

Foreign Exchange Order

(Cabinet Order No. 260 of October 11, 1980)

Pursuant to Article 6, Article 9, Article 11-2, Articles 15 through 18, Articles 20 through 25, Article 66, Article 67, Article 69, Article 69-2, and Article 69-4 of the Foreign Exchange and Foreign Trade Control Act (Act No. 228 of 1949), and in order to enforce the provisions of that Act, the Cabinet hereby enacts this Cabinet Order.

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Supplementary Provisions

Chapter I General Provisions

(Purpose)

Article 1 Among other things, this Cabinet Order provides for the necessary particulars related to the management and coordination of, and the reporting and related matters under Chapter VI-2 of the Foreign Exchange and Foreign Trade Act (Act No. 228 of 1949; hereinafter referred to as "the Act") concerning, the making and receiving of payments, carrying out of capital transactions, and carrying out of other such transactions and actions provided for in Chapters I, III, and IV of the Act.

(Definitions)

Article 2 (1) The means of payment that Cabinet Order prescribes which are provided for in Article 6, paragraph (1), item (vii) of the Act are:

(i) promissory notes (excluding those falling under securities or certificates prescribed in the following paragraph);

(ii) those which are similar to any of those set forth in (a) or (b) of Article 6, paragraph (1), item (vii) of the Act or in the preceding item, which may be used for payment.

(2) The securities or certificates that Cabinet Order prescribes which are provided for in Article 6, paragraph (1), item (xi) of the Act are the deposit

certificates of negotiable deposits or other securities or certificates that Ministry of Finance Order prescribes.

- (3) The market transactions of derivatives that Cabinet Order prescribes which are provided for in Article 6, paragraph (1), item (xiv) of the Act are:
- (i) transactions set forth in Article 2, paragraph (21), item (i), and items (iv) through (vi) of the Financial Instruments and Exchange Act (Act No. 25 of 1948) which promise the transfer of financial instruments (meaning financial instruments prescribed in paragraph (24) of that Article; hereinafter the same applies in this Article), rights to financial instruments, or monetary claims (excluding those that are financial instruments and those that are rights to financial instruments; the same applies in item (i) of the following paragraph) (excluding those whose settlement is made only by paying or receiving the differences);
 - (ii) transactions set forth in Article 2, paragraph (21), item (iii) of the Financial Instruments and Exchange Act (excluding those involving transactions equivalent to the transactions set forth in item (ii) of that paragraph which are specified by financial instruments exchanges).
- (4) The over-the-counter transactions of derivatives that Cabinet Order prescribes which are provided for in Article 6, paragraph (1), item (xiv) of the Act are:
- (i) transactions set forth in Article 2, paragraph (22), item (i), and items (v) through (vii) of the Financial Instruments and Exchange Act which promise the transfer of financial instruments, rights to financial instruments, or monetary claims (excluding those whose settlement is made only by paying or receiving the differences);
 - (ii) transactions set forth in Article 2, paragraph (22), item (iii) of the Financial Instruments and Exchange Act.
- (5) The transactions that Cabinet Order prescribes which are provided for in Article 6, paragraph (1), item (xiv) of the Act are transactions promising the transfer of the amount of money calculated based on the difference between the numeric value which has been agreed upon between parties in advance as the interest rate, price of a currency, price of goods, or numeric value of another index, and the actual numeric value of that index at a certain time in the future; or transactions similar to them (limited to those which may be conducted as social activities or business pursuant to the provisions of a law or an order based on it) that Ministry of Finance Order prescribes.

(Suspension of Transactions in Case of Emergency)

Article 3 (1) In this Article, the meanings of the terms set forth in the following items are as prescribed in those items:

- (i) financial index: a financial index prescribed in Article 2, paragraph (25) of

- the Financial Instruments and Exchange Act or an index similar to it;
- (ii) market transactions of derivatives: market transactions of derivatives prescribed in Article 2, paragraph (21) of the Financial Instruments and Exchange Act;
 - (iii) over-the-counter transactions of derivatives: over-the-counter transactions of derivatives prescribed in Article 2, paragraph (22) of the Financial Instruments and Exchange Act;
 - (iv) financial instruments exchange: a financial instruments exchange prescribed in Article 2, paragraph (16) of the Financial Instruments and Exchange Act;
 - (v) financial instruments market: a financial instruments market prescribed in Article 2, paragraph (14) of the Financial Instruments and Exchange Act;
 - (vi) foreign financial instruments market: a foreign financial instruments market prescribed in Article 2, paragraph (8), item (iii), (b) of the Financial Instruments and Exchange Act;
 - (vii) market transactions of derivatives, etc.: market transactions of derivatives or transactions similar to market transactions of derivatives conducted in a foreign financial instruments market;
 - (viii) financial instruments business operator: a financial instruments business operator prescribed in Article 2, paragraph (9) of the Financial Instruments and Exchange Act that engages in Type I financial instruments business prescribed in Article 28, paragraph (1) of that Act or Type II financial instruments business prescribed in paragraph (2) of that Article;
 - (ix) market transactions of derivatives connected with a currency: market transactions of derivatives that constitute the following transactions:
 - (a) the transactions set forth in Article 2, paragraph (21), item (i) of the Financial Instruments and Exchange Act which constitute currency sales transactions;
 - (b) the transactions set forth in Article 2, paragraph (21), item (iii) of the Financial Instruments and Exchange Act (excluding those involving the transactions set forth in item (ii) of that paragraph) which are connected with a currency;
 - (c) the transactions set forth in Article 2, paragraph (21), item (ii) of the Financial Instruments and Exchange Act or the transactions set forth in item (iii) of that paragraph (limited to those connected with the transactions set forth in item (ii) of that paragraph) which are connected with a financial index for a currency;
 - (x) over-the-counter transactions of derivatives connected with a currency: over-the-counter transactions of derivatives that constitute the following transactions:
 - (a) the transactions set forth in Article 2, paragraph (22), item (i) of the

- Financial Instruments and Exchange Act which constitute currency sales transactions;
- (b) the transactions set forth in Article 2, paragraph (22), item (iii) of the Financial Instruments and Exchange Act which are connected with a currency (excluding those falling under the transactions set forth in (c));
 - (c) the transactions set forth in Article 2, paragraph (22), item (ii) of the Financial Instruments and Exchange Act or the transactions set forth in item (iii) of that paragraph which are connected with a financial index for a currency;
 - (xi) member, etc. of a financial instruments exchange: a member, etc. prescribed in Article 81, paragraph (1), item (iii) of the Financial Instruments and Exchange Act;
 - (xii) foreign means of payment or foreign-currency receivable: foreign means of payment or claims in foreign currency (meaning claims receivable in foreign currency);
 - (xiii) sales transactions, etc. of foreign means of payment or foreign-currency receivable: sales transactions of foreign means of payment or foreign-currency receivable (excluding those that constitute over-the-counter transactions of derivatives or market transactions of derivatives, etc.) or transactions similar to market transactions of derivatives involving a currency, which are conducted outside the financial instruments market and foreign financial instruments market (excluding those that constitute sales transactions of foreign means of payment or foreign-currency receivable);
 - (xiv) market for foreign exchange between banks or other prescribed financial institutions: a market in which sales transactions, etc. of foreign means of payment or foreign-currency receivable are conducted by use of a telecommunications facility between banks or others that conduct sales transactions, etc. of foreign means of payment or foreign-currency receivable in the course of trade.
- (2) If the Minister of Finance, pursuant to Article 9, paragraph (1) of the Act, orders a person as set forth in the following items to suspend transactions involving capital transactions prescribed in those items (meaning capital transactions prescribed in Article 20 of the Act; the same applies hereinafter) on finding it urgently necessary to do so for the purpose of maintaining the stability of currency, the Minister is to do so after designating the scope of transactions subject to the suspension order, by issuing a public notice for transactions prescribed in item (i), or by issuing a notice to the persons as set forth in item (ii) or (iii), for transactions prescribed in item (ii) or (iii); provided, however, that in cases of transactions prescribed in item (i) which are conducted by the persons set forth in that item, if the Minister of Finance finds that designating the scope of transactions subject to the suspension order by a

public notice would be difficult to achieve the purpose of the Act, the Minister is to be permitted to designate the scope of the transactions by making a posting at the Ministry of Finance and the Bank of Japan or by any other appropriate method prescribed by Ministry of Finance Order:

