

日本電信電話株式会社等に関する法律 Act on Nippon Telegraph and Telephone Corporation, etc.

(昭和五十九年十二月二十五日法律第八十五号)
(Act No. 85 of December 25, 1984)

(目的)

(Purpose)

第一条 日本電信電話株式会社（以下「会社」という。）は、東日本電信電話株式会社及び西日本電信電話株式会社がそれぞれ発行する株式の総数を保有し、これらの株式会社による適切かつ安定的な電気通信役務の提供の確保を図ること並びに電気通信の基盤となる電気通信技術に関する研究を行うことを目的とする株式会社とする。

Article 1 (1) Nippon Telegraph and Telephone Corporation (hereinafter referred to as the "Company") is a stock company whose purpose is to own all the shares issued by Nippon Telegraph and Telephone East Corporation and Nippon Telegraph and Telephone West Corporation, to ensure that appropriate and stable telecommunications services are provided by these two companies, as well as to conduct research on telecommunications technologies that would form the basis of telecommunications.

2 東日本電信電話株式会社及び西日本電信電話株式会社（以下「地域会社」という。）は、地域電気通信事業を経営することを目的とする株式会社とする。

(2) Nippon Telegraph and Telephone East Corporation and Nippon Telegraph and Telephone West Corporation (hereinafter collectively referred to as "the Regional Companies") are stock companies whose purpose is to manage regional telecommunications business.

(事業)

(Business)

第二条 会社は、その目的を達成するため、次の業務を営むものとする。

Article 2 (1) The Company is to perform the following duties in order to achieve its purposes

一 地域会社が発行する株式の引受け及び保有並びに当該株式の株主としての権利の行使をすること。

(i) to accept and hold the shares issued by the Regional Companies and to exercise the rights of shareholder of the shares;

二 地域会社に対し、必要な助言、あつせんその他の援助を行うこと。

(ii) to offer advice that the Regional Companies need, mediation, or other assistance to the Regional Companies

三 電気通信の基盤となる電気通信技術に関する研究を行うこと。

(iii) to conduct research on telecommunications technologies that would form the basis of telecommunications;

四 前三号の業務に附帯する業務

(iv) in duties pertaining to the preceding three duties.

2 会社は、前項の業務を営むほか、総務大臣の認可を受けて、その目的を達成するために必要な業務を営むことができる。

(2) The Company may conduct its duties that are necessary to achieve its purposes, f with the permission from the Minister of Internal Affairs and Communications, in addition to conducting its duties referred to in the preceding paragraph.

3 地域会社は、その目的を達成するため、次の業務を営むものとする。

(3) The Regional Companies, are to provide the following services to achieve their purposes:

一 それぞれ次に掲げる都道府県の区域（電気通信役務の利用状況を勘案して特に必要があると認められるときは、総務省令で別に定める区域。以下同じ。）において行う地域電気通信業務（同一の都道府県の区域内における通信を他の電気通信事業者の設備を介することなく媒介することのできる電気通信設備を設置して行う電気通信業務をいう。以下同じ。）

(i) regional telecommunications services (meaning telecommunications services that are provided through the telecommunications facilities of the Regional Companies which can provide telecommunications services without using the facilities of other telecommunications carriers within the same prefectures; the same applies hereinafter) to be provided in each of the following prefectural areas (areas are to be specified separately by Order of the Ministry of Internal Affairs and Communications, as deemed necessary by the Minister after considering the usage of telecommunications services; the same applies hereinafter).

イ 東日本電信電話株式会社にあつては、北海道、青森県、岩手県、宮城県、秋田県、山形県、福島県、茨城県、栃木県、群馬県、埼玉県、千葉県、東京都、神奈川県、新潟県、山梨県及び長野県

(a) As for Nippon Telegraph and Telephone East Corporation, it provides the services in Hokkaido Prefecture, Aomori Prefecture, Iwate Prefecture, Miyagi Prefecture, Akita Prefecture, Yamagata Prefecture, Fukushima Prefecture, Ibaraki Prefecture, Tochigi Prefecture, Gunma Prefecture, Saitama Prefecture, Chiba Prefecture, Tokyo Metropolis, Kanagawa Prefecture, Niigata Prefecture, Yamanashi Prefecture and Nagano Prefecture;

ロ 西日本電信電話株式会社にあつては、京都府及び大阪府並びにイに掲げる県以外の県

(b) As for Nippon Telegraph and Telephone West Corporation, it provides the services in Kyoto Prefecture, Osaka Prefecture and other prefectures than

those set forth in a).

二 前号の業務に附帯する業務

(ii) services pertaining to the services referred to in the preceding item.

4 地域会社は、総務大臣の認可を受けて、次の業務を営むことができる。

(4) The Regional Companies may, with the permission from the Minister of Internal Affairs and Communications, provide the following services

一 前項に掲げるもののほか、地域会社の目的を達成するために必要な業務

(i) Beyond what is set forth in the preceding paragraph, the services that are required to achieve the purposes of the Regional Companies;

二 それぞれ前項第一号により地域電気通信業務を営むものとされた都道府県の区域以外の都道府県の区域において行う地域電気通信業務

(ii) Regional telecommunications services to be provided in prefectural areas other than the prefectural areas where the regional telecommunications services are to be provided as referred to in item (i) of the preceding paragraph.

5 地域会社は、前二項に規定する業務のほか、総務大臣の認可を受けて、第三項に規定する業務を営むために保有する設備若しくは技術又はその職員を活用して行う電気通信業務その他の業務を営むことができる。この場合において、総務大臣は、地域会社が当該業務を営むことにより同項に規定する業務の円滑な遂行及び電気通信事業の公正な競争の確保に支障を及ぼすおそれがないと認めるときは、認可をしなければならない。

(5) In addition to the services prescribed in the preceding two paragraphs, the Regional Companies may with permission from the Minister of Internal Affairs and Communications, provide the telecommunications services and other services by effectively using their facilities or technologies, or their employees to provide the services prescribed in paragraph (3). In this case, the Minister of Internal Affairs and Communications must grant permission if the Minister finds that the relevant services provided by the Regional Companies do not disrupt the smooth provision of the services and fair competition among the telecommunications service providers as prescribed in that paragraph.

(責務)

(Obligations)

第三条 会社及び地域会社は、それぞれその事業を営むに当たっては、常に経営が適正かつ効率的に行われるように配意し、国民生活に不可欠な電話の役務のあまねく日本全国における適切、公平かつ安定的な提供の確保に寄与するとともに、今後の社会経済の進展に果たすべき電気通信の役割の重要性にかんがみ、電気通信技術に関する研究の推進及びその成果の普及を通じて我が国の電気通信の創意ある向上発展に寄与し、もつて公共の福祉の増進に資するよう努めなければならない。

Article 3 The Company and the Regional Companies must always pay due attention to the proper and efficient management in providing their respective

services and must contribute to the adequate, fair and stable provision of nationwide telephone services which are indispensable to the lives of Japanese citizens. In doing so, the Company and the Regional Companies must endeavor to contribute to the innovative advancement and development of telecommunications in Japan by promoting research on telecommunications technologies and disseminating the results of research given the fact that telecommunications will play a vital role in social and economic progress in future years, and thereby to promote the public welfare.

(株式)

(Shares)

第四条 政府は、常時、会社の発行済株式の総数の三分の一以上に当たる株式を保有していなければならない。

Article 4 (1) The government must constantly hold more than one-third of the total number of the issued shares of the Company.

2 会社は、その発行する株式を引き受ける者の募集（以下「新株募集」という。）をしようとするとき又は株式交換に際して株式（会社が有する自己の株式（以下「自己株式」という。）を除く。）の交付を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。会社法（平成十七年法律第八十六号）第二百三十八条第一項に規定する募集新株予約権（新株予約権付社債に付されたものに限る。次条第二項及び第二十三条第三号において「募集新株予約権」という。）を引き受ける者の募集をしようとするとき又は株式交換に際して新株予約権付社債（会社が有する自己の新株予約権付社債（第二十三条第三号において「自己新株予約権付社債」という。）を除く。）の交付をしようとするときも、同様とする。

(2) Where the Company intends to offer new shares to subscribers (hereinafter referred to as "offering of new shares") or to issue shares (except the Company's own shares held by the Company (hereinafter referred to as "its own shares") in exchange for shares, the Company must obtain permission from the Minister. The same applies to cases where the Company intends to issue new shares to subscribers as prescribed in Article 238 paragraph (1) of the Companies Act (Act No. 86 of 2005) (limited to share options to buy bonds with share options, which are referred to as "share options for subscription" in paragraph (2) of the following Article and Article 23 item (iii)), and if the Company intends to issue bonds with share options (except the bonds with share options held by the Company (referred to as "its own bonds with share options" in Article 23 item (iii))) in exchange for shares.

第五条 会社は、地域会社の発行済株式の総数を保有していなければならない。

Article 5 (1) The Company must hold all of the shares issued by each of the Regional Companies.

2 地域会社は、新株募集を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。募集新株予約権を引き受ける者の募集をしようとするときも、同様とする。

(2) The Regional Companies must obtain permission from the Minister when they intend to offer new shares. The same applies to cases where they intend to offer new shares to subscribers.

(外国人等の取得した株式の取扱い)

(Treatment of Shares Acquired by Foreign Nationals)

第六条 会社は、その株式を取得した次に掲げる者から、その氏名及び住所を株主名簿に記載し、又は記録することの請求を受けた場合において、その請求に応ずることによつて第一号から第三号までに掲げる者により直接に占められる議決権の割合とこれらの者により第四号に掲げる者を通じて間接に占められる議決権の割合として総務省令で定める割合とを合計した割合（以下この条において「外国人等議決権割合」という。）が三分の一以上となるときは、その氏名及び住所を株主名簿に記載し、又は記録してはならない。

Article 6 (1) In the case where the Company has received a request to enter or record the name and address of the person set forth in the following items who has acquired its shares, , the Company must not register or record the person's name and address in the shareholder register, if the number of direct voting rights held by the persons set forth in items (i) through (iii) and the number of voting rights prescribed by Order of the Ministry of Internal Affairs and Communications as the number of indirect voting rights held by these persons through the person set forth in item (iv), accounts for more than one third of the total number of voting rights (hereinafter referred to as the " ratio of the number of voting rights of foreign shareholders" in this Article).

一 日本の国籍を有しない人

(i) any person who does not have Japanese nationality;

二 外国政府又はその代表者

(ii) any foreign government or its representative;

三 外国の法人又は団体

(iii) any foreign corporation or institution;

四 前三号に掲げる者により直接に占められる議決権の割合が総務省令で定める割合以上である法人又は団体

(iv) any corporation or institution whose ratio of the number of direct voting rights held by the persons set forth in the preceding three items to the total number of voting rights exceeds the ratio prescribed by Order of the Ministry of Internal Affairs and Communications

2 会社は、社債、株式等の振替に関する法律（平成十三年法律第七十五号）第一百五十一条第一項又は第八項の規定による通知に係る株主のうちの前項各号に掲げる者が各自有する株式のすべてについて同法第一百五十二条第一項の規定により株主名簿に記載し、又は記録することとした場合に外国人等議決権割合が三分の一以上となるときは、外国人等議決権割合が三分の一以上とならないように当該株式の一部に限つて実質株

主名簿に記載し、又は記録する方法として総務省令で定める方法に従い記載し、又は記録することができる株式以外の株式については、同項の規定にかかわらず、同項の規定による実質株主名簿の記載又は記録をしてはならない。

(2) In cases where the number of shares held by each person set forth in the items in the preceding paragraph, who is a shareholder pertaining to the notification under the provisions of Article 152 paragraph (1) or paragraph (8) of the Act on Book-Entry Transfer of Corporate Bonds and Shares (Act No. 75 of 2001) are to be entered or recorded in the shareholder register, if the number of voting rights of foreign shareholders exceeds one third of the total number of voting rights, , the Company must register a limited number of shares in the register of substantial shareholders so that the number of voting rights of foreign shareholders may not exceed one third of the total number of voting rights, or otherwise must not register or record the number of shares which cannot be registered or recorded through the method prescribed by Order of the Ministry of Internal Affairs and Communications in the register of substantial shareholders, notwithstanding the provisions of that paragraph.

3 前二項に規定するもののほか、会社は、その発行済株式の総数が変動することとなる場合においても、外国人等議決権割合が三分の一以上とならないようにするために必要な措置を講じなければならない。

(3) Beyond what is set forth in the preceding two paragraphs, in the case where the total number of the issued shares is to be changed, the Company must take necessary measures so that the ratio of the number of voting rights of foreign shareholders will not exceed one third of the total number of voting rights.

4 会社は、会社法第二百二十四条第一項に規定する基準日から総務省令で定める日数前までに、総務省令で定める方法により、その外国人等議決権割合を公告しなければならない。

(4) The Company must issue a public notice on the ratio of the number of voting rights of foreign shareholders to the total number of voting rights, by the date prescribed by Order of the Ministry of Internal Affairs and Communications, which is earlier than the base date specified in Article 124 paragraph (1) of the Companies Act in the way prescribed by that Order.

(政府保有の株式の処分)

(Disposition of Shares Owned by the Government)

第七条 政府の保有する会社の株式の処分は、その年度の予算をもつて国会の議決を経た限度数の範囲内でなければならない。

Article 7 The number of shares owned by the government to be disposed of must not exceed the maximum number adopted by the Diet based on the budget for the relevant business year.

