2, paragraph (1), failed to deliver the document, or delivered a document containing false statements;
- 六 第二十八条又は第三十一条第七項の規定による報告をせず、又は虚偽の報告をした者

- (vi) a person that has failed to make a report pursuant the provisions of Article 28 or Article 31, paragraph (7), or made a false report;
七 第三十三条第十一項、第三十四条第五項又は第百八条第三項の規定に違反して接続約款を公表しなかつた者
- (vii) a person that has failed to announce general conditions of contracts for interconnection in violation of the provisions of Article 33, paragraph (11), Article 34, paragraph (5) or Article 108, paragraph (3);
八 第三十六条第二項の規定に違反して計画を公表しなかつた者
- (viii) a person that has failed to announce a plan in violation of the provisions of Article 36, paragraph (2);
九 第六十三条第三項の規定による届出をする場合において虚偽の届出をした者
- (ix) a person that has filed a false notification when filing a notification pursuant to the provisions of Article 63, paragraph (3);
十 第六十三条第四項の規定に違反して、記録を作成せず、若しくは虚偽の記録を作成し、又は記録を保存しなかつた者
- (x) a person that has failed to create a record or created a false record or failed to retain the record in violation of the provisions of Article 63, paragraph (4);
十一 第八十五条の十又は第九十六条（第百三条において準用する場合を含む。）の規定に違反して帳簿を備え付けず、帳簿に記載せず、若しくは帳簿に虚偽の記載をし、又は帳簿を保存しなかつた者
- (xi) a person that has failed to keep books or make an entry, or has made a false entry , or failed to retain the books in violation of the provisions of Article 85-10, or Article 96 (including as applied mutatis mutandis in Article 103);
十二 第八十五条の十二第一項の規定による届出をしないで講習事務を廃止し、又は虚偽の届出をした者
- (xii) a person that has discontinued its training administration without filing a notification under Article 85-12, paragraph (1), or has filed a false notification;
十三 第九十二条第一項（第百三条において準用する場合を含む。）の規定による報告をせず、又は虚偽の報告をした者
- (xiii) a person that has failed to make a report pursuant to the provision of Article 92, paragraph (1) (including as applied mutatis mutandis pursuant to Article 103), or has made a false report;
十四 第九十九条第一項（第百三条において準用する場合を含む。）の規定による届出をしないで業務を廃止し、又は虚偽の届出をした者
- (xiv) a person that has discontinued their operations without filing a notification under Article 99, paragraph (1) (including as applied mutatis mutandis pursuant to Article 103), or has filed a false notification;
十五 第百四十一条第四項又は第百四十三条の規定に違反した者
- (xv) a person that has violated the provisions of Article 141, paragraph (4) or

Article 143;

十六 第六十六條第一項、第二項（同條第三項において準用する場合を含む。）若しくは同條第五項において準用する同條第四項の規定による報告をせず、若しくは虚偽の報告をし、又はこれらの規定による検査を拒み、妨げ、若しくは忌避した者 (xvi) a person that has failed to make a report under Article 166, paragraph (1), paragraph (2) (including as applied mutatis mutandis pursuant to paragraph (3) of the same Article), or paragraph (4), as applied mutatis mutandis pursuant to paragraph (5) of the same Article, or has made a false report, or has refused, obstructed or evaded the inspection under these provisions;

十七 第六十七條第一項（同條第四項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

(xvii) a person that has violated the order under Article 167, paragraph (1) (including as applied mutatis mutandis pursuant to paragraph (4) of the same Article).

第一百八十九條 次の各号のいずれかに該当するときは、その違反行為をした指定試験機関又は支援機関の役員又は職員は、三十万円以下の罰金に処する。

Article 189 If a designated examination body or support institution falls under any of the following items, officers or members of staff of the designated examination body or support institution that has committed a violation are punished by a fine of not more than three hundred thousand yen:

一 第八十一条（第六十六條第一項において準用する場合を含む。）の規定に違反して帳簿を備え付けず、帳簿に記載せず、若しくは帳簿に虚偽の記載をし、又は帳簿を保存しなかつたとき。

(i) if the organization has failed to keep and retain books or make an entry, or has made a false entry, in violation of the provisions of Article, 81 (including as applied mutatis mutandis pursuant to Article 116, paragraph (1));

二 第八十三条第一項（第六十六條第一項において準用する場合を含む。）の規定に違反して試験事務又は支援業務の全部を廃止したとき。

(ii) if the organization has discontinued the exam administration or support operations in whole in violation of the provisions of Article 83, paragraph (1) (including as applied mutatis mutandis pursuant to Article 116, paragraph (1));

三 第六十六條第四項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避したとき。

(iii) if the organization has failed to make a report under Article 166, paragraph (4), or made a false report, or has refused, obstructed or evaded the inspection under the same paragraph.

第一百九十条 法人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 190 If any representative of a corporation, or an agent, employee or other worker of a corporation or individual, has committed a violation of provisions set forth in the following items in connection with the business of the corporation or individual, in addition to the offender being subject punishment, the corporation is subject to the fine prescribed respectively in those items and the individual is subject to the fine referred to in the relevant Article:

一 第百八十一条 一億円以下の罰金刑

(i) Article 181: fine of not more than one hundred million yen;

二 第百七十七条から第百八十八条（第百八十条、第百八十一条、第百八十三条及び第百八十四条を除く。） 各本条の罰金刑

(ii) Article 177 through Article 188 (except Article 180, Article 181, Article 183 and Article 184): fine set forth in the relevant Article.

第百九十一条 次の各号のいずれかに該当する者は、百万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 191 A person that falls under any of the following items is subject to a civil fine of not more than one million yen; provided, however, that this does not apply to the cases in which that person is to be subject to a punishment on account of the act in question:

一 第二十四条の規定に違反した者

(i) a person that has violated the provisions of Article 24;

二 第三十条第六項、第三十三条第十三項、第三十四条第六項又は第三十九条の三第三項の規定に違反して公表することを怠り、又は不実の公表をした者

(ii) a person that has failed to announce or has made a false announcement in violation of the provisions of Article 30, paragraph (6), Article 33, paragraph (13), Article 34, paragraph (6) or Article 39-3, paragraph (3);

三 第三十一条第一項の規定に違反して役員を兼ねた者

(iii) a person that concurrently serves as an officer in violation of the provisions of Article 31, paragraph (1);

第百九十二条 次の各号のいずれかに該当する者は、三十万円以下の過料に処する。

Article 192 A person that falls under any of the following items is subject to a civil fine of not more than three hundred thousand yen:

一 第六十三条第五項の規定に違反して、届出をせず、又は虚偽の届出をした者

(i) a person that has failed to file a notification or has filed a false notification in violation of the provisions of Article 63, paragraph (5);

二 第六十八条の六第四項、第六十八条の十第一項、第八十五条の六第二項又は第九十条第二項の規定に違反して、届出をせず、又は虚偽の届出をした者

(ii) a person that has failed to file a notification or has filed a false notification

in violation of the provisions of Article 68-6, paragraph (4), Article 68-10, paragraph (1), Article 85-6, paragraph (2) or Article 90, paragraph (2);

三 第八十五条の九第一項若しくは第九十五条第一項の規定に違反して財務諸表等を備えて置かず、財務諸表等に記載すべき事項を記載せず、若しくは虚偽の記載をし、又は正当な理由がないのに第八十五条の九第二項若しくは第九十五条第二項の規定による請求を拒んだ者

(iii) a person that has failed to retain financial statements, etc., has failed to enter the particulars to be entered in financial statements, etc., or has made a false entry in violation of the provisions of Article 85-9, paragraph (1) or Article 95, paragraph (1), or has refused, without reasonable grounds, a request under Article 85-9, paragraph (2) or Article 95, paragraph (2).

第百九十三条 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。

Article 193 A person that falls under any of the following items is subject to a civil fine of not more than one hundred thousand yen:

一 第十三条第四項、第十六条第二項又は第十八条第二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 that has failed to file a notification under Article 13, paragraph (4), Article 16, paragraph (2) or Article 18, paragraph (2), or has filed a false notification;

二 正当な理由がないのに第四十七条（第七十二条第二項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て電気通信主任技術者資格者証又は工事担任者資格者証を返納しなかつた者

(ii) a person that has failed, without reasonable grounds, to return a chief telecommunications engineer's license or installation technician's license in violation of an order under Article 47 (including as applied mutatis mutandis pursuant to Article 72, paragraph (2));

三 第一百四十一条第三項の規定に違反した者

(iii) any person that has violated the provisions of Article 141, paragraph (3).

附 則

Supplementary Provisions

(施行期日)

(Effective Date)

第一条 この法律は、昭和六十年四月一日から施行する。

Article 1 This Act comes into effect as of April 1, 1985.

(検討)

(Review)

第二条 政府は、この法律の施行の日から三年以内に、この法律の施行の状況について

検討を加え、その結果に基づいて必要な措置を講ずるものとする。

Article 2 The government is to, within three years from the date of enforcement of this Act, review the status of enforcement of this Act and is to take necessary measures based on the results of the review

(公衆電気通信法の廃止)

(Abolishment of the Public Telecommunications Act)

第三条 公衆電気通信法（昭和二十八年法律第九十七号）は、廃止する。

Article 3 The Public Telecommunications Act (Act No. 97 of 1953) is abolished

(経過措置)

(Transitional Measures)

第四条 この法律の施行の際現に解散前の日本電信電話公社（以下「旧公社」という。）が行っている公衆電気通信業務に係る事業であつて第一種電気通信事業に該当し、又はこれとみなされるものについては、この法律の施行の日（以下「施行日」という。）に日本電信電話株式会社（以下「日本電電」という。）が第九条第一項の許可を受けたものとみなす。

Article 4 (1) A business related to public telecommunications activities which, at the time of enforcement of this Act, is being actually conducted by Nippon Telegraph and Telephone Public Corporation before its dissolution (hereinafter referred to as "former Public Corporation") and falls, or is deemed to fall, under Type I telecommunications business is deemed to be a business for which Nippon Telegraph and Telephone Corporation (hereinafter referred to as "NTT") has obtained the permission set forth in Article 9, paragraph (1) on the date of enforcement of this Act (hereinafter referred to as the "effective date").

2 この法律の施行の際現に国際電信電話株式会社（以下「国際電電」という。）が行っている公衆電気通信業務に係る事業であつて第一種電気通信事業に該当し、又はこれとみなされるものについては、施行日に第九条第一項の許可を受けたものとみなす。

(2) A business related to public telecommunications activities which, at the time of enforcement of this Act, is being actually conducted by Kokusai Denshin Denwa Company, Limited (hereinafter referred to as "KDD") and falls, or is deemed to fall, under Type I telecommunications business is deemed to be a business for which KDD has obtained the permission set forth in Article 9, paragraph (1) on the effective date.

3 日本電電及び国際電電は、前二項に規定する事業に関し、郵政省令で定める事項を施行日から一月以内に、郵政大臣に届け出なければならない。

(3) Both NTT and KDD must, within one month from the effective date, notify the Minister of Posts and Telecommunications of the particulars specified by Order of the Ministry of Posts and Telecommunications with respect to the business set forth in the preceding two paragraphs.

第五条 電報の事業（配達の業務を含む。以下この条において同じ。）は、当分の間、電気通信事業とみなし、当該事業に係る業務のうち受付及び配達の業務については、東日本電信電話株式会社、西日本電信電話株式会社及び電気通信分野における規制の合理化のための関係法律の整備等に関する法律（平成十年法律第五十八号）第一条の規定による廃止前の国際電信電話株式会社法（昭和二十七年法律第三百一号）により設立された国際電信電話株式会社の電気通信事業者の地位を承継した者（以下この条において「国際電電承継人」という。）のみがこれを行うことができる。この場合において、電報の事業については、電気通信事業法及び日本電信電話株式会社等に関する法律の一部を改正する法律（平成十五年法律第二百二十五号）第二条の規定による改正前のこの法律（以下この条において「旧法」という。）の規定（第十六条、第十七条及び附則第五条第一項の規定を除き、罰則を含む。次項において同じ。）はなお効力を有する。

Article 5 (1) Telegram business (including operations of delivering them; hereinafter the same applies in this Article) is deemed to be telecommunications business until otherwise provided for by a law, and the operations of accepting and delivering them, from among the operations related to that business, are conducted only by Nippon Telegraph and Telephone East Corporation, Nippon Telegraph and Telephone West Corporation, and the person that has succeeded to the status of Kokusai Denshin Denwa Company, Limited as a telecommunications carrier established under the Kokusai Denshin Denwa Company, Limited Act (Act No. 301 of 1952), before being abolished by Article 1 of the Act on Development of the Relevant Acts for Rationalization of the Regulations in the Telecommunications Field (Act No. 58 of 1998) (hereinafter referred to as "KDD successor" in this Article). In this case, the provisions on the telegram business (excluding Article 16, Article 17 and the Supplementary Provisions Article 5, paragraph (1), and including penal provisions; the same applies in the following paragraph) in this Act prior to the revision by Article 2 of the Act to Amend the Telecommunications Business Act and the Act on Nippon Telegraph and Telephone Corporation, Etc. (Act No. 125 of 2003) (hereinafter referred to as "the former Act" in this Article) remain in force.

2 前項の場合において、東日本電信電話株式会社、西日本電信電話株式会社及び国際電電承継人（以下この条において「東日本電信電話株式会社等」という。）が行う電報の取扱いの役務は旧法第二条第三号に規定する電気通信役務とみなし、当該役務の提供の業務は旧法第二条第六号に規定する電気通信業務とみなし、東日本電信電話株式会社等が行う電報の事業は旧法第六条第二項に規定する第一種電気通信事業とみなして、前項の規定によりなお効力を有するものとされる旧法の規定を適用する。

(2) In the case set forth in the preceding paragraph, the telegram handling services provided by Nippon Telegraph and Telephone East Corporation, Nippon Telegraph and Telephone West Corporation, and the KDD successor (hereinafter referred to as "Nippon Telegraph and Telephone East Corporation,

etc." in this Article) is deemed be the telecommunications services prescribed in Article 2, item (iii) of the former Act, the operations involved in providing the service is deemed to be the telecommunications operations prescribed in Article 2, item (vi) of the former Act, and the telegram business conducted by Nippon Telegraph and Telephone East Corporation, etc. is deemed to be a Type I telecommunications business as prescribed in Article 6, paragraph (2) of the former Act, and the provisions of the former Act, which are deemed to remain in force pursuant to the provisions of the preceding paragraph, apply.

3 東日本電信電話株式会社等は、旧法第十五条第一項の規定にかかわらず、総務省令で定めるところにより、電報の事業に係る業務の一部を委託することができる。

(3) Notwithstanding the provision of Article 15, paragraph (1) of the former Act, Nippon Telegraph and Telephone East Corporation, etc. may entrust part of its operations in relation to their telegram business to others pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

4 前三項に規定するもののほか、電報の取扱いに係る業務又は役務に関し必要な事項は、総務省令で定める。

(4) Beyond what is provided for in the preceding three paragraphs, particulars necessary for operations or services in relation to telegram handling are specified by Order of the Ministry of Internal Affairs and Communications.

第六条 この法律の施行の際現にこの法律による廃止前の公衆電気通信法（以下「旧公衆法」という。）第五十五条の十三第二項の郵政省令で定める場合に該当するものとして一般第二種電気通信事業に相当する事業を営んでいる者は、施行日に第二十二条第一項の規定による届出をしたものとみなす。

Article 6 A person that, at the time of enforcement of this Act, actually is operating a business equivalent to a General Type II telecommunications business as what falls under the cases specified by Order of the Ministry of Posts and Telecommunications as prescribed in Article 55-13, paragraph (2) of the Public Telecommunications Act before being abolished by this Act (hereinafter referred to as "the former Public Act") is deemed to have filed a notification under Article 22 paragraph (1) on the effective date.

第七条 この法律の施行の際現に旧公衆法第七条から第十条までの規定に基づき旧公社又は国際電電が行っている公衆電気通信業務の一部の委託については、施行日において定められているその期限までの間は、日本電電又は国際電電が第十五条第一項の認可を受け、又は附則第五条第二項の規定に基づいて行っている委託とみなす。

Article 7 Entrustment of part of public telecommunications activities which, at the time of enforcement of this Act, are actually being conducted by a former Public Corporation or KDD pursuant to the provisions of Article 7 through Article 10 of the former Public Act, is deemed to be entrustment conducted by NTT or KDD with authorization set forth in Article 15, paragraph (1) or

pursuant to the provisions of Supplementary Provisions Article 5, paragraph (2) until the time limit specified as of the effective date.

第八条 附則第四条第一項又は第二項の規定により第九条第一項の許可を受けたものとみなされた第一種電気通信事業に係る電気通信役務の提供に関しこの法律の規定により認可を必要とする事項については、日本電電及び国際電電は、施行日から二月以内に、その認可の申請をしなければならない。

Article 8 (1) NTT and KDD must apply within two months from the effective date for an authorization for particulars that, they need to obtain an authorization for pursuant to the provisions of this Act with respect to the provision of telecommunications services related to a Type I telecommunications business for which NTT and KDD are, pursuant to the provisions of Supplementary Provisions Article 4, paragraph (1) or paragraph (2), deemed to have obtained the permission set forth in Article 9, paragraph (1).

2 日本電電及び国際電電は、施行日から前項の申請に基づく認可に関する処分があるまでの間は、従前の条件でその電気通信役務を提供することができる。

(2) NTT and KDD may, from the effective date until a disposition is rendered concerning the authorization based on the application set forth in the preceding paragraph, continue to provide their telecommunications services under the same terms and conditions as those previously in force.

第九条 旧公社と締結した契約に基づく旧公衆法の規定による電話加入権については、当分の間、旧公衆法第三十八条から第三十八条の三までの規定は、施行日以後も、なおその効力を有する。この場合において、旧公衆法第三十八条第一項中「公社」とあるのは「日本電信電話株式会社法の一部を改正する法律（平成九年法律第九十八号）附則第五条第六項に規定する承継計画において定めるところに従い当該電話加入権に係る権利及び義務を承継した東日本電信電話株式会社又は西日本電信電話株式会社」と、同条第二項中「公社」とあるのは「東日本電信電話株式会社又は西日本電信電話株式会社」と、同条第四項中「質権の目的とすることができない」とあるのは「電話加入権質に関する臨時特例法（昭和三十三年法律第百三十八号）に定める場合を除き、質権の目的とすることができない」と、旧公衆法第三十八条の二及び第三十八条の三第一項中「電話取扱局」とあるのは「東日本電信電話株式会社又は西日本電信電話株式会社において電話に関する現業事務を取り扱う事務所」とする。

Article 9 (1) With regard to the telephone subscriber's right under the former Public Act, based on the contract concluded with the former Public Corporation, the provisions of Article 38 through Article 38-3 of the former Public Act remain in force until otherwise provided for by law, even after the effective date. In this case, the term "the Public Corporation" in Article 38, paragraph (1) of the former Public Act is replaced with "Nippon Telegraph and Telephone East Corporation or Nippon Telegraph and Telephone West Corporation that

has succeeded to the rights and obligation in relation to the telephone subscriber's rights pursuant to the provisions of the Succeeding Plan prescribed in Supplementary Provisions Article 5, paragraph (6) of the Act to Amend the Nippon Telegraph and Telephone Corporation Act (Act No. 98 of 1997); the term "the Public Corporation" in paragraph (2) of the same Article is replaced with "Nippon Telegraph and Telephone East Corporation or Nippon Telegraph and Telephone West Corporation"; the term "must not be put in pledge" in paragraph (4) of the same Article is replaced with "must not be put in pledge except for the cases prescribed in the Act on Temporary Special Measures for Telephone Subscriber's Right (Act No. 138 of 1958)"; and the term "telephone offices" in Article 38-2 and Article 38-3, paragraph (1) of the former Public Act is replaced with "offices of Nippon Telegraph and Telephone East Corporation or Nippon Telegraph and Telephone West Corporation which conduct administration on government enterprise relating to telephone services."

2 施行日以後に日本電電と締結した契約に基づく権利及び日本電信電話株式会社法の一部を改正する法律（平成九年法律第九十八号）の施行の日以後に東日本電信電話株式会社又は西日本電信電話株式会社と締結する契約に基づく権利であつて、前項の電話加入権に相当するものとして総務省令で定める要件に該当するものについては、旧公衆法第三十八条から第三十八条の三までの規定が同項の規定によりなおその効力を有する間は、同項の電話加入権に関して適用されるこれらの規定の例による。

(2) The right based on the contract concluded with NTT after the effective date and the right based on the contract concluded with Nippon Telegraph and Telephone East Corporation or Nippon Telegraph and Telephone West Corporation after the date of enforcement of the Act to Amend the Nippon Telegraph and Telephone Corporation Act (Act No. 98 of 1997), which satisfy the requirements specified by Order of the Ministry of Internal Affairs and Communications as equivalent to the telephone subscriber's right set forth in the preceding paragraph, are governed by the provisions of Article 38 through Article 38-3 of the former Public Act, which apply to the telephone subscriber's right set forth in the same paragraph, during the period within which the provisions of these Articles remain in force pursuant to the provision of the same paragraph.

第十条 この法律の施行の際現に国際電電が旧公衆法第百八条の認可を受けて締結している協定又は契約については、当該協定又は契約に定められている期限までの間は、第四十条の認可を受けて締結しているものとみなす。

Article 10 An agreement or contract which, as of the time of enforcement of this Act, KDD has actually concluded with the authorization set forth in Article 108 of the former Public Act is deemed to be an agreement or contract which KDD has concluded with the authorization set forth in Article 40, until the time

limit prescribed in the agreement or contract.

第十一条 日本電電又は国際電電についての第四十三条第一項の規定の適用については、同項中「事業の開始前に」とあるのは、「この法律の施行後、遅滞なく」とする。

Article 11 With regard to the application of the provisions of Article 43, paragraph (1) to NTT or KDD, the term "prior to the commencement of its telecommunications business" is replaced with "without delay after the enforcement of this Act."

第十二条 第四十四条第一項の規定は、日本電電又は国際電電については、施行日から六月間は、適用しない。

Article 12 The provisions of Article 44, paragraph (1) do not apply to NTT or KDD for six months from the effective date.

第十三条 この法律の施行の際現に旧公衆法第五十五条の八、第五十五条の十一第三項（旧公衆法第五十五条の十八において準用する場合を含む。）、第五十五条の十三の二第一項、第五十五条の二十一、第五十五条第一項若しくは第百八条の二又は第五十五条の十六若しくは第百六条の規定に基づき、公衆電気通信役務の利用者等が設置し、電気通信回線設備に接続している端末設備又は私設有線設備については、第五十一条第一項前段（第五十二条第二項において準用する場合を含む。）の検査を受け技術基準に適合していると認められた端末設備又は自営電気通信設備とみなす。

Article 13 Terminal facilities or private cable facilities which, as of the time of enforcement of this Act, have been actually installed and interconnected to telecommunication line facilities by users, etc. of public telecommunications services, pursuant to the provisions of Article 55-8, Article 55-11, paragraph (3) (including as applied mutatis mutandis pursuant to Article 55-18), Article 55-13-2, paragraph (1), Article 55-21, Article 105, paragraph (1) or Article 108-2, or Article 55-16 or Article 106 of the former Public Act are deemed to be terminal facilities or customer-owned and maintained telecommunications facilities which have undergone inspection set forth in the first sentence of Article 51, paragraph (1) (including as applied mutatis mutandis pursuant to Article 52, paragraph (2)) and have been certified to be in conformity with the technical standards.