- (i) residents prescribed by Minister of Finance Order that conduct sales transactions, etc. of foreign means of payment or foreign-currency receivable in the market for foreign exchange between banks or other prescribed financial institutions in the course of trade (referred to as the "participants in the specified foreign exchange market" in paragraph (5)): transactions involving the accrual, alteration, or extinguishment of a claim based on a contract for sales transactions, etc. of foreign means of payment or foreign-currency receivable (hereinafter individually referred to as a "transaction involving the accrual, alteration, or extinguishment of a claim"), which are conducted in the market for foreign exchange between banks or other prescribed financial institutions;
- (ii) member, etc. of a financial instruments exchange: the following capital transactions:
 - (a) market transactions of derivatives that constitute the transactions set forth in item (ix), (a) or (b) of the preceding paragraph, among transactions involving the accrual, alteration, or extinguishment of a claim based on a sales contract for foreign means of payment or foreign-currency receivable;
 - (b) the transaction involving the accrual, alteration, or extinguishment of a claim based on a futures contract on a financial index or similar metric (limited to those connected with a financial index for a currency; hereinafter the same applies in this paragraph), which is conducted in the financial instruments market established by a financial instruments exchange;
 - (c) the transaction involving the accrual, alteration, or extinguishment of a claim based on a sales contract for foreign means of payment or foreign-currency receivable or a futures contract on a financial index or similar metric, which constitutes the transaction set forth in item (x) of the preceding paragraph;
- (iii) financial instruments business operators or those prescribed by Ministry of Finance Order: the following capital transactions:
 - (a) transactions similar to market transactions of derivatives that constitute the transactions set forth in item (ix), (a) or (b) of the preceding paragraph, and are conducted in the foreign financial instruments market, among the transaction involving the accrual, alteration, or extinguishment of a claim based on a sales contract for foreign means of payment or foreign-currency receivable;
 - (b) transactions similar to the transaction involving the accrual, alteration,

or extinguishment of a claim based on a futures contract on a financial index or similar metric, which are conducted in the foreign financial instruments market.

- (3) If the Minister of Finance orders the suspension of transactions connected with capital transactions through designation by a method prescribed in the proviso of the preceding paragraph, the Minister is to take measures for making this and the content of the order (meaning the content of capital transactions designated as the subject of the suspension order and the period of the suspension order) public and also promptly give a public notice on them.
- (4) For a suspension that the Minister of Finance orders pursuant to the provisions of paragraph (2), the period that Cabinet Order prescribes which is provided for in Article 9, paragraph (1) of the Act is the period of no longer than one month that the Minister of Finance establishes.
- (5) The participants in the specified foreign exchange market, members, etc. of a financial instruments exchange, financial instruments business, operators or those prescribed by Ministry of Finance Order, that have been ordered to suspend capital transactions pursuant to the provisions of paragraph (2) may not conduct the designated capital transactions within the period specified by the Minister of Finance that is referred to in the preceding paragraph.

Chapter II Deleted

Article 4 Deleted

Article 5 Deleted

Chapter III Making and Receiving Payments

(Permission to Make or Receive a Payment)

- Article 6 (1) If the Minister of Finance or the Minister of Economy, Trade and Industry makes it obligatory, pursuant to Article 16, paragraphs (1) through (3) of the Act, for residents or non-residents to get permission to make a payment from Japan to a foreign country or for residents to make a payment to or receive a payment from non-residents, the Minister is to do this after making it clear which of these provisions the Minister is making it obligatory for the person in question to get the permission based on, and designating the payments that the persons in question must get permission to make or receive, by issuing a public notice.
- (2) Before seeking to make or receive a payment that has been designated pursuant to the provisions of the preceding paragraph, a resident or non-resident must get the permission of the Minister of Finance or the Minister of

Economy, Trade and Industry through the procedures prescribed by Ministry of Finance Order or Order of the Ministry of Economy, Trade and Industry.

- (3) If a resident or non-resident seeks to make or receive a single payment, and it falls under two or more categories for doing so that have been designated pursuant to the provisions of paragraph (1) based on two or more of Article 16, paragraphs (1) through (3) of the Act; and if, based on paragraph (4) of that Article, the resident or non-resident seeks to file a combined application for permission under those paragraphs for the single payment they seek to make or receive, the resident or non-resident is to file an application through procedures prescribed by Ministry of Finance Order or Order of the Ministry of Economy, Trade and Industry, while making it clear which payment they are filing the application for, among those which it has been made obligatory pursuant to the provisions of paragraphs (1) through (3) of that Article for them to get the permission to make or receive.
- (4) If the Minister of Finance or the Minister of Economy, Trade and Industry, pursuant to the provisions of paragraph (1), has made it obligatory to get permission to make or receive a payment, but then finds that there is no longer a need to make this obligatory, the Minister must promptly lift that obligation by issuing a public notice.
- (5) The case that is as Cabinet Order prescribes which is provided for in Article 16, paragraph (5) of the Act is one in which a person makes or receives a payment that is related to the importing or exporting of goods that it has been made obligatory for persons to obtain permission or approval for pursuant to the provisions of the following laws and regulations, but that the Minister of Economy, Trade and Industry has specified by issuing a public notice, after finding that even if the payment is made or received in connection with this, it will not cause any particular impediment to achieving the purpose of the Act, considering the party importing or exporting the goods, the substance of the import or export, and other things:
 - (i) Article 48, paragraph (1) of the Act;
 - (ii) Article 2, paragraph (1) of the Cabinet Order on Export Trade Control (Cabinet Order No. 378 of 1949) or Article 4, paragraph (1) of the Import Trade Control Order (Cabinet Order No. 414 of 1949).

(Scope of Restrictions on the Making and Receiving of Payment)

Article 6-2 (1) The financial institution that Cabinet Order prescribes which is provided for in Article 16-2 of the Act is:

- (i) banks (meaning banks prescribed in Article 2, paragraph (1) of the Banking Act (Act No. 59 of 1981); the same applies in Article 11-2, paragraph (1)), long-term credit banks (meaning long-term credit banks prescribed in Article 2 of the Long-Term Credit Bank Act (Act No. 187 of 1952); the same applies

- in Article 11-2, paragraph (1)), credit unions, federations of credit unions, workers' credit union banks, federations of workers' credit union banks, credit cooperatives, and federations of credit cooperatives (meaning federations of cooperatives that conduct business referred to in Article 9-9, paragraph (1), item (i) of the Small and Medium-Sized Enterprises Cooperatives Act (Act No. 181 of 1949));
- (ii) agricultural cooperatives, federations of agricultural cooperatives, fisheries cooperatives, federations of fisheries cooperatives, fishery processing cooperatives, and federations of fishery processing cooperatives, which may accept savings or thrift savings in the course of trade;
 - (iii) the Bank of Japan, Norinchukin Bank, Shokochukin Bank Limited., the Development Bank of Japan, and Japan Bank for International Cooperation.
- (2) The making or receiving of a payment that Cabinet Order prescribes which is provided for in Article 16-2 of the Act is the making or receiving of a payment based on a sales contract (limited to one in which both of the making and receiving of the payment in question take place in Japan; hereinafter the same applies in this paragraph) or other payment prescribed by the Minister of Finance or the Minister of Economy, Trade and Industry, whose amount is not more than that equivalent to one hundred thousand yen.
- (3) If the Minister of Finance or the Minister of Economy, Trade and Industry, pursuant to the provisions of Article 16-2 of the Act, fully or partially prohibits a person that, without getting the relevant permission, has made or received a payment that it has been made obligatory pursuant to the provisions of Article 16, paragraph (1) of the Act to get permission for, from making payments from Japan to a foreign state and from making and receiving payments that take place between a resident and a non-resident, the Minister is to do this after specifying the payments that the Minister is prohibiting, by issuing a notice to that person; if the Minister, pursuant to the provisions of Article 16-2 of the Act, makes it obligatory for such a person to get permission to make payments from Japan to a foreign state and to make and receive payments that take place between a resident and a non-resident, the Minister is to do this after specifying the payments that the Minister is obliging the person to get permission for, by issuing a notice to that person.
- (4) If a person that, pursuant to the provisions of the preceding paragraph, has been placed under the obligation to get permission to make or receive payments seeks to make or receive a payment that has been specified in a notice as referred to in that paragraph as one that the person must get permission for, the person must get the permission of the Minister of Finance or the Minister of Economy, Trade and Industry through the procedures prescribed by Ministry of Finance Order or Order of the Ministry of Economy, Trade and Industry.

- (5) If the Minister of Finance or the Minister of Economy, Trade and Industry, pursuant to the provisions of paragraph (3), has fully or partially prohibited a person from making or receiving payments, but then finds that there is no longer a need to prohibit the person from doing this, the Minister must promptly lift the prohibition by issuing a notice to the person that the Minister has prohibited from making or receiving payments; if the Minister of Finance or the Minister of Economy, Trade and Industry, pursuant to the provisions of paragraph (3), has made it obligatory for a person to get permission to make or receive payments, but then finds that there is no longer a need to make it obligatory for the person to get permission to do this, the Minister must promptly lift the obligation by issuing a notice to the person that the Minister has obliged to get that permission.
- (6) If the Minister of Finance or the Minister of Economy, Trade and Industry is unable to ascertain the domicile or residence, or the location of the business office or office, of a person to be issued a notice under paragraph (3), the Minister may specify the payments that the person is prohibited from making or receiving or that the person is obliged to get permission to make or receive, after having made it clear which person is being fully or partially prohibited from making or receiving the payments prescribed in that paragraph or is being obliged to get permission to make or receive those payments, by issuing a public notice instead of the notice under that paragraph. To apply the provisions of the preceding two paragraphs if the Minister of Finance or the Minister of Economy, Trade and Industry has issued the public notice in such a case, the phrases "preceding paragraph" and "notice" in paragraph (4) are deemed to be replaced with "preceding paragraph and paragraph (6)" and "public notice", respectively; and in the preceding paragraph, the phrase "paragraph (3)" is deemed to be replaced with "paragraph (3) and the following paragraph", and the phrases "a notice to the person that the Minister has prohibited from doing this" and "a notice to the person that the Minister has obliged to get that permission" are deemed to be replaced with "a public notice".