(商号の使用制限)

(Restriction on the Use of Trade Names)

第八条 会社又は地域会社でない者は、その商号中に日本電信電話株式会社、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いう文字を用いてはならない。

Article 8 Any person other than the Company or the Regional Companies must not use the characters, such as "Nippon Telegraph and Telephone Corporation," "Nippon Telegraph and Telephone East Corporation" or "Nippon Telegraph and Telephone West Corporation" in their trade name.

(一般担保)

(General Security)

第九条 会社の社債権者は会社の財産について、各地域会社の社債権者は当該地域会社の財産について、それぞれ他の債権者に先立つて自己の債権の弁済を受ける権利を有する。

Article 9 (1) A bondholder of the Company claiming the right to own the property of the Company, and a bondholder of each Regional Company claiming the right to own the property of the relevant Regional Company, respectively has the priority to receive the payment over other creditors.

2 前項の先取特権の順位は、民法（明治二十九年法律第八十九号）の規定による一般の先取特権に次ぐものとする。

(2) The general statutory lien under the provisions of the Civil Code (Act No. 89 of 1896) has priority over the statutory lien under the preceding paragraph.

(取締役及び監査役)

(Directors and Auditors)

第十条 日本の国籍を有しない人は、会社及び地域会社の取締役又は監査役となることできない。

Article 10 (1) Any person who does not have Japanese nationality may not be appointed as a director or an auditor for the Company or the Regional Companies.

2 会社の取締役及び監査役の選任及び解任の決議は、総務大臣の認可を受けなければ、その効力を生じない。

(2) A resolution adopted by the Company for the appointment or dismissal of directors or auditors does not become effective unless it is authorized by the Minister of the Internal Affairs and Communications.

(定款の変更等)

(Change in the Articles of Incorporation)

第十一条 会社及び地域会社の定款の変更、合併、分割及び解散の決議並びに会社の剰余金の処分（損失の処理を除く。）の決議は、総務大臣の認可を受けなければ、その効力を生じない。

Article 11 (1) A resolution adopted by the Company or the Regional Company on

the changes in the articles of incorporation, or on the merger, partition or dissolution or on the disposal of surplus of the Company (except the disposition of loss) does not become effective unless it is authorized by the Minister of Internal Affairs and Communications.

2 地域会社に係る前項の合併の決議又は分割の決議（電気通信事業の全部を承継させる分割についての決議に限る。）についての総務大臣の認可があつたときは、電気通信事業法（昭和五十九年法律第八十六号）第十七条第二項の届出があつたものとみなす。

(2) When the Minister of Internal Affairs and Telecommunications approved the resolution on the merger or partition of the Regional Companies under the preceding paragraph (limited to the resolution on the partition of the corporation of which telecommunications business is entirely succeeded by a corporation), the notification referred to in Article 17 paragraph (2) of the Telecommunications Business Act (Act No. 86 of 1984) is deemed to have been submitted.

（事業計画）

(Business Plan)

第十二条 会社及び地域会社は、毎事業年度の開始前に、その事業年度の事業計画を定め、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 12 The Company and the Regional Companies must formulate an annual business plan for the business year before it starts and obtain approval from the Minister of Internal Affairs and Telecommunications. The same applies in cases where the Company or Regional Companies intend to change the business plan.

（財務諸表）

(Financial Statements)

第十三条 会社及び地域会社は、毎事業年度終了後三月以内に、その事業年度の貸借対照表、損益計算書及び事業報告書を総務大臣に提出しなければならない。

Article 13 The Company and the Regional Companies must submit a balance sheet, profit and loss statement and a business report for the business year to the Minister of Internal Affairs and Telecommunications within three months from the date on which the business year ends.

（重要な設備の譲渡等）

(Transfer of Important Facilities)

第十四条 地域会社は、電気通信幹線路及びこれに準ずる重要な電気通信設備を譲渡し、又は担保に供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 14 The Regional Companies must obtain approval from the Minister in

order to transfer their telecommunications trunk lines and other important telecommunications facilities equivalent thereto, or to offer these in security.

(監査命令等)

(Order to Conduct Audits)

第十五条 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、会社又は地域会社の監査役を指名して、特定の事項を監査させ、当該監査の結果を報告させることができる。

Article 15 (1) The Minister of Internal Affairs and Telecommunications may appoint auditors for the Company or the Regional Companies to have them conduct an audit on specific matters and submit the audit results, if the minister finds it necessary for the enforcement of this Act.

2 会社又は地域会社の監査役は、監査の結果に基づき、必要があると認めるときは、総務大臣に意見を提出することができる。

(2) Auditors for the Company or the Regional Companies may submit their opinions based on the audit results to the Minister of Internal Affairs and Telecommunications, if the auditors find it necessary to do so.

(監督)

(Supervision)

第十六条 会社及び地域会社は、総務大臣がこの法律の定めるところに従い監督する。

Article 16 (1) The Company and the Regional Companies are subject to the supervision of the Minister of Internal Affairs and Communications according to the provisions of this Act.

2 総務大臣は、この法律を施行するため特に必要があると認めるときは、会社及び地域会社に対し、その業務に関し監督上必要な命令をすることができる。

(2) The Minister of Internal Affairs and Telecommunications may issue an order to the Company and the Regional Companies in order to supervise their services, if the Minister finds it particularly necessary to do so for the enforcement of this Act order .

(報告)

(Report)

第十七条 総務大臣は、この法律を施行するため必要な限度において、会社又は地域会社からその業務に関する報告を徴することができる。

Article 17 The Minister of Internal Affairs and Communications may have the Company or the Regional Companies submit reports on their services to the extent necessary for the enforcement of this Act .

(財務大臣との協議)

(Consultation with the Minister of Finance)

第十八条 総務大臣は、次に掲げる場合には、財務大臣に協議しなければならない。

Article 18 The Minister of Internal Affairs and Communications must consult with the Minister of Finance in the following cases:

一 会社に対し、第四条第二項、第十一条第一項（定款の変更の決議に係るものについては、会社が発行することができる株式の総数を変更する決議に係るものに限る。）又は第十二条の認可をしようとするとき。

(i) the Minister grants approval to the Company prescribed in Article 4 paragraph (2), Article 11 paragraph (1) (in case of the changes in the articles of incorporation, approval of the resolution on the changes in the number of shares that can be issued by the Company) , or Article 12;

二 地域会社に対し、第十一条第一項（合併、分割及び解散の決議に係るものに限る。）、第十二条又は第十四条の認可をしようとするとき。

(ii) the Minister grants approval to the Regional Companies under Article 11 paragraph (1) (limited to the approval of resolution on the merger, partition and dissolution), Article 12 or Article 14.

（委員会設置会社である場合の読替え）

(Replacement of Terms in Case of a Company with Committees)

第十八条の二 委員会設置会社である場合における次の表の上欄に掲げるこの法律の規定の適用については、これらの規定中同表の中欄に掲げる字句は、同表の下欄に掲げる字句とする。

Article 18-2 In cases of a company with committees, with respect to the application of the provisions of this Act set forth in the left-hand column in the following table, the terms and phrases listed in the middle column in that table is deemed to be replaced with the terms and phrases listed in the right-hand column therein.

第十条、第十九条、第二十三条及び附則第十五条 Article 10, Article 19, Article 23 and Article 15 of the Supplementary Provisions	監査役 auditor	執行役 executive officer
第十五条 Article 15	監査役 auditor	監査委員 audit committee member
第二十六条 Article 26	取締役 director	執行役 executive officer

（罰則）

(Penal Provisions)

第十九条 会社及び地域会社の取締役、会計参与（会計参与が法人であるときは、その職務を行うべき社員。以下この条において同じ。）、監査役又は職員が、その職務に

関して賄賂を収受し、要求し、又は約束したときは、三年以下の懲役に処する。これによつて不正の行為をし、又は相当の行為をしなかつたときは、七年以下の懲役に処する。

Article 19 (1) If a director, accounting advisor (if the accounting advisor is a juridical person, an employee who acts in the capacity of an accounting advisor: The same applies hereinafter in this Article.), auditor or employee of the Company or the Regional Companies has received, demanded or promised to receive a bribe from those related to their duties, they are punished by imprisonment with work not exceeding three years. If a director or an accounting advisor who engaged in wrongful conduct or failed to act appropriately in the course of their duties , they are punished by imprisonment with work not exceeding seven years.

2 会社及び地域会社の取締役、会計参与、監査役又は職員になろうとする者が、就任後担当すべき職務に関し、請託を受けて賄賂を収受し、要求し、又は約束したときは、取締役、会計参与、監査役又は職員となつた場合において、二年以下の懲役に処する。

(2) If a person who intends to become a director, accounting advisor, auditor or employee of the Company or the Regional Companies has received, demanded or promised to receive a bribe from those related to their duties after they have been appointed to these position, and if they become a director, accounting advisor, auditor or employee, they are punished by imprisonment with work not exceeding two years.

3 会社及び地域会社の取締役、会計参与、監査役又は職員であつた者が、その在職中に請託を受けて、職務上不正の行為をしたこと又は相当の行為をしなかつたことに関して、賄賂を収受し、要求し、又は約束したときは、二年以下の懲役に処する。

(3) If a person who was a director, accounting advisor, auditor or employee of the Company or the Regional Companies has received, demanded or promised to receive a bribe for engaged in wrongful conductor failed to act appropriately after having accepted the request in the course of their duties, they are punished by imprisonment with work not exceeding two years.

第二十条 前条各項の場合において、犯人が収受した賄賂は、没収する。その全部又は一部を没収することができないときは、その価額を追徴する。

Article 20 In the cases referred to in the paragraphs of the preceding Article, the bribe which the offender has received is to be confiscated. If the entire bribe or portion thereof cannot be confiscated, the amount equivalent to market value is to be collected.

第二十一条 第十九条各項に規定する賄賂を供与し、又はその申込み若しくは約束をした者は、三年以下の懲役又は二百五十万円以下の罰金に処する。

Article 21 (1) Any person who has given, offered or promised to give a bribe as specified in the paragraphs of Article 19 is punished by imprisonment with

work not exceeding three years or a fine not exceeding two million and five hundred thousand yen.

2 前項の罪を犯した者が自首したときは、その刑を減輕し、又は免除することができる。

(2) If a person who has committed the offense prescribed in the preceding paragraph surrenders to authorities, the punishment thereof may be reduced or exempted.

第二十二條 第十九條の罪は、刑法（明治四十年法律第四十五号）第四條の例に従う。

Article 22 (1) The offenses specified in Article 19 of this Act are governed by the provisions of Article 4 of the Penal Code (Act No. 45 of 1907).

2 前條第一項の罪は、刑法第二條の例に従う。

(2) The offenses specified in paragraph (1) of the preceding Article are governed by the provisions of Article 2 of the Penal Code.

第二十三條 次の各号のいずれかに掲げる違反があつた場合においては、その違反行為をした会社又は地域会社の取締役、會計参与（會計参与が法人であるときは、その職務を行うべき社員）又は監査役は、百万円以下の罰金に処する。

Article 23 If a violation set forth in any of the following items has occurred, a fine not exceeding one million yen is imposed on a director, accounting advisor (if the accounting advisor is a juridical person, an employee who acts in the capacity of the accounting advisor) or an auditor for the Company or the Regional Companies who has committed the violation:

一 第二條第二項、第四項又は第五項の規定による認可を受けないでこれらの規定に規定する業務を営んだとき。

(i) when the Company or the Regional Company conduct duties without obtaining approval specified in Article 2 paragraph (2), (4) or (5);

二 第二條に規定する業務以外の業務を行つたとき。

(ii) when the Company or the Regional Company conducted duties other than those specified in Article 2;

三 第四條第二項又は第五條第二項の規定に違反して、新株募集をしたとき若しくは株式交換に際して株式（自己株式を除く。）の交付をしたとき又は募集新株予約権を引き受ける者の募集をしたとき若しくは株式交換に際して新株予約権付社債（自己新株予約権付社債を除く。）の交付をしたとき。

(iii) when the Company or the Regional Company has offered new shares or issued shares (except its own shares) in exchange for shares, or has offered new shares to subscribers or issued bonds with share options (except its bonds with share options) in exchange for shares in violation of the provisions of Article 4 paragraph (2) or Article 5 paragraph (2);

四 第五條第一項の規定に違反して、地域会社の株式を処分したとき。

(iv) when the Company or the Regional Company disposed of the shares of the

Regional Companies in violation of the provisions of Article 5 paragraph (1);
五 第十二条の規定に違反して、事業年度の開始前までに、又は変更に係る事業計画に基づく業務の実施前までに、認可の申請をしなかつたとき。

(v) when the Company or the Regional Company has failed to submit a request for approval before they start their business year or before they provide the services based on the business plan pertaining to the changes in violation of the provisions of Article 12;

六 第十三条の規定に違反して、貸借対照表、損益計算書若しくは事業報告書を提出せず、又は不実の記載又は記録をしたこれらのものを提出したとき。

(vi) when the Company or the Regional Company has, in violation of the provisions of Article 13, failed to submit a balance sheet, profit and loss statements, or business report, or has submitted these documents containing a false statement;

七 第十四条の規定に違反して、設備を譲渡し、又は担保に供したとき。

(vii) when the Company or the Regional Company has, in violation of the provisions of Article 14, transferred their facilities or offered their facilities in security;

八 第十六条第二項の規定による命令に違反したとき。

(viii) when the Company or the Regional Company has violated the order issued under the provisions of Article 16 paragraph (2);

九 第十七条の規定による報告をせず、又は虚偽の報告をしたとき。

(ix) when the Company or the Regional Company has failed to submit the report under the provisions of Article 17 or has submitted a false report.