第十四条 この法律の施行の際現に旧公衆法第五十五条の十七若しくは第百五条第七項の規定又は第百八条の二に規定する契約約款の条項に基づく工事担任者である者は、施行日から六月間に限り、従前の資格の範囲内において第五十三条第一項に規定する工事担任者とみなす。次項の規定による届出をした場合において、工事担任者資格者証の交付があるまでの間も、同様とする。

Article 14 (1) A person that, as of the time of enforcement of this Act, is actually an installation technician set forth in Article 55-17 or Article 105, paragraph

(7) or the clauses on general conditions of contracts set forth in Article 108-2 of the former Public Act is deemed to be an installation technician set forth in Article 53, paragraph (1) within the scope of the license previously in force, limited to a period of six months from the effective date. If a notification is filed pursuant to the provisions of the following paragraph, the same applies until an installation technician's license is granted.

2 前項に規定する者は、郵政省令で定めるところにより、同項に規定する期間に郵政大臣に届出をしたときは、第五十四条第二項において準用する第四十五条第三項第三号の認定を受けたものとみなす。

(2) If the person set forth in the preceding paragraph has, pursuant to the provisions of Order of the Ministry of Posts and Telecommunications, filed a notification with the Minister of Posts and Telecommunications within the period set forth in the same paragraph, that person is deemed to have obtained the certification set forth in Article 45, paragraph (3), item (iii), as applied *mutatis mutandis* pursuant to Article 54, paragraph (2).

第十五条 この法律の施行前に旧公社又は国際電電が旧公衆法第百条第一項の規定により行つた届出は、日本電電又は国際電電が第八十五条第一項の規定により行つた届出とみなす。

Article 15 A notification which, prior to the enforcement of this Act, the former Public Corporation or KDD has filed pursuant to the provisions of Article 100, paragraph (1) of the former Public Act is deemed to be a notification which NTT or KDD has filed pursuant to the provisions of Article 85, paragraph (1).

第十六条 この法律の施行の際現に旧公衆法第百一条第一項の規定により指定されている区域については、第八十六条第一項の規定による保護区域の指定があつたものとみなす。

Article 16 An area which, as of the time of enforcement of this Act, has been actually designated pursuant to the provisions of Article 101, paragraph (1) of the former Public Act is deemed to be designated as a protected area pursuant to the provisions of Article 86, paragraph (1).

第十七条 この法律の施行前に、旧公衆法又はこれに基づく命令により旧公社若しくは国際電電に対して行い、又はこれらの者が行つた処分、手続その他の行為は、この法律の相当する規定により、日本電電若しくは国際電電に対して行い、又はこれらの者が行つた処分、手続その他の行為とみなす。

Article 17 A disposition, procedure or other act which, prior to the enforcement of this Act, has been taken against the former Public Corporation or KDD, or a disposition, procedure or other act which has been taken by these persons, pursuant to the provisions of the former Public Act or by an order under the former Public Act is deemed to be a disposition, procedure or other act taken

against the NTT or KDD, or a disposition, procedure or other act taken by these persons, pursuant to the corresponding provisions of this Act.

第十八条 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 18 (1) Prior laws continue to govern the application of the penal provisions to any act undertaken prior to the enforcement of this Act.

2 この法律の施行前の旧公社又は国際電電の取扱中に係る通信の秘密に関しては、旧公衆法第百十二条の規定は、施行日以後も、なおその効力を有する。この場合において、同条第二項中「公衆電気通信業務に従事する者」とあるのは、「電気通信事業法の施行の際公衆電気通信業務に従事していた者で同法の施行後引き続き電気通信事業に従事するもの」とする。

(2) With respect to the secrecy of communications handled by the former Public Corporation or KDD prior to the enforcement of this Act, the provisions of Article 112 of the former Public Act remain in force even after the effective date. In this case, the term "any person that engages in public telecommunications activities" in paragraph (2) of the same Article is replaced with "any person that was engaged in public telecommunications activities at the time of enforcement of the Telecommunications Business Act and continues to be engaged in telecommunications business after enforcement of the same Act."

第十九条 第十二条第一項第一号及び第三号、第七十五条第二項第二号及び第四号イ並びに第八十七条第二項第一号及び第三号の規定の適用については、この法律の施行前に旧公衆法の規定により罰金以上の刑に処せられ、若しくはこの法律の施行後に前条の規定によりなおその例によることとされ、若しくはなおその効力を有することとされる旧公衆法の規定により罰金以上の刑に処せられた者（その執行を終わり、又はその執行を受けることがなくなつた日から二年を経過しない者に限る。）又はこれらの者をその役員に含む法人若しくは団体は、これらの規定に該当する者とみなす。

Article 19 With regard to the application of the provisions of Article 12, paragraph (1), item (i) and item (iii), Article 75, paragraph (2), item (ii) and item (iv), (a), and Article 87, paragraph (2), item (i) and item (iii), a person that, prior to enforcement of this Act, has been sentenced to a fine or a heavier punishment pursuant to the provisions of the former Public Act or a person that, after enforcement of this Act, has been sentenced to a fine or a heavier punishment (but only if two years have not passed since the date on which the enforcement of that punishment has been completed or has become inapplicable) pursuant to the provisions of the former Public Act that continue to govern the situation or remain in force even after the enforcement of this Act pursuant to the provisions of the preceding Article, or any corporation or organization that includes those persons as its officers, is deemed to be a

person that falls under these provisions.

(政令への委任)

(Delegation to Cabinet Order)

第二十条 附則第四条から前条までに規定するもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

Article 20 Beyond what is provided for in Supplementary Provisions Article 4 through the preceding Article, other transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

附 則 〔昭和六十二年六月二日法律第五十七号〕

Supplementary Provisions [Act No. 57—June 2, 1987]

この法律は、公布の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。ただし、第二十七条第三項の改正規定は、公布の日から施行する。

This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding three months from the date of promulgation; provided, however, that the provisions to revise Article 27, paragraph (3) come into effect as of the date of promulgation.

附 則 〔平成元年六月二十八日法律第五十五号〕〔抄〕

Supplementary Provisions [Act No. 55—June 28, 1989 Excerpts] [Extract]

(施行期日等)

(Effective Date)

1 この法律は、平成元年十月一日から施行する。

(1) This Act comes into effect as of October 1, 1989.

附 則 〔平成四年五月二十七日法律第六十一号〕

Supplementary Provisions [Act No. 61—May 27, 1992]

この法律は、公布の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。

This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding three months from the date of promulgation.

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 Excerpts]
[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 as of the date of enforcement 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 Concerning Adverse Dispositions on Which Consultations Are Made)

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 If a consultation or other request has been made to a council or other council organization on the taking of procedures equivalent to those for holding hearings or granting the opportunity for explanation and other procedures stating opinions prescribed in Article 13 of the Administrative Procedure Act, based on laws and regulations prior to the enforcement of this Act, prior laws continue to govern the procedures for adverse dispositions in relation to the consultation or other request, notwithstanding the provisions of relevant Acts revised by this Act.

(罰則に関する経過措置)

(Transitional Measures Concerning 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 application of penal provisions to any act undertaken prior to the enforcement of this Act.

(聴聞に関する規定の整理に伴う経過措置)

(Transitional Measures Concerning the Adjustment of Provisions Related to 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 Any hearings (except those in relation to adverse dispositions), or procedures for those hearings which, prior to the enforcement of this Act, have been conducted pursuant to the provisions of the Acts are deemed to be hearings conducted pursuant to the corresponding provisions of the relevant Acts revised 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 what is provided for in Supplementary Provisions Article 2 through the preceding Article, other transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

附 則 [平成六年六月二十九日法律第七十三号]

Supplementary Provisions [Act No. 73—June 29, 1994]

この法律は、公布の日から施行する。

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

附 則 [平成七年五月八日法律第八十二号]

Supplementary Provisions [Act No. 82—May 8, 1995]

(施行期日)

(Effective Date)

1 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。

(1) This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

(経過措置)

(Transitional Measures)

2 この法律の施行の際現に改正前の電気通信事業法（以下「旧法」という。）第三十一条第一項の規定により認可を受けている契約約款に定める料金であって改正後の電気通信事業法（以下「新法」という。）第三十一条第一項の規定が適用される料金に該当するものは、同項の規定により認可を受けた料金とみなす。

(2) The charges that are specified by general conditions of contracts which, as of the time of enforcement of this Act, have actually been authorized pursuant to the provisions of Article 31, paragraph (1) of the Telecommunications Business Act prior to the revision (hereinafter referred to as "the former Act") and, that fall under the charges to which the provisions of Article 31, paragraph (1) of the revised Telecommunications Business Act (hereinafter referred to as "the new Act") apply are deemed to be charges authorized pursuant to the provisions of the same paragraph.

3 この法律の施行の際現に旧法第三十一条第一項の規定により認可を受けている契約約款に定める料金であって新法第三十一条第三項の規定が適用される料金に該当するものは、同項の規定により届け出た料金とみなす。

(3) The charges that are specified by general conditions of contracts which, as of the time of enforcement of this Act, have been actually authorized pursuant to the provisions of Article 31, paragraph (1) of the former Act and that fall under the charges to which the provisions of Article 31, paragraph (3) of the new Act apply are deemed to be charges about which the notification has been filed pursuant to the provisions of the same paragraph.

4 この法律の施行の際現に旧法第三十一条第一項の規定により認可を受けている契約約款（料金に係る部分を除く。）は、新法第三十一条の二第一項の規定により認可を受けた契約約款とみなす。

(4) The general conditions of contracts (except parts in relation to charges) which, as of the time of enforcement of this Act, have been actually authorized pursuant to the provisions of Article 31, paragraph (1) of the former Act are deemed to be the general conditions of contracts authorized pursuant to the provisions of Article 31-2, paragraph (1) of the new Act.

5 この法律の施行前に旧法第三十一条第五項の規定により届け出た契約約款に定める料金は、新法第三十一条第六項の規定により届け出た料金とみなす。

(5) The charges specified by the general conditions of contracts about which the notification, prior to the enforcement of this Act, has been filed pursuant to the provision of Article 31, paragraph (5) of the former Act are deemed to be charges about which the notification has been filed pursuant to the provision of Article 31, paragraph (6) of the new Act.

6 この法律の施行前に旧法第三十一条第五項の規定により届け出た契約約款（料金に係る部分を除く。）は、新法第三十一条の二第五項の規定により届け出た契約約款とみなす。

(6) The general conditions of contracts (except parts related to charges) about which the notification, prior to enforcement of this Act, has been filed pursuant to the provisions of Article 31, paragraph (5) of the former Act are deemed to be the general conditions of contracts about which the notification has been filed pursuant to the provisions of Article 31-2, paragraph (5) of the new Act.

7 この法律の施行の際現にされている旧法第三十一条第一項の規定による契約約款の認可の申請は、新法第三十一条第一項の規定が適用される料金に係るものにあつては同項の規定によりした認可の申請と、同条第三項の規定が適用される料金に係るものにあつては同項の規定によりした届出と、新法第三十一条の二第一項の契約約款に係るものにあつては同項の規定によりした認可の申請とみなす。

(7) An application which, as of the time of enforcement of this Act, has actually been filed for authorization for the general conditions of contracts pursuant to the provisions of Article 31, paragraph (1) of the former Act is deemed to be an application for authorization filed pursuant to the provisions of Article 31, paragraph (1) of the new Act if that application is one in relation to the charges to which the provisions of the same paragraph apply, a notification filed pursuant to the provisions of Article 31, paragraph (3) of the new Act if that

application is one in relation to the charges to which the provisions of the same paragraph apply, or an application for authorization filed pursuant to the provisions of Article 31-2, paragraph (1) of the new Act if that application is one in relation to the general conditions of contracts set forth in the same paragraph.

- 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 application of the penal provisions to any act undertaken prior to enforcement of this Act.

附 則 [平成九年六月二十日法律第九十七号]
Supplementary Provisions [Act No. 97—June 20, 1997]

(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。ただし、次条の規定は、公布の日から施行する。

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation; provided, however, that the provisions of the following Article comes into effect as of the date of promulgation.

(審議会への諮問)

(Consultation with Councils)

第二条 郵政大臣は、この法律の施行前においても、改正後の電気通信事業法（以下「新法」という。）第三十八条第三号、第三十八条の二第一項、第三項第一号イ、ロ若しくはニ若しくは第二号、第四項、第七項若しくは第九項、第三十九条の二第一項若しくは第二項又は第四十八条の二第一項の郵政省令の制定のために、新法第九十四条第一項の政令で定める審議会に諮問することができる。

Article 2 In order to establish an Order of the Ministry of Posts and Telecommunications prescribed in Article 38, item (iii), Article 38-2, paragraph (1), paragraph (3), item (i), (a), (b) or (d), or item (ii), paragraph (4), paragraph (7) or paragraph (9), Article 39-2, paragraph (1) or paragraph (2), or Article 48-2, paragraph (1) of the revised Telecommunications Business Act (hereinafter referred to as "the new Act"), the Minister of Posts and Telecommunications may, even prior to enforcement of this Act, consult the council specified by Cabinet Order as prescribed in Article 94, paragraph (1) of the new Act.

(接続等に関する経過措置)

(Transitional Measures Concerning Interconnection)

第三条 この法律の施行前に改正前の電気通信事業法（以下「旧法」という。）第三十六条第三項の規定によりした命令は、新法第三十六条第五項の規定によりした命令と

みなす。

Article 3 An order which, prior to enforcement of this Act, has been issued pursuant to the provisions of Article 36, paragraph (3) of the Telecommunications Business Act prior to the revision (hereinafter referred to as "the former Act") is deemed to be an order issued pursuant to the provisions of Article 36, paragraph (5) of the new Act.

第四条 この法律の施行の際現に旧法第三十八条第一項の規定により認可を受けている接続又は共用に関する協定は、接続に関する協定にあつては新法第三十八条の三第一項の規定により認可を受けた協定と、共用に関する協定にあつては新法第三十九条の三第一項の規定により認可を受けた協定とみなす。

Article 4 An agreement concerning interconnection or sharing which, as of the time of enforcement of this Act, has been actually authorized pursuant to the provisions of Article 38, paragraph (1) of the former Act is deemed to be an agreement authorized pursuant to the provisions of Article 38-3, paragraph (1) of the new Act in the case of an agreement concerning interconnection, or an agreement authorized pursuant to the provisions of Article 39-3, paragraph (1) of the new Act in the case of an agreement concerning sharing.

第五条 この法律の施行の際現にされている旧法第三十八条第一項の規定による接続又は共用に関する協定の認可の申請は、接続に関する協定にあつては新法第三十八条の三第一項の規定によりした認可の申請と、共用に関する協定にあつては新法第三十九条の三第一項の規定によりした認可の申請とみなす。

Article 5 An application for authorization for an agreement concerning interconnection or sharing which, as of the time of enforcement of this Act, has been actually filed pursuant to the provisions of Article 38, paragraph (1) of the former Act is deemed to be an application for authorization filed pursuant to the provisions of Article 38-3, paragraph (1) of the new Act in the case of an agreement concerning interconnection, or an application for authorization filed pursuant to the provisions of Article 39-3, paragraph (1) of the new Act in the case of an agreement concerning sharing.

第六条 この法律の施行の際現に旧法第三十八条第二項の規定により認可を受けている契約は、新法第三十九条の三第二項の規定により認可を受けた契約とみなす。

Article 6 A contract which, as of the time of enforcement of this Act, has been actually authorized pursuant to the provisions of Article 38, paragraph (2) of the former Act is deemed to be a contract authorized pursuant to the provisions of Article 39-3, paragraph (2) of the new Act.

第七条 この法律の施行の際現にされている旧法第三十八条第二項の規定による契約の認可の申請は、新法第三十九条の三第二項の規定によりした認可の申請とみなす。

Article 7 An application for authorization for a contract which, as of the time of enforcement of this Act, has been actually filed pursuant to the provisions of Article 38, paragraph (2) of the former Act is deemed to be an application for authorization filed pursuant to the provisions of Article 39-3, paragraph (2) of the new Act.

第八条 この法律の施行の際現に旧法第三十八条第四項の規定により届け出ている接続又は共用に関する協定は、接続に関する協定にあつては新法第三十八条の三第五項の規定により届け出た協定と、共用に関する協定にあつては新法第三十九条の三第四項の規定により届け出た協定とみなす。

Article 8 An agreement concerning interconnection or sharing about which the notification, as of the time of enforcement of this Act, has been actually filed pursuant to the provisions of Article 38, paragraph (4) of the former Act is deemed to be an agreement about which the notification has been filed pursuant to the provisions of Article 38-3, paragraph (5) of the new Act in the case of an agreement concerning interconnection, or an agreement about which the notification has been filed pursuant to the provisions of Article 39-3, paragraph (4) of the new Act in the case of an agreement concerning sharing.

第九条 この法律の施行前に旧法第三十九条第一項の規定によりした命令は、接続に関する命令にあつては新法第三十九条第一項又は第二項の規定によりした命令と、共用又はその提供条件（旧法第三十一条第一項の郵政省令で定める料金、旧法第三十一条の二第一項の郵政省令で定める事項及び旧法第四十九条第一項又は旧法第五十二条第一項第一号の規定により認可を受けるべき技術的条件に係るものを除く。）が旧法第三十一条第一項の規定により認可を受けた料金、同条第三項の規定により届け出た料金及び旧法第三十一条の二第一項の規定により認可を受けた契約約款で定める提供条件と異なる電気通信役務（以下「約款外役務」という。）の提供に関する命令にあつては新法第三十九条の四第一項の規定によりした命令とみなす。

Article 9 An order which, prior to the enforcement of this Act, has been issued pursuant to the provisions of Article 39, paragraph (1) of the former Act is deemed to be an order issued pursuant to the provisions of Article 39, paragraph (1) or paragraph (2) of the new Act in the case of an order concerning interconnection, or an order issued pursuant to the provisions of Article 39-4, paragraph (1) of the new Act in the case of an order concerning the provision of telecommunications services with terms and conditions for sharing or for the provision of those services (except those in relation to the charges specified by Order of the Ministry of Posts and Telecommunications as set forth in Article 31, paragraph (1) of the former Act, the particulars specified by Order of the Ministry of Posts and Telecommunications as set forth in Article 31-2, paragraph (1) of the former Act, or the technical conditions to be authorized pursuant to the provision of Article 49, paragraph (1) or Article

52, paragraph (1), item (i) of the former Act) which differ from the charges authorized pursuant to the provisions of Article 31, paragraph (1) of the former Act, the charges the notification of which has been filed pursuant to the provisions of paragraph (3) of the same Article, or the terms and conditions for the provision of those services specified in the general conditions of contracts authorized pursuant to the provisions of Article 31-2, paragraph (1) of the former Act (hereinafter referred to as "services not based on the general conditions of contracts").

第十条 この法律の施行前に旧法第三十九条第一項の規定によりした命令の申立てについては、接続に関するものにあつては新法第三十九条第一項又は第二項の規定によりした命令の申立てと、共用又は約款外役務の提供に関するものにあつては新法第三十九条の四第一項の規定によりした命令の申立てとみなす。

Article 10 A petition for an order which, prior to the enforcement of this Act, has been filed pursuant to the provisions of Article 39, paragraph (1) of the former Act is deemed to be a petition for an order filed pursuant to the provisions of Article 39, paragraph (1) or paragraph (2) of the new Act if that petition is one concerning interconnection, or a petition for an order filed pursuant to the provisions of Article 39-4, paragraph (1) of the new Act if that petition is one concerning sharing or the provision of services not based on the general conditions of contracts.

第十一条 この法律の施行前に旧法第三十九条第二項の規定によりした裁定は、接続に関する裁定にあつては新法第三十九条第四項の規定によりした裁定と、共用又は約款外役務の提供に関する裁定にあつては新法第三十九条の四第二項の規定によりした裁定とみなす。

Article 11 A ruling which, prior to the enforcement of this Act, has been rendered pursuant to the provisions of Article 39, paragraph (2) of the former Act is deemed to be a ruling rendered pursuant to the provisions of Article 39, paragraph (4) of the new Act in the case of a ruling concerning interconnection, or a ruling rendered pursuant to the provisions of Article 39-4, paragraph (2) of the new Act in the case of a ruling concerning the sharing or the provision of services not based on the general conditions of contracts.

第十二条 この法律の施行前に旧法第三十九条第二項の規定によりした裁定の申請については、接続に関するものにあつては新法第三十九条第四項の規定によりした裁定の申請と、共用又は約款外役務の提供に関するものにあつては新法第三十九条の四第二項の規定によりした裁定の申請とみなす。

Article 12 An application for a ruling which, prior to the enforcement of this Act, has been filed pursuant to the provisions of Article 39, paragraph (2) of the former Act is deemed to be an application for a ruling filed pursuant to the

provisions of Article 39, paragraph (4) of the new Act if that application is one concerning interconnection, or an application for a ruling filed pursuant to the provisions of Article 39-4, paragraph (2) of the new Act if that application is one concerning the sharing or the provision of services not based on the general conditions of contracts.

第十三条 この法律の施行前に旧法第九十五条の規定により行われた聴聞及びその手続は、新法第九十五条の規定により行われたものとみなす。

Article 13 Hearings and their procedures which, prior to the enforcement of this Act, have been held pursuant to the provisions of Article 95 of the former Act are deemed to be held pursuant to the provisions of Article 95 of the new Act.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第十四条 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 14 Prior laws continue to govern the application of penal provisions to any act undertaken prior to the enforcement of this Act.

(検討)

(Review)

第十五条 政府は、この法律の施行後三年を目途として、接続に係る新法の規定の施行の状況を勘案し、必要があると認めるときは、接続に係る制度について検討を加え、その結果に基づいて必要な措置を講ずるものとする。

Article 15 The government is to, after approximately three years since the enforcement of this Act, review the systems related to interconnection, if the government finds it necessary, taking into account the status of enforcement of the provisions related to interconnection of the new Act, and is to take necessary measures based on the results of the review.

附 則 〔平成九年六月二十日法律第九十八号〕〔抄〕

Supplementary Provisions [Act No. 98—June 20, 1997 Excerpts] [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年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 as of the date specified by Cabinet Order within a period not exceeding two years and six months from the date of promulgation.

附 則 〔平成九年六月二十日法律第百号〕

Supplementary Provisions [Act No. 100—June 20, 1997]

(施行期日)

(Effective Date)

1 この法律は、サービスの貿易に関する一般協定の第四議定書が日本国について効力を生ずる日から施行する。

(1) This Act comes into effect as of the date on which the Fourth Protocol to the General Agreement on Trade in Services becomes effective in Japan.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

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 application of the penal provisions to any act undertaken prior to the enforcement of this Act.