(Transactions Subject to the Confirmation Obligation of Banks or Other Prescribed Financial Institutions)

Article 7 The transaction or action that Cabinet Order prescribes which is provided for in Article 17, item (iii) of the Act means a transaction or action as follows (excluding those designated by the Minister of Finance or the Minister of Economy, Trade and Industry by a public notice):

- (i) specified capital transactions prescribed in Article 24, paragraph (1) of the Act that it has been made obligatory to get permission for pursuant to the provisions of paragraph (1) or (2) of that Article;
- (ii) a service transaction or transaction involving the transfer of goods between

foreign countries as prescribed in Article 25, paragraph (6) of the Act that it has been made obligatory to get permission for pursuant to the provisions of that paragraph;

- (iii) inward direct investment or an equivalent action prescribed in Article 26, paragraph (2) of the Act for which it has been made obligatory to give notification, pursuant to the provisions of Article 27, paragraph (1) of the Act, that is specified by Cabinet Order pursuant to the provisions of Article 27, paragraph (1) as constituting the inward direct investment or equivalent action set forth in Article 27, paragraph (3), item (iii) of the Act;
- (iv) import of goods for which it has been made obligatory pursuant to the provisions of Article 52 of the Act to get approval (limited to those for which the obligation to obtain approval was imposed by the Minister of Economy, Trade and Industry from the same viewpoint as that adopted in the cases in which the Minister makes it obligatory pursuant to the provisions of Article 16, paragraph (1) of the Act to get permission to make or receive a payment).

(The Making of Small Payments and the Making and Receiving of Payments That Are Not Subject to Banks' and Other Prescribed Financial Institutions' Obligation to Verify Customers' Identities)

Article 7-2 The making of a small payment or making or receiving of a payment that Cabinet Order prescribes which is provided for in Article 18, paragraph (1) of the Act is the making or receiving of a payment of no more than an amount equivalent to 100,000 yen.

(Foreign Nationals That Cabinet Order Prescribes Who Are Provided For in Article 18, Paragraph (1), Item (i) of the Act)

Article 7-2-2 The person that is a foreign national with neither a domicile nor residence in Japan and that is as Cabinet Order prescribes as provided for in Article 18, paragraph (1), item (i) of the Act is a foreign national residing in Japan whose domicile or residence in the state to which the foreign national belongs cannot be confirmed based on the entries in the passport (meaning a passport as set forth in Article 2, item (v) of the Immigration Control and Refugee Recognition Act (Cabinet Order No. 319 of 1951)) or crew member's pocket-ledger (meaning a crew member's pocket-ledger as set forth in Article 2, item (vi) of the Immigration Control and Refugee Recognition Act) that the person possesses.

(The National Government, Local Government, Association or Foundation Without Legal Personality, or Other Persons That Cabinet Order Prescribes)

Article 7-3 The persons that Cabinet Order prescribes which are provided for in Article 18, paragraph (3) of the Act are:

- (i) the national government;
- (ii) a local government;
- (iii) an association or foundation without legal personality;
- (iv) an incorporated administrative agency provided for in Article 2, paragraph (1) of the Act on General Rules for Incorporated Administrative Agency (Act No. 103 of 1999);
- (v) corporations of which not less than a half of the stated capital, funds, or those equivalent to them is contributed by a state or a local government (excluding those set forth in the preceding item, the following item, and item (viii));
- (vi) foreign governments, foreign governmental organizations, foreign local governments, foreign central banks, or international organizations of which Japan is a member state;
- (vii) workers entering into a workers' property accumulation savings contract, etc. (meaning a workers' property accumulation savings contract as prescribed in Article 6, paragraph (1) of the Act on the Promotion of Workers' Property Accumulation (Act No. 92 of 1971), a workers' property accumulation pension savings contract as prescribed in paragraph (2) of that Article, or a contract on workers' property accumulation savings for house construction as prescribed in paragraph (4) of that Article; the same applies in Article 11-4);
- (viii) issuers of the securities set forth in the items of Article 27-2 of the Order for Enforcement of the Financial Instruments and Exchange Act (Cabinet Order No. 321 of 1965) (excluding securities set forth in Article 2, paragraph (1), item (xi) of the Financial Instruments and Exchange Act and those connected with those securities, and those falling under the tradable securities prescribed in Article 67-18, item (iv) of the Act);
- (ix) those prescribed by Ministry of Finance Order as equivalent to those set forth in the preceding items.

(Permission for Import or Export of a Means of Payment, Prescribed Security, or Precious Metal)

Article 8 (1) If the Minister of Finance makes it obligatory, pursuant to Article 19, paragraph (1) or (2) of the Act, to get permission for an import or export of a means of payment or securities as prescribed in paragraph (1) of that Article, or a precious metal (hereinafter referred to as a "means of payment, prescribed security, or precious metal")) that is made by residents or non-residents, the Minister is to do this after designating the import or export of a means of payment, prescribed security, or precious metal that the persons in question must get permission for, by issuing a public notice.

(2) If a resident or non-resident seeks to import or export a means of payment,

prescribed security, or precious metal designated pursuant to the provisions of the preceding paragraph, the resident or non-resident must get the permission of the Minister of Finance through procedures prescribed by Ministry of Finance Order.

- (3) If the Minister of Finance has made it obligatory pursuant to the provisions of paragraph (1) to get permission to import or export of a means of payment, prescribed security, or precious metal, but then finds that there is no longer a need to make this obligatory, the Minister must promptly lift this obligation by issuing a public notice.

(Filing Notification of the Import or Export of a Means of Payment, Prescribed Security, or Precious Metal)

Article 8-2 (1) The case that Cabinet Order prescribes which is provided for in Article 19, paragraph (3) of the Act is one that does not constitute a case in which the person in question seeks to import or export a means of payment, prescribed security, or precious metal that falls under one of the following items by carrying it with them:

- (i) means of payment or securities prescribed in Article 19, paragraph (1) of the Act (limited to those respectively prescribed by Ministry of Finance Order), for which the amount calculated as its value by a method prescribed by Ministry of Finance Order (or if two or more means of payment are involved, if two or more securities are involved, or if two or more means of payment and securities are involved in total, the total of the amounts calculated by a method prescribed by Ministry of Finance Order as the values of each) exceeds that equivalent to one million yen (or 100,000 yen for cases specified by the Minister of Finance in consideration of the status of economic transactions with Japan and other circumstances, as cases in which the person in question seeks to import or export the means of payment or securities from or to a specified region by carrying those means or securities with them);
- (ii) precious metal (limited to that prescribed by Ministry of Finance Order) whose weight (or if two or more precious metals are involved, the total of the weights of each) exceeds one kilogram.
- (2) A person seeking to import or export a means of payment, prescribed security, or precious metal that is subject to the filing of a notification under Article 19, paragraph (3) of the Act must file the notification prior to the date on which the person seeks to import or export it, pursuant to the provisions of Ministry of Finance Order.
- (3) The information that Cabinet Order prescribes which is provided for in Article 19, paragraph (3) of the Act is:
- (i) the name and domicile or residence of a filer of a notification (for a

- corporation, its name, the location of its principal office, and the name of its representative);
- (ii) kind, quantity, amount (for precious metal, weight), and destination or place of shipment of the means of payment, prescribed security, or precious metal to be imported or exported;
 - (iii) date of performance of import or export of the means of payment, prescribed security, or precious metal;
 - (iv) other information that Ministry of Finance Order prescribes.

Chapter IV Capital Transactions

(Current Expenditures)

Article 9 (1) A transfer of funds that Cabinet Order prescribes which is provided for in Article 20, item (xi) of the Act is:

- (i) a transfer of funds for personal expenses, fuel, light and water charges, or other general administrative expenses which are necessary for operating an office (excluding those connected with the establishment or expansion of a branch office, factory, or other business office);
 - (ii) a transfer of funds prescribed in (a) to (c) below which is conducted between a corporation's offices in Japan and in a foreign state for a transaction set forth in (a) to (c) below which the corporation's office in Japan conducts:
 - (a) import or export of goods: transfer of charge for import or export of the goods; or freight, insurance fees, or funds directly associated with that import or export of the goods;
 - (b) transactions related to the buying and selling, leasing, or donation of goods; that involve the transfer of goods between foreign states: transfer of charge for the buying and selling of the goods connected with the transactions, or transfer or freights, insurance fees, or other funds that is directly associated with the transactions;
 - (c) service transactions: transfer of consideration for the service transactions, or transfer of funds that is directly associated with the service transactions.
- (2) The term "service transactions" referred to in item (ii), (c) of the preceding paragraph means transactions that are meant to provide labor or benefit.