第二十四条 第六条第一項又は第二項の規定に違反した場合においては、その違反行為をした会社の職員又は名義書換代理人（名義書換代理人が法人である場合は、その従業者）は、五十万円以下の罰金に処する。

Article 24 In cases where any violation of the provisions of Article 6 paragraph (1) or paragraph (2) has occurred, a fine not exceeding five hundred thousand yen is imposed on the employee or the transfer agent (if the transfer agent is a juridical person, its employee) of the Company who has committed the violation.

第二十五条 第八条の規定に違反した者は、二十万円以下の罰金に処する。

Article 25 (1) A fine not exceeding two hundred thousand yen is imposed on a person who has violated the provisions of Article 8.

2 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、前項の違反行為をしたときは、行為者を罰するほか、その法人又は人に対して同項の罰金刑を科する。

(2) If a representative of a corporation, or an agent of a juridical or a natural person, a hired person, or other employee has committed the violation prescribed in the preceding paragraph in the course of business of the juridical

or natural person, the offender is punished and a fine specified in the same paragraph is imposed on that juridical or natural person.

第二十六条 第六条第四項の規定に違反して、公告することを怠り、又は不実の公告をした会社の取締役は、百万円以下の過料に処する。

Article 26 A petty fine not exceeding one million yen is imposed on a director of the Company who has failed to give a public notice or given a false public notice in violation of the provisions of Article 6 paragraph (4).

附 則

Supplementary Provisions

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から施行する。ただし、附則第十一条及び第十二条の規定は、昭和六十年四月一日から施行する。

Article 1 This Act comes into effect as of the date of promulgation. The provisions of Articles 11 and 12 of the Supplementary Provisions, however, come into effect as of April 1, 1985.

(会社の在り方の検討)

(Review of the Status of the Company)

第二条 政府は、会社の成立の日から五年以内に、この法律の施行の状況及びこの法律の施行後の諸事情の変化等を勘案して会社の在り方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 conduct reviews on the status of the Company within five years from the date of the incorporation of the Company, taking into account the status of implementation of this Act and changes in the circumstances after this Act came into effect, and to take necessary measures based on the outcomes of the reviews.

(会社の設立)

(Incorporation of the Company)

第三条 郵政大臣は、設立委員を命じ、会社の設立に関して発起人の職務を行わせる。

Article 3 (1) The Minister of Posts and Telecommunications appoints organizing committee members who conduct duties of a founder in order to incorporate the Company.

2 設立委員は、定款を作成して、郵政大臣の認可を受けなければならない。

(2) The organizing committee members must prepare the articles of incorporation and obtain approval from the Minister of Posts and Telecommunications.

3 郵政大臣は、前項の認可をしようとするときは、大蔵大臣に協議しなければならない。

い。

(3) If the Minister of Posts and Telecommunications intends to grant approval under the preceding paragraph, the minister must consult with the Minister of Finance.

4 会社の設立に際して発行する株式に関する商法第百六十八条ノ二各号に掲げる事項は、定款で定めなければならない。

(4) The matters specified in each item of Article 168-2 of the Commercial Code with respect to the shares to be issued at the time of incorporation of the Company must be prescribed in the articles of incorporation of the Company.

5 会社の設立に際して発行する株式については、商法第二百八十四条ノ二第二項本文の規定にかかわらず、その発行価額の二分の一を超える額を資本に組み入れないことができる。この場合において、同条第一項中「本法」とあるのは、「本法又ハ日本電信電話株式会社法」とする。

(5) With respect to shares to be issued at the time of incorporation of the Company, the amount exceeding one-half of the amount of issued shares does not have to be included in the stated capital, notwithstanding the provisions of the main clause of Article 284-2 paragraph (2) of the Commercial Code. In this case, the term "this Code" in paragraph (1) of the same Article is deemed to be replaced with "this Code or the Act on Nippon Telegraph and Telephone Corporation".

6 会社の設立に際して発行する株式の総数は、日本電信電話公社（以下「公社」という。）が引き受けるものとし、設立委員は、これを公社に割り当てるものとする。

(6) Nippon Telegraph and Telephone Public Corporation (hereinafter referred to as the "Public Corporation") is to underwrite all shares to be issued at the time of incorporation of the Company, and the organizing committee members are to allocate the shares to the Public Corporation.

7 前項の規定により割り当てられた株式による会社の設立に関する株式引受人としての権利は、政府が行使する。

(7) The government exercises the rights of a subscriber of shares pertaining to the incorporation of the Company, to which the shares have been allocated pursuant to the provisions of the preceding paragraph.

8 公社は、会社の設立に際し、会社に対し、その財産の全部を出資するものとする。この場合においては、日本電信電話公社法（昭和二十七年法律第二百五十号）第六十八条の規定は、適用しない

(8) The Public Corporation is to contribute all the assets to the Company at the time of incorporation of the Company. In this case, the provisions of Article 68 of the Nippon Telegraph and Telephone Public Corporation Act (Act No. 250 of 1952) does not apply.

9 会社の設立に係る商法第百八十条第一項の規定の適用については、同項中「第七十七条ノ規定ニ依ル払込及現物出資ノ給付」とあるのは、「日本電信電話株式会社法附則第三条第六項ノ規定ニ依ル株式ノ割当」とする。

(9) With respect to the application of the provisions of Article 180, paragraph (1) of the Commercial Code concerning the incorporation of the Company, the term "payments and payments of contributions in kind under the provisions of Article 177" in that paragraph is deemed to be replaced with "allocation of shares under the provisions of Article 3, paragraph (6) of the Supplementary Provisions of the Act on Nippon Telegraph and Telephone Corporation".

10 第八項の規定により公社が行う出資に係る給付は、附則第十一条の規定の施行の時に行われるものとし、会社は、商法第五十七条の規定にかかわらず、その時に成立する。

(10) The payment of the contributions in kind by the Public Corporation under the provisions of paragraph (8) is to be made at the time when the provisions of Article 11 of the Supplementary Provisions come into effect, and the Company is incorporated at that point, notwithstanding the provisions of Article 57 of the Commercial Code.

11 会社は、商法第百八十八条第一項の規定にかかわらず、会社の成立後遅滞なく、その設立の登記をしなければならない。

(11) Notwithstanding the provisions of Article 188, paragraph (1) of the Commercial Code, the Company must file a registration when it is incorporated, without delay.

12 公社が出資によつて取得する会社の株式は、会社の成立の時に、政府に無償譲渡されるものとする。

(12) Shares of the Company acquired by the Public Corporation by means of contribution are to be transferred gratis to the government at the time of incorporation of the Company.

13 商法第百六十七条、第百六十八条第二項及び第百八十一条の規定は、会社の設立については、適用しない。

(13) The provisions of Article 167, Article 168, paragraph (2) and Article 181 of the Commercial Code do not apply to the incorporation of the Company.

(公社の解散等)

(Dissolution of the Public Corporation)

第四条 公社は、会社の成立の時に於て解散するものとし、その一切の権利及び義務は、その時に於て会社が承継する。

Article 4 (1) The Public Corporation is to be dissolved at the time of incorporation of the Company, and the Company succeeds to all rights and obligations of the Public Corporation at that point in time.

2 公社の昭和五十九年四月一日に始まる事業年度に係る決算並びに財産目録、貸借対照表及び損益計算書については、日本電信電話公社法第十条第二項第二号及び第五十八条第一項（監事の監査報告書に係る部分に限る。）に係る部分を除き、なお従前の例による。

(2) Prior laws continue to govern settlement of accounts and inventory of assets,

and a balance sheet and profit and loss statement of the Public Corporation for the business year beginning on April 1, 1984, except the provisions pertaining to Article 10, paragraph (2) item (ii) and Article 58, paragraph (1) (limited to the provisions related to the audit report to be submitted by the auditor) of the Nippon Telegraph and Telephone Public Corporation Act.

3 第一項の規定により公社が解散した場合における解散の登記については、政令で定める。

(3) The registration of dissolution of the Public Corporation in the case where the Company dissolves pursuant to the provisions of paragraph (1) are prescribed by Cabinet Order.

(権利及び義務の承継に伴う経過措置)

(Transitional Measures for the Succession of Rights and Obligations)

第五条 前条第一項の規定により会社が承継する公社の電信電話債券に係る債務について国際復興開発銀行等からの外資の受入に関する特別措置に関する法律（昭和二十八年法律第五十一号）により政府がした保証契約は、その承継後においても、当該電信電話債券に係る債務について従前の条件により存続するものとし、当該保証契約に係る電信電話債券の利子及び償還差益に係る租税その他の公課については、なお従前の例による。

Article 5 (1) The guarantee contracts on the Public Corporation's obligations for telephone and telegram bonds to be transferred to the Company which has been made by the government under the Act on Special Measures for the Acceptance of Foreign Capital from the International Bank for Reconstruction and Development (Act No. 51 of 1953) under the provisions of paragraph (1) of the preceding Article continue to be effective, even after the transfer, based on the existing conditions for the obligations for the telephone and telegram bonds, and the existing provisions apply to interests of telegram and telephone bonds, taxes on gains on bond retirement, and other public charges specified in that contract.

2 前条第一項の規定により会社が承継する債務に係る電信電話債券又は借入金が資金運用部資金による引受け又は貸付けに係るものである場合における当該電信電話債券又は借入金についての資金運用部資金法（昭和二十六年法律第百号）第七条第一項の規定の適用については、会社を同項第三号又は第四号に規定する法人とみなす。

(2) With respect to the application of the provisions of Article 7, paragraph (1) of the Act on the Funds of the Trust Fund Bureau (Act No. 100 of 1941) to the telegram and telephone bonds or borrowings in a situation that the telegram and telephone bonds or borrowings pertaining to the obligations taken over by the Company pursuant to the provisions of paragraph (1) of the preceding Article are related to subscription of bonds or loan from the Funds of the Trust Fund Bureau, the Company is deemed as a corporation prescribed in item (iii) or iv) of that paragraph.

3 前条第一項の規定により会社が承継する債務に係る電信電話債券が簡易生命保険法の一部を改正する法律（平成二年法律第五十号）附則第十条の規定による改正前の簡易生命保険及郵便年金特別会計法（昭和十九年法律第十二号）第一条の簡易生命保険及郵便年金特別会計の積立金による引受けに係るものである場合における当該電信電話債券についての簡易生命保険の積立金の運用に関する法律（昭和二十七年法律第二百十号）第三条第一項の規定の適用については、会社を同項第四号に規定する法人とみなす。

(3) With respect to the application of Article 3, paragraph (1) of the Act on the Operation of the Funds of Postal Life Insurance (Act No. 210 of 1952) to the telegraph and telephone bonds in the case where the telegraph and telephone bonds pertaining to obligations to be taken over by the Company pursuant to the provisions of paragraph (1) of the preceding Article, are related to subscription covered by the reserve funds of the Postal Life Insurance Account and the Postal Annuity Special Account prescribed in Article 1 of the Postal Life Insurance Account and the Postal Annuity Special Account Act (Act No. 12 of 1944) prior to its amendment under the provisions of Article 10 of the Supplementary Provisions of the Act Amending Part of the Postal Life Insurance Act (Act No. 50 of 1990), the Company is deemed to be a corporation prescribed in item (iv) of that paragraph.

（職員に関する経過措置）

(Transitional Measures for the Employees)

第六条 会社の成立の際現に公社の職員である者は、会社の成立の時に会社の職員となるものとする。

Article 6 (1) Those who are an employee of the Public Corporation at the time of incorporation of the Company are to become the employee of the Company automatically when it is incorporated.

2 前項の規定により公社の職員が会社の職員となる場合においては、その者に対しては、国家公務員等退職手当法（昭和二十八年法律第百八十二号）に基づく退職手当は、支給しない。

(2) No retirement allowance prescribed in the Act on the Retirement Allowance Paid to National Public Employees (Act No. 182 of 1953) are paid to those who become an employee of the Public Corporation pursuant to the provisions of the preceding paragraph.

3 会社は、前項の規定の適用を受けた会社の職員の退職に際し、退職手当を支給しようとするときは、その者の公社の職員としての引き続いた在職期間を会社の職員としての在職期間とみなして取り扱うべきものとする。

(3) If the Company intends to pay a retirement allowance to the employees of the Company under the provisions of the preceding paragraph, the number of years they have served at the Public Corporation is added to their tenure at the Company.

第七条 削除

Article 7 Deleted.

第八条 削除

Article 8 Deleted.

(会社の設立に伴う租税関係法令の適用に関する経過措置)

(Transitional Measures for the Application of Tax Laws and Regulations When the Company is Incorporated)

第九条 会社の附則第三条第八項の規定により公社が行う出資に係る不動産又は自動車の取得に対しては、不動産取得税若しくは土地の取得に対して課する特別土地保有税又は自動車取得税を課することができない。

Article 9 (1) Real estate acquisition taxes, special land holding taxes which are paid on the land acquisition, or automobile acquisition taxes may not be imposed on the real estate pertaining to the contribution in kind made or automobiles acquired by the Public Corporation pursuant to the provisions of Article 3 paragraph (8) of the Supplementary Provisions.