附 則 〔平成十年五月八日法律第五十八号〕 〔抄〕

Supplementary Provisions [Act No. 58—May 8, 1998 Excerpts] [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。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 as of the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the date prescribed respectively in those items:

二 第一条の規定、第二条中電気通信事業法附則第五条の改正規定並びに附則第四条、第七条、第九条及び第十一条から第十六条までの規定 公布の日から起算して五月を超えない範囲内において政令で定める日

(ii) the provisions of Article 1, the provisions in Article 2 to revise the Telecommunications Business Act Supplementary Provisions Article 5, and the provisions of Supplementary Provisions Article 4, Article 7, Article 9 and Article 11 through Article 16: the date specified by Cabinet Order within a period not exceeding five months from the date of promulgation;

三 第二条中電気通信事業法目次の改正規定、同法第五十条の改正規定、同条の次に三条を加える改正規定、同法第二章第五節の節名の改正規定、同法第七十二条の改正規定、同条の次に一条及び一款を加える改正規定、同法第九十二条及び第九十八条の改正規定、同法第百八条の改正規定（第四号に係る部分に限る。）、同法第百九条の改正規定（第三号に係る部分に限る。）並びに同法第百十条の改正規定並び

に第三条中電波法目次の改正規定、同法第十条及び第十八条の改正規定、同法第二十四条の八の次に一条を加える改正規定、同法第三十八条の二の改正規定、同法第三十八条の十五の次に三条を加える改正規定、同法第七十三条の改正規定、同法第九十九条の十一の改正規定（「第三十八条の五第二項（）」の下に「第三十八条の十七第五項及び」を加える部分に限る。）、同法第百三条の改正規定、同法第百十二条の改正規定（「第三十八条の二第六項又は第七項」を「第三十八条の二第七項又は第八項」に改める部分に限る。）、同法第百十三条の改正規定並びに附則第八条の規定 公布の日から起算して十月を超えない範囲内において政令で定める日

(iii) In Article 2, the provisions to revise the Table of Contents of the Telecommunications Business Act, the provisions to revise Article 50 of the same Act, the provisions to revise by adding three Articles after the same Article, the provisions to revise by changing the title of Section 5 in Chapter II of the same Act, the provisions to revise Article 72 of the same Act, the provisions to revise by adding one Article and one Subsection after the same Article, the provisions to revise Article 92 and Article 98 of the same Act, the provisions to revise Article 108 of the same Act (limited to the part related to item (iv)), the provisions to revise Article 109 of the same Act (limited to the part related to item (iii)) and the provisions to revise Article 110 of the same Act, and in Article 3, the provisions to revise the Table of Contents of the Radio Act, the provisions to revise Article 10 and Article 18 of the same Act, the provisions to revise by adding one Article after Article 24-8 of the same Act, the provisions to revise Article 38-2 of the same Act, the provisions to revise by adding three Articles after Article 38-15 of the same Act, the provisions to revise Article 73 of the same Act, the provision to revise Article 99-11 of the same Act (limited to the part to add "Article 38-17, paragraph (5) and" after "Article 38-5, paragraph (2) ("), the provisions to revise Article 103 of the same Act, the provisions to revise Article 112 of the same Act (limited to the part to replace "Article 38-2, paragraph (6) or paragraph (7)" with "Article 38-2, paragraph (7) or paragraph (8)"), the provisions to revise Article 113 of the same Act, and the provision of Supplementary Provisions Article 8: the date specified by Cabinet Order within a period not exceeding ten months from the date of promulgation.

(定款の変更)

(Changes to the Articles of Incorporation)

第二条 旧国際電電法により設立された国際電信電話株式会社（附則第四条において「会社」という。）は、前条第二号に掲げる規定の施行の日前に、同号に掲げる規定の施行の日から効力を生ずる定款の変更の決議を行うことができる。

Article 2 (1) Kokusai Denshin Denwa Company, Limited, established under the former KDD Act (referred to as "the Company" in Supplementary Provisions Article 4) may, prior to the date of enforcement of the provisions listed in item

(ii) of the preceding Article, make a resolution for changes to its articles of incorporation which become effective from the date of enforcement of the provisions listed in that item.

- 2 前項の決議については、旧国際電電法第十一条第一項の規定は、適用しない。
- (2) The provisions of Article 11, paragraph (1) of the former KDD Act do not apply to the resolution set forth in the preceding paragraph.

(審議会への諮問)

(Consultation with Councils)

第三条 郵政大臣は、この法律の施行の日（以下「施行日」という。）前においても、第二条の規定による改正後の電気通信事業法（以下「新電気通信事業法」という。）第三十一条第三項の規定による郵政省令の制定又は同項の規定による基準料金指数の設定のために、新電気通信事業法第九十四条の政令で定める審議会に諮問することができる。

Article 3 (1) In order to establish Order of the Ministry of Posts and Telecommunications pursuant to the provisions of Article 31, paragraph (3) of the Telecommunications Business Act revised by the provisions of Article 2 (hereinafter referred to as the "new Telecommunications Business Act") or in order to set the standard charge index pursuant to the provisions of the same paragraph, the Minister of Posts and Telecommunications may, even prior to the date of enforcement of this Act (hereinafter referred to as "the effective date"), consult the councils specified by Cabinet Order as prescribed in Article 94 of the new Telecommunications Business Act.

- 2 郵政大臣は、施行日又は附則第一条第三号に掲げる規定の施行の前においても、それぞれ第三条の規定による改正後の電波法（以下「新電波法」という。）第四条第三号の規定による機能を定める郵政省令又は新電波法第三十八条の十七第五項において準用する新電波法第三十八条の五第二項の規定による郵政省令の制定のために、電波監理審議会に諮問することができる。

(2) In order to establish Order of the Ministry of Posts and Telecommunications that specifies functions pursuant to the provisions of Article 4, item (iii) of the Radio Act revised by the provisions of Article 3 (hereinafter referred to as "the new Radio Act") or in order to establish Order of the Ministry of Posts and Telecommunications pursuant to the provisions of Article 38-5, paragraph (2) of the new Radio Act, as applied mutatis mutandis pursuant to Article 38-17, paragraph (5) of the new Radio Act, the Minister of Posts and Telecommunications may, even prior to the effective date or the date of enforcement of the provisions listed in Supplementary Provisions Article 1, item (iii), consult the Radio Regulatory Council.

(旧国際電電法の廃止に伴う経過措置)

(Transitional Measures in Connection with Discontinuation of the Former KDD

Act)

第四条 附則第一条第二号に掲げる規定の施行前に会社が発行した社債券及び利札並びにこれらを失った者に交付するために同号に掲げる規定の施行後に会社が発行する社債券及び利札については、旧国際電電法第七条の規定は、同号に掲げる規定の施行後も、なおその効力を有する。

Article 4 The provisions of Article 7 of the former KDD Act remain in force with regard to company bond certificates and coupons issued by the Company prior to the enforcement of the provisions listed in Supplementary Provisions Article 1, item (ii) and the company bond certificates and coupons to be issued by the Company to those that have lost them after the enforcement of the provisions listed in the same item, even after the enforcement of the provisions listed in the same item.

(電気通信事業法の一部改正に伴う経過措置)

(Transitional Measures in Connection with Partial Revision of the Telecommunications Business Act)

第五条 この法律の施行の際現に第二条の規定による改正前の電気通信事業法（以下「旧電気通信事業法」という。）第二十二条第一項の規定による届出をして第二種電気通信事業を営んでいる者であつて当該第二種電気通信事業が新電気通信事業法第二十一条第三項に規定する特別第二種電気通信事業（本邦外の場所との間の通信を行うための電気通信設備を他人の通信の用に供する第二種電気通信事業を除く。次項において「新国内特別第二種電気通信事業」という。）に該当するものは、施行日から起算して六月を経過する日までの間は、新電気通信事業法第二十四条第一項の登録を受けないで、当該第二種電気通信事業を従前の例により引き続き営むことができる。その者がその期間内に同項の登録の申請をした場合において、その期間を経過したときは、その申請について登録又は登録の拒否の処分があるまでの間も、同様とする。

Article 5 (1) Any person that, as of the time of enforcement of this Act, has actually filed a notification under Article 22, paragraph (1) of the Telecommunications Business Act prior to the revision by Article 2 (hereinafter referred to as "the former Telecommunications Business Act") and is actually operating a Type II telecommunications business, and whose Type II telecommunications business falls under the category of the Special Type II telecommunications business prescribed in Article 21, paragraph (3) of the new Telecommunications Business Act (except a Type II telecommunications business that provides telecommunications facilities to perform communications with places outside Japan for the use in other persons' communications; referred to as "new Domestic Special Type II telecommunications business" in the following paragraph) may, within a period not exceeding six months from the effective date, continue to operate the Type II telecommunications business, in accordance with prior laws, without the registration prescribed in Article 24, paragraph (1) of the new

Telecommunications Business Act. If that person has applied for registration prescribed in the same paragraph within that period and that period has passed, the same applies until the disposition of the registration or the disposition of a refusal of it is rendered for the application.

2 この法律の施行の際現に旧電気通信事業法第二十四条第一項の登録を受けて第二種電気通信事業を営んでいる者（本邦外の場所との間の通信を行うための電気通信設備を他人の通信の用に供する第二種電気通信事業を営む者を除く。）であつて、当該第二種電気通信事業が新国内特別第二種電気通信事業に該当しないものは、施行日に新電気通信事業法第二十二条第一項の届出をしたものとみなす。

(2) A person that, at the time of enforcement of this Act, is actually operating a Type II telecommunications business with registration set forth in Article 24, paragraph (1) of the former Telecommunications Business Act (except a person that operates a Type II telecommunications business that provides telecommunications facilities to perform communications with places outside Japan for the use in other persons' communications) and whose Type II telecommunications business does not fall under the category of new Domestic Special Type II telecommunications business is deemed to have filed, on the effective date, a notification set forth in Article 22, paragraph (1) of the new Telecommunications Business Act.

第六条 施行日前に旧電気通信事業法第三十一条第一項の規定により認可を受けている料金及び旧電気通信事業法第三十一条第三項の規定により届け出ている料金は、新電気通信事業法第三十一条第一項の規定により届け出た料金とみなす。

Article 6 (1) The charges which have been authorized, prior to the effective date, pursuant to the provisions of Article 31, paragraph (1) of the former Telecommunications Business Act and charges about which the notification has been filed pursuant to the provisions of Article 31, paragraph (3) of the former Telecommunications Business Act are deemed to be charges about which the notification has been filed pursuant to the provisions of Article 31, paragraph (1) of the new Telecommunications Business Act.

2 この法律の施行の際現にされている旧電気通信事業法第三十一条第一項の規定による料金の認可の申請は、新電気通信事業法第三十一条第一項の規定によりした届出とみなす。

(2) An application which, as of the time of enforcement of this Act, has been actually filed for the authorization for charges pursuant to the provisions of Article 31, paragraph (1) of the former Telecommunications Business Act is deemed to be a notification filed pursuant to the provision of Article 31, paragraph (1) of the new Telecommunications Business Act.

3 この法律の施行の際現に新電気通信事業法第三十八条の二第二項に規定する指定電気通信設備を設置する第一種電気通信事業者が当該指定電気通信設備を用いて提供する電気通信役務であつて新電気通信事業法第三十一条第三項の総務省令で定めるもの

に関する料金については、同項に規定する基準料金指数が適用されるまでの間は、前二項及び新電気通信事業法（新電気通信事業法第三十一条第三項を除く。）の規定は適用せず、なお従前の例による。

(3) During the time before the standard charge index prescribed in Article 31, paragraph (3) of the new Telecommunications Business Act becomes applicable, the provisions of the preceding two paragraphs and the new Telecommunications Business Act (except Article 31, paragraph (3) of the new Telecommunications Business Act) do not apply to but prior laws continue to govern the charges that are related to the telecommunications services; which, at the time of enforcement of this Act, a Type I telecommunications carrier running designated telecommunications facilities which are prescribed in Article 38-2, paragraph (2) of the new Telecommunications Business Act is providing by using those facilities; and which are specified by Order of the Ministry of Internal Affairs and Communications as prescribed in Article 31, paragraph (3) of the new Telecommunications Business Act.

4 前項の規定によりなお従前の例によることとされる料金については、第一項及び第二項の規定を準用する。この場合において、第一項中「施行日前」とあるのは「第三項に規定する基準料金指数の適用の日前」と、「旧電気通信事業法」とあるのは「第三項の規定によりその例によることとされる旧電気通信事業法」と、第二項中「この法律の施行」とあるのは「次項に規定する基準料金指数の適用」と、「旧電気通信事業法」とあるのは「次項の規定によりその例によることとされる旧電気通信事業法」と読み替えるものとする。

(4) The provisions of paragraph (1) and paragraph (2) apply mutatis mutandis to the charges which prior laws continue to govern pursuant to the provisions of the preceding paragraph. In this case, the term "prior to the effective date" and the term "former Telecommunications Business Act" in paragraph (1) are deemed to be replaced with "prior to the date on which the standard charge index set forth in paragraph (3) becomes applicable" and "former Telecommunications Business Act, which continue to govern the situation pursuant to the provisions of paragraph (3)," respectively; and the term "enforcement of this Act" and the term "former Telecommunications Business Act" in paragraph (2) are deemed to be replaced with "application of the standard charge index set forth in the following paragraph" and "former Telecommunications Business Act, which continue to govern the situation pursuant to the provisions of the following paragraph," respectively.

5 電気通信事業法及び日本電信電話株式会社等に関する法律の一部を改正する法律（平成十五年法律第百二十五号。以下「平成十五年改正法」という。）第二条の規定による改正後の電気通信事業法附則第五条第二項の電報の取扱いの役務に関する料金については、同条第一項の規定により電報の事業が電気通信事業とみなされる間は、同条第一項の規定によりなお効力を有するものとされる平成十五年改正法第二条の規定による改正前の電気通信事業法の規定は適用せず、旧電気通信事業法の規定はなお

効力を有する。この場合において、旧電気通信事業法中「郵政省令」とあるのは「総務省令」と、「郵政大臣」とあるのは「総務大臣」とする。

(5) During the period when the telegram business is deemed to be a telecommunications business pursuant to the provisions of Supplementary Provisions Article 5, paragraph (1) of the Telecommunications Business Act revised by the provisions of Article 2 of the Act to Amend the Telecommunications Business Act and the Act on Nippon Telegraph and Telephone Corporation, Etc. (Act No. 125 of 2003; hereinafter referred to as "the Revised Act of 2003"), the provisions of the Telecommunications Business Act prior to the revision by the provisions of Article 2 of the Revised Act of 2003, which remain in force pursuant to the provisions of Supplementary Provisions Article 5, paragraph (1) of the revised Telecommunications Business Act, do not apply to the charges for telegram handling services prescribed in Supplementary Provisions Article 5, paragraph (2) of the Telecommunications Business Act prior to the revision, and the provisions of the former Telecommunications Business Act remain in force with respect to them. In this case, the term "Order of the Ministry of Posts and Telecommunications" and the term "the Minister of Posts and Telecommunications" in the former Telecommunications Business Act are replaced with "Order of the Ministry of Internal Affairs and Communications" and "the Minister for Internal Affairs and Communications," respectively.

(罰則の適用に関する経過措置)

(Transitional Measures Concerning the Application of Penal Provisions)

第七条 この法律の各改正規定の施行前にした行為並びに附則第五条第一項及び前条第三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 7 Prior laws continue to govern the application of the penal provisions to any act undertaken prior to the enforcement of respective provisions to revise this Act and to any act undertaken after the effective date in a situation that prior laws continue to govern pursuant to the provisions of Supplementary Provisions Article 5, paragraph (1) and paragraph (3) of the preceding Article.

(検討)

(Review)

第八条 政府は、附則第一条第三号に掲げる規定の施行後十年を目途として、新電気通信事業法第五十条の二、第五十条の三、第七十二条の三及び第七十二条の四の規定並びに新電波法第二十四条の九、第三十八条の十七及び第三十八条の十八の規定の施行状況について検討を加え、それぞれ電気通信の規律及び電波監理の観点から必要があると認めるときには、その結果に基づいて所要の措置を講ずるものとする。

Article 8 The government is to, after approximately ten years since the

enforcement of the provisions listed in Supplementary Provisions Article 1, item (iii), review the status of enforcement of the provisions of Article 50-2, Article 50-3, Article 72-3 and Article 72-4 of the new Telecommunications Business Act, and the provisions of Articles 24-9, Article 38-17 and Article 38-18 of the new Radio Act, and is to take the necessary measures based on the results of the review, if the government finds it necessary by taking into account telecommunications disciplines and radio regulations.

附 則 〔平成十一年五月二十八日法律第五十四号〕 〔抄〕

Supplementary Provisions [Act No. 54—May 28, 1999 Excerpts] [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 as of the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

附 則 〔平成十一年七月十六日法律第八十七号〕 〔抄〕

Supplementary Provisions [Act No. 87—July 16, 1999 Excerpts] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十二年四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 as of April 1, 2000; provided, however, that the provisions set forth in the following items come into effect as of the date prescribed respectively in those items:

一 第一条中地方自治法第二百五十条の次に五条、節名並びに二款及び款名を加える改正規定（同法第二百五十条の九第一項に係る部分（両議院の同意を得ることに係る部分に限る。）に限る。）、第四十条中自然公園法附則第九項及び第十項の改正規定（同法附則第十項に係る部分に限る。）、第二百四十四条の規定（農業改良助長法第十四条の三の改正規定に係る部分を除く。）並びに第四百七十二条の規定（市町村の合併の特例に関する法律第六条、第八条及び第十七条の改正規定に係る部分を除く。）並びに附則第七条、第十条、第十二条、第五十九条ただし書、第六十条第四項及び第五項、第七十三条、第七十七条、第一百五十七条第四項から第六項まで、第一百六十条、第一百六十三条、第一百六十四条並びに第二百二条の規定 公布の日

(i) in Article 1, the provisions to revise the Local Autonomy Act by adding five Articles, a Section title, and two Subsections and Subsection titles after Article 250 of the Local Autonomy Act (limited to the part related to Article

250-9, paragraph (1) of the same Act (limited to the part related to consent to be obtained from both Houses of the Diet)); in Article 40, the provisions to revise Supplementary Provisions paragraph (9) and paragraph (10) of the Natural Parks Act (limited to the part related to Supplementary Provisions paragraph (10) of the same Act), the provisions of Article 244 (except the part related to the provisions to revise Article 14-3 of the Agricultural Improvement Promotion Act) and the provisions of Article 472 (except the parts related to the provisions to revise Article 6, Article 8 and Article 17 of the Municipal Merger Act); and the provisions of Supplementary Provisions Article 7, Article 10, Article 12, Article 59 proviso, Article 60, paragraph (4) and paragraph (5), Article 73, Article 77, Article 157 paragraph (4) through paragraph (6), Article 160, Article 163, and Article 164 and Article 202: the date of promulgation.

(国等の事務)

(Administrative Functions of the National Government or Other Public Entities)

第百五十九条 この法律による改正前のそれぞれの法律に規定するもののほか、この法律の施行前において、地方公共団体の機関が法律又はこれに基づく政令により管理し又は執行する国、他の地方公共団体その他公共団体の事務（附則第百六十一条において「国等の事務」という。）は、この法律の施行後は、地方公共団体が法律又はこれに基づく政令により当該地方公共団体の事務として処理するものとする。

Article 159 Beyond what is prescribed in respective laws prior to the revision by this Act, the administrative functions of the national government, local governments and other public entities (referred to as "administrative functions of the national government or other public entities" in Supplementary Provisions Article 161) which have been managed or executed by organizations of local governments pursuant to laws or Cabinet Orders under them prior to the enforcement of this Act are to be processed by local governments as the administrative functions of the local governments, pursuant to laws and Cabinet Orders under them, after the enforcement of this Act.

(処分、申請等に関する経過措置)

(Transitional Measures Concerning Dispositions and Applications)

第百六十条 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。以下この条及び附則第百六十三条において同じ。）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 160 (1) With regard to the application of respective revised laws after the date of enforcement of this Act, except what is provided for in the provisions of Supplementary Provisions Article 2 through the preceding Article or in the provisions concerning transitional measures under the respective revised laws (including orders under those laws), a disposition or any other such action regarding something such as permission that has actually been undertaken, pursuant to the provisions of the respective laws prior to the revision, before the enforcement of this Act (for the provisions set forth in the items of Supplementary Provisions Article 1, the provisions of those respective items; hereinafter the same applies in this Article and in Supplementary Provisions Article 163) (hereinafter referred to as "disposition or other such action" in this Article), or an applications or any other such action regarding something such as permission that has actually been undertaken, pursuant to the provisions of respective laws prior to the revision as of the time of enforcement of this Act (hereinafter referred to as an "application or other such action" in this Article), which involves an administrative function that will start to be to be conducted by a different person from the date of enforcement of this Act is deemed to be a disposition or other such action, or, an application or other such action that is taken or undertaken pursuant to the corresponding provisions of the respective revised laws.

2 この法律の施行前に改正前のそれぞれの法律の規定により国又は地方公共団体の機関に対し報告、届出、提出その他の手続をしなければならない事項で、この法律の施行の日前にその手続がされていないものについては、この法律及びこれに基づく政令に別段の定めがあるもののほか、これを、改正後のそれぞれの法律の相当規定により国又は地方公共団体の相当の機関に対して報告、届出、提出その他の手続をしなければならない事項についてその手続がされていないものとみなして、この法律による改正後のそれぞれの法律の規定を適用する。

(2) Beyond what is otherwise provided for in this Act or Cabinet Order based on this Act, the particulars that, prior to the date of enforcement of this Act, a person must report to, file with, submit to, or otherwise process with the national government or a local government entity pursuant to the respective laws prior to the revision but that has not been processed prior to the date of enforcement of this Act comes into effect, are deemed to be the particulars that a person must report to, file with, submit to, or otherwise process with the national government or corresponding entity of the local government pursuant to the corresponding provisions of the respective revised laws but that have not been processed, and the respective laws revised by this Act apply.

(不服申立てに関する経過措置)

(Transitional Measures Concerning Appeals)

第百六十一条 施行日前にされた国等の事務に係る処分であつて、当該処分をした行政庁（以下この条において「処分庁」という。）に施行日前に行政不服審査法に規定する上級行政庁（以下この条において「上級行政庁」という。）があつたものについての同法による不服申立てについては、施行日以後においても、当該処分庁に引き続き上級行政庁があるものとみなして、行政不服審査法の規定を適用する。この場合において、当該処分庁の上級行政庁とみなされる行政庁は、施行日前に当該処分庁の上級行政庁であつた行政庁とする。

Article 161 (1) For an appeals under the Administrative Appeal Act against a dispositions that has been undertaken, before the effective date and in connection with administrative functions of the national government or other public entities, by an administrative agency (hereinafter referred to in this Article as the "agency undertaking the disposition") that answered to the higher administrative agency as prescribed in the same Act (hereinafter in this Act referred to as the "higher administrative agency") before the effective date, the agency undertaking the disposition is deemed to continue to answer to the higher administrative agency even after the effective date, and the provisions of the Administrative Appeal Act apply. In this case, the agency deemed to be the higher administrative agency to which the agency undertaking the disposition answers is that to which it answered before the effective date.