(Designation of Capital Transactions)

Article 10 The transaction that Cabinet Order prescribes which is provided for in Article 20, item (xii) of the Act one that involves the occurrence, etc. of claims based on a sales contract for gold bullion between a resident and a non-resident.

(Capital Transactions That Require Permission from the Minister of Finance)

- Article 11 (1) If the Minister of Finance makes it obligatory pursuant to Article 21, paragraph (1) or (2) of the Act for residents or non-residents to get permission to conduct a capital transaction, the Minister is to designate the capital transactions that the persons in question must get permission to conduct, after having made it clear which of these provisions the Minister is making it obligatory for them to get the permission based on, by issuing a public notice; provided, however, that if the Minister of Finance finds that designating capital transactions by issuing a public notice would make it difficult to achieve the purpose of the Act in a case in which the Minister will make it obligatory based on the provisions of those paragraphs for residents or non-residents to get permission to conduct a capital transaction, the Minister is to be permitted to designate those capital transactions by making a posting at the Ministry of Finance and the Bank of Japan or by any other appropriate method prescribed by Ministry of Finance Order.
- (2) When the Minister of Finance has designated capital transactions pursuant to the provisions of the proviso of the preceding paragraph, the Minister is to take measures for making this and the content of the designated capital transactions public, and also promptly give a public notice on them.
- (3) If a resident or non-resident seeks to conduct capital transactions designated pursuant to the provisions of paragraph (1), the resident or non-resident must get the permission of the Minister of Finance through procedures prescribed by Ministry of Finance Order.
- (4) If a resident or non-resident seeks to conduct a single capital transaction, and it falls under two or more categories of capital transactions designated pursuant to the provisions of paragraph (1) based on Article 21, paragraph (1) or (2); and if, based on paragraph (5) of that Article, the resident or non-resident seeks to file a combined application for permission as prescribed in paragraphs (1) and (2) of that Article for the capital transaction that they seeks to conduct, the resident or non-resident is to file the application through procedures prescribed by Ministry of Finance Order, after making it clear which capital transaction they are filing the application for, among those for which it has been obligatory for them to get the permission pursuant to these provisions.
- (5) If capital transactions that have been designated pursuant to the provisions of paragraph (1) are transactions as set forth in Article 20, item (iv) or (ix) of the Act, and one party to the transactions has gotten the permission under the provisions of paragraph (3), the other party to the transactions is not required to obtain the permission under the provisions of that paragraph, notwithstanding the provisions of that paragraph.
- (6) If the Minister of Finance has made it obligatory, pursuant to the provisions of paragraph (1), to get permission to conduct capital transactions, but then

finds that there is no longer a need to make this obligatory, the Minister must promptly lift the obligation by issuing a public notice.

(Handling of the Special International Financial Transactions Account)

Article 11-2 (1) The financial institution that Cabinet Order prescribes which is provided for in Article 21, paragraph (3) of the Act is a bank, long-term credit bank, credit union, federation of credit unions, Norinchukin Bank, Shokochukin Bank Limited., insurance corporation (meaning an insurance corporation provided for in Article 2, paragraph (2) of the Insurance Business Act (Act No. 105 of 1995) or foreign insurance corporation, etc. provided for in paragraph (7) of that Article) or financial instruments business operator (but only a financial instruments business operator provided for in Article 2, paragraph (9) of the Financial Instruments and Exchange Act that engages in the action set forth in Article 28, paragraph (1), item (i) of that Act in the course of trade).

(2) The persons that Cabinet Order prescribes which are provided for in Article 21, paragraph (3) are corporations having their principal office in a foreign state (excluding corporations established based on foreign laws and regulations) and the non-resident business offices of a bank or other prescribed financial institution as prescribed in Article 16-2 of the Act (hereinafter referred to as a "bank or other prescribed financial institution") that is a Japanese corporation.

(3) The deposit contract that Cabinet Order prescribes which is provided for in Article 21, paragraph (3), item (i) of the Act is a deposit contract (excluding those connected with a negotiable deposit) that fulfills the requirements prescribed in the following items, according to the classification of deposit contracts set forth in the relevant item:

(i) deposit contract with a non-resident prescribed in Article 21, paragraph (3), item (i) of the Act that is a financial institution or other person prescribed by Ministry of Finance Order: in a case of a deposit contract with no due date for refund, the refund is made on and after the day following the date of cancellation of the deposit contract; or in a case of a deposit contract with a due date for refund, the due date for refund arrives on and after the day following the date of cancellation of the deposit contract;

(ii) deposit contract with a non-resident other than those set forth in the preceding item as prescribed in Article 21, paragraph (3), item (i) of the Act: the deposit contract is one with a due date for return; that due date arrives on and after the date when two days have passed from the date of conclusion of the deposit contract; and the amount of deposit based on that deposit contract is not less than the amount specified by the Minister of Finance.

(4) The securities that Cabinet Order prescribes which are provided for in Article

21, paragraph (3), item (iii) of the Act are corporate bonds issued by corporations established based on foreign laws and regulations, public bonds issued by foreign governments and local governments, bonds issued by foreign governmental organizations and international organizations, and other securities specified by the Minister of Finance (hereinafter individually referred to as a "foreign public and corporate bonds, etc." in this Article).

- (5) The transactions and actions that Cabinet Order prescribes which are provided for in Article 21, paragraph (3), item (iv) of the Act are:
- (i) derivative transactions with a non-resident which are incidental to a deposit contract, etc. with a non-resident or a contract, acquisition, or transfer involving deposits in another account;
 - (ii) derivative transactions with a non-resident associated with the holding of foreign public or corporate bonds or specified securities or of liquid securities;
 - (iii) a transaction involving the accrual, alteration, or extinguishment of a claim based on a loan or deposit contract for foreign public or corporate bonds or specified securities, national government bond securities, or liquid securities with a non-resident, which is concluded for the purpose of securing the transactions set forth in the preceding two items;
 - (iv) negotiation of national government bond securities to a non-resident;
 - (v) acquisition of national government bond securities with sell-back conditions from a non-resident;
 - (vi) acquisition of transferred national government bond securities with buy-back conditions from a non-resident;
 - (vii) acquisition of national government bond securities from a non-resident or those prescribed by Ministry of Finance Order, which is for negotiating national government bond securities with buy-back conditions or for conducting the transaction involving the accrual, alteration, or extinguishment of a claim based on a loan or deposit contract for national government bond securities or a loan contract with a monetary security for national government bond securities, which is conducted for the purpose of securing the transactions set forth in item (i) or (ii);
 - (viii) acquisition of liquid securities from a non-resident, or negotiation of it to a non-resident;
 - (ix) acquisition of liquid securities from their issuer for negotiating liquid securities;
 - (x) a transaction involving the accrual, alteration, or extinguishment of a claim based on a loan contract with a monetary security for foreign public or corporate bonds or specified securities, national government bond securities, or liquid securities with a non-resident;
 - (xi) the following transactions or actions with another financial institution that

has been approved to establish a special international financial transactions account (meaning a financial institution that has obtained approval from the Minister of Finance pursuant to the provisions of Article 21, paragraph (3) of the Act to establish a special international financial transactions account prescribed in that paragraph (hereinafter referred to as the "special international financial transactions account" in this Article); hereinafter the same applies in this Article and in Article 18-7, paragraph (2), item (i)), in connection with which accounting for the investment or procurement of funds is managed in the special international financial transactions account of that other financial institution:

- (a) a transaction involving the accrual, alteration, or extinguishment of a claim based on a deposit contract (excluding those connected with a negotiable deposit);
 - (b) a transaction involving the accrual, alteration, or extinguishment of a claim based on a money loan contract;
 - (c) derivative transactions incidental to a deposit contract, etc. with a non-resident or a contract, acquisition, or transfer involving deposits in another account;
 - (d) derivative transactions associated with the holding of foreign public or corporate bonds or specified securities or liquid securities;
 - (e) a transaction involving the accrual, alteration, or extinguishment of a claim based on a loan or deposit contract for foreign public or corporate bonds or specified securities, national government bond securities, or liquid securities, which is conducted for the purpose of securing the transactions set forth in (c) or (d);
 - (f) acquisition or transfer of foreign public or corporate bonds or specified securities, national government bond securities, or liquid securities;
 - (g) a transaction involving the accrual, alteration, or extinguishment of a claim based on a loan contract with a monetary security for foreign public or corporate bonds or specified securities, national government bond securities, or liquid securities.
- (6) In the preceding paragraph, the meanings of the terms set forth in the following items are as prescribed in the relevant of those items:
- (i) deposit contract, etc. with a non-resident: a deposit contract with a non-resident prescribed in Article 21, paragraph (3), item (i) of the Act, which is specified by Cabinet Order; a monetary loan contract with a non-resident; or the acquisition of foreign public or corporate bonds or specified securities or of liquid securities from a non-resident, or negotiation of them to a non-resident;
 - (ii) contract, acquisition, or transfer involving deposits in another account: a contract involving transactions set forth in item (xi), (a) or (b) of the