2 会社の取得した附則第三条第八項の規定により公社が行う出資に係る土地で会社が引き続き保有する土地のうち、公社が昭和四十四年一月一日（沖縄県の区域内に所在する土地については、昭和四十七年四月一日）前に取得したものに対しては、土地に対して課する特別土地保有税を課することができない。

(2) With respect to the land, which is acquired and continuously held by the Company, pertaining to the contribution in kind made by the Public Corporation under the provisions of Article 3 paragraph (8) of the Supplementary Provisions, no special land holding taxes are imposed on the land which has been acquired by the Public Corporation prior to January 1, 1969 (with respect to the land located in Okinawa Prefecture, prior to April 1, 1972).

3 会社の取得した附則第三条第八項の規定により公社が行う出資に係る土地で会社が引き続き保有する土地（公社が昭和五十七年四月一日以後に取得したものに限る。）のうち、地方税法（昭和二十五年法律第二百二十六号）第五百九十九条第一項の規定により申告納付すべき日の属する年の一月一日において、公社が当該土地を取得した日以後十年を経過しているものに対しては、土地に対して課する特別土地保有税を課することができない。

(3) With respect to the land, which is acquired and continuously held by the Company, pertaining to the contribution in kind made by the Public Corporation under the provisions of Article 3 paragraph (8) of the Supplementary Provisions (limited to the land which is acquired by the Public Corporation on or after April 1, 1982), no special land holding taxes are imposed on the land if more than ten years have passed since the Company

acquired the land, as of January 1 of the year in which tax is to be filed and paid, pursuant to the provisions of Article 599 paragraph (1) of the Local Tax Act (Act No. 226 of 1950).

4 会社の取得した附則第三条第八項の規定により公社が行う出資に係る土地で会社が引き続き保有する土地（公社が昭和四十四年一月一日（沖縄県の区域内に所在する土地については、昭和四十七年四月一日）から昭和五十七年三月三十一日までの間に取得したものに限り。）のうち、地方税法第五百九十九条第一項の規定により申告納付すべき日の属する年の一月一日において、都市計画法（昭和四十三年法律第百号）第七条第一項に規定する市街化区域内に所在する土地以外の土地であり、かつ、公社が当該土地を取得した日以後十年を経過しているものに対しては、土地に対して課する特別土地保有税を課することができない。

(4) With respect to the land, which is acquired and continuously held by the Company, pertaining to the contribution in kind made by the Public Corporation under the provisions of Article 3 paragraph (8) of the Supplementary Provisions (limited to the land which is acquired by the Public Corporation from January 1, 1969 (with respect to the land located in Okinawa Prefecture, from April 1, 1972) to March 31, 1982), no special land holding taxes are imposed on the land which are located outside the "urbanization promotion area" prescribed in Article 7 paragraph (1) of the City Planning Act (Act No. 100 of 1968) as of January 1 of the year in which the Company is required to file and pay tax pursuant to the provisions of Article 599 paragraph (1) of the Local Taxes Act, if more than ten years have passed since the Public Corporation acquired the land.

5 附則第三条第八項の規定により公社が行う株券（有価証券取引税法（昭和二十八年法律第百二号）第四条第二項に規定する持分を含む。）の出資に係る給付は、同法第一条に規定する有価証券の譲渡に該当しないものとする。

(5) The performance pertaining to the contribution in kind of share certificates (including the shares prescribed in the provisions of Article 4 paragraph (2) of the Security Transaction Tax Act (Act No. 102 of 1953)) provided by the Public Corporation pursuant to the provisions of Article 3 paragraph (8) of the Supplementary Provisions do not fall under transfer of securities prescribed in Article 1 of that Act.

6 附則第三条第十一項の規定により会社が受ける設立の登記及び同条第八項の規定により公社が行う出資に係る財産の給付に伴い会社が受ける登記又は登録については、登録免許税を課さない。

(6) No registration and license taxes are imposed on the registration of incorporation filed by the Company pursuant to the provisions of Article 3 paragraph (11) of the Supplementary Provisions and on the registrations filed by the Company pertaining to the distribution of the property pertaining to the contribution in kind made by the Public Corporation pursuant to the provisions of paragraph (8) of that Article.

7 会社の成立する日の属する営業年度の試験研究費の額については、租税特別措置法（昭和三十二年法律第二十六号）第四十二条の四第一項の規定中「当該法人の昭和四十二年一月一日を含む事業年度の直前の事業年度（以下この条において「基準年度」という。）から当該適用年度の直前の事業年度までの各事業年度の所得の金額の計算上損金の額に算入される試験研究費の額」とあるのは「日本電信電話公社の昭和五十九年四月一日を含む事業年度の試験研究費の額」と、「のうち最も多い額を超える場合」とあるのは「を超える場合」として同項本文の規定を適用するものとし、同項ただし書の規定は、適用しない。

(7) With respect to the amount of test and research expenses in the business year in which the Company is incorporated, the main clause of Article 42-4 paragraph (1) of the Act on Special Measures for Taxation (Act No. 26 of 1957) is to be applied: and the term "test and research expenses in each business year to be included in the amount of deductions to calculate the amount of income tax in each business year during the period from the business year immediately before that business year including January 1, 1967 for the corporation (hereinafter referred to as "the base fiscal year" in this Article) to the business year immediately before the relevant business year " in that paragraph is deemed to be replaced with "test and research expenses in the business year including April 1, 1984 for the Nippon Telegraph and Telephone Public Corporation", and the term "in the case where the amount exceeds the largest amount of" in that paragraph is deemed to be replaced with "in the case where the amount exceeds the amount of", and the proviso of that paragraph does not apply.

8 前項に規定するもののほか、会社の設立に伴う会社に対する法人税に関する法令の適用に関し必要な事項は、政令で定める。

(8) Beyond what is set forth in the preceding paragraph, matters required for the application of laws and regulations on the corporate tax to be imposed on the Company for the incorporation of the Company are prescribed by Cabinet Order.

(政令への委任)

(Particulars Governed by Cabinet Order)

第十条 附則第三条から前条までに規定するもののほか、会社の設立及び公社の解散に関し必要な事項は、政令で定める。

Article 10 Beyond what is set forth in Article 3 through the preceding Article of the Supplementary Provisions, matters necessary for the incorporation of the Company and the dissolution of the Public Corporation are prescribed by Cabinet Order.

(日本電信電話公社法等の廃止)

(Abolition of the Nippon Telegraph and Telephone Public Corporation Act)

第十一条 次の法律は、廃止する。

Article 11 The following Acts are abolished:

一 日本電信電話公社法

(i) the Nippon Telegraph and Telephone Public Corporation Act;

二 日本電信電話公社法施行法（昭和二十七年法律第二百五十一号）

(ii) the Act for Enforcement of the Nippon Telegraph and Telephone Public Corporation Act (Act No. 251 of 1952)

（日本電信電話公社法の廃止に伴う経過措置）

(Transitional Measures for the Abolition of the Nippon Telegraph and Telephone Public Corporation Act)

第十二条 前条の規定の施行前に同条の規定による廃止前の日本電信電話公社法（以下「旧法」という。）の規定によりした処分、手続その他の行為は、この法律の相当規定によりした処分、手続その他の行為とみなす。

Article 12 (1) Administrative dispositions made, procedures taken and other conduct in which a person engaged pursuant to the provisions of the Nippon Telegraph and Telephone Public Corporation Act before its abolition (hereinafter referred to as the "Former Act") pursuant to the provisions of that Article are deemed administrative dispositions made, procedures taken and other conduct in which a person engaged pursuant to the corresponding provisions of this Act.

2 前条の規定の施行の日の前日までの期間について公社に勤務する職員に支給する給与についての旧法の規定の適用については、なお従前の例による。

(2) Prior laws continue to govern the applicability of the provisions of the Former Act to the emoluments payable to the employees of the Public Corporation during the period until the provisions of the preceding Article come into effect.

3 附則第六条第一項の規定の適用を受ける者の前条の規定の施行前に旧法第三十三条の規定により受けた懲戒処分及び前条の規定の施行前の事案に係る懲戒処分については、なお従前の例による。この場合において、同条の規定の施行後に懲戒処分を行うこととなるときは、会社の代表者又はその委任を受けた者が懲戒処分を行うものとする。

(3) Prior laws continue to govern disciplinary action against a person to whom the provisions of Article 6 paragraph (1) of the Supplementary Provisions apply, which is taken before the provisions of the preceding Article comes into effect pursuant to the provisions of Article 33 of the Former Act, and disciplinary action against a person to whom the provisions of Article 6 paragraph (1) of the Supplementary Provisions apply, who is related to the cases filed before the provisions of the preceding Article comes into effect. In this case, if disciplinary action is to be taken after the provisions of the preceding Article come into effect, a representative of the Company or a person to whom the authority of the Company is delegated is to take the disciplinary action.

- 4 旧法第六十九条に規定する現金出納職員又は旧法第七十条に規定する総裁により物品の管理をする職員として任命された者の前条の規定の施行前の事実に基づく弁償責任については、なお従前の例による。
- (4) Prior laws continue to govern the obligation of an employee who is in charge of handling cash as prescribed in Article 69 of the Former Act or a person who was appointed by the President of the Public Corporation as an employee in charge of managing goods under the provisions of Article 70 of the Former Act to reimburse based on the fact that happened before the provisions of the preceding Article come into effect.
- 5 旧法第七十三条に規定する公社の会計に係る会計検査院の検査については、なお従前の例による。
- (5) Prior laws govern the audit in accounting of the Public Corporation to be conducted by the Board of Audit pursuant to the provisions of Article 73 of the Former Act.
- 6 前条の規定の施行前に生じた事故に基づく公社の職員の業務上の災害又は通勤による災害に対する補償については、なお従前の例による。
- (6) Prior laws govern the compensation to the employees of the Public Corporation for an accident on duty or on the way to and from work, which occurred before the provisions of the preceding Article come into effect.
- 7 前条の規定の施行前にした行為に対する罰則の適用については、なお従前の例による。
- (7) Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before the provisions of the preceding Article come into effect.
- 8 前各項に規定するもののほか、日本電信電話公社法の廃止に伴い必要な経過措置は、政令で定める。
- (8) Beyond what is set forth in the preceding paragraphs, transitional measures required for the abolition of the Nippon Telegraph and Telephone Public Corporation Act are prescribed by Cabinet Order.

(発行済株式の総数の算定方法の特例)

(Exceptions to the Method for Calculating Total Number of Issued Shares)

第十三条 第四条第一項の規定の適用については、当分の間、新株募集若しくは新株予約権の行使による株式の発行又は取得請求権付株式若しくは取得条項付株式の取得と引換えの株式の交付があつた場合には、これらによる株式の各増加数（次項において「不算入株式数」という。）は、それぞれ同条第一項の発行済株式の総数に算入しないものとする。

Article 13 (1) With respect to the application of the provisions of Article 4 paragraph (1), , in cases where the new shares are offered to subscribers or where the shares are issued by choosing the share option, or where the shares are delivered in exchange for the acquisition of shares with put options or

shares subject to call, an increase in the number of respective shares (referred to as the "number of shares not to be included" in the following paragraph) are not to be included in the total number of issued shares prescribed in the provisions of paragraph (1) of that Article, until otherwise provided by law.

2 前項に規定する株式の増加後において株式の分割又は併合があつた場合は、不算入株式数に分割又は併合の比率（二以上の段階にわたる分割又は併合があつた場合は、全段階の比率の積に相当する比率）を乗じて得た数をもつて、同項の発行済株式の総数に算入しない株式の数とする。

(2) In cases where shares are divided or consolidated after the number of shares has increased as referred to in the preceding paragraph, the number of shares not to be included in the total number of issued shares is calculated by multiplying the number of shares not to be included by the ratio of the divided or consolidated shares (if the shares are divided or consolidated in more than two steps, the ratio corresponding to the ratio calculated by multiplying the ratio step by step) is the number of shares not to be included in the total number of issued shares referred to in that paragraph.

(会社の新株募集等の認可の特例)

(Exceptions to Authorization of Offering New Shares of the Company)

第十四条 会社は、当分の間、新株募集又は株式交換に際しての株式（自己株式を除く。）の交付による株式の増加数が総務省令で定める株式の数に達するまでは、第四条第二項の認可を受けなくても、新株募集は株式交換に際しての株式（自己株式を除く。）の交付をすることができる。この場合において、会社は、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 14 (1) The Company may offer new shares to subscribers or deliver shares (except its own shares) in exchange for shares without obtaining approval under Article 4 paragraph (2) until an increase in the number of new shares issued through offering new shares to subscribers or delivering shares (except its own shares) in exchange for shares reaches the number specified by Order of the Ministry of Internal Affairs and Communications, until otherwise provided by law. In this case, the Company must notify the Minister of Internal Affairs and Telecommunications of this in advance as provided by that Order, until otherwise provided by law.

2 総務大臣は、前項前段の総務省令を定めようとするときは、財務大臣に協議しなければならない。

(2) If the Minister of Internal Affairs and Communications intends to establish Order of the Ministry of Internal Affairs and Communications prescribed in the first sentence of the preceding paragraph, the Minister must consult with the Minister of Finance.

(罰則)

(Penal Provisions)

第十五条 前条第一項の規定に違反して、届出をせず、又は虚偽の届出をした会社の取締役又は監査役は、百万円以下の罰金に処する。

Article 15 A fine not exceeding one million yen is imposed on a director or auditor of the Company who has failed to report or made false reports in violation of the provisions of paragraph (1) of the preceding Article.