2 前項の場合において、上級行政庁とみなされる行政庁が地方公共団体の機関であるときは、当該機関が行政不服審査法の規定により処理することとされる事務は、新地方自治法第二条第九項第一号に規定する第一号法定受託事務とする。

(2) In the case set forth in the preceding paragraph, if the administrative agency regarded as the higher administrative agency is an organization of a local government, the functions to be handled by the organization pursuant to the provisions of the Administrative Appeal Act are deemed as the Type 1 statutory entrusted functions prescribed in Article 2, paragraph (9), item (i) of the new Local Autonomy Act.

(手数料に関する経過措置)

(Transitional Measures Concerning Fees)

第百六十二条 施行日前においてこの法律による改正前のそれぞれの法律（これに基づく命令を含む。）の規定により納付すべきであつた手数料については、この法律及びこれに基づく政令に別段の定めがあるもののほか、なお従前の例による。

Article 162 Prior laws continue to govern fees which, prior to the effective date, have been paid pursuant to the provisions of the respective laws (including orders under those laws) prior to the revision by this Act, except what is otherwise provided for in this Act and Cabinet Orders under this Act.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第百六十三条 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 163 Prior laws continue to govern application of the penal provisions to any act undertaken prior to the enforcement of this Act.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第百六十四条 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(罰則に関する経過措置を含む。)は、政令で定める。

Article 164 (1) Beyond what is prescribed in these Supplementary Provisions, transitional measures necessary in connection with the enforcement of this Act (including transitional measures concerning penal provisions) are specified by Cabinet Order.

2 附則第十八条、第五十一条及び第百八十四条の規定の適用に関して必要な事項は、政令で定める。

(2) Particulars necessary for the application of the provisions of Supplementary Provisions Article 18, Article 51 and Article 184 are specified by Cabinet Order.

(検討)

(Review)

第二百五十条 新地方自治法第二条第九項第一号に規定する第一号法定受託事務については、できる限り新たに設けることのないようにするとともに、新地方自治法別表第一に掲げるもの及び新地方自治法に基づく政令に示すものについては、地方分権を推進する観点から検討を加え、適宜、適切な見直しを行うものとする。

Article 250 As well as reviews being made of the Type 1 statutory entrusted functions prescribed in Article 2, paragraph (9), item (i) of the new Local Autonomy Act from the perspective of ensuring, to the greatest extent possible, that no new functions are created, reviews are also made of the functions set forth in Appended Table 1 of the new Local Autonomy Act and functions provided for by Cabinet Order based on the new Local Autonomy Act from the perspective of promoting decentralization of authority, and these functions are to be amended as appropriate.

第二百五十一条 政府は、地方公共団体が事務及び事業を自主的かつ自立的に執行できるよう、国と地方公共団体との役割分担に応じた地方税財源の充実確保の方途について、経済情勢の推移等を勘案しつつ検討し、その結果に基づいて必要な措置を講ずるものとする。

Article 251 In order to help local governments execute their administrative functions and business voluntarily and independently, the government is to

review how to secure adequate sources of local tax revenues according to the sharing of roles between the state and local governments, taking into account the economic trends, etc., and is to take the necessary measures based on the results of the review.

第二百五十二条 政府は、医療保険制度、年金制度等の改革に伴い、社会保険の事務処理の体制、これに従事する職員の在り方等について、被保険者等の利便性の確保、事務処理の効率化等の視点に立って、検討し、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 252 The government is to, along with the reforms of the medical insurance system, the pension system and other systems, review the best mode for administrative system and personnel system for social insurance from the viewpoint of ensuring convenience for the insured and improving efficiency in administration, and is to take the necessary measures based on the results of the review, if the government finds it necessary.

附 則 [平成十一年八月十八日法律第百三十七号] [抄]

**Supplementary Provisions [Act No. 137—August 18, 1999 Excerpts]
[Extract]**

(施行期日)

(Effective Date)

1 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。

(1) This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

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—December 22, 1999 Excerpts]
[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 (except Article 2 and Article 3) comes into effect as of January 6, 2001.

附 則 [平成十二年五月十九日法律第七十九号]

Supplementary Provisions [Act No. 79—May 19, 2000]

(施行期日)

(Effective Date)

1 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。ただし、次項の規定は、公布の日から施行する。

(1) This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation; provided, however, that the provisions in the following paragraph come into effect as of the date of promulgation.

(審議会への諮問)

(Consultation with Councils)

2 郵政大臣は、この法律の施行前においても、改正後の電気通信事業法第三十八条の二第四項又は第十二項の郵政省令の制定のために、同法第九十四条の政令で定める審議会に諮問することができる。

(2) In order to establish an Order of the Ministry of Posts and Telecommunications as prescribed in Article 38-2, paragraph (4) or paragraph (12) of the revised Telecommunications Business Act, the Minister of Posts and Telecommunications may, even prior to the enforcement of this Act, consult the councils specified by Cabinet Order as prescribed in Article 94 of the same Act.

附 則 〔平成十二年五月三十一日法律第九十一号〕

Supplementary Provisions [Act No. 91 of May 31, 2000]

(施行期日)

(Effective Date)

1 この法律は、商法等の一部を改正する法律（平成十二年法律第九十号）の施行の日から施行する。

(1) This Act comes into effect as of the date on which the Act to Amend the Commercial Code, Etc. (Act No. 90 of 2000) comes into effect.

(経過措置)

(Transitional Measures)

2 この法律の施行の日が独立行政法人農林水産消費技術センター法（平成十一年法律第八十三号）附則第八条の規定の施行の日前である場合には、第三十一条のうち農林物資の規格化及び品質表示の適正化に関する法律第十九条の五の二、第十九条の六第一項第四号及び第二十七条の改正規定中「第二十七条」とあるのは、「第二十六条」とする。

(2) If the date of enforcement of this Act comes before the date of enforcement of the provisions of Supplementary Provisions Article 8 of the Act on the Center for Food Quality, Labeling and Consumer Services (Act No. 183 of 1999), the term "Article 27" in the provisions in Article 31 to revise Article 19-5-2, Article 19-6, paragraph (1), item (iv), and Article 27 of the Act on Standardization and

Proper Quality Labeling of Agricultural and Forestry Products is replaced with "Article 26."

附 則 〔平成十三年六月二十二日法律第六十二号〕

Supplementary Provisions [Act No. 62—June 22, 2001]

(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。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 as of the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the date prescribed respectively in those items:

一 第一条中電気通信事業法第三章の次に一章を加える改正規定（同法第八十八条の五第一項中両議院の同意を得ることに関する部分に限る。）及び次条の規定 公布の日

(i) the provisions in Article 1 to add one Chapter after Chapter 3 of the Telecommunications Business Act (limited to the part related to obtaining consent from both Houses of the Diet in Article 88-5, paragraph (1) of the same Act) and the provisions of the following Article: the date of promulgation;

二 第二条の規定 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

(ii) the provisions of Article 2: the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

(審議会等への諮問)

(Consultation with Councils)

第二条 総務大臣は、この法律の施行の日前においても、第一条の規定による改正後の電気通信事業法（以下「新電気通信事業法」という。）第三十七条の二第一項若しくは第五項、第三十七条の三第三項ただし書若しくは第五項、第三十八条の三第一項若しくは第五項、第三十八条の四第三項若しくは第三十九条の五第四項の規定による総務省令の制定又は第二条の規定による改正後の電気通信事業法第七十二条の十第一項の規定による政令の制定の立案若しくは同法第七十二条の五、第七十二条の八第一項第一号若しくは第三号、第七十二条の九第一項から第三項まで若しくは第七十二条の十第一項若しくは第二項の規定による総務省令の制定のために、新電気通信事業法第九十四条に規定する審議会等に諮問することができる。

Article 2 In order to establish Order of the Ministry of Internal Affairs and Communications pursuant to the provisions of Article 37-2, paragraph (1) or

paragraph (5), Article 37-3, paragraph (3) proviso or paragraph (5), Article 38-3, paragraph (1) or paragraph (5), Article 38-4, paragraph (3) or Article 39-5, paragraph (4) of the Telecommunications Business Act revised by Article 1 (hereinafter referred to as "the new Telecommunications Business Act"), in order to plan the establishment of a Cabinet Order pursuant to the provisions of Article 72-10, paragraph (1) of the Telecommunications Business Act revised by Article 2, or in order to establish Order of the Ministry of Internal Affairs and Communications pursuant to the provisions of Article 72-5, Article 72-8, paragraph (1) item (i) or item (iii), Article 72-9, paragraph (1) through paragraph (3), or Article 72-10, paragraph (1) or paragraph (2) of the same Act, the Minister for Internal Affairs and Communications may, even prior to the date of enforcement of this Act, consult the councils, etc. prescribed in Article 94 of the new Telecommunications Business Act.

(電気通信事業法の一部改正に伴う経過措置)

(Transitional Measures in Connection with the Partial Revision of the Telecommunications Business Act)

第三条 この法律の施行の際現に第一条の規定による改正前の電気通信事業法（以下「旧電気通信事業法」という。）第三十一条の四第一項の認可を受けている契約約款は、新電気通信事業法第三十一条の四第一項の規定が適用される契約約款にあっては同項の規定により届け出た契約約款と、同条第三項の規定が適用される契約約款にあっては同項の認可を受けた契約約款とみなす。

Article 3 (1) The general conditions of contracts which, as of the time of enforcement of this Act, have been actually authorized pursuant to the provisions of Article 31-4, paragraph (1) of the Telecommunications Business Act prior to the revision by Article 1 (hereinafter referred to as "the former Telecommunications Business Act") are deemed to be the general conditions of contracts about which the notification has been filed pursuant to the provisions of Article 31-4, paragraph (1) of the new Telecommunications Business Act in the case of the general conditions of contracts to which the provisions of the same paragraph apply, or the general conditions of contracts authorized pursuant to the provisions of paragraph (3) of the same Article in the case of the general conditions of contracts to which the provisions of the same paragraph apply.

2 この法律の施行の際現にされている旧電気通信事業法第三十一条の四第一項の規定による契約約款の認可の申請は、新電気通信事業法第三十一条の四第一項の規定が適用される契約約款にあっては同項の規定によりした届出と、同条第三項の規定が適用される契約約款にあっては同項の規定によりした認可の申請とみなす。

(2) An application for authorization for the general conditions of contracts which, as of the time of enforcement of this Act, has been actually filed pursuant to the provisions of Article 31-4, paragraph (1) of the former Telecommunications

Business Act is deemed to be a notification filed pursuant to the provisions of Article 31-4, paragraph (1) of the new Telecommunications Business Act in the case of the general conditions of contracts to which the provisions of the same paragraph apply, or an application for authorization filed pursuant to the provisions of paragraph (3) of the same Article in the case of the general conditions of contracts to which the provisions of the same paragraph apply.

3 この法律の施行の際現に旧電気通信事業法第三十八条の三第一項の認可を受けている協定は、新電気通信事業法第三十八条の四第一項の規定により届け出た協定とみなす。

(3) An agreement which, as of the time of enforcement of this Act, has been actually authorized pursuant to the provisions of Article 38-3, paragraph (1) of the former Telecommunications Business Act is deemed to be an agreement about which the notification has been filed pursuant to the provisions of Article 38-4, paragraph (1) of the new Telecommunications Business Act.

4 この法律の施行の際現にされている旧電気通信事業法第三十八条の三第一項の規定による認可の申請は、新電気通信事業法第三十八条の四第一項の規定によりした届出とみなす。

(4) An application for authorization which, as of the time of enforcement of this Act, has been actually filed pursuant to the provisions of Article 38-3, paragraph (1) of the former Telecommunications Business Act is deemed to be a notification filed pursuant to the provisions of Article 38-4, paragraph (1) of the new Telecommunications Business Act.

5 この法律の施行の際現に旧電気通信事業法第三十八条の三第二項の認可を受け、又は同項ただし書の規定により届け出ている接続約款は、新電気通信事業法第三十八条の四第二項の規定により届け出た接続約款とみなす。

(5) The general conditions of contracts for interconnection which, as of the time of enforcement of this Act, have been actually authorized pursuant to the provisions of Article 38-3, paragraph (2) of the former Telecommunications Business Act or about which the notification, as of the time of enforcement of this Act, has been actually filed pursuant to the proviso of the same paragraph are deemed to be the general conditions of contracts for interconnection about which the notification has been filed pursuant to the provision of Article 38-4, paragraph (2) of the new Telecommunications Business Act.

6 この法律の施行の際現にされている旧電気通信事業法第三十八条の三第二項の規定による認可の申請は、新電気通信事業法第三十八条の四第二項の規定によりした届出とみなす。

(6) An application for authorization which, as of the time of enforcement of this Act, has been actually filed pursuant to the provisions of Article 38-3, paragraph (2) of the former Telecommunications Business Act is deemed to be a notification filed pursuant to the provisions of Article 38-4, paragraph (2) of the new Telecommunications Business Act.

7 この法律の施行の際現に旧電気通信事業法第三十八条の三第二項の規定により認可を受け、若しくは同項ただし書の規定により届け出た接続約款により締結している協定又は同条第五項の規定により届け出ている協定は、新電気通信事業法第三十八条の四第一項の規定により届け出た協定とみなす。

(7) An agreement which, as of the time of enforcement of this Act, has been actually authorized pursuant to the provisions of Article 38-3, paragraph (2) of the former Telecommunications Business Act or has been concluded based on the general conditions of contracts for interconnection about which the notification has been filed pursuant to the proviso of the same paragraph, or an agreement about which the notification, as of the time of enforcement of this Act, has been actually filed pursuant to the provisions of paragraph (5) of the same Article, is deemed to be an agreement about which the notification has been filed pursuant to the provisions of Article 38-4, paragraph (1) of the new Telecommunications Business Act.

8 この法律の施行の際現に旧電気通信事業法第三十九条の三第一項の認可を受けている協定は、新電気通信事業法第三十九条の三第一項の規定が適用される協定にあっては同項の認可を受けた協定と、同条第五項の規定が適用される協定にあっては同項の規定により届け出た協定とみなす。

(8) An agreement which, as of the time of enforcement of this Act, has been actually authorized under Article 39-3, paragraph (1) of the former Telecommunications Business Act is deemed to be an agreement authorized under Article 39-3, paragraph (1) of the new Telecommunications Business Act in the case of an agreement to which the provisions of the same paragraph apply, or an agreement about which the notification has been filed pursuant to the provisions of paragraph (5) of the same Article in the case of an agreement to which the provisions of the same paragraph apply.

9 この法律の施行の際現にされている旧電気通信事業法第三十九条の三第一項の規定による協定の認可の申請は、新電気通信事業法第三十九条の三第一項の規定が適用される協定にあっては同項の規定によりした認可の申請と、同条第五項の規定が適用される協定にあっては同項の規定によりした届出とみなす。

(9) An application for authorization for an agreement which, as of the time of enforcement of this Act, has been actually filed pursuant to the provisions of Article 39-3, paragraph (1) of the former Telecommunications Business Act is deemed to be an application for authorization filed pursuant to the provisions of Article 39-3, paragraph (1) of the new Telecommunications Business Act in the case of an agreement to which the provisions of the same paragraph apply, or a notification filed pursuant to the provisions of paragraph (5) of the same Article in the case of an agreement to which the provisions of the same paragraph apply.

10 この法律の施行の際現に旧電気通信事業法第三十九条の三第二項の認可を受けている契約は、新電気通信事業法第三十九条の五第一項の規定により届け出た契約とみ

なす。

(10) A contract which, as of the time of enforcement of this Act, has been actually authorized pursuant to the provisions of Article 39-3, paragraph (2) of the former Telecommunications Business Act is deemed to be a contract about which the notification has been filed pursuant to the provisions of Article 39-5, paragraph (1) of the new Telecommunications Business Act.

1 1 この法律の施行の際現にされている旧電気通信事業法第三十九条の三第二項の規定による認可の申請は、新電気通信事業法第三十九条の五第一項の規定による届出とみなす。

(11) An application for authorization which, as of the time of enforcement of this Act, has been actually filed pursuant to the provisions of Article 39-3, paragraph (2) of the former Telecommunications Business Act is deemed to be a notification filed pursuant to the provisions of Article 39-5, paragraph (1) of the new Telecommunications Business Act.

1 2 この法律の施行の際現に旧電気通信事業法第三十九条の三第四項の規定により届け出ている協定は、新電気通信事業法第三十九条の三第五項の規定により届け出た協定とみなす。

(12) An agreement about which the notification, as of the time of enforcement of this Act, has been actually filed pursuant to the provisions of Article 39-3, paragraph (4) of the former Telecommunications Business Act is deemed to be an agreement about which the notification has been filed pursuant to the provisions of Article 39-3, paragraph (5) of the new Telecommunications Business Act.

1 3 この法律の施行の際現にされている旧電気通信事業法第三十九条の四第一項の申立ては、共用に関するものにあつては新電気通信事業法第三十九条の四第一項の申立てと、約款外役務（旧電気通信事業法第三十九条の三第二項に規定する約款外役務をいう。次項において同じ。）に関するものにあつては新電気通信事業法第三十九条の六において準用する新電気通信事業法第三十九条の四第一項の申立てとみなす。

(13) A petition prescribed in Article 39-4, paragraph (1) of the former Telecommunications Business Act which, as of the time of enforcement of this Act, has been actually filed is deemed to be a petition prescribed in Article 39-4, paragraph (1) of the new Telecommunications Business Act if that petition is one concerning sharing, or a petition prescribed in Article 39-4, paragraph (1) of the new Telecommunications Business Act, as applied mutatis mutandis pursuant to Article 39-6 of the new Telecommunications Business Act, if that petition is one concerning the services not based on the general conditions of contracts (services not based on the general conditions of contracts prescribed in Article 39-3, paragraph (2) of the former Telecommunications Business Act; the same applies in the following paragraph).

1 4 この法律の施行の際現にされている旧電気通信事業法第三十九条の四第二項の裁定の申請は、共用に関するものにあつては新電気通信事業法第三十九条の四第二項に

において準用する新電気通信事業法第三十九条第四項の裁定の申請と、約款外役務に関するものにあつては新電気通信事業法第三十九条の六において準用する新電気通信事業法第三十九条第四項の裁定の申請とみなす。

(14) An application for a ruling prescribed in Article 39-4, paragraph (2) of the former Telecommunications Business Act which, as of the time of enforcement of this Act, has been actually filed is deemed to be an application for a ruling prescribed in Article 39, paragraph (4) of the new Telecommunications Business Act, as applied mutatis mutandis pursuant to Article 39-4, paragraph (2) of the new Telecommunications Business Act, if that application is one concerning sharing, or an application for a ruling prescribed in Article 39, paragraph (4) of the new Telecommunications Business Act, as applied mutatis mutandis pursuant to Article 39-6 of the new Telecommunications Business Act, if that application is one concerning services not based on the general conditions of contracts.

15 この法律の施行の際現に旧電気通信事業法第六十八条第一項の指定を受けている者は、この法律の施行の日に新電気通信事業法第六十八条第一項の指定を受けたものとみなす。

(15) A person that, as of the time of enforcement of this Act, has been actually designated under Article 68, paragraph (1) of the former Telecommunications Business Act is deemed to have been designated, on the date of enforcement of this Act pursuant to the provisions of Article 68, paragraph (1) of the new Telecommunications Business Act.

16 前各項に規定するものを除くほか、この法律の施行前に旧電気通信事業法の規定によってした処分、手続その他の行為は、新電気通信事業法中にこれに相当する規定があるときは、新電気通信事業法の規定によってしたものとみなす。

(16) A disposition, procedure or other act which, prior to the enforcement of this Act, has been taken pursuant to the provisions of the former Telecommunications Business Act, except those set forth in the preceding paragraphs, is deemed to be a disposition, procedure or other act taken pursuant to the provisions of the new Telecommunications Business Act if there are corresponding provisions in the new Telecommunications Business Act.

(罰則に関する経過措置)

(Transitional Measures Concerning 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 application of the penal provisions to acts undertaken prior to the enforcement of this Act.

(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 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（罰則に関する経過措置を含む。）は、政令で定める。

Article 5 Beyond what is provided for in these Supplementary Provisions, transitional measures necessary in connection with the enforcement of this Act (including transitional measures concerning the penal provisions) are specified by Cabinet Order.

(検討)

(Review)

第六条 政府は、この法律による改正後の規定の実施状況、インターネットその他の高度情報通信ネットワークに係る技術及びその利用の動向その他内外の社会経済情勢の変化等を勘案し、並びに国際的な電気通信事業の円滑な遂行及び我が国の電気通信技術の国際競争力の向上に配意し、通信と放送に係る事業の区分を含む電気通信に係る制度の在り方について総合的に検討を加え、その結果に基づいて法制の整備その他の必要な措置を講ずるものとする。

Article 6 The government, by taking into account the status of implementation of the provisions revised by this Act, trends of technologies and their uses related to the Internet and other advanced information networks, and other changes, etc. in socioeconomic circumstances in Japan and abroad, while giving due consideration to smooth operation of international telecommunications businesses and improvement of the international competitiveness of Japan's telecommunications technologies, is to comprehensively review the best mode for systems related to telecommunications, including the classification of business related to communications and broadcasting, and is to improve the legislative system or take other necessary measures based on the results of the review.