- preceding paragraph with another financial institution that has been approved to establish a special international financial transactions account, if the accounting for the investment or procurement of funds involving those transactions is managed in the special international financial transactions account of that other financial institution; or an acquisition or transfer of foreign public or corporate bonds or specified securities or of liquid securities from or to another financial institution that has been approved to establish a special international financial transactions account, if the accounting for the investment or procurement of funds in connection with that action is managed in the special international financial transactions account of that other financial institution;
- (iii) derivative transactions: the transaction involving the accrual, alteration, or extinguishment of a claim based on a sales contract for means of payment or claims or a futures contract on a financial index or similar metric, which are prescribed by Ministry of Finance Order;
 - (iv) liquid securities: specified corporate bonds prescribed in Article 2, paragraph (9) of the Act on the Securitization of Assets (Act No. 105 of 1998), or beneficiary certificates prescribed in paragraph (15) of that Article, which do not have specified assets prescribed in paragraph (1) of that Article other than foreign public or corporate bonds or specified securities; or beneficiary certificates prescribed in Article 2, paragraph (7) of the Act on Investment Trusts and Investment Corporations (Act No. 198 of 1951) connected with a securities investment trust prescribed in paragraph (4) of that Article which have only foreign public or corporate bonds or specified securities subject to investment.
- (7) A financial institution that has been approved to establish a special international financial transactions account must keep books and documents prescribed by Ministry of Finance Order, and record the investment or procurement of funds connected with the transactions or actions set forth in the items of Article 21, paragraph (3) of the Act in those books and documents by the standard and method prescribed by Ministry of Finance Order.
- (8) The transfer of funds between a special international financial transactions account and other accounts must be made as prescribed below:
- (i) the amount of the transfer of funds from the special international financial transactions account to other accounts as of the closing time every day (or if the day in question is a holiday, as of the closing time on the previous day; hereinafter the same applies in this paragraph) does not exceed the amount arrived at when the rate specified by the Minister of Finance is multiplied by the amount arrived at when the total amount in the month previous to the month to which the relevant day belongs of funds invested into non-residents prescribed in Article 21, paragraph (3) of the Act whose accounting has been

settled in the special international financial transactions account as of the closing time every day in that previous month, is divided by the number of days in that previous month (or if the amount arrived at when the total amount in that previous month is divided by the number of days in that previous month is not more than the amount specified by the Minister of Finance, the rate specified by the Minister of Finance is multiplied by the amount specified by the Minister of Finance) (and for the period from the day when an financial institution that has been approved to establish a special international financial transactions account starts accounting for that account to the last day of the month following the month to which that starting day belongs, the amount of the funds transfer in question does not exceed the amount designated by the Minister of Finance in consideration of the state of money loan in foreign currency provided by that financial institution or other circumstances);

(ii) the monthly total of the amounts of funds transferred from the special international financial transactions account to other accounts as of the closing time every day does not exceed the total amount of funds transferred from other accounts to the special international financial transactions account in that month.

(9) A financial institution that has been approved to establish a special international financial transactions account must confirm the other parties to the transactions or actions set forth in Article 21, paragraph (3), items (i) through (iii) of the Act that have their accounting settled in the special international financial transactions account and the transactions or actions set forth in the items of paragraph (5), by means of collecting documents prescribed by Ministry of Finance Order or by other methods prescribed by Ministry of Finance Order; and also confirm the use of funds connected with the lending of money that has its accounting settled in the special international financial transactions account, pursuant to the provisions of Ministry of Finance Order.

(Scope of Restrictions on Capital Transactions)

Article 11-3 (1) If the Minister of Finance, pursuant to Article 22, paragraph (1) of the Act, fully or partially prohibits a person that, without getting the relevant permission, has conducted a capital transaction that it has been made obligatory pursuant to the provisions of Article 21, paragraph (1) of the Act to get permission for, from conducting capital transactions, the Minister is to do this after specifying the capital transactions that the Minister is prohibiting, by issuing a notice to that person; if the Minister, pursuant to Article 22, paragraph (1) of the Act, makes it obligatory for such a person to get permission to conduct capital transactions, the Minister is to do this after

specifying the capital transactions that the Minister is obliging the person to get permission for, by issuing a notice to that person.

- (2) If a person that has been placed pursuant to the provisions of the preceding paragraph under the obligation to get permission for their capital transactions seeks to conduct a capital transaction that has been specified in a notice as referred to in the preceding paragraph as one that the person must get permission for, the person must get the permission of the Minister of Finance through the procedures prescribed by Ministry of Finance Order.
- (3) If the Minister of Finance, pursuant to the provisions of paragraph (1), has fully or partially prohibited a person from conducting capital transactions, but then finds that there is no longer a need to prohibit this, the Minister must promptly lift the prohibition by issuing a notice to the person that the Minister has prohibited from doing this; if the Minister of Finance, pursuant to the provisions of paragraph (1), has made it obligatory for a person to get permission to conduct capital transactions, but then finds that there is no longer a need to make it obligatory for the person to get permission to do this, the Minister must promptly lift the obligation that the Minister has imposed by issuing a notice to the person that the Minister has obliged to get that permission.
- (4) If the Minister of Finance is unable to ascertain the domicile or residence, or the location of the business office or office, of a person to be issued a notice under paragraph (1), the Minister may specify the capital transactions that the person is prohibited from conducting or that the person is obliged to get permission to conduct, after having made it clear, by issuing a public notice instead of the notice under that paragraph, which person is being fully or partially prohibited from conducting capital transactions or is being obliged to get permission to conduct them. To apply the provisions of the preceding two paragraphs once the Minister of Finance has issued such a public notice in such a case, the phrases "preceding paragraph" and "notice" in paragraph (2) are deemed to be replaced with "preceding paragraph and paragraph (4)" and "public notice", respectively; and in the preceding paragraph, the phrase "paragraph (1)" is deemed to be replaced with "paragraph (1) and the following paragraph", and the phrases "a notice to the person that the Minister has prohibited from doing this" and "a notice to the person that the Minister has obliged to get that permission" are deemed to be replaced with "a public notice", respectively.

(Those Equivalent to Customers)

Article 11-4 The person that Cabinet Order prescribes that is provided for in Article 22-2, paragraph (1) of the Act is the beneficiary of a trust contract provided for in Article 20, item (i) or (iv) of the Act (excluding those connected

with workers' property accumulation savings contracts, etc., workers' property accumulation benefit contracts prescribed in Article 6-2, paragraph (1) of the Act on the Promotion of Workers' Property Accumulation, workers' property accumulation fund contracts prescribed in Article 6-3, paragraph (1) of that Act, asset management contracts prescribed in Article 65, paragraph (3) of the Defined-Benefit Corporate Pension Act (Act No. 50 of 2001), contracts set forth in the items of Article 65, paragraph (1) of that Act which are concluded by corporate pension funds pursuant to the provisions of Article 66, paragraph (1) of that Act and trust contracts prescribed in Article 66, paragraph (2) of that Act, protective trust contracts concluded pursuant to the provisions of Article 51, paragraph (1) of the Act on the Transfer of Corporate Bonds, Shares, etc. (Act No. 75 of 2001), asset management contracts prescribed in Article 8, paragraph (2) of the Defined Contribution Pension Act (Act No. 88 of 2001), or other contract that Ministry of Finance Order prescribes).

