

公正取引委員会の審判費用等に関する政令 Cabinet Order on Expenses, etc. for Hearings by the Japan Fair Trade Commission

(昭和二十三年十一月九日政令第三百三十二号)
(Cabinet Order No. 332 of November 9, 1948)

内閣は、私的独占の禁止及び公正取引の確保に関する法律（昭和二十二年法律第五十四号）第七十条及び第七十五条の規定に基き、ここに公正取引委員会の審判費用等に関する政令を制定する。

The Cabinet hereby enacts the Cabinet Order on Expenses, etc. for Hearings by the Japan Fair Trade Commission based on the provisions of Articles 70 and 75 of the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade (Act No. 54 of 1947).

(旅費)

(Travel Expenses)

第一条 私的独占の禁止及び公正取引の確保に関する法律（以下「法」という。）第七十五条の規定により参考人又は鑑定人が請求することができる旅費は、鉄道賃、船賃、路程賃及び航空賃の四種とし、鉄道賃は鉄道の便のある区間の陸路旅行に、船賃は船舶の便のある区間の水路旅行に、路程賃は鉄道の便のない区間の陸路旅行又は船舶の便のない区間の水路旅行に、航空賃は航空機を利用すべき特別の事由がある場合における航空旅行について支給する。

Article 1 (1) The travel expenses which a witness or an expert witness may claim pursuant to the provisions of Article 75 of the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade (hereinafter referred to as the "Act") are to be of four types, these being train fares, boat fares, distance fees, and air fares; train fares are paid for travel by land in areas where rail transport service is available, boat fares are paid for travel by waterway in areas where ship transport service is available, distance fees are paid for travel by land for areas where no rail transport service is available or for travel by waterway in areas where no ship transport service is available, and air fares are paid for travel by air in cases where there are special reasons for which aircraft should be used.

2 鉄道賃及び船賃は旅行区間の路程に応ずる旅客運賃（はしけ賃及びさん橋賃を含むものとし、運賃に等級を設ける線路又は船舶による旅行の場合には、運賃の等級を三階級に区分するものについては中級以下で公正取引委員会が相当と認める等級の、運賃の等級を二階級に区分するものについては公正取引委員会が相当と認める等級の運賃）、急行料金（特別急行列車を運行する線路のある区間の旅行で片道百キロメートル以上のものには特別急行料金、普通急行列車又は準急行列車を運行する線路のある

区間の旅行で片道五十キロメートル以上のものには普通急行料金又は準急行料金)並びに公正取引委員会が支給を相当と認める特別車両料金及び特別船室料金並びに座席指定料金(座席指定料金を徴する普通急行列車を運行する線路のある区間の旅行で片道百キロメートル以上のもの又は座席指定料金を徴する船舶を運行する航路のある区間の旅行の場合の座席指定料金に限る。)によつて、路程賃は一キロメートルにつき三十七円以内において公正取引委員会が相当と認める額によつて、航空賃は現に支払つた旅客運賃によつて、それぞれ算定する。

(2) Train fares and boat fares are to be calculated based on the passenger fare for the travel route (including lighterage or pier fees, and in the case of travel by rail transport or water transport where the fare varies by grade, when the fare has three grades, to be the fare for the middle or the lowest grade, whichever the Japan Fair Trade Commission finds reasonable, and if the fare has two grades, to be the fare for whichever grade the Japan Fair Trade Commission finds reasonable), express fare (for travel of 100 kilometers or more for one way in an area where a special express train is operated, to be the special express fare, and for travel of 50 kilometers or more for one way in an area where an ordinary express train or a local express train is operated, to be the ordinary express fare or the local express fare), and special vehicle charge and special cabin charge or reserved-seat charge (limited to a reserved-seat charge for travel of 100 kilometers or more for one way in an area where an ordinary express train that charges a reserved-seat charge is operated or for travel in an area where a ship that charges a reserved-seat charge is operated) which the Japan Fair Trade Commission finds reasonable, according to the distance of the traveled section; distance fees are to be calculated based on the amount which the Japan Fair Trade Commission finds reasonable not exceeding 37 yen per kilometer; and air fares are to be calculated based on the passenger fare that is actually paid.