附 則 〔平成十五年七月二十四日法律第百二十五号〕 〔抄〕

Supplementary Provisions [Act No. 125—July 24, 2003 Excerpts]

[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。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 as of the date specified by Cabinet Order within a period not exceeding nine months from the date of promulgation; provided, however, that the provisions set forth in the following items come into force as of the date prescribed respectively in those items:

- 一 次条及び附則第十七条から附則第十九条までの規定 公布の日
- (i) the provisions of the following Article and Supplementary Provisions Article 17 through Article 19: the date of promulgation;
- 二 第三条中日本電信電話株式会社等に関する法律（次号及び附則第十六条において「会社法」という。）附則に一条を加える改正規定及び附則第十六条の規定 公布の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
- (ii) the provisions in Article 3 to revise Supplementary Provisions of the Act on Nippon Telegraph and Telephone Corporation, Etc. (referred to as "the NTT Act" in the following item and Supplementary Provisions Article 16) by adding one Article and the provisions of Supplementary Provisions Article 16: the date specified by Cabinet Order within a period not exceeding three months from the date of promulgation;
- 三 第二条の規定、第三条中会社法第十一条第二項の改正規定並びに附則第六条から附則第十五条まで、附則第二十一条から附則第三十一条まで、附則第三十四条から附則第四十一条まで及び附則第四十四条から附則第四十八条までの規定 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
- (iii) the provisions of Article 2, the provisions in Article 3 to revise Article 11, paragraph (2) of the NTT Act, and the provisions of Supplementary Provisions Article 6 through Article 15, Supplementary Provisions Article 21 through Article 31, Supplementary Provisions Articles 34 through Article 41, and Supplementary Provisions Article 44 through Article 48: the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

(審議会等への諮問)

(Consultation with Councils)

第二条 総務大臣は、第二条の規定の施行前においても、同条の規定による改正後の電気通信事業法第八条第三項、第九条ただし書、第二十条第一項、第二十一条第一項、第二十六条、第四十一条第一項若しくは第二項、第四十五条第一項ただし書、第五十二条第一項、第七十条第一項第一号、第一百八条第一項第二号又は同条第三項の総務省令の制定のために、第二条の規定による改正後の電気通信事業法第百六十九条の政令で定める審議会等に諮問することができる。

Article 2 In order to establish Order of the Ministry of Internal Affairs and Communications pursuant to the provisions of Article 8, paragraph (3), Article 9 proviso, Article 20, paragraph (1), Article 21, paragraph (1), Article 26, Article 41, paragraph (1) or paragraph (2), Article 45, paragraph (1) proviso, Article 52, paragraph (1), Article 70, paragraph (1), item (i), or Article 108, paragraph (1), item (ii) or paragraph (3) of the Telecommunications Business Act revised by Article 2, the Minister for Internal Affairs and Communications may, even prior to the enforcement of the provision of Article 2, consult the councils, etc. specified by Cabinet Order as prescribed in Article 169 of the

Telecommunications Business Act revised by the provisions of Article 2.

(指定認定機関等に関する経過措置)

(Transitional Measures Concerning Designated Approval Bodies)

第三条 この法律の施行の際現に第一条の規定による改正前の電気通信事業法（以下この条及び次条において「旧法」という。）第六十八条第一項の規定により指定を受けている者は、この法律の施行の日に第一条の規定による改正後の電気通信事業法（以下この条から附則第五条までにおいて「新法」という。）第六十八条第一項の規定により登録を受けたものとみなす。この場合において、新法第六十九条の二第一項に規定する期間は、旧法による指定又は指定の更新の日から起算するものとする。

Article 3 (1) A person that, as of the time of enforcement of this Act, has been actually designated pursuant to the provisions of Article 68, paragraph (1) of the Telecommunications Business Act prior to the revision by Article 1 (hereinafter referred to as "the former Act" in this Article and the following Article) is deemed to be a person that, on the date of enforcement of this Act, has been registered pursuant to the provisions of Article 68, paragraph (1) of the Telecommunications Business Act revised by Article 1 (hereinafter referred to as "the new Act" in this Article through Supplementary Provisions Article 5). In this case, the period prescribed in Article 69-2, paragraph (1) of the new Act is to be calculated from the date of designation or renewal of designation under the former Act.

2 この法律の施行の際現にされている旧法第六十八条第二項の規定による指定の申請、旧法第六十九条の二第一項の規定による指定の更新の申請又は旧法第七十二条の三第一項の規定による承認の申請は、それぞれ新法第六十八条第一項の規定による登録の申請、新法第六十九条の二第一項の規定による登録の更新の申請又は新法第七十二条の三第一項の規定による承認の申請とみなす。

(2) An application for designation which, as of the time of enforcement of this Act, has been actually filed pursuant to the provisions of Article 68, paragraph (2) of the former Act, an application for renewal of designation which, as of the time of enforcement of this Act, has been actually filed pursuant to the provisions of Article 69-2, paragraph (1) of the former Act, or an application for recognition which, as of the time of enforcement of this Act, has been actually filed pursuant to the provisions of Article 72-3, paragraph (1) of the former Act are deemed to be an application for registration filed pursuant to the provisions of Article 68, paragraph (1) of the new Act, an application for renewal of registration filed pursuant to the provisions of Article 69-2, paragraph (1) of the new Act, or an application for recognition filed pursuant to the provisions of Article 72-3, paragraph (1) of the new Act, respectively.

3 この法律の施行の際現に旧法第七十二条の三第一項の規定により承認を受けている者は、この法律の施行の日に、新法第七十二条の三第一項の規定により承認を受けたものとみなす。

(3) A person that, as of the time of enforcement of this Act, has been actually approved pursuant to the provisions of Article 72-3, paragraph (1) of the former Act is deemed to be a person that, on the date of enforcement of this Act, has been approved pursuant to the provisions of Article 72-3, paragraph (1) of the new Act.

(技術基準適合認定等に関する経過措置)

(Transitional Measures Concerning Technical Standards Conformity Approval)

第四条 この法律の施行の際現にされている旧法第五十条第二項（旧法第七十二条において準用する場合を含む。）の規定による技術基準適合認定の申請、旧法第七十二条の三第五項において準用する旧法第五十条第二項の規定による認定の申請又は旧法第五十条の四第一項、第七十二条の二第一項若しくは第七十二条の三第六項の規定による認証の申請については、それぞれ新法第五十条第一項（新法第七十二条の三第四項において準用する場合を含む。）の規定による技術基準適合認定の求め又は新法第五十条の四第一項若しくは第七十二条の三第六項の規定による設計認証の求めとみなす。

Article 4 (1) Any application for technical standards conformity approval which, at the time of enforcement of this Act, has been actually filed pursuant to the provision of Article 50, paragraph (2) of the former Act (including as applied mutatis mutandis pursuant to Article 72 of the former Act) or any application for approval which has been actually filed pursuant to the provision of Article 50, paragraph (2) of the former Act, as applied mutatis mutandis pursuant to Article 72-3, paragraph (5) of the former Act, is deemed to be a request for technical standards conformity approval pursuant to the provision of Article 50, paragraph (1) of the new Act (including as applied mutatis mutandis pursuant to Article 72-3, paragraph (4) of the new Act), or any application for certification which is actually filed pursuant to the provisions of Article 50-4, paragraph (1), Article 72-2, paragraph (1) or Article 72-3, paragraph (6) of the former Act is deemed to be a request for certification of design pursuant to the provision of 50-4, paragraph (1) or Article 72-3, paragraph (6) of the new Act.

2 この法律の施行前に旧法第五十条第二項（旧法第七十二条において準用する場合を含む。）の規定により技術基準適合認定を受けた端末機器又は旧法第七十二条の三第五項において準用する旧法第五十条第二項の規定により認定を受けた端末機器については、新法第五十条第一項（新法第七十二条の三第四項において準用する場合を含む。）の規定により技術基準適合認定を受けた端末機器であって新法第五十条第二項（新法第七十二条の三第四項において準用する場合を含む。）の規定により表示が付されているものとみなす。

(2) A terminal equipment which, prior to the enforcement of this Act, has obtained technical standards conformity approval pursuant to the provisions of Article 50, paragraph (2) of the former Act (including as applied mutatis mutandis pursuant to Article 72 of the former Act) or a terminal equipment which has obtained approval pursuant to the provisions of Article 50,

paragraph (2) of the former Act, as applied mutatis mutandis pursuant to Article 72-3, paragraph (5) of the former Act, is deemed to be a terminal equipment which has obtained technical standards conformity approval pursuant to the provisions of Article 50, paragraph (1) of the new Act (including as applied mutatis mutandis pursuant to Article 72-3, paragraph (4) of the new Act) and is marked pursuant to the provisions of Article 50, paragraph (2) of the new Act (including as applied mutatis mutandis pursuant to Article 72-3, paragraph (4) of the new Act).

3 この法律の施行前に旧法第五十条の四第一項、第七十二条の二第一項又は第七十二条の三第六項の規定により認証を受けている設計は、新法第五十条の四第二項（新法第七十二条の三第七項において準用する場合を含む。）の規定により設計認証を受けた設計とみなす。

(3) A type which, prior to the enforcement of this Act, has obtained certification pursuant to the provisions of Article 50-4, paragraph (1), Article 72-2, paragraph (1), or Article 72-3, paragraph (6) of the former Act is deemed to be a type which has obtained a certification of design pursuant to the provisions of Article 50-4, paragraph (2) of the new Act (including as applied mutatis mutandis pursuant to Article 72-3, paragraph (7) of the new Act).

4 この法律の施行前に旧法第五十条の四第一項、第七十二条の二第一項又は第七十二条の三第六項の規定により認証を受けている者は、この法律の施行の日に、新法第五十条の四第二項（新法第七十二条の三第七項において準用する場合を含む。）の規定により設計認証を受けたものとみなす。この場合において、旧法第五十条の四第一項、第七十二条の二第一項又は第七十二条の三第六項の規定により認証を受けている者は、新法第五十条の五第二項（新法第七十二条の三第七項において準用する場合を含む。）の規定による義務を履行したものとみなす。

(4) Any person that, prior to the enforcement of this Act, has obtained a certification pursuant to the provisions of Article 50-4, paragraph (1), Article 72-2, paragraph (1), or Article 72-3, paragraph (6) of the former Act is deemed to have obtained a certification of design pursuant to the provisions of Article 50-4, paragraph (2) of the new Act (including as applied mutatis mutandis pursuant to Article 72-3, paragraph (7) of the new Act). In this case, a person that has obtained certification pursuant to the provisions of Article 50-4, paragraph (1), Article 72-2, paragraph (1), or Article 72-3, paragraph (6) of the former Act is deemed to have fulfilled the obligations under Article 50-5, paragraph (2) of the new Act (including as applied mutatis mutandis to Article 72-3, paragraph (7) of the new Act).

5 この法律の施行前に旧法第五十条の四第一項、第七十二条の二第一項又は第七十二条の三第六項の規定により認証を受けた設計に基づく端末機器であって旧法第五十条の四第五項（旧法第七十二条の二第三項及び第七十二条の三第八項において準用する場合を含む。）の規定により表示が付されているものについては、新法第五十条の四第二項（新法第七十二条の三第七項において準用する場合を含む。）の規定により設

計認証を受けた設計に基づく端末機器であって新法第五十条の六（新法第七十二条の三第七項において準用する場合を含む。）の規定により表示が付されているものとみなす。

(5) A terminal equipment which is based on a design certified prior to the enforcement of this Act pursuant to the provisions of Article 50-4, paragraph (1), Article 72-2, paragraph (1), or Article 72-3, paragraph (6) of the former Act and is marked pursuant to the provisions of Article 50-4, paragraph (5) of the former Act (including as applied mutatis mutandis pursuant to Article 72-2, paragraph (3) and Article 72-3, paragraph (8) of the former Act) is deemed to be terminal equipment which is based on a design obtaining a certification of design pursuant to the provisions of Article 50-4, paragraph (2) of the new Act (including as applied mutatis mutandis pursuant to Article 72-3, paragraph (7) of the new Act) and which is marked pursuant to the provisions of Article 50-6 of the new Act (including as applied mutatis mutandis pursuant to Article 72-3, paragraph (7) of the new Act).

6 新法第五十条の二（新法第五十条の九並びに第七十二条の三第四項及び第七項において準用する場合を含む。）の規定は、この法律の施行前に旧法第五十条第二項（旧法第七十二条において準用する場合を含む。）の規定により技術基準適合認定を受けた端末機器、旧法第七十二条の三第五項において準用する旧法第五十条第二項の規定により認定を受けた端末機器及び旧法第五十条の四第三項（旧法第七十二条の二第三項及び第七十二条の三第八項において準用する場合を含む。）の規定により認証を受けた設計に基づく端末機器であって旧法第五十条の四第五項（旧法第七十二条の二第三項及び第七十二条の三第八項において準用する場合を含む。）の規定により表示が付されているものについては、適用しない。

(6) The provisions of Article 50-2 of the new Act (including as applied mutatis mutandis pursuant to Article 50-9 and Article 72-3, paragraph (4) and paragraph (7) of the new Act) do not apply to a terminal equipment which, prior to the enforcement of this Act, has obtained a technical standards conformity approval pursuant to the provisions of Article 50, paragraph (2) of the former Act (including as applied mutatis mutandis pursuant to Article 72, of the former Act), a terminal equipment which, prior to the enforcement of this Act, has obtained a certification pursuant to the provisions of Article 50, paragraph (2) of the former Act, as applied mutatis mutandis pursuant to Article 72-3, paragraph (5) of the former Act, and terminal equipment which is based on a design certified prior to the enforcement of this Act pursuant to the provisions of Article 50-4, paragraph (3) of the former Act (including as applied mutatis mutandis pursuant to Article 72-2, paragraph (3) and Article 72-3, paragraph (8) of the former Act), and is marked pursuant to the provision of Article 50-4, paragraph (5) of the former Act (including as applied mutatis mutandis pursuant to Article 72-2, paragraph (3) and Article 72-3, paragraph (8) of the former Act).

(独立行政法人情報通信研究機構に関する経過措置)

(Transitional Measures Concerning the National Institute of Information and Communications Technology)

第五条 この法律の施行の日から、独立行政法人通信総合研究所法の一部を改正する法律（平成十四年法律第百三十四号）の施行の日の前日までの間における新法第六十九条第一項第二号の規定の適用については、同号イ中「独立行政法人情報通信研究機構（ハにおいて「機構」という。）」とあるのは「独立行政法人通信総合研究所（ハにおいて「研究所」という。）」と、同号ハ中「機構」とあるのは「研究所」とする。

Article 5 With regard to the application of the provisions of Article 69, paragraph (1), item (ii) of the new Act during the period from the date of enforcement of this Act until the day previous to the date of enforcement of the Act to Amend the Act on the Incorporated Administrative Agency Communications Research Laboratory (Act No. 134 of 2002), the term "the National Institute of Information and Communications Technology (referred to as "the Institute" in sub-item (c))" in sub-item (a) of the same item is replaced with "the Incorporated Administrative Agency Communications Research Laboratory (referred to as "the Laboratory" in sub-item (c))," and the term "the Institute" in sub-item (c) of the same item is replaced with "the Laboratory."

(事業の登録等に関する経過措置)

(Transitional Measures Concerning the Registration of Business)

第六条 第二条の規定の施行の際現に同条の規定による改正前の電気通信事業法（以下「旧法」という。）第九条第一項の許可を受けて第一種電気通信事業を営んでいる者であつて、第二条の規定による改正後の電気通信事業法（以下「新法」という。）第九条の規定により登録を受けるべき者に該当するものは第二条の規定の施行の日（以下「施行日」という。）に新法第九条の登録を受けたものと、新法第十六条第一項の規定により届出をすべき者に該当するものは施行日に同項の届出をしたものとみなす。

Article 6 (1) A person that, at the time of enforcement of the provisions of Article 2, is actually operating a Type I telecommunications business with permission set forth in Article 9, paragraph (1) of the Telecommunications Business Act prior to the revision by the same Article (hereinafter referred to as "the former Act") is deemed to be a person that, on the date of enforcement of the provisions of Article 2 (hereinafter referred to as the "effective date"), has obtained registration prescribed in Article 9 of the Telecommunications Business Act revised by Article 2 (hereinafter referred to as "the new Act") if that person falls under those to be registered pursuant to the provisions of Article 9 of the new Act, or is deemed to be a person that, on the effective date, has filed a notification prescribed in Article 16, paragraph (1) of the new Act if the person fall under those to file a notification pursuant to the provisions of the same paragraph.

2 第二条の規定の施行の際現にされている旧法第九条第一項の規定による許可の申請は、新法第九条の規定により登録を受けるべき者に係るものにあつては同条の規定による登録の申請と、新法第十六条第一項の規定により届出をすべき者に係るものにあつては同項の規定によりした届出とみなす。

(2) An application for permission which, as of the time of enforcement of the provisions of Article 2, has been actually filed pursuant to the provisions of Article 9, paragraph (1) of the former Act is deemed to be an application for registration filed pursuant to the provisions of Article 9 of the new Act if that application is one related to the person to be registered pursuant to the provision of the same Article, or is deemed to be a notification filed pursuant to the provisions of Article 16, paragraph (1) of the new Act if that notification is one related to the person to file a notification pursuant to the provisions of the same paragraph.

3 第二条の規定の施行の際現にされている旧法第十四条第一項の規定による許可の申請は、新法第九条の規定により登録を受けるべき者に係るものにあつては新法第十三条第一項の規定による変更登録の申請と、新法第十六条第一項の規定により届出をすべき者に係るものにあつては同条第三項の規定によりした届出とみなす。

(3) An application for permission which, as of the time of enforcement of the provisions of Article 2, has been actually filed pursuant to the provisions of Article 14, paragraph (1) of the former Act is deemed to be an application for registration of change filed pursuant to the provisions of Article 13, paragraph (1) of the new Act if that application is one related to the person to be registered pursuant to the provisions of Article 9 of the new Act, or a notification filed pursuant to the provisions of Article 16, paragraph (3) of the new Act if that notification is one related to the person to file a notification pursuant to the provisions of paragraph (1) of the same Article.

4 第二条の規定の施行の際現にされている旧法第十八条第三項の規定による認可の申請は、新法第十八条第二項の規定によりした届出とみなす。

(4) An application for authorization which, as of the time of enforcement of the provisions of Article 2, has been actually filed pursuant to the provisions of Article 18, paragraph (3) of the former Act is deemed to be a notification filed pursuant to the provisions of Article 18, paragraph (2) of the new Act.

5 第二条の規定の施行の際現に旧法第二十二条第一項の規定による届出をし、又は旧法第二十四条第一項の登録を受けて第二種電気通信事業を営んでいる者は、施行日に新法第十六条第一項の届出をしたものとみなす。

(5) A person that, as of the time of enforcement of the provisions of Article 2, has actually filed a notification pursuant to the provisions of Article 22, paragraph (1) of the former Act, or that, at the time of enforcement of the provisions of Article 2, is actually operating a Type II telecommunications business with a registration set forth in Article 24, paragraph (1) of the former Act, is deemed to have filed a notification set forth in Article 16, paragraph (1) of the new Act

on the effective date.

6 第二条の規定の施行の際現にされている旧法第二十四条第一項の規定による登録の申請は、新法第十六条第一項の規定によりした届出とみなす。

(6) An application for registration which, as of the time of enforcement of the provisions of Article 2, has been actually filed pursuant to the provisions of Article 24, paragraph (1) of the former Act is deemed to be a notification filed pursuant to the provisions of Article 16, paragraph (1) of the new Act.

7 第二条の規定の施行の際現にされている旧法第二十七条第一項の規定による変更登録の申請は、新法第十六条第三項の規定によりした届出とみなす。

(7) An application for registration of change which, as of the time of enforcement of the provisions of Article 2, has been actually filed pursuant to the provisions of Article 27, paragraph (1) of the former Act is deemed to be a notification filed pursuant to the provisions of Article 16, paragraph (3) of the new Act.

(事業の認定等に関する経過措置)

(Transitional Measures Concerning Approval of Business)

第七条 第二条の規定の施行の際現に旧法第九条第一項の許可を受けて第一種電気通信事業を営んでいる者は、その営む電気通信事業について施行日に新法第百十七条第一項の認定を受けたものとみなす。

Article 7 (1) A person that, at the time of enforcement of the provisions of Article 2, is actually operating a Type I telecommunications business with permission set forth in Article 9, paragraph (1) of the former Act is deemed to have obtained approval set forth in Article 117, paragraph (1) of the new Act on the effective date for the telecommunications business which that person operates.

2 第二条の規定の施行の際現にされている旧法第九条第一項の規定による許可の申請は、新法第百十七条第一項の規定によりした認定の申請とみなす。

(2) An application for permission which, as of the time of enforcement of the provisions of Article 2, has been actually filed pursuant to the provisions of Article 9, paragraph (1) of the former Act is deemed to be an application for approval filed pursuant to the provisions of Article 117, paragraph (1) of the new Act.

3 第二条の規定の施行の際現に旧法第十二条第一項（旧法第十四条第四項において準用する場合を含む。）の規定により指定されている期間は、新法第百二十条第一項（新法第百二十二条第四項において準用する場合を含む。）の規定により指定された期間とみなす。

(3) A period which, as of the time of enforcement of the provisions of Article 2, has been actually designated pursuant to the provisions of Article 12, paragraph (1) of the former Act (including as applied mutatis mutandis pursuant to Article 14, paragraph (4) of the former Act) is deemed to be a period designated pursuant to the provisions of Article 120, paragraph (1) of the new Act (including as applied mutatis mutandis pursuant to Article 122,

paragraph (4) of the new Act).

4 第二条の規定の施行の際現にされている旧法第十四条第一項の規定による許可の申請は、新法第二百二十二条第一項の規定による認定の申請とみなす。

(4) An application for permission which, as of the time of enforcement of the provisions of Article 2, has been actually filed pursuant to the provisions of Article 14, paragraph (1) of the former Act is deemed to be an application for approval filed pursuant to the provisions of Article 122, paragraph (1) of the new Act.

5 旧法第三章の規定により旧法第十二条第一項に規定する第一種電気通信事業者に対してした処分、手続その他の行為又は旧法第三章の規定により旧法第十二条第一項に規定する第一種電気通信事業者がした手続その他の行為は、新法第三章第二節の相当規定により新法第二百二十条第一項に規定する認定電気通信事業者に対してしたもの又は新法第三章第二節の相当規定により新法第二百二十条第一項に規定する認定電気通信事業者がしたものとみなす。

(5) A disposition, procedure or other act taken, pursuant to the provisions of Chapter III of the former Act, against a Type I telecommunications carrier prescribed in Article 12, paragraph (1) of the former Act, or a procedure or other act taken, pursuant to the provisions of Chapter III of the former Act, by a Type I telecommunications carrier prescribed in Article 12, paragraph (1) of the former Act, is deemed to be a disposition, procedure or other act taken, pursuant to the corresponding provisions of Chapter III Section 2 of the new Act, against an approved telecommunications carrier prescribed in Article 120, paragraph (1) of the new Act, or a procedure or other act taken, pursuant to the corresponding provisions of Chapter III Section 2 of the new Act, by an approved telecommunications carrier prescribed in Article 120, paragraph (1) of the new Act, respectively.

(技術基準適合確認に関する経過措置)

(Transitional Measures Concerning Confirmation of Technical Standards Conformity)

第八条 第二条の規定の施行の際現に旧法第九条第一項の許可に係る電気通信設備について旧法第十二条第四項（旧法第十四条第四項で準用する場合を含む。）の確認を受けている者は、当該電気通信設備について新法第四十二条第三項（同条第四項で準用する場合を含む。）の規定による届出をしたものとみなす。

Article 8 A person that, as of the time of enforcement of the provisions of Article 2, has actually obtained a confirmation set forth in Article 12, paragraph (4) of the former Act (including as applied mutatis mutandis pursuant to Article 14, paragraph (4) of the former Act) with respect to telecommunications facilities related to the permission prescribed in Article 9, paragraph (1) of the former Act is deemed to have filed a notification under Article 42, paragraph (3) of the new Act (including as applied mutatis mutandis pursuant to paragraph (4) of

the same Article) with respect to the telecommunications facilities.