(Entering into Contracts for Capital Transactions and Taking Other Such Actions)

Article 11-5 (1) The action that Cabinet Order prescribes which is provided for in Article 22-2, paragraph (1) of the Act is an action as set forth in the following (other than entering a contract for a customer-oriented money trust (meaning trust under Article 43-2, paragraph (2) of the Financial Instruments and Exchange Act), designating beneficiaries under that contract, or other actions that Ministry of Finance Order prescribes); provided, however, that for the action set forth in items (i) through (viii), an action taken with a customer or equivalent person (meaning a customer or equivalent person as prescribed in Article 22-2, paragraph (1) of the Act, and including natural persons that are deemed to be customers pursuant to the provisions of Article 18, paragraph (3) of the Act; hereinafter the same applies in this Article) whose identity has already been verified is excluded:

- (i) conclusion of a deposit contract as prescribed in Article 20, item (i) or (iv) of the Act (limited to those on the acceptance of deposits);
- (ii) conclusion of a trust contract as prescribed in Article 20, item (i) or (iv) of the Act (excluding contracts whose beneficial interest is the right indicated on securities prescribed in Article 2, paragraph (1) of the Financial Instruments and Exchange Act (excluding those set forth in items (xii) through (xiv) of that paragraph; hereinafter the same applies in this Article) or the right deemed to be securities pursuant to the provisions of Article 2, paragraph (2) of the Financial Instruments and Exchange Act (excluding those set forth in items (i) and (ii) of that paragraph), and trust contracts prescribed in Article 2, paragraph (1) of the Secured Debenture Trust Act (Act No. 52 of 1905); hereinafter referred to as the "trust contracts" in this

- Article);
- (iii) designation or change of the beneficiary of a trust contract (excluding those connected with actions prescribed in Article 2, paragraph (8), item (i) of the Financial Instruments and Exchange Act);
 - (iv) conclusion of a money loan contract as prescribed in Article 20, paragraph (2) or (4) of the Act (limited to those on loan of money by a financial institution or similar entity (meaning a financial institution or similar entity as prescribed in Article 22-2, paragraph (1) of the Act; hereinafter the same applies in this Article));
 - (v) conclusion of a sales contract for the means of payment or claims or of another sales contract as prescribed in Article 20, item (iii) or (iv) of the Act (excluding those connected with money exchange business as prescribed in Article 22-3 of the Act);
 - (vi) conclusion of a contract on the act of having a customer or equivalent person conduct the acquisition or negotiation of securities prescribed in Article 20, item (v) of the Act;
 - (vii) conclusion of a futures contract on a financial index or similar metric as prescribed in Article 20, item (viii) or (ix) of the Act; being entrusted with transactions connected with a futures contract on a financial index or similar metric; or coming to act as an intermediary, commitment agent, or other agent for that entrustment;
 - (viii) an action taken based on the conclusion of a contract involving capital transactions (excluding those connected with money exchange business prescribed in Article 22-3 of the Act), which constitutes the receiving or paying of cash, bearer checks (meaning checks drawn as bearer checks set forth in Article 5, paragraph (1), item (iii) of the Checks Act (Act No. 57 of 1933) or checks deemed to be bearer checks pursuant to the provisions of paragraph (2) or (3) of that Article; hereinafter the same applies in this item), bank cashiers checks (meaning checks that the relevant person has drawn to themselves pursuant to the provisions of Article 6, paragraph (3) of that Act; hereinafter the same applies in this item), traveler's checks, certificates, or interest coupons of public and corporate bonds without the owner's name (meaning public and corporate bonds set forth in Article 2, paragraph (1), item (ix) of the Income Tax Act), if that receiving or paying amount exceeds that equivalent to two million yen (if bearer checks and bank cashiers checks are involved, they are limited to those without crossing prescribed in Article 37, paragraph (1) of the Checks Act);
 - (ix) an actions set forth in the preceding items which is taken with a customer or equivalent person or a representative or other responsible party (meaning a representative or other responsible party as prescribed in Article 18, paragraph (2) of the Act; the same applies in the following item) in a case in

- which the customer or equivalent person or the representative or other responsible party is suspected of having falsified the identifying information (meaning the identifying information prescribed in paragraph (1) of that Article) at the time of identity verification (meaning the identity verification pursuant to the provisions of Article 18, paragraph (1) and Article 22-2, paragraph (1) of the Act; the same applies in the following paragraph);
- (x) an action set forth in items (i) through (viii) which is taken in a case in which the other party involved in the action is suspected of pretending to be the person in whose name the action is being taken or to be the representative or other responsible party.
- (2) The "action taken with a customer or equivalent person whose identity has already been verified" that is provided for in the preceding paragraph means an action taken with a customer or equivalent person in the following cases, for which a financial institution or similar entity (in the cases set forth in items (iii) through (vi), including another financial institution or similar entity prescribed in these items) has confirmed that the customer's or equivalent person's identity has already been verified by a means prescribed by Ministry of Finance Order:
- (i) a case in which the financial institution or similar entity has already verified the person's identity and also has retained an identity verification record (meaning an identity verification record as prescribed in Article 18-3, paragraph (1) of the Act) in connection with its verification of the person's identity;
- (ii) a case in which the financial institution or similar entity has already taken an action with a person as set forth in Article 7-3 (excluding a person as set forth in item (iii) of that Article; hereinafter the same applies in this paragraph) and has, in taking that action, verified the identity of a natural person that is deemed to be a customer or equivalent person pursuant to the provisions of Article 18, paragraph (3) of the Act as applied *mutatis mutandis* pursuant to Article 22-2, paragraph (2) of the Act, and also has retained an identity verification record in connection with its verification of the person's identity;
- (iii) a case in which the financial institution or similar entity takes an action prescribed in the preceding paragraph through entrustment to another financial institution or similar entity, if the other financial institution or similar entity has already verified the identity of a customer or equivalent person and also has retained an identity verification record in connection with its verification of the person's identity;
- (iv) a case in which the financial institution or similar entity takes the action prescribed in the preceding paragraph through entrustment to another financial institution or similar entity, if the other financial institution or

similar entity has already taken an action with a person as set forth in Article 7-3 and has, in taking the action, verified the identity of a natural person that is deemed to be customer or equivalent person pursuant to the provisions of Article 18, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 22-2, paragraph (2) of the Act, and also has retained an identity verification record in connection with its verification of the person's identity;

(v) a case in which the financial institution or similar entity succeeds to the business of another financial institution or similar entity due to a merger, transfer of business, or other reasons equivalent to it, if the other financial institution or similar entity has already verified the identity of a customer or equivalent person and has handed over an identity verification record prepared in regard to the identity verification to the financial institution or similar entity in question, and the financial institution or similar entity preserves the record of the identity verification;

(vi) a case in which the financial institution or similar entity succeeds to the business of another financial institution or similar entity due to a merger, transfer of business or other reasons equivalent to it, if the other financial institution or similar entity has already taken the action with those set forth in Article 7-3 and has, in taking that action, verified the identity of a natural person that is deemed to be a customer or equivalent person pursuant to the provisions of Article 18, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 22-2, paragraph (2) of the Act, and has handed over the identity verification record prepared in connection with its verification of the person's identity to the financial institution or similar entity in question; and the financial institution or similar entity in question preserves the identity verification record.

(3) In a case in which a financial institution or similar entity takes the action set forth in paragraph (1), item (ii) or (iii), if the beneficiary of a trust contract has yet to be specified or does not exist, if the beneficiary of a trust contract has yet to manifest the intention to receive benefits, or if a condition precedent or time limit is set on the beneficiary's beneficial interest in a trust contract, the beneficiary of the trust contract set forth in the same items is deemed to have been specified at the time when the financial institution or similar entity came to know the specification or existence of the beneficiary, manifestation of intention to receive benefits, fulfillment of the conditions precedent, or arrival of the time limit; and the provisions of those items apply.

(Small Money Exchange Exempted from the Obligation to Identify Customers)
Article 11-6 The currency exchange on a small scale that Cabinet Order prescribes which is provided for in Article 22-3 of the Act is a currency

exchange of no more than an amount equivalent to two million yen.

(Filing Notification of Outward Direct Investment)

Article 12 (1) The outward direct investment that Cabinet Order prescribes which is provided for in Article 23, paragraph (1) of the Act is an outward direct investment provided for in paragraph (2) of that Article that is associated with a business falling under one of the following (hereinafter referred to as "outward direct investment" in this Article):

(i) business that belongs to a business type prescribed by Ministry of Finance Order as the specified business type in the cases in which the act of making an outward direct investment connected with business that belongs to the specified business type is likely to cause one of the situations set forth in the items of Article 23, paragraph (4) of the Act;

(ii) business conducted in the region prescribed by Ministry of Finance Order as the specified region in the cases in which the act of making an outward direct investment connected with business conducted in the specified region is likely to cause one of the situations set forth in the items of Article 23, paragraph (4) of the Act;

(iii) business that belongs to a business type prescribed by Ministry of Finance Order as a specified business type which is conducted in the region prescribed by Ministry of Finance Order as a specified region in the cases where the act of making an outward direct investment connected with business that belongs to the specified business type, which is conducted in the specified region, is likely to cause one of the situations set forth in the items of Article 23, paragraph (4) of the Act.

(2) A notification under Article 23, paragraph (1) of the Act must be given through procedures prescribed by Ministry of Finance Order within two months prior to the day on which a person seeks to make an outward direct investment connected with business set forth in the items of the preceding paragraph.

(3) The information that Cabinet Order prescribes which is provided for in Article 23, paragraph (1) of the Act is:

(i) the name and domicile or residence of a filer of a notification (for a corporation, its name, the location of its principal office, and the name of its representative);

(ii) the content of the outward direct investment;

(iii) timing of making the outward direct investment;

(iv) the reason for making the outward direct investment;

(v) other information that Ministry of Finance Order prescribes.