(金銭の交付等)

(Grant of Money)

第十六条 東日本電信電話株式会社（以下この条において「東会社」という。）は、総務省令で定める期間における東会社の特定接続料（電気通信事業法第三十三条第二項に規定する接続料のうち電話の役務に係るものであつて総務省令で定めるものをいう。以下この条において同じ。）と西日本電信電話株式会社（以下この条において「西会社」という。）の特定接続料が同等の水準となることを確保するため、西会社に対し、西会社の接続の業務に要する費用の一部に充てるものとして総務省令で定める方法により算定した額の金銭を交付するものとする。

Article 16 (1) In order for Nippon Telegraph and Telephone East Corporation (hereinafter referred to as "NTT East" in this Article) to ensure that the rate of the specified interconnection charges (meaning interconnection charges pertaining to the telephone services specified by Order of the Ministry of Internal Affairs and Communications, among those prescribed in Article 33, paragraph (2) of the Telecommunications Business Act; the same applies hereinafter in this Article) are equivalent to that of Nippon Telegraph and Telephone West Corporation (hereinafter referred to as "NTT West" in this Article) during the period specified by Order of the Ministry of Internal Affairs and Communications, NTT East is to deliver the amount of money calculated by the method specified by that Order to NTT West to cover part of the costs required for the interconnection services it provides.

2 前項に規定する総務省令で定める期間における東会社と西会社の特定接続料は、総務省令で定める方法により、それぞれの特定接続料に係る原価を合算した額に基づいて算定するものとする。この場合において、当該特定接続料は、電気通信事業法第三十三条第四項第二号に適合しているものとみなす。

(2) The specified interconnection charges of NTT East and NTT West during the period specified by Order of the Ministry of Internal Affairs and Communications referred to in the preceding paragraph are to be calculated according to the method specified by that Order based on the amount of total costs of the respective specified interconnection charges. In this case, the specified interconnection charges are deemed to be in compliance with Article 33, paragraph (4), item (ii) of the Telecommunications Business Act.

附 則 〔昭和六十年三月三十日法律第九号〕 〔抄〕

Supplementary Provisions [Act No. 9 of March 30, 1985] [Extract]

(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.

附 則 [平成二年六月二十七日法律第五十号] [抄]

Supplementary Provisions [Act No. 50 of June 27, 1989] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成三年四月一日から施行する。

Article 1 This Act comes into effect as of April 1, 1990.

附 則 [平成二年六月二十九日法律第六十五号] [抄]

Supplementary Provisions [Act No. 65 of June 29, 1990] [Extract]

第一条 この法律は、商法等の一部を改正する法律の施行の日から施行する。

Article 1 This Act comes into effect as of the date on which the Act to Amend the Commercial Code comes into effect.

(罰則の適用に関する経過措置)

(Transitional Measures for the Application of Penal Provisions)

第四十二条 この法律の施行前にした行為並びに商法等の一部を改正する法律附則第三条（第十条において準用する場合を含む。）の規定及び第十二条の規定により従前の例によることとされる場合における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 42 Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before this Act comes into effect, and to conduct in which a person engages after this Act comes into effect in a situation that prior laws continue to govern pursuant to the provisions of Article 3 and Article 12 of the Supplementary Provisions of the Act to Amend the Commercial Code (including as applied mutatis mutandis pursuant to the provisions of Article 10) .

附 則 [平成四年五月二十七日法律第六十一号]

Supplementary Provisions [Act No. 61 of 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 day specified by Cabinet Order within a period not exceeding three months from the date of promulgation.

附 則 〔平成五年六月十四日法律第六十三号〕〔抄〕

Supplementary Provisions [Act No. 63 of June 14, 1993] [Extract]

第一条 この法律は、商法等の一部を改正する法律の施行の日から施行する。

Article 1 This Act comes into effect as of the date on which the Act to Amend the Commercial Code comes into effect.

附 則 〔平成九年六月二十日法律第九十八号〕〔抄〕

Supplementary Provisions [Act No. 98 of June 20, 1997] [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。ただし、次条から附則第七条まで、附則第十二条（第四項及び第六項から第八項までを除く。）から第十七条まで及び附則第二十条の規定は、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 eighteen months from the date of promulgation. However, the provisions of the next Article through Article 7 of the Supplementary Provisions, and the provisions of Article 12 (excluding paragraph (4) and paragraphs (6) through (8)) through Article 17 of the Supplementary Provisions, and the provisions of Article 20 of the Supplementary Provisions come into effect as of the date of promulgation.

(日本電信電話株式会社の再編成)

(Reorganization of Nippon Telegraph and Telephone Corporation)

第二条 国は、東日本電信電話株式会社及び西日本電信電話株式会社（以下「地域会社」という。）を設立し、それぞれ、日本電信電話株式会社（以下「会社」という。）が営んでいる国内電気通信業務のうちこの法律による改正後の日本電信電話株式会社等に関する法律（以下「新法」という。）第二条第三項第一号に規定する地域電気通信業務に該当する業務を、各地域会社に引き継がせるものとする。

Article 2 (1) The government incorporates Nippon Telegraph and Telephone East Corporation and Nippon Telegraph and Telephone West Corporation (hereinafter referred to as the "Regional Companies"), thereby the government is to have each of the Regional Companies take over the services which fall under the regional telecommunications business prescribed in Article 2, paragraph (3), item (i) of the Amended Act on Nippon Telegraph and Telephone Corporation (hereinafter referred to as the "New Act") among the domestic

telecommunications services provided by Nippon Telegraph and Telephone Corporation (hereinafter referred to as the "Company").

2 国は、会社が営んでいる国内電気通信業務のうち前項の規定により地域会社に引き継ぐこととされた業務以外の業務を、会社がこの法律の施行の時までに新たに設立する株式会社に引き継がせるものとする。

(2) The government is to have a new stock company to be incorporated by the Company take over the services other than those to be taken over by the Regional Companies pursuant to the provisions of the preceding paragraph by the date on which this Act comes into effect, among the domestic telecommunication services provided by the Company.

3 国は、前二項に定めるもののほか、会社が営んでいる事業のうち、前二項の規定により地域会社又は前項の株式会社（以下「長距離会社」という。）が行うこととなる業務と併せて営むことが適当と認められるものについては、それぞれ、地域会社又は長距離会社に引き継がせるものとする。

(3) Beyond what is set forth in the preceding two paragraphs, with respect to the services which are deemed to be appropriate to provide in combination with the services to be provided by the Regional Companies or a stock company (hereinafter referred to as a "Long Distance Company") among the businesses operated by the Company pursuant to the provisions of the two preceding paragraphs, the government is to have the Regional Companies or a Long Distance Company take over the services.

（基本方針）

(Basic Policy)

第三条 郵政大臣は、会社が営んでいる事業の地域会社及び長距離会社（以下「承継会社」という。）への適正かつ円滑な引継ぎを図るため、その事業の引継ぎ並びに権利及び義務の承継に関する基本方針（以下「基本方針」という。）を定めなければならない。

Article 3 (1) The Minister of Posts and Telecommunications must establish the basic policy concerning the handover process of business and succession to rights and obligations (hereinafter referred to as a "Basic Policy") so that the business operated by the Company can be taken over by the Regional Companies and a Long Distance Company (hereinafter referred to as "Successor Companies") properly and smoothly.

2 基本方針は、次に掲げる事項に関する基本的な事項について定めるものとする。

(2) The basic policy is to contain the basic information concerning the following matters:

一 承継会社に事業を引き継がせる時期

(i) date on which the business is taken over by the Successor Companies.

二 承継会社に引き継がせる電気通信業務の種類及び範囲

(ii) types and scope of the telecommunications services to be taken over by the

Successor Companies

三 承継会社に引き継がせる電気通信技術に関する研究の業務

(iii) research on the telecommunications technologies to be taken over by the Successor Companies

四 承継会社に承継させる資産、債務並びにその他の権利及び義務

(iv) assets, debts, and other rights and obligations to be taken over by the Successor Companies

五 承継会社への事業の引継ぎに当たって電気通信の分野における公正な競争の確保
に関し必要な事項

(v) matters necessary to ensure fair competition in the field of telecommunications in handing over the business to the Successor Companies

六 その他承継会社への事業の適正かつ円滑な引継ぎに関する事項

(vi) other matters concerning an appropriate and smooth handover process of business to the Successor Companies

(実施計画)

(Implementation Plan)

第四条 郵政大臣は、基本方針を定めたときは、会社に対し、承継会社ごとに、その事業の引継ぎ並びに権利及び義務の承継に関する実施計画（以下「実施計画」という。）を郵政省令で定めるところにより作成すべきことを指示しなければならない。

Article 4 (1) Having established the Basic Policy, the Minister of Posts and Telecommunications must instruct the Company to prepare an implementation plan of each Successor Company on the hand over process of the business and the succession to rights and obligations (hereinafter referred to as a "Implementation Plan"), pursuant to the provisions of Order of the Ministry of Posts and Telecommunications.

2 実施計画には、前条第二項各号に掲げる事項について記載するものとする。

(2) The matters set forth in each item of paragraph (2) of the preceding Article are to be contained in the Implementation Plan.

3 会社は、第一項の規定による指示があったときは、郵政大臣が定める期間内に基本方針に従い実施計画を作成し、郵政大臣の認可を受けなければならない。

(3) The Company must, upon receipt of an instruction under the provisions of paragraph (1), prepare the Implementation Plan according to the Basic Policy within a period specified by the Minister of Posts and Telecommunications and obtain approval from the Minister of Posts and Telecommunications.

4 会社は、実施計画を変更しようとするときは、郵政大臣の認可を受けなければならない。

(4) If the Company intends to make changes to the Implementation Plan, the Company must obtain approval from the Minister of Posts and Telecommunications.

(地域会社の設立)

(Incorporation of the Regional Companies)

第五条 郵政大臣は、それぞれの地域会社ごとに設立委員を命じ、当該地域会社の設立に関して発起人の職務を行わせる。

Article 5 (1) The Minister of Posts and Telecommunications appoints organizing committee members of each Regional Company who conduct duties of an incorporator of the Regional Companies.

2 設立委員は、定款を作成して、郵政大臣の認可を受けなければならない。

(2) The organizing committee members must prepare the articles of incorporation and obtain approval from the Minister of Posts and Telecommunications.

3 地域会社の設立に際して発行する株式に関する商法（明治三十二年法律第四十八号）第百六十八条ノ二各号に掲げる事項は、定款で定めなければならない。

(3) The matters set forth in each item of Article 168-2 of the Commercial Code (Act No. 48 of 1899) with respect to the shares to be issued at the time of incorporation of the Regional Company(ies) must be prescribed in the articles of incorporation of the Regional Company(ies).

4 地域会社の設立に際して発行する株式については、商法第二百八十四条ノ二第二項本文の規定にかかわらず、その発行価額の二分の一を超える額を資本に組み入れないことができる。この場合において、同条第一項中「本法」とあるのは、「本法又ハ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）」とする。

(4) With respect to the shares to be issued at the time of incorporation of the Regional Company(ies), the amount exceeding one-half of the amount of the issued shares does not have to be included in the stated capital, notwithstanding the provisions of the main clause of Article 284-2, paragraph (2) of the Commercial Code. In this case, the term "this Code" in paragraph (1) of that Article is deemed to be replaced with "this Code or the Act to Amend the Nippon Telegraph and Telephone Corporation Act (Act No. 98 of 1997)".

5 地域会社の設立に際して発行する株式の総数は、会社が引き受けるものとし、設立委員は、これを会社に割り当てるものとする。

(5) The Company is to underwrite all the shares to be issued at the time of incorporation of the Regional Company(ies), and the organizing committee members are to allocate all the shares to the Company.

6 会社は、地域会社の設立に際し、地域会社に対し、前条第三項の認可を受けた実施計画（同条第四項の規定による認可があったときは、変更後の実施計画。以下「承継計画」という。）において定めるところに従い、その財産を出資し、又は譲渡するものとする。この場合においては、この法律による改正前の日本電信電話株式会社法（以下「旧法」という。）第十三条の規定は、適用しない。

(6) The Company is to contribute or transfer its assets to the Regional Company(ies) at the time of incorporation of the Regional Company(ies) according to the Implementation Plan approved pursuant to the provisions of

paragraph (3) of the preceding Article (in cases where approval under the provisions of paragraph (4) of that Article is obtained, the revised Implementation Plan (hereinafter referred to as the "Succession Plan")). In this case, the provisions of Article 13 of the Nippon Telegraph and Telephone Company Act prior to the amendment (hereinafter referred to as the "Former Act"), do not apply under this Act.

7 地域会社の設立に係る商法第百八十条第一項の規定の適用については、同項中「第百七十七条ノ規定ニ依ル払込及現物出資ノ給付」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）附則第五条第五項ノ規定ニ依ル株式ノ割当」とする。

(7) With respect to the application of the provisions of Article 180 paragraph (1) of the Commercial Code pertaining to the incorporation of the Regional Companies, the term "payment and contribution in kind under the provisions of Article 177" in that paragraph is deemed to be replaced with "allocation of shares under the provisions of Article 5 paragraph (5) of the Supplementary Provisions of the Act to Amend the Nippon Telegraph and Telephone Corporation Act (Act No. 98 of 1997)".

8 地域会社の創立総会における定款の変更の決議は、郵政大臣の認可を受けなければ、その効力を生じない。

(8) A resolution on the amendments in the articles of incorporation adopted by the Regional Company(ies) at the organizational meetings does not come into effect without approval from the Minister of Posts and Telecommunications.