(事業の承継等に関する経過措置)

(Transitional Measures Concerning Succession of Business)

第九条 第二条の規定の施行の際現にされている旧法第十六条第一項の規定による認可の申請は、新法第十七条第二項の規定によりした届出及び新法第二百二十三条第四項の規定による認可の申請とみなす。

Article 9 (1) An application for authorization which, as of the time of enforcement of the provisions of Article 2, has been actually filed pursuant to the provisions of Article 16, paragraph (1) of the former Act is deemed to be a notification filed pursuant to the provisions of Article 17, paragraph (2) of the new Act and an application for authorization pursuant to the provisions of Article 123, paragraph (4) of the new Act.

2 第二条の規定の施行の際現にされている旧法第十六条第二項の規定による認可の申請は、新法第十七条第二項の規定によりした届出及び新法第二百二十三条第三項の規定による認可の申請とみなす。

(2) An application for authorization which, as of the time of enforcement of the provisions of Article 2, has been actually filed pursuant to the provisions of Article 16, paragraph (2) of the former Act is deemed to be a notification filed pursuant to the provisions of Article 17, paragraph (2) of the new Act and an application for authorization filed pursuant to the provisions of Article 123, paragraph (3) of the new Act.

3 第二条の規定の施行の際現にされている旧法第十七条第二項の規定による認可の申請は、新法第十七条第二項の規定によりした届出及び新法第二百二十三条第二項の規定による認可の申請とみなす。

(3) An application for authorization which, as of the time of enforcement of the provisions of Article 2, has been actually filed pursuant to the provisions of Article 17, paragraph (2) of the former Act is deemed to be a notification filed pursuant to the provisions of Article 17, paragraph (2) of the new Act and an application for authorization filed pursuant to the provisions of Article 123, paragraph (2) of the new Act.

4 第二条の規定の施行の際現にされている旧法第十八条第一項の規定による許可の申請は、新法第十八条第一項の規定によりした届出及び新法第二百二十四条第一項の規定によりした届出とみなす。

(4) An application for permission which, as of the time of enforcement of the provisions of Article 2, has been actually filed pursuant to the provisions of Article 18, paragraph (1) of the former Act is deemed to be a notification filed pursuant to the provisions of Article 18, paragraph (1) of the new Act and a notification filed pursuant to the provisions of Article 124, paragraph (1) of the new Act.

(契約約款等に関する経過措置)

(Transitional Measures Concerning General Conditions of Contracts)

第十条 施行日前に旧法第三十一条第一項の規定により届け出ている料金のうち新法第七条に規定する基礎的電気通信役務に関するものについては、新法第十九条第一項の規定により届け出た契約約款に定める料金とみなす。

Article 10 (1) From among the charges about which the notification, prior to the effective date, has been filed pursuant to the provisions of Article 31, paragraph (1) of the former Act, those concerning universal telecommunications services prescribed in Article 7 of the new Act are deemed to be charges specified in the general conditions of contracts about which the notification has been filed pursuant to the provisions of Article 19, paragraph (1) of the new Act.

2 施行日前に旧法第三十一条の四第一項の規定により届け出ている契約約款に定める提供条件又は同条第三項の規定により認可を受けている契約約款に定める提供条件のうち新法第七条に規定する基礎的電気通信役務に関するものについては、新法第十九条第一項の規定により届け出た契約約款に定める提供条件とみなす。

(2) From among the terms and conditions for the provision of the services specified in the general conditions of contracts about which the notification, prior to the effective date, has been filed pursuant to the provisions of Article 31-4, paragraph (1) of the former Act or the terms and conditions for the provision of the services specified in the general conditions of contracts which have been authorized pursuant to the provisions of paragraph (3) of the same Article, those concerning universal telecommunications services prescribed in Article 7 of the new Act are deemed to be terms and conditions for the provision of the services specified in the general conditions of contracts about which the notification has been filed pursuant to the provisions of Article 19, paragraph (1) of the new Act.

3 第二条の規定の施行の際現にされている旧法第三十一条の四第三項の規定による契約約款の認可の申請のうち新法第七条に規定する基礎的電気通信役務に関するものは、新法第十九条第一項の規定による契約約款（料金を除く。）の届出とみなす。

(3) From among the applications for authorization for the general conditions of contracts which, as of the time of enforcement of the provisions of Article 2, have been actually filed pursuant to the provisions of Article 31-4, paragraph (3) of the former Act, those concerning universal telecommunications services prescribed in Article 7 of the new Act are deemed to be notifications of the general conditions of contracts (except charges) filed pursuant to the provisions of Article 19, paragraph (1) of the new Act.

4 施行日前に旧法第三十一条第一項の規定により届け出ている料金のうち新法第二十条第一項に規定する指定電気通信役務（新法第七条に規定する基礎的電気通信役務であるものを除く。以下同じ。）に関するものについては、新法第二十条第一項の規定により届け出た契約約款に定める料金とみなす。

- (4) From among the charges about which the notification, prior to the effective date, has been filed pursuant to the provisions of Article 31, paragraph (1) of the former Act, those concerning designated telecommunications services prescribed in Article 20, paragraph (1) of the new Act (except universal telecommunications services prescribed in Article 7, of the new Act; hereinafter the same applies) are deemed to be charges specified in the general conditions of contracts about which the notification has been filed pursuant to the provisions of Article 20, paragraph (1) of the new Act.
- 5 施行日前に旧法第三十一条の四第三項の規定により認可を受けている契約約款に定める提供条件のうち新法第二十条第一項に規定する指定電気通信役務に関するものについては、同項の規定により届け出た契約約款に定める提供条件とみなす。
- (5) From among the terms and conditions for the provision of those services specified in the general conditions of contracts which, prior to the effective date, have been authorized pursuant to the provisions of Article 31-4, paragraph (3) of the former Act, those concerning designated telecommunications services prescribed in Article 20, paragraph (1) of the new Act are deemed to be terms and conditions for the provision of those services specified in the general conditions of contracts about which the notification has been filed pursuant to the provisions of the same paragraph.
- 6 第二条の規定の施行の際現にされている旧法第三十一条の四第三項の規定による契約約款の認可の申請のうち新法第二十条第一項に規定する指定電気通信役務に関するものは、同項の規定による契約約款（料金を除く。）の届出とみなす。
- (6) From among the applications for authorization for the general conditions of contracts which, as of the time of enforcement of the provisions of Article 2, have been actually filed pursuant to the provisions of Article 31-4, paragraph (3) of the former Act, those concerning designated telecommunications services prescribed in Article 20, paragraph (1) of the new Act are deemed to be notifications of general conditions of contracts (except charges) filed pursuant to the provisions of the same paragraph.

(契約約款の変更命令等に関する経過措置)

(Transitional Measures Concerning Orders to Change General Conditions of Contracts)

第十一条 施行日前に旧法第三十一条第二項の規定によりした命令又は旧法第三十一条の四第二項の規定によりした命令のうち、新法第七条に規定する基礎的電気通信役務の料金その他の提供条件に関するものは新法第十九条第二項の規定により、新法第二十条第一項に規定する指定電気通信役務の料金その他の提供条件に関するものは同条第三項の規定により、基礎的電気通信役務又は指定電気通信役務以外の電気通信役務の料金その他の提供条件に関するものは新法第二十九条第一項の規定によりした命令とみなす。

Article 11 (1) From among the orders which, prior to the effective date, have

been issued pursuant to the provisions of Article 31, paragraph (2) of the former Act or the orders which have been issued pursuant to the provisions of Article 31-4, paragraph (2) of the former Act, those concerning charges and other terms and conditions for the provision of universal telecommunications services prescribed in Article 7 of the new Act are deemed to be orders issued pursuant to the provisions of Article 19, paragraph (2) of the new Act, those concerning charges and other terms and conditions for the provision of designated telecommunications services prescribed in Article 20, paragraph (1) of the new Act are deemed to be orders issued pursuant to the provisions of paragraph (3) of the same Article, or those concerning charges and other terms and conditions for the provision of telecommunications services other than universal telecommunications services or designated telecommunications services are deemed to be orders issued pursuant to the provisions of Article 29, paragraph (1) of the new Act.

- 2 施行日前に旧法第三十六条第一項の規定によりした契約約款の変更の認可の申請の命令のうち新法第七条に規定する基礎的電気通信役務の契約約款に関するものは新法第十九条第二項の規定により、新法第二十条第一項に規定する指定電気通信役務の契約約款に関するものは同条第三項の規定により、基礎的電気通信役務又は指定電気通信役務以外の電気通信役務の契約約款に関するものは新法第二十九条第一項の規定によりした命令とみなす。

- (2) From among the orders relevant to the application for authorization for changes in the general conditions of contracts which, prior to the effective date, have been issued pursuant to the provisions of Article 36, paragraph (1) of the former Act, those concerning the general conditions of contracts for universal telecommunications services prescribed in Article 7 of the new Act are deemed to be orders issued pursuant to the provisions of Article 19, paragraph (2) of the new Act, those concerning the general conditions of contracts for designated telecommunications services prescribed in Article 20, paragraph (1) of the new Act are deemed to be orders issued pursuant to the provisions of paragraph (3) of the same Article, or those concerning the general conditions of contracts for telecommunications services other than universal telecommunications services or designated telecommunications services are deemed to be orders issued pursuant to the provisions of Article 29, paragraph (1) of the new Act.

(契約約款等の掲示に関する経過措置)

(Transitional Measures Concerning the Posting of General Conditions of Contracts)

- 第十二条 施行日前に旧法第三十二条第一項の規定により公表し、掲示している料金及び契約約款のうち、新法第七条に規定する基礎的電気通信役務に関するもの、新法第二十条第一項に規定する指定電気通信役務に関するもの又は新法第二十一条第一項に

規定する特定電気通信役務に関するものについては、新法第二十三条第一項の規定により公表し、掲示したものとみなす。

Article 12 (1) From among the charges and the general conditions of contracts which, prior to the effective date, have been announced and posted pursuant to the provisions of Article 32 paragraph (1) of the former Act, those concerning universal telecommunications services prescribed in Article 7 of the new Act, those concerning designated telecommunications services prescribed in Article 20, paragraph (1) of the new Act, or those concerning specified telecommunications services prescribed in Article 21, paragraph (1) of the new Act are deemed to be charges and the general conditions of contracts announced and posted pursuant to the provisions of Article 23, paragraph (1) of the new Act.

2 施行日前に旧法第三十二条第二項において準用する同条第一項の規定により公表し、掲示している料金及び提供条件のうち、新法第七条に規定する基礎的電気通信役務に関するもの又は新法第二十条第一項に規定する指定電気通信役務に関するものは、新法第二十三条第二項において準用する同条第一項の規定により公表し、掲示したものとみなす。

(2) From among the charges and terms and conditions for the provision of those services which, prior to the effective date, have been announced and posted pursuant to the provisions of Article 32, paragraph (1) of the former Act, as applied mutatis mutandis pursuant to paragraph (2) of the same Article, those concerning universal telecommunications services prescribed in Article 7 of the new Act or those concerning designated telecommunications services prescribed in Article 20, paragraph (1) of the new Act are deemed to have been announced and posted pursuant to the provisions of Article 23, paragraph (1) of the new Act, as applied mutatis mutandis pursuant to paragraph (2) of the same Article.

(会計の整理に関する経過措置)

(Transitional Measures Concerning the Keeping of Accounts)

第十三条 新法第二十四条の規定は、施行日以後に開始する事業年度に係る会計の整理について適用し、施行日前に開始した事業年度に係る会計の整理については、なお従前の例による。

Article 13 The provisions of Article 24 of the new Act apply to the keeping of accounts in relation to the business year starting on or after the effective date, whereas prior laws continue to govern the keeping of accounts in relation to the business year that have started prior to the effective date.

(共用の協定に関する経過措置)

(Transitional Measures Concerning Agreement on Sharing)

第十四条 施行日前に旧法第三十九条の三第一項の規定により認可を受けている共用に関する協定は、新法第三十七条第一項の規定により届け出た共用に関する協定とみなす。

す。

Article 14 (1) An agreement on sharing which, prior to the effective date, has been authorized pursuant to the provisions of Article 39-3, paragraph (1) of the former Act is deemed to be an agreement on sharing about which the notification has been filed pursuant to the provisions of Article 37, paragraph (1) of the new Act.

2 第二条の規定の施行の際現にされている旧法第三十九条の三第一項の規定による共用に関する協定の認可の申請は、新法第三十七条第一項の規定によりした共用に関する協定の届出とみなす。

(2) An application for authorization for an agreement on sharing which, as of the time of enforcement of the provisions of Article 2, has been actually filed pursuant to the provisions of Article 39-3, paragraph (1) of the former Act is deemed to be a notification of an agreement on sharing filed pursuant to the provisions of Article 37, paragraph (1) of the new Act.

(地方公共団体に関する経過措置)

(Transitional Measures Concerning Local Governments)

第十五条 第二条の規定の施行の際現に新法第百六十五条第一項の規定の適用を受ける電気通信事業を行っている地方公共団体は、施行日から三月間は、同項の届出をしないで、その事業を行うことができる。

Article 15 A local government which, at the time of enforcement of the provisions of Article 2, is actually operating a telecommunications business to which the provisions of Article 165, paragraph (1) of the new Act apply may continue to operate its business for three months from the effective date, without filing the notification set forth in the same paragraph.

(日本電信電話株式会社等に関する法律の改正に伴う経過措置)

(Transitional Measures in Connection with Revision of the Nippon Telegraph and Telephone Corporation Act)

第十六条 第三条中会社法附則に一条を加える改正規定の施行の日から施行日の前日までの間における当該改正規定による改正後の会社法附則第十六条の適用については、同条第一項中「第三十三条第二項」とあるのは「第三十八条の二第二項」と、同条第二項中「第三十三条第四項第二号」とあるのは「第三十八条の二第三項第二号」とする。

Article 16 With regard to the application of Supplementary Provisions Article 16 of the NTT Act revised by the provisions in Article 3 to revise Supplementary Provisions of the NTT Act by adding one Article, during the period from the date of enforcement of the provisions to revise until the day previous to the effective date, the term "Article 33, paragraph (2)" in paragraph (1) of Supplementary Provisions Article 16 is replaced with "Article 38-2, paragraph (2)"; and the term "Article 33, paragraph (4), item (ii)" in paragraph (2) of the

same Article is replaced with "Article 38-2, paragraph (3), item (ii)."

(処分等の効力)

(Effects of Dispositions)

第十七条 この法律の各改正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 17 A disposition, procedure or other act taken pursuant to the provisions of respective laws prior to the revision before the enforcement of respective provisions to revise this Act, which has corresponding provisions in respective laws after revision is deemed to have been taken pursuant to the provisions of the respective laws after revision, except what is otherwise provided for in these Supplementary Provisions.

(罰則の適用に関する経過措置)

(Transitional Measures Concerning the Application of Penal Provisions)

第十八条 この法律の各改正規定の施行前にした行為及び附則第十三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 18 Prior laws continue to govern the application of the penal provisions to any act undertaken prior to the enforcement of the respective provisions to revise this Act and to any act undertaken after the effective date in a situation that prior laws continue to govern pursuant to the provision of Supplementary Provisions Article 13.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第十九条 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（罰則に関する経過措置を含む。）は、政令で定める。

Article 19 Beyond what is provided for in these Supplementary Provisions, transitional measures necessary in connection with the enforcement of this Act (including transitional measures concerning the penal provisions) are specified by Cabinet Order.

(検討)

(Reviews)

第二十条 政府は、第一条又は第二条の規定の施行後十年を経過した場合において、第一条又は第二条の規定による改正後の規定の施行状況について電気通信の規律の観点から検討を加え、必要があると認めるときには、その結果に基づいて所要の措置を講ずるものとする。

Article 20 The government is to, when ten years have passed since the enforcement of the provisions of Article 1 or Article 2, review the status of enforcement of the provisions revised by the provisions of Article 1 or Article 2 from the viewpoint of telecommunications disciplines and is to, if the government finds it necessary, take the necessary measures based on the results of this review.

附 則 [平成十五年八月一日法律第百三十八号] [抄]

**Supplementary Provisions [Act No. 138—August 1, 2003 Excerpts]
[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 as of the date specified by Cabinet Order within a period not exceeding nine months from the date of promulgation.

附 則 [平成十六年六月二日法律第七十六号] [抄]

Supplementary Provisions [Act No. 76—June 2, 2004 Excerpts] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、破産法（平成十六年法律第七十五号。次条第八項並びに附則第三条第八項、第五条第八項、第十六項及び第二十一項、第八条第三項並びに第十三条において「新破産法」という。）の施行の日から施行する。

Article 1 This Act comes into effect as of the date of enforcement of the Bankruptcy Act (Act No. 75 of 2004; referred to as "the new Bankruptcy Act" in paragraph (8) of the following Article, Supplementary Provisions Article 3, paragraph (8), Article 5, paragraph (8), paragraph (16) and paragraph (21), Article 8, paragraph (3) and Article 13).

(政令への委任)

(Delegation to Cabinet Order)

第十四条 附則第二条から前条までに規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 14 Beyond what is provided for in Supplementary Provisions Article 2 through the preceding Article, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

附 則 [平成十六年六月九日法律第八十四号] [抄]

Supplementary Provisions [Act No. 84—June 9, 2004 Excerpts] [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 as of the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

(検討)

(Review)

第五十条 政府は、この法律の施行後五年を経過した場合において、新法の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 50 The government is to, when five years have passed since the enforcement of this Act, review the status of enforcement of the new Act and is to, if the government finds it necessary, take necessary measures based on the results of this review.

附 則 [平成十六年十二月三日法律第百五十四号] [抄]

**Supplementary Provisions [Act No. 154—December 3, 2004 Excerpts]
[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 as of the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

(その他の経過措置の政令への委任)

(Delegation of Transitional Measures to Cabinet Order)

第八十九条 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 89 Beyond what is provided for in these Supplementary Provisions, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

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—July 26, 2005 Excerpts] [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 as of the date of enforcement of the Companies Act.

附 則 〔平成十八年六月二日法律第五十号〕〔抄〕

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

(施行期日)

(Effective Date)

この法律は、一般社団・財団法人法の施行の日から施行する。

This Act comes into effect as of the date of enforcement of the General Incorporated Associations/Foundations Act.

附 則 〔平成十九年十二月二十八日法律第百三十六号〕〔抄〕

**Supplementary Provisions [Act No. 136—December 28, 2007 Excerpts]
[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（以下「施行日」という。）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 as of the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation (hereinafter referred to as "the effective date"); provided, however, that the provisions set forth in the following items come into effect as of the date prescribed respectively in the those items:

一 第二条中電波法第九十九条の十一第二項の改正規定、第三条中電気通信事業法第二十九条第一項の改正規定及び第百四十七条第一項の改正規定並びに次条及び附則第九条から第十一条までの規定 公布の日

(i) the provisions in Article 2 to revise Article 99-11, paragraph (2) of the Radio Act, the provisions in Article 3 to revise Article 29, paragraph (1) and Article 147 paragraph (1) of the Telecommunications Business Act and the provisions of the following Article and Supplementary Provisions Article 9 through Article 11: the date of promulgation;

二 第二条中電波法の目次の改正規定（「第二節 無線局の登録（第二十七条の十八—第二十七条の三十四）」を「／第二節 無線局の登録（第二十七条の十八—第二十七条の三十四）／第三節 無線局の開設に関するあつせん等（第二十七条の三十五・第二十七条の三十六）／」に改める部分に限る。）、同法第六条第一項に一号を加える改正規定、同条第二項に一号を加える改正規定、同法第二十六条の二第五項の改正規定、同法第二十七条の三第一項に一号を加える改正規定、同法第二十七条の十八第三項の改正規定、同法第二章第二節の次に一節を加える改正規定、同法

第九十九条の十一第一項第一号中「（無線局の開設の届出）」の下に「、第二十七条の三十五第一項（電気通信事業紛争処理委員会によるあつせん及び仲裁）」を加える改正規定及び第三条中電気通信事業法第百四十四条第二項の改正規定並びに附則第八条及び第十六条の規定 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

(ii) in Article 2, the provisions to revise the Table of Contents of the Radio Act (limited to the part that revises "Section 2 Registration for Radio Stations (Articles 27-18 to 27-34)" to "Section 2 Registration for Radio Stations (Articles 27-18 to 27-34) Section 3 Mediation, Etc. for Establishment of Radio Stations (Articles 27-35 and 27-36)", the provisions to revise Article 6, paragraph (1) of the same Act by adding one item, the provisions to revise paragraph (2) of the same Article by adding one item, the provisions to revise Article 26-2, paragraph (5) of the same Act, the provisions to revise Article 27-3, paragraph (1) of the same Act by adding one item, the provisions to revise Article 27-18, paragraph (3) of the same Act, the provisions to revise the same Act by adding one Section after Chapter II, Section 2, and the provisions to revise the same Act by adding ", Article 27-35 paragraph (1) (Mediation and Arbitration by the Telecommunications Business Dispute Settlement Commission)" after "(Notification on Establishment of Radio Stations)" in Article 99-11, paragraph (1), item (i) of the same Act; the provisions in Article 3 to revise Article 144, paragraph (2) of the Telecommunications Business Act; and the provisions of Supplementary Provisions Article 8 and Article 16: the date specified by Cabinet Order within a period not exceeding nine months from the date of promulgation.

(処分等の効力)

(Effects of Dispositions)

第九条 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）の施行前に改正前のそれぞれの法律の規定によってした又はすべき処分、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又はすべきものとみなす。

Article 9 A disposition, procedure or other act taken or to be taken pursuant to the provisions of the respective laws prior to revision before the enforcement of this Act (with regard to the provisions set forth in the respective items of Supplementary Provisions Article 1, the provisions of those respective items), which has corresponding provisions in the respective laws after revision, is deemed to be a disposition, procedure or other act taken or to be taken pursuant to the provisions of those respective laws after revision, except what is otherwise provided for in these Supplementary Provisions.

(罰則の適用に関する経過措置)

(Transitional Measures Concerning the Application of Penal Provisions)

第十条 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に対する罰則の適用については、なお従前の例による。

Article 10 Prior laws continue to govern the application of the penal provisions to any act undertaken prior to the enforcement of this Act (with regard to the provisions set forth in the respective items of Supplementary Provisions Article 1, the provisions of those respective items).

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第十一条 この附則に規定するもののほか、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）の施行に伴い必要な経過措置（罰則に関する経過措置を含む。）は政令で定める。

Article 11 Beyond what is provided for in these Supplementary Provisions, transitional measures necessary in connection with the enforcement of this Act (with regard to the provisions set forth in the respective items of Supplementary Provisions Article 1, the provisions of those respective items) are specified by Cabinet Order (including transitional measures concerning the penal provisions).