(4) The acquisition of securities or lending of money that Cabinet Order prescribes which is provided for in Article 23, paragraph (2) of the Act is a

resident's acquisition of securities or lending of money (but only if the loan period exceeds one year) as follows:

- (i) acquisition of securities issued by a corporation established based on foreign laws and regulations (hereinafter referred to as the "foreign corporation" in this paragraph) in cases in which the number of shares held or the amount of contribution made by the resident in the foreign corporation accounts for not less than one-tenth of the total number of issued shares or the total amount of contribution in that foreign corporation, or in cases that fall under those specified by Minister of Finance Order as cases equivalent to them;
- (ii) acquisition of securities issued by the foreign corporation in which the number of shares held or the amount of contribution made by the resident accounts for not less than one-tenth of the total number of issued shares or the total amount of contribution in that foreign corporation, or by the foreign corporation prescribed by Ministry of Finance Order as equivalent to that foreign corporation; or loan of money to that foreign corporation;
- (iii) beyond what is set forth in the preceding two items, acquisition of securities issued by the foreign corporation which has a permanent relationship with the resident through sending of officers, long-lasting supply of raw materials, or other actions prescribed by Ministry of Finance Order; or loan of money to that foreign corporation.

(Service of a Recommendation or an Order)

- Article 13 (1) A recommendation or an order under Article 23, paragraph (4) or 9 of the Act is given by serving a document stating its content at the domicile, residence, or business office of the person that is to be served, through service by mail or by the correspondence delivery prescribed in Article 2, paragraph (2) of the Act on Correspondence Delivery by Private Business Operators (Act No. 99 of 2002) conducted by a general correspondence service operator prescribed in paragraph (6) of that Article or a specified correspondence service operator prescribed in paragraph (9) of that Article (hereinafter referred to as the "correspondence delivery" in this Article), or through personal service.
- (2) If a document prescribed in the preceding paragraph has been sent by mail or correspondence delivery subject to ordinary handling, the postal item or the correspondence item prescribed in Article 2, paragraph (3) of the Act on Correspondence Delivery by Private Business Operators is presumed to have been served at the time at which it would have ordinarily arrived.
 - (3) If the Minister of Finance sends a document prescribed in paragraph (1) by mail or correspondence delivery subject to ordinary handling, the Minister must prepare a record sufficient to verify the name of the person that is to be served with the document (for a corporation, its name), address, and the date that the document was sent.

- (4) An official of the relevant administrative organ (including the officials of the Bank of Japan that engage in the administrative functions set forth in Article 26, item (iii) or (v) pursuant to Article 69, paragraph (1) of the Act) effects the personal service prescribed in paragraph (1) by delivering the document prescribed in paragraph (1) to the person that is to be served with the document at the place where the document is to be served; provided, however, that if the person to be served does not object, the document may be delivered to the person at another place.
- (5) In a case set forth in one of the following items, the personal service set forth in paragraph (1) may be effected through the action prescribed in that item, in lieu of delivery under the preceding paragraph:
- (i) if the person to be served with a document prescribed in paragraph (1) cannot be found at the place where service is to be effected: delivery of that document to the person's employee or other such worker, or to a cohabitant that has the discern concerning the receipt of the document (referred to as an "employee or other such person" in the following item);
 - (ii) if the person to be served with a document prescribed in paragraph (1) or their employee or other such person is not at the place where service is to be effected or refuses to receive the document without a legitimate reason for doing so: the leaving of the document at the place where service is to be effected.
- (6) A notice under Article 23, paragraph (6) of the Act must be given through procedures prescribed by Ministry of Finance Order.

(Specified Capital Transactions That Require Permission from the Minister of Economy, Trade and Industry)

Article 14 Specified capital transactions prescribed in Article 24, paragraph (1) of the Act (hereinafter referred to as the "specified capital transactions") are the transaction involving the accrual, alteration, or extinguishment of a claim based on any of the following contracts (excluding transactions for settlement of international commercial transactions for which the period from the occurrence of claims to their extinguishment is not longer than one year):

- (i) money loan contracts concluded by a resident that imports with another party to an import contract for the goods that are directly associated with the import contract for the goods, and under which the total amount of their claims is offset by all or part of the charges of the import goods (including acts substantially recognized as offsetting; the same applies in the following item);
- (ii) monetary debt contracts concluded by a resident that exports goods with another party to an export contract for the goods that are directly associated with the export contract for the goods, and under which the total amount of

- their debts is offset by all or part of the charges of the export goods;
- (iii) the following debt guarantee contracts that a resident that imports or exports goods concludes with a non-resident:
 - (a) guarantee contracts that are concluded in conformity with the conditions for bid connected with the import or export of the goods;
 - (b) performance guarantee contracts for an import or export contract for the goods, refund guarantee contracts for advances received or advance payments for the charges of the goods, and other guarantee contracts directly associated with an import or export contract for the goods that are concluded as prescribed by those contracts;
 - (iv) money loan contracts or debt contracts that a resident that is a party to a contract involving the transfer of a mining right, industrial property right, or similar other right similar to them, or involving the establishment of a right to use any of these rights (hereinafter referred to as the "transfer of or establishment of a license against a mining or IP right" in this Article) concludes with another party to the contract based on the contract for the purpose of the transfer of or establishment of a license against a mining or IP right, and under which the total amount of their claims or debts is offset by all or part of considerations for the transfer of or establishment of a license against a mining or IP right;
 - (v) guarantee contracts that are concluded by a resident that is a party to a contract connected with the transfer of or establishment of a license against a mining or IP right with a non-resident based on the contract.

Article 15 (1) If the Minister of Economy, Trade and Industry makes it obligatory, pursuant to Article 24, paragraph (1) or (2) of the Act, for residents to get permission to conduct a specified capital transaction, the Minister is to do this after making it clear which of these provisions the Minister is making it obligatory for the person in question to get the permission based on, and designating the specified capital transactions that the persons in question must get permission to conduct, by issuing a public notice.

(2) If a resident seeks to conduct the specified capital transactions designated pursuant to the provisions of the preceding paragraph, the resident must get permission from the Ministry of Economy, Trade and Industry through procedures prescribed by Order of the Ministry of Economy, Trade and Industry.

(3) If a resident seeks to conduct a single specified capital transaction, and it falls under two or more categories of specified capital transactions that have been designated pursuant to the provisions of paragraph (1) based on Article 24, paragraph (1) or (2) of the Act; and if, based on paragraph (3) of that Article, the resident seeks to file an application for permission as prescribed in

the provisions of paragraphs (1) and (2) of that Article for the specified capital transaction that the resident seeks to conduct, the resident is to file the application through procedures prescribed by Order of the Ministry of Economy, Trade and Industry, after making it clear which specified capital transaction the resident is filing the application for, among those for which it has been made obligatory for the resident to get the permission pursuant to these provisions.

- (4) If the Minister of Economy, Trade and Industry has made it obligatory, pursuant to the provisions of paragraph (1), to get permission to conduct specified capital transactions, but then finds that there is no longer a need to make this obligatory, the Minister must promptly lift this obligation by issuing a public notice.

(Scope of Restrictions on the Specified Capital Transactions)

Article 16 (1) If the Minister of Economy, Trade and Industry, pursuant to Article 24-2 of the Act, fully or partially prohibits a person that, without getting the relevant permission, has conducted a specified capital transaction that it has been made obligatory to get permission for pursuant to the provisions of Article 24, paragraph (1) of the Act, from conducting specified capital transactions, the Minister is to do this after specifying the specified capital transactions that the Minister is prohibiting, by issuing a notice to that person; if the Minister, pursuant to Article 24-2 of the Act, makes it obligatory for such a person to get permission to conduct specified capital transactions, the Minister is to do this after specifying the specified capital transactions that the Minister is obliging the person to get permission for, by issuing a notice to that person.

- (2) If a person that has been placed pursuant to the provisions of the preceding paragraph under the obligation to get permission for the specified capital transactions that the person conducts seeks to conduct a specified capital transaction that has been specified by a notice referred to in that paragraph as one that the person must get permission for, the person must get the permission of the Minister of Economy, Trade and Industry through procedures prescribed by Order of the Ministry of Economy, Trade and Industry.

- (3) If the Minister of Economy, Trade and Industry, pursuant to the provisions of paragraph (1), has fully or partially prohibited a person from conducting specified capital transactions, but then finds that there is no longer a need to prohibit the person from doing this, the Minister must promptly lift the prohibition by issuing a notice to a person that the Minister has prohibited from doing this; if the Minister of Economy, Trade and Industry, pursuant to the provisions of paragraph (1), has made it obligatory for a person to get permission for conducting specified capital transactions, but then finds that

there is no longer a need to make it obligatory for the person to get permission to do this, the Minister must promptly lift the obligation by issuing a notice to a person that the Minister has obliged to get that permission.