3 天災その他やむを得ない事情により前項に定める額の路程賃で旅行の実費を支弁することができない場合には、同項の規定にかかわらず、路程賃の額は、実費額の範囲内とする。

(3) If the actual travel expenses cannot be fully covered by a distance fee in the amount specified in the preceding paragraph due to a natural disaster or other unavoidable circumstances, the distance fee are to be paid in an amount not exceeding the actual costs, notwithstanding the provisions of that paragraph.

(手当)

(Allowances)

第二条 法第七十五条の規定により、参考人又は鑑定人が請求することができる手当は、日当、宿泊料及び特別手当とする。

Article 2 (1) The allowances which a witness or expert witness may claim pursuant to the provisions of Article 75 of the Act are to be a daily allowance,

accommodation fee, and special allowance.

2 日当は、出頭又は鑑定及びこれらのための旅行（以下「出頭等」という。）に必要な日数に応じて支給し、その額は、参考人については一日当たり八千円以内において、鑑定人については一日当たり七千六百円以内において、それぞれ公正取引委員会が相当と認める額とする。

(2) The daily allowance is to be paid in accordance with the number of days required to make an appearance or give an expert opinion, or to travel for these purposes (hereinafter referred to as "making an appearance, etc."), and the amount of the daily allowance is to be the amount which the Japan Fair Trade Commission finds reasonable not exceeding 8,000 yen per day in the case of a witness and not exceeding 7,600 yen per day in the case of an expert witness.

3 宿泊料は、出頭等に必要な夜数に応じて支給し、その額は、宿泊地が、国家公務員等の旅費に関する法律（昭和二十五年法律第百十四号）別表第一に定める甲地方である場合については一夜当たり八千七百円以内において、同表に定める乙地方である場合については一夜当たり七千八百円以内において、それぞれ公正取引委員会が相当と認める額とする。

(3) The accommodation fee is to be paid according to the number of overnight stays required for making an appearance, etc., and the amount of the accommodation fee is to be the amount which the Japan Fair Trade Commission finds reasonable, not exceeding 8,700 yen per night where the place of stay is in Area A specified in the Appended Table 1 of the Act on Travel Expenses of National Public Officers, etc. (Act No. 114 of 1950) and not exceeding 7,800 yen per night where the place of stay is in Area B specified in the Table.

4 特別手当は、鑑定について特別の技能若しくは費用又は長時間を要したときに、鑑定人に対して支給するものとし、その額は、公正取引委員会が相当と認める額とする。

(4) The special allowance is to be paid to an expert witness when special skills or expenses or long hours are required to give an expert opinion, and the amount of the special allowance is to be the amount deemed to be reasonable by the Japan Fair Trade Commission.

（旅費等の計算）

(Calculation of Travel Expenses)

第三条 旅費（航空賃を除く。）並びに日当及び宿泊料の計算上の旅行日数は、最も経済的な通常の経路及び方法によつて旅行した場合の例により計算する。ただし、天災その他やむを得ない事情により最も経済的な通常の経路又は方法によつて旅行し難い場合には、その現によつた経路及び方法によつて計算する。

Article 3 The number of days of travel to be used in the calculation of the traveling expenses (excluding air fare), daily allowance, and accommodation fee are calculated based on travel by the most economical, ordinary route and method; provided, however, that when it is difficult to travel by the most

economical, ordinary route or method due to a natural disaster or other unavoidable circumstances, the number of days of travel are calculated based on the actually used route and method.

(請求の手続)

(Procedure for Claiming Travel Expenses and Allowances)

第四条 旅費及び手当は、参考人については出頭後、鑑定人については鑑定後、いずれも三十日以内に、これを請求しなければならない。

Article 4 A witness must claim travel expenses and allowances within thirty days of making the appearance, and an expert witness must claim them within thirty days of giving the expert opinion.