(検討)

(Reviews)

第十二条 政府は、この法律の施行後五年を経過した場合において、新放送法の施行状況、社会経済情勢の変化等を勘案し、新放送法第九条第一項第五号に規定する委託協会国際放送業務、新放送法第五十二条の四第一項に規定する有料放送、新放送法第五十二条の六の二第一項に規定する有料放送管理業務、新放送法第五十二条の十八第二項に規定する委託放送事業者の地位の承継及び新放送法第五十二条の三十一に規定する認定放送持株会社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 12 (1) The government is to, when five years have passed since the enforcement of this Act, take into account the status of enforcement of the new Broadcasting Act, the changes in socioeconomic circumstances, etc., and review NHK's international broadcast programming operations prescribed in Article 9, paragraph (1), item (v) of the new Broadcasting Act, the paid broadcasting prescribed in Article 52-4, paragraph (1) of the new Broadcasting Act, the paid broadcasting management business prescribed in Article 52-6-2, paragraph (1) of the new Broadcasting Act, the succession of the status of the program-supplying broadcaster prescribed in Article 52-18, paragraph (2) of the new Broadcasting Act and the system related to the approved broadcasting holding company prescribed in Article 52-31 of the new Broadcasting Act, and is to, if

the government finds it necessary, take necessary measures based on the results of the review.

2 政府は、この法律の施行後五年を経過した場合において、新電波法第七十条の七、第七十条の九及び第八十条の規定の施行状況について電波の監督管理の観点から検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

(2) The government is to, when five years have passed since the enforcement of this Act, review the status of enforcement of the provisions of Article 70-7, Article 70-9 and Article 80 of the new Radio Act from the viewpoint of radio regulations, and is to, if the government finds it necessary, take the necessary measures based on the results of the review.

附 則 〔平成二十年五月三十日法律第五十号〕〔抄〕

Supplementary Provisions [Act No.50-May 30, 2008 Excerpts] [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 as of the day specified by Cabinet Order within a period not exceeding nine months from the date of promulgation.

附 則 〔平成二十二年十二月三日法律第六十五号〕〔抄〕

Supplementary Provisions [Act No.65-December 3, 2010 Excerpts]

[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（以下「施行日」という。）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 as of the day specified by Cabinet Order within a period not exceeding nine months from the date of promulgation (hereinafter referred to as "the effective date"); provided, however, that the provisions set forth in the following items come into effect as of date prescribed respectively in those items:

一 第一条中放送法第五十三条の十一の改正規定、第三条中電波法第九十九条の十二の改正規定及び第五条中電気通信事業法第四百七条第一項の改正規定並びに附則第三条、第十三条及び第十四条第一項の規定 公布の日

(i) the provisions in Article 1 to revise Article 53-11 of the Broadcast Act; the provisions in Article 3 to revise Article 99-12 of the Radio Act; the provisions

- in Article 5 to revise Article 147, paragraph (1) of the Telecommunications Business Act; and the provisions in Article 3, Article 13 and Article 14, paragraph (1) of Supplementary Provisions: the dates of promulgation;
- 二 第一条中放送法第五十二条の十三第一項第五号チの改正規定、同法第五十二条の二十四第二項第四号の改正規定及び同法第五十二条の三十第二項第五号の改正規定並びに第三条の規定（前号に掲げる改正規定を除く。）並びに附則第十一条、第十二条、第二十七条、第三十五条及び第三十七条の規定 公布の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
- (ii) in Article 1, the provisions to revise Article 52-13, paragraph (1), item (v), (h) of the Broadcast Act, the provisions to revise Article 52-24, paragraph (2), item (iv) of the same Act, and the provisions to revise Article 52-30, paragraph (2), item (v) of the same Act; the provisions in Article 3 (excluding provisions regarding revisions set forth in item (i) above); and the provisions in Article 11, Article 12, Article 27, Article 35 and Article 37 of Supplementary Provisions: the date specified by Cabinet Order within a period not exceeding three months from the dates of promulgation;
- 三 第一条の規定（前二号に掲げる改正規定を除く。）並びに第五条中電気通信事業法第三十四条の改正規定、同法第百六十九条第四号の改正規定及び同法第百九十一条第二号の改正規定並びに附則第十条第一項の規定 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
- (iii) the provisions set forth in Article 1 (excluding provisions regarding revisions set forth in items (i) and (ii) above); in Article 5, the provisions to revise Article 34 of the Telecommunications Business Act, the provisions to revise Article 169, paragraph (4) of the same Act and the provisions to revise Article 191, paragraph (2) of the same Act; and the provisions in Article 10, paragraph (1) of Supplementary Provisions: the date specified by Cabinet Order within a period not exceeding six months from the dates of promulgation.

（電気通信事業法の一部改正に伴う経過措置）

(Transitional Measures in Connection with the Partial Revision of the Telecommunications Business Act)

第十条 新電気通信事業法第三十四条第六項の規定は、第五条中電気通信事業法第三十四条の改正規定の施行の日以後に終了する事業年度から適用する。

Article 10 (1) The provisions in Article 34, paragraph (6) of the revised Telecommunications Business Act apply from the business year ending after the enforcement date of the provisions in Article 5 to revise Article 34 of the Telecommunications Business Act.

2 この法律の施行の際現に第五条の規定による改正前の電気通信事業法（以下この条において「旧電気通信事業法」という。）第百四十七条第一項又は第二項の規定により任命された電気通信事業紛争処理委員会の委員である者は、それぞれ、施行日に、

新電気通信事業法第百四十七条第一項又は第二項の規定により電気通信紛争処理委員会の委員として任命されたものとみなす。この場合において、その任命されたものとみなされる者の任期は、新電気通信事業法第百四十八条第一項の規定にかかわらず、施行日における旧電気通信事業法第百四十七条第一項又は第二項の規定により任命された電気通信事業紛争処理委員会の委員としての任期の残任期間と同一の期間とする。

(2) A person who, as of the time of the enforcement of this Act, is the member of the Telecommunications Business Dispute Settlement Commission that has been appointed pursuant to the provisions of Article 147, paragraph (1) or (2) of the Telecommunications Business Act before the revision by Article 5 (hereinafter referred to as the "former Telecommunications Business Act" in this Article) is deemed to have been individually appointed on the effective date of this Act as the member of the Telecommunications Business Dispute Settlement Commission pursuant to the provisions of Article 147, paragraph (1) or (2) of the revised Telecommunications Business Act. In this case, the term of office of the person who is so deemed to be appointed is the same as the remaining term of office of that person on the effective date as the member of the Telecommunications Business Dispute Settlement Commission which that person has been appointed to be pursuant to the provisions of Article 147, paragraph (1) or (2) of the former Telecommunications Business Act, regardless of the provisions in Article 148, paragraph (1) of the revised Telecommunications Business Act.

3 この法律の施行の際現に旧電気通信事業法第百四十六条第一項の規定により選任された電気通信事業紛争処理委員会の委員長である者又は同条第三項の規定により定められた委員である者は、それぞれ、施行日に、新電気通信事業法第百四十六条第一項の規定により選任され、又は同条第三項の規定により委員長の職務を代理する委員として定められたものとみなす。

(3) A person who, as of the time of the enforcement of this Act, is the chair of the Telecommunications Business Dispute Settlement Commission appointed pursuant to the provisions of Article 146, paragraph (1) of the former Telecommunications Business Act is deemed to have been appointed on the Effective Date of this Act as the chair of the Telecommunications Business Dispute Settlement Commission pursuant to the provisions of Article 146, paragraph (1) of the revised Telecommunications Business Act, and a person who, as of the time of the enforcement of this Act, is the member designated pursuant to the provisions of paragraph (3) of the same Article is deemed to have been designated on the Effective Date of this Act as the member that carries out the duties of the chair of the Telecommunications Business Dispute Settlement Commission in place of the chair pursuant to the provisions of Article 146, paragraph (3) of the revised Telecommunications Business Act.

4 電気通信事業紛争処理委員会の委員であった者に係るその職務に関して知り得た秘密を漏らしてはならない義務については、施行日以後も、なお従前の例による。

(4) Prior laws continue to govern the obligations of the ex-members of the Telecommunications Business Dispute Settlement Commission to maintain the confidentiality of information which came to their knowledge in the course of their duties as Commission members, after the Effective Date of the revised Telecommunications Business Act.

(処分等の効力)

(Effect of Dispositions)

第十一条 この法律（附則第一条第二号及び第三号に掲げる規定については、当該各規定）の施行前に改正又は廃止前のそれぞれの法律の規定によってした又はすべき処分、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又はすべきものとみなす。

Article 11 A disposition, procedure or other act taken or to be taken pursuant to the provisions of respective laws prior to revision before the enforcement of this Act (with regard to the provisions set forth in Supplementary Provisions Article 1, item (ii) and (iii), the provisions of those respective items) and the provisions specified in Article 1, paragraphs (2) and (3) of these Supplementary Provisions), which has corresponding provisions in respective revised laws after revision is deemed as a disposition, procedure or other act taken or to be taken pursuant to the corresponding provisions in those revised laws, except what is otherwise provided for in these Supplementary Provisions.

(罰則の適用に関する経過措置)

(Transitional Measures Concerning the Application of Penal Provisions)

第十二条 この法律（附則第一条第二号及び第三号に掲げる規定については、当該各規定。以下この条において同じ。）の施行前にした行為及び附則第四条第二項、第五条第八項、第六条第五項、第七条及び第八条第十二項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 12 Prior laws continue to govern the applicability of penal provisions to any act undertaken before the enforcement of this Act (and the provisions specified in Article 1, paragraphs (2) and (3) of these Supplementary Provisions; the same applies hereinafter in this Article), or any act undertaken after the enforcement of this Act in a situation that prior laws continue to govern pursuant to the provisions of Article 4, paragraph (2), Article 5, paragraph (8), Article 6, paragraph (5), Article 7 and Article 8, paragraph (12) of 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（罰則に関する経過措置を含む。）は、政令で定める。

Article 13 Beyond what is provided for in these Supplementary Provisions, any necessary transitional measures for the enforcement of this Act (including transitional measures concerning penal provisions) are stipulated by Cabinet Order.

（検討）

(Review)

第十四条 政府は、この法律の公布後一年を目途として、日本放送協会の役員に係る欠格事由の在り方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 14 (1) The government is to, after approximately one year since the promulgation of this Act, review the best mode for the reasons for disqualification of officers of the Japan Broadcasting Corporation and is to, if the government finds it necessary, take necessary measures based on the results of the review.

2 政府は、この法律の施行後五年以内に、前項に定める事項のほか、この法律による改正後の規定の実施状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

(2) Beyond the particulars specified in paragraph (1) above, within five years from the enforcement of this Act, the government is to review the status of implementation of the provisions revised by this Act and take necessary measures based on the findings of the review.

附 則 〔平成二十三年五月二日法律第三十五号〕〔抄〕

Supplementary Provisions [Act No.35-May 2, 2011 Excerpts] [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 as of the date specified by Cabinet Order within a period not exceeding three months from the date of promulgation.

附 則 〔平成二十三年六月一日法律第五十八号〕〔抄〕

Supplementary Provisions [Act No.58-June 1, 2011 Excerpts] [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。ただし、次条の規定は、公布の日から施行する。

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation; provided, however, that the provisions of the following Article come into effect as of the date of promulgation.

(審議会等への諮問)

(Consultation with Councils)

第二条 総務大臣は、この法律の施行前においても、第一条の規定による改正後の電気通信事業法第三十一条第五項又は第七項の総務省令の制定のために、電気通信事業法第百六十九条の政令で定める審議会等に諮問することができる。

Article 2 Even prior to the enforcement of this Act, the Minister for Internal Affairs and Communications may consult the councils, etc. set forth in Cabinet Order as specified by Article 169 of the Telecommunications Business Act, in order to establish Order of the Ministry of Internal Affairs and Communications as prescribed in Article 31, paragraph (5) or (7) of the Telecommunications Business Act after revision under Article 1.

(罰則の適用に関する経過措置)

(Transitional Measures Concerning the Application of 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 govern the application of penal provisions to acts undertaken prior to the enforcement of this Act.

(検討)

(Reviews)

第五条 政府は、この法律の施行後三年を目途として、この法律による改正後の規定の実施状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 5 The government is to, after approximately three years from the enforcement of this Act, review the status of implementation of the provisions revised by this Act and is to, if the government finds it necessary, take necessary measures based on the results of the review.

附 則 [平成二十三年六月二十四日法律第七十四号] [抄]

Supplementary Provisions [Act No.74-June 24, 2011 Excerpts] [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二十日を経過した日から施行する。

Article 1 This Act comes into effect after twenty days from the date of promulgation.

附 則 〔平成二十六年五月三十日法律第四十二号〕 〔抄〕

Supplementary Provisions [Act No.42-May 30, 2014 Excerpts] [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 as of the date specified by Cabinet Order within a period not exceeding two years from the date of promulgation.

附 則 〔平成二十六年六月十一日法律第六十三号〕 〔抄〕

Supplementary Provisions [Law No.63-June 11, 2014 Excerpts] [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。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 as of the day specified by Cabinet Order within a period not exceeding one year from the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the date specified respectively for those items:

一 第八十六条第一項、第八十九条、第九十条第三項、第百条第二項、第百十六条第二項の表の改正規定及び第百六十一条第一項の改正規定（「第二十九条第一項若しくは第二項」を「第二十九条」に改める部分に限る。）並びに次条の規定 公布の日

(i) the provisions to revise Article 86, paragraph (1), Article 89, Article 90, paragraph (3), Article 100, paragraph (2) and the table in Article 116, paragraph (2); and the provisions to revise Article 161, paragraph (1) (limited to the part to revise "Article 29, paragraph (1) or paragraph(2)" to "Article 29") and the provisions in the following Article: the date of promulgation;

二 第五十三条第三項の改正規定、第六十八条の次に十一條を加える改正規定（第六十八条の二に係る部分に限る。）及び第六十九条第一項の改正規定並びに附則第四条第一項、第七条及び第八条の規定 公布の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

(ii) the provisions to revise Article 53, paragraph (3), provisions to revise by adding eleven Articles after Article 68 (limited to the part related to Article

68-2) and provisions to revise Article 69, paragraph (1), and provisions in Article 4 paragraph (1), Article 7 and Article 8 of Supplementary Provisions: the date specified by Cabinet Order within a period not exceeding three months from the dates of promulgation;

三 目次の改正規定、第二章第五節第三款を同節第四款とする改正規定、第八十七条第一項、第九十一条第二項及び第九十五条第一項の改正規定、第二章第五節第二款を同節第三款とし、同節第一款の次に一款を加える改正規定、第百六十三条第一項、第百六十六条第五項、第百七十四条第一項及び第百八十二条の改正規定、第百八十八条の改正規定（同条第一号の改正規定を除く。）、第百九十二条の改正規定並びに別表第二を別表第三とし、別表第一第一号中「（昭和二十二年法律第二十六号）」を削り、同表を別表第二とし、附則の次に一表を加える改正規定並びに附則第四条第二項及び第六条の規定 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

(iii) the provisions to revise the table of contents; the provisions to revise Subsection 3 of Section 5 of Chapter 2 to Subsection 4 of the same Section; provisions to revise Article 87, paragraph (1), Article 91, paragraph (2) and Article 95, paragraph (1); the provisions to revise Subsection 2 of Section 5 of Chapter 2 to Subsection 3 of the same Section and add a subsection after Subsection 1 of the same Section; the provisions to revise Article 163, paragraph (1), Article 166, paragraph (5), Article 174, paragraph (1) and Article 182; the provisions to revise Article 188 (excluding the provisions to revise item (i) of the same Article); the provisions to revise Article 192; the provisions to revise Appended Table 2 to Appended Table 3, delete "(Law No. 26 of 1947)" in Appended Table 1, item (i), revise the same Table to Appended Table 2 and add a table after the Supplementary Provisions; and the provisions in Article 4, paragraphs (2) and Article 6 of the Supplementary Provisions: the date specified by Cabinet Order within a period not exceeding six months from the dates of promulgation.

(審議会等への諮問)

(Consultation with Councils)

第二条 総務大臣は、この法律の施行前においても、この法律による改正後の電気通信事業法（以下「新法」という。）第四十一条第三項及び第四項の総務省令の制定のために、電気通信事業法第百六十九条の政令で定める審議会等に諮問することができる。

Article 2 Even prior to the enforcement of this Act, the Minister for Internal Affairs and Communications may consult the councils, etc. specified by Cabinet Order as set forth in Article 169 of the Telecommunications Business Act in order to establish Order of the Ministry of Internal Affairs and Communications as set forth in Article 41, paragraphs (3) and (4) of the Telecommunications Business Act revised by this Act (hereinafter referred to as the "new Act").

(電気通信事業法の一部改正に伴う経過措置)

(Transitional Measures upon Partial Revision of the Telecommunications Business Act)

第三条 この法律の施行の際現に事業用電気通信設備（この法律による改正前の電気通信事業法第四十四条第一項に規定する事業用電気通信設備をいう。次項において同じ。）を設置している電気通信事業者についての新法第四十四条第一項の規定の適用については、同項中「、第二項又は第四項」とあるのは「又は第二項」と、「電気通信事業の開始前に」とあるのは「電気通信事業法の一部を改正する法律（平成二十六年法律第六十三号）の施行の日から起算して一月以内に」とする。

Article 3 (1) With regard to the application of the provisions in paragraph (1) of Article 44 of the new Act to the telecommunications carriers that, at the time of enforcement of this Act, are actually running telecommunications facilities for the use of telecommunications business (telecommunications facilities for the use of telecommunications business defined in Article 44, paragraph (1) of the Telecommunications Business Act prior to the revision by this Act; the same applies in following paragraph), the term "paragraph 2 or 4" in the same paragraph is replaced with "or paragraph 2" and the term "before the commencement of the telecommunication business" in the same paragraph is replaced with "within one month from the date of enforcement of the Act for Partial Revision of the Telecommunications Business Act (Act No. 63 of 2014)" respectively.

2 この法律の施行の際現に事業用電気通信設備を設置している電気通信事業者が新法第四十四条の三第一項の規定により最初にすべき選任は、この法律の施行の日（次条及び附則第八条において「施行日」という。）から起算して一月以内にしなければならない。

(2) Telecommunications carriers that, at the time of enforcement of this Act, are actually running the telecommunications facilities for the use of telecommunications business must make the initial appointment they should make pursuant to the provisions of Article 44-3, paragraph (1) of the new Act within one month from the date of the enforcement of this Act (referred to as "effective date" in the following Article and Article 8 of the Supplementary Provisions).

第四条 附則第一条第二号に定める日から施行日の前日までの間における新法第五十三条第三項及び第六十八条の二の規定の適用については、同項中「、第六十八条の二又は第六十八条の八第三項」とあるのは「又は第六十八条の二」と、同条中「若しくは第六十五条又は第六十八条の八第三項」とあるのは「又は第六十五条」とする。

Article 4 (1) With regard to the application of the provisions in paragraph (3) of Article 53 and Article 68-2 of the new Act for the period from the date specified in Article 1, paragraph (2) of the Supplementary Provisions until the day

before the effective date, the term "Article 68-2 or Article 68-8, paragraph (3)" in the same paragraph is replaced with "or Article 68-2," and the term "or Article 65 or Article 68-8, paragraph (3)" in the same Article is replaced with "or Article 65."

2 附則第一条第三号に定める日から施行日の前日までの間における新法第八十五条の二第一項、第八十五条の五、第七百七十四条第一項及び第九十二条第二号の規定の適用については、第八十五条の二第一項中「講習の実施」とあるのは「事業用電気通信設備の工事、維持及び運用に関する事項の監督に関する講習（以下この款、第七百七十四条第一項及び別表第一において「講習」という。）の実施」と、第八十五条の五中「登録講習機関について」とあるのは「第八十五条の二第一項の規定により登録を受けた者（以下「登録講習機関」という。）について」と、第七百七十四条第一項中「第六十八条の三第一項の規定による登録若しくは第六十八条の六第一項の規定による変更登録を受けようとする者、第八十五条の十五第一項」とあるのは「第八十五条の十五第一項」と、同号中「第六十八条の六第四項、第六十八条の十第一項、第八十五条の六第二項」とあるのは「第八十五条の六第二項」とする。

(2) With regard to the application of the provisions in Article 85-2, paragraph (1), Article 85-5, Article 174, paragraph (1) and Article 192, paragraph (2) of the new Act for the period from the date specified in Article 1, paragraph (3) of the Supplementary Provisions until the day before the effective date, the term "implementation of training" in Article 85-2, paragraph (1) is replaced with "implementation of training on the supervision of particulars related to construction work, maintenance and operation of telecommunications facilities for the use of telecommunications business (hereinafter referred to in this Section, Article 174, paragraph (1) and Appended Table 1 as "Training")", and the term "for Registered Training Agency" in Article 85-5 is replaced with "for a person registered pursuant to the provisions in Article 85-2, paragraph (1) (hereinafter referred to as a "registered training agency")," the term "a person that intends to obtain registration under Article 68-3, paragraph (1) or registration of change under Article 68-6, paragraph (1), the person that intends to receive training provided by the Minister for Internal Affairs and Communications under Article 85-15, paragraph (1)" in Article 174, paragraph (1) is replaced with "the person that intends to receive training provided by the Minister for Internal Affairs and Communications under Article 85-15, paragraph (1)," and the term "Article 68-6, paragraph (4), Article 68-10, paragraph (1), Article 85-6, paragraph (2)" in the same item is replaced with "Article 85-6, paragraph (2)."

(検討)

(Review)

第五条 政府は、この法律の施行後五年を経過した場合において、次項に定めるものを除くほか、新法の規定の施行の状況について検討を加え、必要があると認めるときは、

その結果に基づいて所要の措置を講ずるものとする。

Article 5 (1) When five years have passed since the enforcement of this Act, the government is to, except what is specified in the following paragraph, review the status of enforcement of the provisions of the new Act, and is to , if the government finds it necessary, take necessary measures based on the results of the review.

2 政府は、この法律の施行後十年を経過した場合において、登録修理業者（新法第六十八条の五に規定する登録修理業者をいう。）に係る新法の規定の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

(2) When ten years have passed since the enforcement of this Act, the government is to review the status of enforcement of the provisions in the new Act that are related to registered repairers (registered repairers defined in Article 68-5 of the new Act) and is to, if the government finds it necessary, take necessary measures based on the results of the review.

附 則 〔平成二十六年六月十三日法律第六十七号〕 〔抄〕

Supplementary Provisions [Act No.67-June 13, 2014 Excerpts] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、独立行政法人通則法の一部を改正する法律（平成二十六年法律第六十六号。以下「通則法改正法」という。）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 as of the date of enforcement of the Act for the Partial Revision of the Act on General Rules for Incorporated Administrative Agencies (Act No. 66 of 2014; hereinafter referred to as the "General Rules Revising Act"); provided, however, that the provisions set forth in the following items come into effect as of the date specified respectively for those items:

一 附則第十四条第二項、第十八条及び第三十条の規定 公布の日

(i) the provisions of Article 14, paragraph (2), Article 18 and Article 30 of the Supplementary Provisions: the date of promulgation.