9 第六項の規定により会社が行う出資に係る給付は、この法律の施行の時に行われるものとし、地域会社は、商法第五十七条の規定にかかわらず、その時に成立する。

(9) The performance pertaining to the contribution in kind to be made by the Company pursuant to the provisions of paragraph (6) is to be made on the date on which this Act comes into effect and the Regional Companies are incorporated on that date, notwithstanding the provisions of Article 57 of the Commercial Code.

10 第六項の規定により会社が行う譲渡は、前項の地域会社の成立の時に于行われるものとする。

(10) The transfer to be made by the Company pursuant to the provisions of paragraph (6) is to be made at the time of incorporation of the Regional Companies.

11 地域会社は、商法第百八十八条第一項の規定にかかわらず、地域会社の成立後遅滞なく、その設立の登記をしなければならない。

(11) Notwithstanding the provisions of Article 188 paragraph (1) of the Commercial Code, the Regional Company(ies) must be registered after the incorporation of the Regional Companies, without delay.

12 商法第百六十七条、第百六十八条第二項及び第百八十一条の規定は、地域会社の設立については、適用しない。

(12) The provisions of Article 167, Article 168 paragraph (2) and Article 181 of the Commercial Code do not apply to the incorporation of the Regional Companies.

(長距離会社の設立等)

(Incorporation of the Long Distance Company)

第六条 会社は、次に掲げる株式を引き受けるものとする。

Article 6 (1) The Company is to underwrite the shares prescribed below:

一 長距離会社はその設立に際して発行する株式の総数

(i) total number of shares issued by the Long Distance Company at the time of its incorporation

二 長距離会社はその設立後に承継計画において定めるところに従い発行する株式の総数

(ii) total number of shares to be issued by the Long Distance Company according to the Succession Plan established after its incorporation

2 会社は、長距離会社に対し、承継計画において定めるところに従い、その財産を出資し、又は譲渡するものとする。この場合においては、旧法第十三条の規定は、適用しない。

(2) The Company is to contribute or transfer its assets to the Long Distance Company according to the Succession Plan. In this case, the provisions of the Article 13 of the Former Act do not apply.

3 前項の出資（第一項第二号の株式の引受けに係るものに限る。）に係る給付及び譲渡は、この法律の施行の時に行われるものとする。

(3) The performance pertaining to the contribution in kind (limited to those pertaining to the underwriting of the shares under the provisions of paragraph (1), item (ii)) and the transfer under the provisions of the preceding paragraph, are to be made on the date on which this Act comes into effect.

4 第一項の株式については、前条第四項の規定を準用する。

(4) The provisions of paragraph (4) of the preceding article apply mutatis mutandis to the shares under the provisions of paragraph (1).

5 長距離会社が設立に際して株式を発行する場合には商法第一百七十三条の規定、長距離会社が第一項第二号の株式を発行する場合には同法第二百四十六条第二項及び第二百八十条ノ八の規定は、適用しない。

(5) In the case where the Long Distance Company issues shares at the time of its incorporation, the provisions of Article 173 of the Commercial Code do not apply, and in the case where the Long Distance Company issues shares pursuant to the provisions of paragraph (1) item (ii), the provisions of Article 246 paragraph (2) and Article 280-8 of that Act, do not apply.

(事業等の承継)

(Succession to the Business)

第七条 地域会社はその成立の時に、長距離会社はこの法律の施行の時に、それぞれ、承継計画において定めるところに従い、承継計画において定められた事業並びに当該事業に係る権利及び義務を、会社から承継する。

Article 7 The Regional Companies will, at the time of incorporation, and the Long Distance Company, on the date on which this Act comes into effect, respectively take over the businesses and the rights and obligations pertaining to the relevant businesses included in the Succession Plan from the Company according to the Succession Plan.

第八条 この法律の施行の際現に旧法第一条第二項の認可を受けて会社が営んでいる業務であつて、地域会社に引き継がれるものとして承継計画に定められたものについては、当該地域会社が、その成立の時に新法第二条第四項第一号の規定による認可を受けたものとみなす。

Article 8 (1) With respect to the services which have been approved pursuant to the provisions of Article 1 paragraph (2) of the Former Act and have been provided by the Company, as of the date on which this Act comes into effect, which are included in the Succession Plan as the services to be taken over by the Regional Companies, the relevant services are deemed to have been approved pursuant to the provisions of Article 2 paragraph (4) item (i) of the New Act at the time when the Regional Companies are incorporated.

2 会社は、当分の間、会社がこの法律の施行の際現に営んでいる業務であつて、承継会社に引き継がれるものとして承継計画に定められたもの以外のもの（新法第二条第一項に規定する業務に該当するものを除く。）を引き続き営むことができる。

(2) The Company may continue to provide the services which are being provided by the Company as of the date on which this Act comes into effect, which are not included in the Succession Plan as the services to be taken over by the Successor Companies (except the services under the provisions of Article 2 paragraph (1) of the New Act) until otherwise provided for by law.

(社債に係る債務に関する連帯債務)

(Joint and Several Obligation Pertaining to the Corporate Bonds)

第九条 この法律の施行の時に発行されている会社の社債に係る債務については、会社及び承継会社が連帯して弁済の責めに任ずる。

Article 9 (1) With respect to the obligation pertaining to the corporate bonds issued as of the date on which this Act comes into effect, the Company and the Successor Companies are jointly and severally liable for the payment.

2 前項の場合には、その社債権者は、会社及び承継会社の財産について他の債権者に先立って自己の債権の弁済を受ける権利を有する。

(2) In the case referred to in the preceding paragraph, the bond holders have the right to claim priority with respect to the assets of the Company and the

Successor Companies over other creditors.

3 前項の先取特権の順位は、民法（明治二十九年法律第八十九号）の規定による一般の先取特権に次ぐものとする。

(3) The order of the general statutory lien under the provisions of the Civil Code (Act No. 89 of 1896) is followed by the statutory lien under the preceding paragraph.

（地域会社の事業計画についての経過措置）

(Transitional Measures for Business Plans of the Regional Companies)

第十条 地域会社のその成立する日の属する営業年度の事業計画については、新法第十二条中「毎営業年度の開始前に」とあるのは、「地域会社の成立後遅滞なく」とする。

Article 10 With respect to the business plan in the business year which includes the date of incorporation of the Regional Companies, the term "prior to the starting date of each business year" in Article 12 of the New Act is deemed to be replaced with "after the incorporation of the Regional Companies without delay".

（金銭の交付）

(Grant of Money)

第十一条 東日本電信電話株式会社（以下「東会社」という。）は、西日本電信電話株式会社（以下「西会社」という。）の経営の安定化を図る必要があるときは、総務省令で定める金額の範囲内で、西会社に対し、その事業に要する費用に充てるための金銭を、東会社の設立の日以後三年以内に終了する各事業年度に係る利益の処分として交付することができる。

Article 11 Nippon Telegraph and Telephone East Corporation (hereinafter referred to as "NTT East") may, if it is necessary to stabilize the management of Nippon Telegraph and Telephone West Corporation (hereinafter referred to as "NTT West"), grant an amount of money to NTT West, within the amount prescribed by Ordinance of the Ministry of Internal Affairs and Communications, to cover the cost required for the business operation of NTT West, as an appropriation of NTT East's profits in each business year which ends within three years from the date on which NTT East is incorporated.

（租税関係法令の適用に関する経過措置）

(Transitional Measures for the Application of Tax Laws and Regulations)

第十二条 承継会社の附則第五条第六項又は第六条第二項の規定により会社が行う出資又は譲渡に係る不動産又は自動車の取得に対しては、不動産取得税若しくは土地の取得に対して課する特別土地保有税又は自動車取得税を課することができない。

Article 12 (1) Real estate acquisition taxes or special land holding taxes which are paid on acquisition of land, or automobile acquisition taxes may not be imposed on the real estates or automobiles acquired pertaining to the

contribution in kind or transfer to the Successor Company made by the Company pursuant to the provisions of Article 5 paragraph (6) or Article 6 paragraph (2) of the Supplementary Provisions.

2 承継会社の取得した附則第五条第六項又は第六条第二項の規定により会社が行う出資又は譲渡に係る土地で承継会社が引き続き保有する土地のうち、旧法附則第三条第八項の規定により会社を取得したもの（旧法附則第四条第一項の規定による解散前の日本電信電話公社が昭和四十四年一月一日（沖縄県の区域内に所在する土地については、昭和四十七年四月一日）前に取得したものに限り。）に対しては、土地に対して課する特別土地保有税を課することができない。

(2) With respect to the land which is acquired and continuously held by the Successor Companies pertaining to the contribution in kind or transfer made by the Company pursuant to the provisions of Article 5 paragraph (6) or Article 6 paragraph (2) of the Supplementary Provisions, special land holding taxes may not be imposed on the land which was acquired by the Company pursuant to the provisions of Article 3, paragraph (8) of the Supplementary Provisions of the Former Act (limited to the land acquired by Nippon Telegraph and Telephone Public Corporation before its dissolution pursuant to the provisions of Article 4 paragraph (1) of the Supplementary Provisions of the Former Act prior to January 1, 1969 (with respect to the land located in Okinawa Prefecture; limited to the land acquired prior to April 1, 1972)).

3 承継会社の取得した附則第五条第六項又は第六条第二項の規定により会社が行う出資又は譲渡に係る土地で承継会社が引き続き保有する土地のうち、地方税法（昭和二十五年法律第二百二十六号）第五百九十九条第一項の規定により申告納付すべき日の属する年の一月一日において会社が当該土地を取得した日以後十年を経過したものに對しては、土地に対して課する特別土地保有税を課することができない。

(3) With respect to the land which is acquired and continuously held by the Successor Companies pertaining to the contribution in kind or transfer made by the Company pursuant to the provisions of Article 5 paragraph (6) or Article 6 paragraph (2) of the Supplementary Provisions, special land holding taxes may not be imposed on the land if more than ten years have passed since the Company acquired the land as of January 1 of the year in which the Successor Companies are required to file and pay the tax pursuant to the provisions of Article 599 paragraph (1) of the Local Tax Act (Act No. 226 of 1950).

4 承継会社の取得した附則第五条第六項又は第六条第二項の規定により会社が行う出資又は譲渡に係る償却資産のうち、この法律の施行の日（以下「施行日」という。）の前日において地方税法附則第十五条第二十七項から第三十項までの規定、地方税法等の一部を改正する法律（平成八年法律第十二号）附則第六条第十五項から第十七項までの規定、同条第十八項の規定によりなお効力を有するものとして読み替えて適用される同法第一条の規定による改正前の地方税法附則第十五条第三十項の規定又は地方税法等の一部を改正する法律（平成十年法律第二十八号）附則第六条第十一項若しくは第十二項の規定により固定資産税の課税標準の特例の適用を受けているものに対

して課する固定資産税の課税標準は、これらの特例の適用を受けることとなっていた期間内は、なお従前の例による。

- (4) With respect to the depreciable assets acquired by the Successor Companies pertaining to the contribution in kind or transfer made by the Company pursuant to the provisions of Article 5 paragraph (6) or Article 6 paragraph (2) of the Supplementary Provisions, prior laws continue to govern the tax base of real estate to which the special tax rate applies on the day before the date on which this Act comes into effect (hereinafter referred to as the "effective date") pursuant to the provisions of: Article 15 paragraph (27) though paragraph (30) of the Supplementary Provisions of the Local Tax Act; provisions of Article 1, paragraph (30) of the Supplementary Provisions of the Local Tax Act prior to the amendment, , or the provisions of Article 6 paragraph (11) or paragraph (12) of the Supplementary Provisions of the Act to Amend the Local Tax Act (Act No. 28 as of 1998) as referred to in the provisions of Article 1 of that Act, as applied pursuant to the provisions of paragraph (18) of that Act in which prior laws remain in effect, during the period to which the special tax rate applies.
- 5 附則第五条第六項の規定により会社が地域会社に対しその財産を出資し、又は譲渡する場合において当該地域会社が受ける登記又は登録及び附則第六条第二項の規定により会社が長距離会社に対しその財産を出資し、又は譲渡する場合において当該長距離会社が受ける登記又は登録については、政令で定めるところにより、登録免許税を課さない。
- (5) In the case of contribution in kind or transfer of the property made by the Company to the Regional Companies pursuant to the provisions of Article 5 paragraph (6) of the Supplementary Provisions, if the contribution in kind or transfer of the property is made by the Company to the Long Distance Company pursuant to the provisions of Article 6 paragraph (2) of the Supplementary Provisions, registration and license tax is not be imposed on the registration of the property pursuant to the provisions of Cabinet Order.
- 6 附則第五条第十一項の規定により地域会社が受ける設立の登記については、登録免許税を課さない。
- (6) No registration and license tax is imposed on the registration of incorporation filed by the Regional Companies pursuant to the provisions of Article 5 paragraph (11) of the Supplementary Provisions.
- 7 東会社が、その設立の日以後三年以内に終了する各事業年度（その終了の日を西会社の事業年度終了の日と同じくする事業年度に限る。以下「適用年度」という。）の確定した決算において利益の処分による経理をした前条の規定により西会社に対して交付する金銭の額（以下「交付金の額」という。）のうち西会社の対応年度（その終了の日を当該適用年度終了の日と同じくする事業年度をいう。以下同じ。）において生じた欠損金額（当該交付金の額に相当する金額を益金の額に算入しなかったとした場合に生じることとなる法人税法（昭和四十年法律第三十四号）第二条第十九号に規

定する欠損金額に相当する金額とする。)に達するまでの金額は、当該適用年度の所得の金額の計算上、損金の額に算入する。この場合において、東会社に対する同法第三十七条の規定の適用については、同条第一項中「経理をした金額」とあるのは「経理をした金額（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）附則第十二条第七項に規定する交付金の額のうち同項に規定する欠損金額に達するまでの金額（次項において「損金算入交付金額」という。）を除く。）」と、同条第二項中「寄付金の額を除く」とあるのは「寄付金の額及び損金算入交付金額を除く」とする。

(7) The amount not exceeding the amount of money granted to NTT West (hereinafter referred to as the "amount of money") granted by NTT East under the provisions of the preceding Article as an appropriation of the profits in the settlement of accounts in each business year which ends within three years from the date of incorporation of NTT East (limited to the business year which ends on the same date as the business year of the NTT West (hereinafter referred to as the "applicable business year")), the amount not exceeding the amount of loss (which is the amount equivalent to the loss prescribed in the provisions of Article 2 paragraph (19) of the Corporate Tax Act (Act No. 34 of 1965) which is caused in cases where the amount equivalent to the grant money is not included in the amount of gross income) in the relevant business year of NTT West (meaning the business year which ends on the same date as the applicable business year; the same applies hereinafter) is included in the loss in calculating the income in the relevant business year. In this case, with respect to the application of the provisions of Article 37 of the same act to NTT East, the term the "amount recorded in the books" in paragraph (1) of that Article is deemed to be replaced with "excluding the amount recorded in the books (meaning the amount of money under the provisions of Article 12 paragraph (7) of the Supplementary Provisions of the Act to Amend the Nippon Telegraph and Telephone Corporation Act (Act No. 98 as of 1997) not exceeding the amount of loss (meaning the "amount of grant money including the loss") in the next paragraph)", and the term "excluding the amount of contributions" in paragraph (2) of that Article is deemed to be replaced with "excluding the amount of contributions and the amount of grant money including the loss".