(処分等の効力)

(Effect of Disposition)

第二十八条 この法律の施行前にこの法律による改正前のそれぞれの法律（これに基づく命令を含む。）の規定によってした又はすべき処分、手続その他の行為であつてこの法律による改正後のそれぞれの法律（これに基づく命令を含む。以下この条において「新法令」という。）に相当の規定があるものは、法律（これに基づく政令を含む。）に別段の定めのあるものを除き、新法令の相当の規定によってした又はすべき

処分、手続その他の行為とみなす。

Article 28 A disposition, procedure, and any other act taken or to be taken pursuant to the provisions of respective laws prior to revision (including orders issued thereunder) before the enforcement of this Act, which has corresponding provisions in respective laws revised by this Act (including orders issued thereunder; hereinafter referred to as "new laws" in this Article), is deemed as a disposition, procedure, and other act taken or to be taken pursuant to the corresponding provisions of the new laws, except what is otherwise provided for in any law (including a Cabinet Order issued under a law).

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第二十九条 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 29 Prior laws continue to govern the application of penal provisions to acts undertaken prior to the enforcement of this Act, and to acts that are undertaken after the enforcement of this Act in a situation in which prior laws are to remain in force pursuant to the provisions of these Supplementary Provisions.

(その他の経過措置の政令等への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第三十条 附則第三条から前条までに定めるもののほか、この法律の施行に関し必要な経過措置（罰則に関する経過措置を含む。）は、政令（人事院の所掌する事項については、人事院規則）で定める。

Article 30 Beyond what is provided for in Article 3 through the preceding Article of these Supplementary Provisions, transitional measures necessary to enforce this Act (including transitional measures concerning penal provisions) are specified by Cabinet Order (or by the Rules of the National Personnel Authority for particulars governed by the National Personnel Authority).

附 則 〔平成二十六年六月十三日法律第六十九号〕 〔抄〕

Supplementary Provisions [Act No.69-June 13, 2014 Excerpts] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、行政不服審査法（平成二十六年法律第六十八号）の施行の日から施行する。

Article 1 This Act comes into effect as of the enforcement date of the Administrative Appeal Act (Act No. 68 of 2014).

附 則 〔平成二十七年五月二十二日法律第二十六号〕 〔抄〕

Supplementary Provisions [Act No.26-May 22, 2015 Excerpts] [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。ただし、次条及び附則第八条の規定は、公布の日から施行する。

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation; provided, however, that the provisions of the following Article and Article 8 of Supplementary Provisions come into effect as of the date of promulgation.

(準備行為)

(Preparatory Actions)

第二条 総務大臣は、この法律の施行の日（以下「施行日」という。）前において、第一号に掲げる事項については第一条の規定による改正前の電気通信事業法（以下「旧電気通信事業法」という。）第百六十九条の政令で定める審議会等に、第二号及び第三号に掲げる事項については電波監理審議会に、それぞれ諮問することができる。

Article 2 Prior to the enforcement of this Act (hereinafter referred to as "effective date"), the Minister for Internal Affairs and Communications may consult the councils, etc. specified by Cabinet Order as set forth in Article 169 of the Telecommunications Business Act prior to the revision under Article 1 (hereinafter referred to as the "former Telecommunications Business Act") for particulars stipulated in item (i) below, and the Radio Regulatory Council for particulars stipulated in items (ii) and (iii) below:

一 第一条の規定による改正後の電気通信事業法（以下「新電気通信事業法」という。）第十二条の二第四項第二号ロ若しくはニの規定による電気通信設備の指定、新電気通信事業法第二十六条第一項各号の規定による電気通信役務の指定、新電気通信事業法第三十条第三項第二号の規定による電気通信事業者の指定又は新電気通信事業法第十二条の二第四項第二号ロ若しくはニ、第二十四条第一号ハ、第二十六条第一項、第二十六条の二第一項、第二十六条の三第一項若しくは第三項ただし書、第二十七条の二第二号、第三十条第六項、第三十四条第三項第一号イ、ロ若しくはホ若しくは第二号、第三十八条の二、第三十九条の三第三項、第五十条第一項ただし書若しくは第百六十四条第二項第一号の規定による総務省令の制定又は改廃

(i) designation of telecommunications facilities under Article 12-2, paragraph (4), item (ii), (b) or (d) of the Telecommunications Business Act revised by Article 1 (hereinafter referred to as the "new Telecommunications Business Act"); designation of telecommunication services under every item in Article 26, paragraph (1) of the new Telecommunications Business Act; designation of telecommunications carriers under Article 30, paragraph (3), item (ii); or

establishment, revision or discontinuation of Order of the Ministry of Internal Affairs and Communications under Article 12-2, paragraph (4), item (ii), (b) or (d), Article 24, item (i), (c), Article 26, paragraph (1), Article 26-2, paragraph (1), Article 26-3, paragraph (1) or proviso in paragraph (3) of the same Article, Article 27-2, item (ii), Article 30, paragraph (6), Article 34, paragraph (3), item (i), (a), (b) or (e) or item (ii) of the same paragraph, Article 38-2, Article 39-3, paragraph (3), Article 50, paragraph (1) proviso or Article 164, paragraph (2), item (i);

二 第二条の規定による改正後の電波法（以下「新電波法」という。）第四条第二項の規定による総務省令の制定又は改廃

(ii) establishment, revision or discontinuation of Order of the Ministry of Internal Affairs and Communications under Article 4, paragraph (2) of the Radio Act revised by the provisions of Article 2 (hereinafter referred to as the "new Radio Act"); and

三 第三条の規定による改正後の放送法（以下「新放送法」という。）第百五十条の三第一項各号の規定による有料放送の役務の指定又は新放送法第百五十条、第百五十条の二第一項、第百五十条の三第一項若しくは第四項ただし書若しくは第百五十一条の二第二号の規定による総務省令の制定又は改廃

(iii) designation of services of paid broadcasting under every item in Article 150-3, paragraph (1) of the Broadcast Act revised by the provisions of Article 3 (hereinafter referred to as the "new Broadcast Act"); or establishment or , revision or discontinuation of Order of the Ministry of Internal Affairs and Communications under Article 150, Article 150-2, paragraph (1), Article 150-3, paragraph (1) or the proviso in paragraph (4) of the same Article, or Article 151-2, item (2) of the new Broadcast Act.

（電気通信事業法の一部改正に伴う経過措置）

(Transitional Measures upon Partial Revision of the Telecommunications Business Act)

第三条 新電気通信事業法第十二条の二第一項の規定は、施行日以後に同項各号に掲げる事由が生じた場合について適用する。

Article 3 (1) Provisions set forth in Article 12-2, paragraph (1) of the new Telecommunications Business Act apply if any event stipulated in the items in the same paragraph occurs on or after the effective date.

2 この法律の施行の際現にドメイン名電気通信役務（新電気通信事業法第百六十四条第二項第一号に規定するドメイン名電気通信役務をいう。以下この条において同じ。）を提供する電気通信事業（新電気通信事業法第二条第四号に規定する電気通信事業をいう。以下この条において同じ。）を営んでいる者（旧電気通信事業法第九条の登録を受けた者に限る。）の当該電気通信事業についての新電気通信事業法第十三条第一項の規定の適用については、同項中「を変更しようとするときは」とあるのは、「の変更について電気通信事業法等の一部を改正する法律（平成二十七年法律第二十

六号) の施行の日から起算して一月以内に」とする。

(2) With regard to the application of the provisions of Article 13, paragraph (1) of the new Telecommunications Business Act to the telecommunication businesses of the persons that, at the time of enforcement of this Act, are actually operating telecommunication businesses (telecommunication businesses as defined in Article 2, item (4) of the new Telecommunications Business Act; the same applies to this Article) to provide the domain name telecommunication services (domain name telecommunication services defined in Article 164, paragraph (2), item (i) of the new Telecommunications Business Act; the same applies to this Article) (limited to the persons that have obtained the registration under Article 9 of the former Telecommunications Business Act), the term "When any person that has obtained registration set forth in Article 9 intends to change any of the particulars set forth in item (ii) or (iii) of Article 10, paragraph (1), they must obtain registration of the change from the Minister for Internal Affairs and Communications;" is replaced with "Any person that has obtained registration as set forth in Article 9 is to obtain registration of a change in any of the particulars set forth in item (ii) or (iii) of Article 10, paragraph (1) from the Minister for Internal Affairs and Communications within one month from the enforcement of the Act for Partial Revision of the Telecommunications Business Act (Act No. 26 of 2015)."

3 この法律の施行の際現にドメイン名電気通信役務を提供する電気通信事業を営んでいる者（旧電気通信事業法第九条の登録を受けた者及び旧電気通信事業法第十六条第一項の規定による届出をした者を除く。）の当該電気通信事業についての新電気通信事業法第十六条第一項の規定の適用については、同項中「総務省令」とあるのは、「電気通信事業法等の一部を改正する法律（平成二十七年法律第二十六号）の施行の日から起算して一月以内に、総務省令」とする。

(3) With regard to the application of the provisions of Article 16, paragraph (1) of the new Telecommunication Business Act to the telecommunication businesses of the persons that, at the time of enforcement of this Act, are actually operating telecommunication businesses to provide domain name telecommunication services (excluding persons that have obtained the registration under Article 9 of the former Telecommunications Business Act and persons that have filed a notification under Article 16, paragraph (1) of the former Telecommunications Business Act), the term "by Order of the Ministry of Internal Affairs and Communications" is replaced with "by Order of the Ministry of Internal Affairs and Communications, within one month from the date of enforcement of the Act for Partial Revision of the Telecommunications Business Act (Act No. 26 of 2015)."

4 この法律の施行の際現にドメイン名電気通信役務を提供する電気通信事業を営んでいる者（旧電気通信事業法第十六条第一項の規定による届出をした者に限る。）の当該電気通信事業についての新電気通信事業法第十六条第三項の規定の適用については、

同項中「を変更しようとするときは」とあるのは、「の変更について電気通信事業法等の一部を改正する法律（平成二十七年法律第二十六号）の施行の日から起算して一月以内に」とする。

(4) With regard to the application of the provisions of Article 16, paragraph (3) of the new Telecommunication Business Act to the telecommunication businesses of the persons that, at the time of enforcement of this Act, are actually operating telecommunication businesses to provide domain name telecommunication services (limited to the persons that have filed the notification under Article 16, paragraph (1) of the former Telecommunications Business Act), the term "When any person that has filed a notification as set forth in paragraph (1) intends to change any of the particulars set forth in item (ii) or (iii) of the same paragraph, they are to notify the Minister for Internal Affairs and Communications to that effect;" is replaced with "Any person that has filed a notification as set forth in paragraph (1) must obtain registration of a change in any of the particulars as set forth in item (ii) or (iii) of the same paragraph, from the Minister for Internal Affairs and Communications within one month from the enforcement of the Act for Partial Revision of the Telecommunications Business Act (Act No. 26 of 2015)."

5 新電気通信事業法第二十四条第一号ハの規定は、施行日以後に開始する事業年度に係る会計理について適用する。

(5) The provisions of Article 24, item (i), (c) of the new Telecommunications Business Act apply to the keeping of accounts for the business year commencing after the effective date.

6 新電気通信事業法第二十六条の二及び第二十六条の三の規定は、施行日以後に締結される電気通信役務（新電気通信事業法第二条第三号に規定する電気通信役務をいう。）の提供に関する契約について適用する。

(6) The provisions of Article 26-2 and Article 26-3 of the new Telecommunications Business Act apply to the contracts related to the provision of telecommunication services (telecommunication services defined in Article 2, item (iii) of the new Telecommunications Business Act) concluded on or after the effective date.

7 この法律の施行の際現に新電気通信事業法第三十三条第二項に規定する第一種指定電気通信設備又は新電気通信事業法第三十四条第二項に規定する第二種指定電気通信設備を用いる卸電気通信役務（新電気通信事業法第二十九条第一項第十号に規定する卸電気通信役務をいう。）の提供の業務を行っている当該第一種指定電気通信設備又は第二種指定電気通信設備を設置する電気通信事業者（新電気通信事業法第二条第五号に規定する電気通信事業者をいう。）に係る新電気通信事業法第三十八条の二の規定の適用については、同条中「は、当該第一種指定電気通信設備又は第二種指定電気通信設備を用いる卸電気通信役務の提供の業務を開始したときは、」とあるのは「は、」と、「遅滞なく、その旨」とあるのは「電気通信事業法等の一部を改正する法律（平成二十七年法律第二十六号）の施行後遅滞なく、当該第一種指定電気通信設

備又は第二種指定電気通信設備を用いる卸電気通信役務の提供の業務を行っている旨」とする。

(7) With regard to the application of the provisions in Article 38-2 of the new Telecommunications Business Act related to the telecommunications carriers that runs the Category I designated telecommunications facilities defined in Article 33, paragraph (2) of the new Telecommunications Business Act or Category II designated telecommunications facilities defined in Article 34, paragraph (2) of the same Act (telecommunications carriers defined in Article 2, item (v) of the revised Telecommunications Business Act), and, at the time of the enforcement of this Act, is conducting the operations involved in providing wholesale telecommunication services (wholesale telecommunication services defined in Article 29, paragraph (1), item (x) of the new Telecommunications Business Act), by using Category I or II designated telecommunications facilities, the term "when they commence the provision of wholesale telecommunication services by using Category I or Category II designated telecommunications facilities," is deleted and the term "promptly thereof" is replaced with "the fact that they are conducting the operations involved in providing wholesale telecommunication services by using said Category I or Category II designated telecommunications facilities, promptly after the enforcement of the Act for Partial Revision of the Telecommunications Business Act (Act No. 26 of 2015)."

8 新電気通信事業法第三十九条の三第三項の規定は、施行日以後に開始する事業年度に係る会計の公表について適用する。

(8) The provisions of Article 39-3, paragraph (3) of the new Telecommunications Business Act apply to the announcement of the account for the business year commencing after the effective date.

9 この法律の施行の際現にドメイン名電気通信役務を提供する電気通信事業を営んでいる者（この法律の施行の際現に旧電気通信事業法第四十四条第一項に規定する事業用電気通信設備を設置している者を除く。次項において同じ。）についての新電気通信事業法第四十四条第一項の規定の適用については、同項中「電気通信事業の開始前に」とあるのは、「電気通信事業法等の一部を改正する法律（平成二十七年法律第二十六号）の施行の日から起算して三月以内に」とする。

(9) With regard to application of the provisions of Article 44, paragraph (1) of the new Telecommunication Business Act to the persons that, at the time of enforcement of this Act, are actually operating telecommunication businesses to provide domain name telecommunication services (excluding persons that are actually running telecommunications facilities for the use of telecommunications business defined in Article 44, paragraph (1) of the former Telecommunications Business Act at the time of enforcement of this Act; the same applies in the following paragraph), the term "before the commencement of the telecommunication businesses" in the same paragraph is replaced with

"within three months from the enforcement of the Act for Partial Revision of the Telecommunications Business Act (Act No. 26 of 2015)."

10 この法律の施行の際現にドメイン名電気通信役務を提供する電気通信事業を営んでいる者が新電気通信事業法第四十四条の三第一項又は第四十五条第一項の規定により最初にすべき選任は、施行日から起算して三月以内にしなければならない。

(10) Persons that, at the time of enforcement of this Act, are actually operating telecommunication businesses to provide domain name telecommunications services must make the initial appointment they should make pursuant to the provisions of Article 44-3, paragraph (1) or Article 45, paragraph (1) of the new Telecommunications Business Act, within three months from the effective date.

(処分等の効力)

(Effect of Dispositions)

第六条 施行日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 6 A disposition, procedure or other act taken pursuant to the provisions of respective laws prior to revision before the effective date, which has corresponding provisions in respective laws after revision is deemed to have been taken pursuant to the corresponding provisions in those revised laws, except what is otherwise provided for in these Supplementary Provisions.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第七条 施行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 7 Prior laws continue to govern the application of penal provisions to acts undertaken prior to the effective date.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第八条 附則第三条から前条までに定めるもののほか、この法律の施行に関し必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 8 Beyond what is provided for in Article 3 through the preceding Article of these Supplementary Provisions, any transitional measures necessary to enforce this Act (including transitional measures concerning penal provisions) are specified by Cabinet Order.

(検討)

(Review)

第九条 政府は、この法律の施行後三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 9 When three years have passed since the date of enforcement of this Act, the government is to review the status of implementation of the provisions of this Act and is to, if the government finds it necessary, take necessary measures based on the results of the review.

別表第一（第八十五条の二、第八十五条の三関係）

Appended Table 1 (Re: Article 85-2 and Article 85-3)

講習 Training	科目 Subject	講師 Instructor
一 伝送交換技術に係る電気通信主任技術者定期講習 (i) Regular training of the chief telecommunications engineer pertaining to transmission and switching technology	イ 伝送交換設備及びその管理に関する科目 (a) Subjects pertaining to transmission and switching facilities and their management	(1) 伝送交換技術に係る電気通信主任技術者として事業用電気通信設備の工事、維持又は運用に関する事項の監督の職務に従事した経験を一年以上有する者 (1) A person with experience totaling one year or more in engaging in supervisory matters related to construction, maintenance or operation of telecommunications facilities for the telecommunications operations as a chief telecommunications engineer of transmission and switching technology

(2) 学校教育法（昭和二十二年法律第二十六号）による大学（短期大学を除く。以下この表において同じ。）において電気工学又は通信工学を担当する教授若しくは准教授の職にあり、又はこれらの職にあつた者

(2) A person who currently serves or has served in the past as a professor or associate professor teaching electrotechnology or communication engineering in a university (excluding junior college; the same applies in this table) defined under the School Education Act (Act No. 26 of 1947)

(3) (1) 又は (2) に掲げる者と同等以上の知識及び経験を有する者

(3) A person who has knowledge and experience equivalent to or higher than the person stipulated in (1) or (2) above

ロ 電気通信事業法その他関係法令に関する科目
(b) Subjects pertaining to the Telecommunications Business Act and other relevant laws

(1) 伝送交換技術に係る電気通信主任技術者として事業用電気通信設備の工事、維持又は運用に関する事項の監督の職務に従事した経験を一年以上有する者

(1) A person with experience totaling one year or more in engaging in supervisory matters related to construction, maintenance or operation of telecommunications facilities for the telecommunications operations as a chief telecommunications engineer of transmission and switching technology

(2) 学校教育法による大学において行政法学を担当する教授若しくは准教授の職にあり、又はこれらの職にあつた者

(2) A person who currently serves or has served in the past as a professor or associate professor teaching administrative jurisprudence in a university defined under the School Education Act

(3) (1)又は(2)に掲げる者と同等以上の知識及び経験を有する者

(3) A person who has knowledge and experience equivalent to or higher than the person stipulated in (1) or (2) above

二 線路技術に係る電気通信主任技術者定期講習
(ii) Regular training of the chief telecommunications engineer pertaining to transmission line technology

イ 線路設備及びその管理に関する科目
(a) Subjects pertaining to transmission line facilities and their management

(1) 線路技術に係る電気通信主任技術者として事業用電気通信設備の工事、維持又は運用に関する事項の監督の職務に従事した経験を一年以上有する者

(1) A person with experience totaling one year or more in engaging in supervisory matters related to construction, maintenance or operation of telecommunications facilities for the telecommunications operations as a chief telecommunications engineer of transmission line technology

(2) 学校教育法による大学において電気工学又は通信工学を担当する教授若しくは准教授の職にあり、又はこれらの職にあつた者

(2) A person who currently serves or has served in the past as a professor or associate professor teaching electrotechnology or communication engineering in a university defined under the School Education Act

(3) (1)又は(2)に掲げる者と同等以上の知識及び経験を有する者

(3) A person who has knowledge and experience equivalent to or higher than the person stipulated in (1) or (2) above

ロ 電気通信事業法その他関係法令に関する科目
(b) Subjects pertaining to the Telecommunications Business Act and other relevant laws

(1) 線路技術に係る電気通信主任技術者として事業用電気通信設備の工事、維持又は運用に関する事項の監督の職務に従事した経験を一年以上有する者

(1) A person with experience totaling one year or more in engaging in supervisory matters related to construction, maintenance or operation of telecommunications facilities for the telecommunications operations as a chief telecommunications engineer of transmission line technology

(2) 学校教育法による大学において行政法学を担当する教授若しくは准教授の職にあり、又はこれらの職にあつた者

(2) A person who currently serves or has served in the past as a professor or associate professor teaching administrative jurisprudence in a university defined under the School Education Act

(3) (1) 又は (2) に掲げる者と同等以上の知識及び経験を有する者

(3) A person who has knowledge and experience equivalent to or higher than the person stipulated in (1) or (2) above

別表第二（第八十七条、第九十一条関係）

Appended Table 2 (Re: Article 87 and Article 91)

一 学校教育法による大学（短期大学を除く。第三号において同じ。）若しくは旧大学令（大正七年勅令第三百八十八号）による大学において電気工学若しくは通信工学に関する科目を修めて卒業した者又は電気通信主任技術者資格者証の交付を受けている者であつて、技術基準適合認定若しくは設計認証又は端末機器の試験、調整若しくは保守の業務に従事した経験（以下「業務経験」という。）を一年以上有すること。

(i) a person that has graduated from a university (excluding junior college; the same applies to item (iii)) under the School Education Act (Act No. 26 of 1947) or a university under the former University Order (Imperial Order No. 388 of 1918) after completing a course in electrical engineering or communications engineering, or a person that has obtained a chief telecommunications engineer's license and has experience of being engaged in the operations for technical standards conformity approval or certification of design, or test, adjustment or maintenance of terminal equipment for one year or more (hereinafter referred to as "operational experience");

二 学校教育法による短期大学若しくは高等専門学校又は旧専門学校令（明治三十六年勅令第六十一号）による専門学校において電気工学又は通信工学に関する科目を修めて卒業した者であつて、業務経験を三年以上有すること。

(ii) a person that has graduated from a junior college or college of technology under the School Education Act or a college under the former Technical College Order (Imperial Order No. 61 of 1903) after completing a course in electrical engineering or communications engineering and has business experience of three years or more;

三 学校教育法による大学に相当する外国の学校において電気工学又は通信工学に関する科目を修めて卒業した者であつて、業務経験を一年以上有すること。

(iii) a person that has graduated from a foreign educational establishment corresponding to a university under the School Education Act after completing a course in electrical engineering or communications engineering and has business experience of one year or more;

四 学校教育法による短期大学又は高等専門学校に相当する外国の学校において電気工学又は通信工学に関する科目を修めて卒業した者であつて、業務経験を三年以上有すること。

(iv) a person that has graduated from a foreign educational establishment corresponding to a junior college or college of technology under the School Education Act after completing a course in electrical engineering or communications engineering and has business experience of three years or more.

別表第三（第八十七条関係）

Appended Table 3 (Re: Article 87)

- 一 電圧電流計
- (i) Voltmeter/ammeter
- 二 オシロスコープ
- (ii) Oscilloscope
- 三 インピーダンス分析器
- (iii) Impedance analyzer
- 四 絶縁抵抗計
- (iv) Megohmmeter
- 五 光パワーメータ
- (v) Optical power meter
- 六 レベル計
- (vi) Level meter
- 七 スペクトル分析器
- (vii) Spectrum analyzer
- 八 プロトコル分析器
- (viii) Protocol analyzer
- 九 発振器
- (ix) Oscillator