8 東会社が適用年度の確定した決算において利益の処分による経理をした交付金の額に相当する金額は、西会社の対応年度の収益の額とみなす。

(8) The amount equivalent to the grant money, which is recorded in the books as an appropriation of the profits in the settlement of the account in the applicable business year of NTT East, is deemed the amount of income of the corresponding business year of NTT West.

9 前二項に定めるもののほか、承継会社の設立に伴う会社及び承継会社に対する法人税に関する法令の規定の適用に関し必要な事項は、政令で定める。

(9) Beyond what is set forth in the preceding two paragraphs, necessary matters

concerning the application of the provisions of laws and regulations to the corporate tax imposed on the Company and the Successor Companies for the incorporation of the Successor Companies are prescribed by Cabinet Order.

第十三条 削除

Article 13 Deleted.

(国際電気通信事業を営む法人への出資)

(Capital Investments in the Corporation Operating International Telecommunications Business)

第十四条 会社は、施行日前において、郵政大臣の認可を受けて、国際電気通信事業を営む法人に出資することができる。

Article 14 The Company may invest capital in a corporation operating international telecommunications business after obtaining approval from the Minister of Posts and Telecommunications prior to the date on which this Act comes into effect.

(事業の引継ぎ等に関する命令)

(Order to Succeed the Business)

第十五条 郵政大臣は、附則第二条及び附則第四条から第七条までの規定を施行するため特に必要があると認めるときは、会社に対し、その必要の限度において命令をすることができる。

Article 15 If the Minister of Posts and Telecommunications finds it particularly necessary to enforce the provisions of Article 2 and Article 4 through Article 7 of the Supplementary Provisions, the Minister may issue an order to the Company to the extent necessary for the enforcement.

第十六条 削除

Article 16 Deleted.

(罰則)

(Penal Provisions)

第十七条 次の各号のいずれかに掲げる違反があった場合においては、その違反行為をした会社の取締役又は監査役は、百万円以下の罰金に処する。

Article 17 If a violation prescribed in the following items is committed, a director or auditor for the Company, which committed the violation, is punished by a fine not exceeding one million yen:

一 附則第十四条の規定に違反して、国際電気通信事業を営む法人に出資したとき。

(i) when the Company invests capital in a corporation operating international telecommunications business against the provisions of Article 14 of the Supplementary Provisions

二 附則第十五条の規定による命令に違反したとき。

(ii) when the Company violates the order under the provisions of Article 15 of the Supplementary Provisions

(電気通信事業法の適用に関する経過措置)

(Transitional Measures for the Application of Telecommunications Business Act)

第十八条 地域会社はその成立の時に、長距離会社はこの法律の施行の時に、会社の営む第一種電気通信事業であって承継会社に承継されるものとして承継計画において定められたものについて、それぞれ、電気通信事業法（昭和五十九年法律第八十六号）第九条第一項の許可を受けたものとみなす。

Article 18 (1) The type I telecommunications business operated by the Company prescribed in the Successor Plan as the business to be taken over by the Successor Companies, is deemed to be permitted to the Regional Companies at the time when it is incorporated and to the Long Distance Company as of the date on which this Act comes into effect respectively under the provisions of Article 9 paragraph (1) of the Telecommunications Business Act (Act No. 86 of 1984).

2 承継会社は、前項の規定により電気通信事業法第九条第一項の許可を受けたものとみなされる事業に関し、同条第二項各号に掲げる事項を記載した書類を、施行日から一月以内に、郵政大臣に提出しなければならない。この場合においては、当該書類に記載された事項を同項の規定により記載された事項とみなして、同法第十三条及び第十四条の規定を適用する。

(2) The Successor Companies must, with respect to the businesses which is deemed to be permitted under the provisions of Article 9 paragraph (1) of the Telecommunications Business Act pursuant to the provisions of the preceding paragraph, submit the documents providing the information set forth in the items of paragraph (2) of that Article, within one month from the date on which this Act comes into effect, to the Minister of Posts and Telecommunications. In this case, the provisions of Article 13 and Article 14 of that Act apply as the information provided in the documents are deemed to be provided in the relevant documents pursuant to the provisions of that paragraph.

3 承継会社は、その電気通信役務に関する提供条件に関し電気通信事業法第三十一条又は第三十一条の二の規定により認可又は届出を必要とする事項については、施行日から三月以内に、その認可の申請又は届出をしなければならない。この場合においては、当該承継会社は、当該認可又は届出を必要とする事項について、それぞれ当該申請に基づく認可に関する処分があるまで、又は当該届出をするまでの間は、この法律の施行の際現に会社が実施している電気通信役務に関する提供条件と同一のものを実施することができる。

(3) The Successor Companies must, with respect to the information required for the provision of the telecommunications service which requires approval or

notification under the provisions of Article 31 or Article 31-2 of the Telecommunications Business Act, submit an request for approval or a notification within three months from the date on which this Act comes into effect. In this case, with respect to the information which requires the approval or notification, the Successor Companies may provide the same telecommunications services as those provided by the Company as of the date on which this Act comes into effect, until the administrative disposition of the approval pertaining to the request is taken, or until the notification is submitted.

(関係法律の適用に関する経過措置)

(Transitional Measures for the Application of Relevant Acts)

第十九条 施行日前に次の表の第一欄に掲げる法律の同表の第二欄に掲げる規定により会社に対して同表の第三欄に掲げる者がした同表の第四欄に掲げる許可、認可又は免許は、それぞれ、同表の第二欄に掲げる規定により、附則第七条の定めるところにより当該許可、認可又は免許に係る権利及び義務を承継した承継会社に対して同表の第三欄に掲げる者がした同表の第五欄に掲げる許可、認可又は免許とみなす。

Article 19 (1) A permission, approval or license granted to the Company by a person listed in the third column pursuant to the provisions under the second column of that table of the Act listed in the first column of the following table on the day prior to the date on which the Act comes into effect, is respectively deemed to be the permission approval or license listed in the fifth column in that table granted to the Successor Companies, which succeeded to the rights and obligations pertaining to the permission, approval or license granted by the person listed in the third column of that table, as provided in the provisions of Article 7 of the Supplementary Provisions, pursuant to the provisions under the second column of that table.

第一欄 Column 1	第二欄 Column 2	第三欄 Column 3	第四欄 Column 4
核原料物質、核燃料物質及び原子炉の規制に関する法律（昭和三十二年法律第百六十六号） Act on Control of Nuclear Raw Material, Nuclear Fuel and Nuclear Reactor (Act No. 166 of 1957)	第六十一条の三 第一項 Article 61-3 paragraph (1)	科学技術庁長官 Director General of the Science and Technology Agency	許可 Permission

	第六十一条の八 第一項 Article 61-8 paragraph (1)	科学技術庁長官 Director General of the Science and Technology Agency	認可 Authorization
放射性同位元素等による放射線障害の防止に関する法律（昭和三十二年法律第百六十七号） Act on Prevention of Radiation Disease Due to Radioactive Isotope, etc. (Act No.167 of 1957)	第三条第一項 Article 3 paragraph (1)	科学技術庁長官 Director General of the Science and Technology Agency	許可 Permission
自然公園法（昭和三十三年法律第百六十一号） Natural Park Act(Act No.161 of 1957)	第十七条第三項、第十八条第三項又は第二十八条の二第三項 Article 17 paragraph (3), or Article 18 paragraph (3) or Article 28-2 paragraph (3)	国立公園にあつては環境庁長官、国定公園にあつては都道府県知事 As for national parks, Director General of the Science and Technology Agency. As for semi-national parks, the Governor	許可 Permission

<p>漁港法（昭和二十五年法律第百三十七号） Fishing Port Act (Act No. 137 of 1950)</p>	<p>第三十九条第一項 Article 39 paragraph (1)</p>	<p>農林水産大臣 Minister of Agriculture, Forestry and Fisheries</p>	<p>許可（日本電信電話株式会社法及び電気通信事業法の施行に伴う関係法律の整備等に関する法律（昭和五十九年法律第八十七号。以下この表において「整備法」という。）附則第十五条の規定により許可を受けたものとみなされて会社がした行為に係る許可を含む。） Permission (including the permission pertaining to the activities operated by the Company regarded as being permitted under the provisions of Article 15 of the Supplementary Provisions of the Act on Preparation of Relevant Acts Accompanying Effectuation of the Nippon Telegraph and Telephone Corporation Act and the Telecommunications Business Act (Act No. 87 of 1984, hereinafter referred to as "the Preparation Act"))</p>
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<p>海岸法（昭和三十二年法律第百一号） Coast Act (Act No.101 of 1956)</p>	<p>第七条第一項 Article 7 paragraph (1)</p>	<p>海岸管理者 Coast administrator</p>	<p>許可（整備法附則第十六条の規定により許可を受けたものとみなされて会社がした占有に係る許可を含む。） Permission (including the permission pertaining to the occupation by the Company regarded as being permitted under the provisions of Article 16 of the Supplementary Provisions of the Preparation Act)</p>
	<p>第八条第一項 Article 8 paragraph (1)</p>	<p>海岸管理者 Coast administrator</p>	<p>許可 Permission</p>
<p>高压ガス保安法（昭和二十六年法律第二百四号） High Pressure Gas Safety Act (Act No. 204 of 1951)</p>	<p>第五条第一項、第十四条第一項、第十六条第一項又は第十九条第一項 Article 5 paragraph (1), Article 14 paragraph (1), or Article 16 paragraph (1) or Article 19 paragraph (1)</p>	<p>都道府県知事 Governor</p>	<p>許可 Permission</p>
<p>港則法（昭和三十二年法律第一百七十四号） Port Regulation Act (Act No. 174 of 1948)</p>	<p>第三十一条第一項 Article 31 paragraph (1)</p>	<p>港長 Portmaster</p>	<p>許可 Permission</p>

港湾法（昭和二十五年法律第二百十八号） Harbor Act (Act No.218 of 1950) i i)	第三十七条第一項 Article 37 paragraph (1)	港湾管理者の長 Chief harbor administrator	許可（整備法附則第十七条の規定により許可を受けたものとみなされて会社がした行為に係る許可を含む。） Permission (including the permission pertaining to the activities made by the Company regarded as being permitted under the provisions of Article 17 of the Supplementary Provisions of the Preparation Act.)
海上交通安全法（昭和四十七年法律第百十五号） Maritime Traffic Safety Act (Act No.115, 1972)	第三十条第一項 Article 30 paragraph (1)	海上保安庁長官 Director-General of the Japanese Maritime Safety Agency (Japan Coast Guard)	許可 Permission
電波法（昭和二十五年法律第百三十一号） Radio Act (Act No.131 of 1950)	第四条 Article 4	郵政大臣 Minister of Posts and Telecommunications	免許 License
	第十七条第一項 Article 17 paragraph (1)	郵政大臣 Minister of Posts and Telecommunications	許可 Permission
道路法（昭和二十七年法律第百八十号） Road Act (Act No.180 of 1952) x i)	第三十二条第一項又は第三項 Article 32 paragraph (1) or paragraph (3)	道路管理者 Road administrator	許可 Permission

<p>都市公園法（昭和三十二年法律第七十九号） Urban Park Act (Act No. 79 of 1956)</p>	<p>第六条第一項又は第三項 Article 6 paragraph (1) or paragraph (3)</p>	<p>公園管理者 Park administrator</p>	<p>許可 Permission</p>
<p>共同溝の整備等に関する特別措置法（昭和三十八年法律第八十一号） Special Measures Act on Preparation, etc. for Common-Use Tunnel (Act No.81 of 1963)</p>	<p>第十四条第一項 Article 14 paragraph (1)</p>	<p>道路管理者 Road administrator</p>	<p>許可（整備法附則第二十六条の規定により許可を受けたものとみなされて会社がした占有に係る許可を含む。） Permission (including the permission pertaining to the occupation by the Company regarded as being permitted under the provisions of Article 26 of Supplementary Provisions of the Preparation Act)</p>
<p>河川法（昭和三十九年法律第百六十七号） River Act (Act No.167 of 1964)</p>	<p>第二十四条、第二十六条第一項、第二十七条第一項、第五十五条第一項又は第五十七条第一項 Article 24, Article 26 paragraph (1), Article 27 paragraph (1), Article 55 paragraph (1) or Article 57 paragraph (1)</p>	<p>河川管理者 River administrator</p>	<p>許可 Permission</p>

電線共同溝の整備等 に関する特別措置法 （平成七年法律第三 十九号） Special Measures Act on Preparation, etc. for Common-Use Cable Tunnel (Act No. 39 of 1995)	第十条 Article 10	道路管理者 Road administrator	許可 Permission
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2 施行日前に医療法（昭和二十三年法律第二百五号）第四条第一項又は第七条第一項の規定により会社の病院又は診療所について都道府県知事がした承認又は許可は、これらの規定により、附則第七条の定めるところにより当該承認又は許可に係る権利及び義務を承継した承継会社の病院又は診療所について都道府県知事がした承認又は許可とみなす。

(2) An approval or permission granted to the hospitals or clinics owned by the Company by a prefectural governor pursuant to the provisions of Article 4 paragraph (1) or Article 7 paragraph (1) of the Medical Care Act (Act No. 205 of 1948) prior to the date on which this Act comes into effect, is deemed the approval or permission granted to the hospitals or clinics owned by the Successor Companies which succeeded to the rights and obligations pertaining to the approval or permission granted by the prefectural governor as provided by the provisions of Article 7 of the Supplementary Provisions, pursuant to these provisions.

3 施行日前に次に掲げる法律の規定により会社の同意を得てその病院について都道府県知事がした指定は、それぞれ、当該規定により、附則第七条の定めるところにより当該病院に係る権利及び義務を承継した承継会社の同意を得て当該病院について都道府県知事がした指定とみなす。

(3) The hospitals designated by a prefectural governor after obtaining the consent of the Company pursuant to the provisions of the following Acts prior to the date on which this Act comes into effect, is respectively deemed the hospitals designated by the prefectural governor after the consent of the Successor Companies which succeeded to the rights and obligations pertaining to the hospitals is obtained as provided by the provisions of Article 7 of the Supplementary Provisions, pursuant to the relevant provisions.

一 身体障害者福祉法（昭和二十四年法律第二百八十三号）第十九条の二第一項
(i) Article 19-2 paragraph (1) of the Act on Welfare of Physically Disabled People (Act No. 283 of 1949)

二 生活保護法（昭和二十五年法律第百四十四号）第四十九条
(ii) Article 49 of the Public Assistance Act (Act No. 144 of 1950)

三 結核予防法（昭和二十六年法律第九十六号）第三十六条第一項

(iii) Article 36 paragraph (1) of the Tuberculosis Prevention Act (Act No. 96 of 1951)

四 原子爆弾被爆者に対する援護に関する法律（平成六年法律第百十七号）第十九条第一項

(iv) Article 19 paragraph (1) of the Atomic Bomb Survivors' Assistance Act (Act No. 117 of 1994)

4 施行日前に次の表の第一欄に掲げる法律の規定により同表の第二欄に掲げる者に対して会社がした届出は、それぞれ、同表の第一欄に掲げる法律の規定により、附則第七条の定めるところにより当該届出に係る権利及び義務を承継した承継会社が同表の第二欄に掲げる者に対してした届出とみなす。

(4) The notification submitted to a person listed in the second column of the following table by the Company pursuant to the provisions of the Act listed in the first column of that table prior to the effective date of this Act is respectively deemed the notification submitted to the person prescribed in the second column of that table by the Successor Companies which succeeded to the rights and obligations pertaining to the notification as provided by the provisions of Article 7 of the Supplementary Provisions, pursuant to the provisions of the Act listed in the first column of that table.

	第一欄 Column 1	第二欄 Column 2
一 (i)	自然公園法第二十条第一項 Article 21 paragraph (1) of the National Park Act	都道府県知事 Prefectural Governor
二 (ii)	海上交通安全法第三十一条第一項 Article 31 paragraph (1) of the Maritime Traffic Safety Act	海上保安庁長官 Director-General of the Japanese Maritime Safety Agency (Japan Coast Guard)

5 施行日前に電線共同溝の整備等に関する特別措置法第四条第一項の規定により会社が道路管理者に対してした占用の許可の申請に係る同法第五条第二項の電線共同溝の占用予定者の地位は、附則第七条の定めるところにより当該申請に係る権利及び義務を承継した承継会社が承継する。

(5) The status as an prospective occupant of common-use cable tunnel under the provisions of the Article 5 paragraph (2) of the Act on Special Measures for the Development of Common-Use Cable Tunnels, pertaining to the request for approval to occupy submitted to the road administrator by the Company pursuant to the provisions of Article 4 paragraph (1) of prior to the date on which this Act comes into effect, is taken over by the Successor Companies which succeeded to the rights and obligations pertaining to the request pursuant to the provisions of Article 7 of the Supplementary Provisions.

(政令への委任)

(Particulars Governed by Cabinet Order)

第二十条 附則第二条から前条までに定めるもののほか、この法律の施行に関し必要な経過措置その他の事項は、政令で定める。

Article 20 Beyond what is set forth in the provisions of Article 2 through the preceding Article of the Supplementary Provisions, transitional measures and other matters necessary for the enforcement of this Act are prescribed by Cabinet Order.

(罰則の適用に関する経過措置)

(Transitional Measures for the Application of the Penal Provisions)

第二十一条 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 21 Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before this Act comes into effect.

附 則 〔平成十年三月三十一日法律第二十四号〕〔抄〕

Supplementary Provisions [Act No. 24 of March 31, 1998] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十年四月一日から施行する。

Article 1 This Act comes into effect as of April 1, 1998.

附 則 〔平成十年三月三十一日法律第二十七号〕〔抄〕

Supplementary Provisions [Act No. 27 of March 31, 1998] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十年四月一日から施行する。

Article 1 This Act comes into effect as of April 1, 1998.

附 則 〔平成十一年十二月二十二日法律第百六十号〕〔抄〕

Supplementary Provisions [Act No. 160 of December 22, 1999] [Extract]

(施行期日)

(Effective Date)

第一条 この法律（第二条及び第三条を除く。）は、平成十三年一月六日から施行する。

Article 1 This Act (except Article 2 and Article 3) come into effect as of January 6, 2001.

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 (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（平成十一年法律第百八十三号）附則第八条の規定の施行の前日である場合には、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) In the case where the date on which this Act comes into effect before the effective date of the provisions of Article 8 of the Supplementary Provisions of the Act on the Food and Agricultural Materials Inspection Center (Act No. 183 of 1999) comes into effect, the term "Article 27" in the amended provisions of Article 19-5-2, Article 19-6 paragraph (1) and Article 27 of the Act on Standardization and Proper Labeling on Quality of Agricultural and Forestry Products referred to in Article 31 of this Act, is deemed to be replaced with "Article 26".

附 則 〔平成十三年三月三十日法律第六号〕 〔抄〕

Supplementary Provisions [Act No. 6 of March 30, 2001] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十三年三月三十一日から施行する。

Article 1 This Act comes into effect as of March 31, 2001.

附 則 〔平成十三年六月二十二日法律第六十二号〕 〔抄〕

Supplementary Provisions [Act No. 62 of June 22, 2001] [Extract]

(施行期日)

(Effective Date)

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

る日から施行する。

Article 1 This Act comes into effect as of the day specified by Cabinet Order not exceeding six months from the date of promulgation.

(罰則に関する経過措置)

(Transitional Measures for 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 to govern the applicability of penal provisions to conduct in which a person engages before this Act comes into effective.

(その他の経過措置の政令への委任)

(Other Transitional Measures Governed by 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 set forth in these Supplementary Provisions, other transitional measures (including the transitional measures for penal provisions) required for the enforcement of this Act are prescribed 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 is to conduct comprehensive reviews on the system pertaining to telecommunications including the categories of communications and broadcasting, to take the necessary measures including improvements of a legal system based on the outcomes of the reviews, by taking into account the implementation status of the provisions amended by this Act, technologies of the Internet and other advanced information and communications networks and the trends in use thereof and changes in socioeconomic circumstances in and outside Japan, and by giving due consideration to the smooth operation of international telecommunications business and the improvement of international competitiveness of telecommunications technologies of Japan,.

附 則 〔平成十三年十一月二十八日法律第百二十九号〕 〔抄〕

Supplementary Provisions [Act No. 129 of November 28, 2001] [Extract]

(施行期日)

(Effective Date)

1 この法律は、平成十四年四月一日から施行する。

(1) This Act comes into effect as of April 1, 2002.

(罰則の適用に関する経過措置)

(Transitional Measures Concerning the Application of the Penal Provisions)

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

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

附 則 〔平成十四年五月二十九日法律第四十五号〕

Supplementary Provisions [Act No. 45 of May 29, 2002]

(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 day specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

(経過措置)

(Transitional Measures)

2 この法律の施行の日が農業協同組合法等の一部を改正する法律（平成十三年法律第九十四号）第二条の規定の施行の前日である場合には、第九条のうち農業協同組合法第三十条第十二項の改正規定中「第三十条第十二項」とあるのは、「第三十条第十一項」とする。

(2) In the case where the date on which this Act comes into effect before the effective date of the provisions of Article 2 of the "Act to Amend the Agricultural Co-operatives Act (Act No. 94 of 2001)", the term "Article 30, paragraph (12)" in the amended provisions of Article 30, paragraph (12) of the Agricultural Co-operatives Act referred to in Article 9 is deemed to be replaced with "Article 30, paragraph (11)".

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 of July 24, 2003] [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 day specified by Cabinet Order within a period not exceeding nine months from the date of promulgation.

However, the provisions set forth in the following items come into effect as of the day specified respectively in the relevant 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 Article 17 through Article 19 of the Supplementary Provisions come into effect as of 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 for amending the Supplementary Provisions of the Act on Nippon Telegraph and Telephone Corporation (referred to as the "Companies Act" in the following item and Article 16 of the Supplementary Provisions) to add an Article and the provisions of Article 16 of the Supplementary Provisions referred to in Article 3 come into effect as of 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 for amending Article 11, paragraph (2) of the Companies Act referred to in Article 3, and the provisions of Article 6 through Article 15 of the Supplementary Provisions, Article 21 through Article 31 of the Supplementary Provisions, Article 34 through Article 41 of the Supplementary Provisions and Article 44 through Article 48 of the Supplementary Provisions come into effect as of the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

(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 for the Amendment to the Act on Nippon Telegraph and Telephone Corporation)

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 respect to the application of Article 16 of the Supplementary Provisions of the Companies Act amended pursuant to the provisions for amending the Supplementary Provisions during the period from the date on which the provisions for amending the Supplementary Provisions to add an Article to these Supplementary Provisions comes into effect to the day before the effective date of the provisions for amending the Supplementary Provisions referred to in Article 3, the term "Article 33, paragraph (2)" in paragraph (1) of that Article is deemed to be replaced with "Article 38-2, paragraph (2)" and the term "Article 33, paragraph (4), item (ii)" in paragraph (2) of that Article is deemed to be replaced with "Article 38-2, paragraph (3), item (ii)".

附 則 〔平成十六年六月九日法律第八十八号〕 〔抄〕

Supplementary Provisions [Act No. 88 of June 9, 2006] [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五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。

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding five years from the date of promulgation (hereinafter referred to as the "effective date").

(罰則の適用に関する経過措置)

(Transitional Measures for the Application of Penal Provisions)

第百三十四条 この法律の施行前にした行為並びにこの附則の規定によりなお従前の例によることとされる場合及び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 134 Prior laws continue to govern the applicability of penal provisions to conduct in which a person engages before this Act comes into effect, and to conduct in which a person engages after this Act comes into effect in a situation that prior laws continue to govern pursuant to the provisions of these Supplementary Provisions; and to conduct in which a person engages after this Act comes into effect in a situation for which prior laws remain effect pursuant to the provisions of these Supplementary Provisions.

(その他の経過措置の政令への委任)

(Other Transitional Measures Governed by Cabinet Orders)

第百三十五条 この附則に規定するもののほか、この法律の施行に関し必要な経過措置

は、政令で定める。

Article 135 Beyond what is set forth in these Supplementary Provisions, the transitional measures required for the enforcement of this Act are prescribed by Cabinet Order.

(検討)

(Reviews)

第百三十六条 政府は、この法律の施行後五年を経過した場合において、この法律による改正後の規定の実施状況、社会経済情勢の変化等を勘案し、この法律による改正後の株式等の取引に係る決済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 136 At the time five years have passed since this Act came into effect, the government is to conduct reviews on the settlement system of stock trades, etc. amended by this Act, by taking into account the status of implementation of the provisions amended by this Act and changes in socioeconomic circumstances, and is to take necessary measures based on the outcomes of the review , if the government finds it necessary to do so.

附 則 〔平成十七年七月二十六日法律第八十七号〕〔抄〕

Supplementary Provisions [Act No. 87 of July 26, 2005] [Extract]

この法律は、会社法の施行の日から施行する。

This Act comes into effect as of the date on which the Companies Act comes into effect.