- (4) If the Minister of Economy, Trade and Industry is unable to ascertain the domicile or residence, or the location of the business office or office, of a person to be issued a notice under paragraph (1), the Minister may specify the specified capital transactions that the person is prohibited from conducting or that the person is obliged to get permission to conduct, after having made it clear, by issuing a public notice instead of the notice under that paragraph, which person is being fully or partially prohibited from conducting specified capital transactions or is being obliged to get permission to conduct them. To apply the provisions of the preceding two paragraphs in such a case once the Minister of Economy, Trade and Industry has given the public notice, the phrases "preceding paragraph" and "notice" in paragraph (2) are deemed to be replaced with "preceding paragraph and paragraph (4)" and "public notice", respectively; and in the preceding paragraph, the phrase "paragraph (1)" is deemed to be replaced with "paragraph (1) and the following paragraph", and the phrases "a notice to the person that the Minister has prohibited from doing this" and "a notice to the person that the Minister has obliged to get that permission" are deemed to be replaced with "a public notice", respectively.

(Permission for Service Transactions)

- Article 17 (1) A transaction that is meant to provide a technology for designing, manufacturing, or using a specified types of goods (hereinafter referred to as "specified technology" in this paragraph, the following paragraph, and Article 18-2, paragraph (1)) in a specified foreign country (hereinafter referred to as a "specified country" in this paragraph) and that is prescribed by Cabinet Order, as provided for by Article 25, paragraph (1) of the Act, refers to a transaction that is meant to provide a technology set forth in the middle column of the Appended Table in the foreign country set forth in the right-hand column of that table; a transaction that is meant to provide a specified technology to a non-resident affiliated with a specified country and that is prescribed by Cabinet Order, as provided for by Article 25, paragraph (1) of the Act, refers to a transaction that is meant to provide a technology set forth in the middle column of that table to a non-resident affiliated with the foreign country set forth in the right-column of that table.
- (2) A person seeking to take the action prescribed in Article 25, paragraph (3), item (i) of the Act (other than a person that has obtained the permission referred to in paragraph (1) of that Article for a transaction meant to provide specified technology which is associated with that action) must get the permission of the Minister of Economy, Trade and Industry through procedures

prescribed by Order of the Ministry of Economy, Trade and Industry; provided, however, that this does not apply to acts that the Minister of Economy, Trade and Industry has specified upon finding that, considering the person that takes the acts, the substance of the acts, and other things, they will not cause any particular impediment to achieving the purpose of the Act.

- (3) A transaction that is connected with the buying and selling, leasing, or donation of goods; that involves the transfer of goods between foreign states; and that Cabinet Order prescribes, which is provided for in Article 25, paragraph (4) of the Act, is a transaction that falls under any of the following:
- (i) transactions connected with the buying and selling, leasing, or donation of the goods set forth in the middle column of row 1 of Appended Table 1 of the Cabinet Order on Export Trade Control that involve the transfer of the goods between foreign states;
 - (ii) transactions connected with the buying and selling, leasing, or donation of the goods set forth in the middle column of rows 2 to 16 of Appended Table 1 of the Cabinet Order on Export Trade Control that involve the transfer of the goods between foreign states (excluding those in which the goods connected with the transactions are shipped from or exported to the regions set forth in appended table 3 of that Cabinet Order), and that fall under any of the following:
 - (a) the transactions in the cases that fall under the cases prescribed by Order of the Ministry of Economy, Trade and Industry in which the relevant goods are likely to be used to develop, manufacture, use, or store (referred to as "development, manufacture, use, or storage" in (b)) a nuclear weapon; a military chemical warfare agent, a military bacterial agent, or a device for spraying one of these agents; or a rocket or unmanned aerial vehicle capable of transporting one of these which has a range or flight range of 300km or longer (referred to as an "NBC or associated device" in (b) and Article 27, paragraph (2));
 - (b) the transactions in the cases in which a notice has been made by the Minister of Economy, Trade and Industry that an application for permission should be filed because the relevant goods are likely to be used for the development, manufacture, use, or storage of an NBC or associated device.
- (4) A person that seeks the permission of the Minister of Economy, Trade and Industry under Article 25, paragraph (1) or (4) of the Act must file an application for that permission through procedures prescribed by Order of the Ministry of Economy, Trade and Industry.
- (5) A person may conduct a transaction prescribed in paragraph (1) or (3) that the Minister of Economy, Trade and Industry has specified upon finding that, considering the parties to the transactions, the content of the transactions, and

other things, they will not cause any particular impediment to achieving the purpose of the Act, without getting the permission of the Ministry of Economy, Trade and Industry under Article 25, paragraph (1) or (4) of the Act.

Article 18 (1) The service transaction that Cabinet Order prescribes which is provided for in Article 25, paragraph (5) of the Act is a service transaction involving the processing or storage of minerals, separation or remanufacture of irradiated nuclear fuel material, or disposal of radioactive waste (excluding service transactions prescribed by Ministry of Finance Order or Order of the Ministry of Economy, Trade and Industry as those that will not cause any particular impediment to achieving the purpose of the Act, in consideration of the parties to the service transactions, the content of the transactions, and other things).

(2) If a resident seeks the permission of the Minister of Finance or the Minister of Economy, Trade and Industry under Article 25, paragraph (5) of the Act, the resident must file an application for that permission through the procedures prescribed by Ministry of Finance Order or Order of the Ministry of Economy, Trade and Industry.

(3) If the Minister of Finance or the Minister of Economy, Trade and Industry makes it obligatory, pursuant to Article 25, paragraph (6) of the Act, for residents to get permission to conduct a service transaction or a transaction involving the transfer of goods between foreign states (meaning a service transaction or transaction involving the transfer of goods between foreign countries as prescribed in that paragraph; hereinafter the same applies in this Article and Article 18-3), the Minister is to do so after designating the service transactions or transactions involving the transfer of goods between foreign countries that residents are required to get permission for, by issuing a public notice.

(4) If a resident seeks to conduct a service transaction or transaction involving the transfer of goods between foreign countries that has been designated pursuant to the provisions of the preceding paragraph, the resident must get the permission of the Minister of Finance or the Minister of Economy, Trade and Industry through procedures prescribed by Ministry of Finance Order or Order of the Ministry of Economy, Trade and Industry.

(5) If the Minister of Finance or the Minister of Economy, Trade and Industry has made it obligatory, pursuant to the provisions of paragraph (3), to get permission to conduct a service transaction or a transaction involving the transfer of goods between foreign countries, but then finds that there is no longer a need to make this obligatory, the Minister must promptly lift this obligation by issuing a public notice.

(Confirmation by the Directors-General of Custom-Houses)

Article 18-2 (1) As instructed by the Minister of Economy, Trade and Industry, the directors-general of custom-houses must verify that a person seeking to export documents, pictures, or recording media in which information on the specified technology is stated or recorded has got permission under Article 17, paragraph (2) or is not required to get the permission.

(2) When the directors-general of custom-houses have carried out a verification under the preceding paragraph, they are to notify the Minister of Economy, Trade and Industry of the results of this, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry.

(3) When the Minister of Economy, Trade and Industry has imposed a disposition under Article 25-2, paragraphs (1) through (3) of the Act, the Minister is to notify the directors-general of custom-houses of this without delay.

(Scope of Restrictions on Service Transactions and Transactions Involving the Transfer of Goods Between Foreign Countries)

Article 18-3 (1) If the Minister of Finance or the Minister of Economy, Trade and Industry, pursuant to Article 25-2, paragraph (4) of the Act, fully or partially prohibits a person that, without getting the relevant permission, has conducted a service transaction or a transaction involving the transfer of goods between foreign countries that it has been made obligatory to get permission for pursuant to the provisions of Article 25, paragraph (6) of the Act, from conducting service transactions or transactions involving the transfer of goods between foreign countries, the Minister is to do this after specifying the service transactions or transactions involving the transfer of goods between foreign countries that the Minister is prohibiting, by issuing a notice to that person; if the Minister, pursuant to Article 25-2, paragraph (4) of the Act, makes it obligatory for such a person to get permission to conduct service transactions or transactions involving the transfer of goods between foreign countries, the Minister is to do this after specifying the service transactions or transactions involving the transfer of goods between foreign countries that the Minister is obliging the person to get permission for, by issuing a notice to that person.

(2) If a person that, pursuant to the provisions of the preceding paragraph, has been placed under the obligation to get permission for service transactions or transactions involving the transfer of goods between foreign states that the person conducts seeks to conduct a service transaction or a transaction involving the transfer of goods between foreign states that has been specified by a notice referred to in that paragraph as one that the person must get permission for, the person must get the permission of the Minister of Finance or the Minister of Economy, Trade and Industry through the procedures prescribed by Ministry of Finance Order or Order of the Ministry of Economy,

Trade and Industry.

- (3) If the Minister of Finance or the Minister of Economy, Trade and Industry, pursuant to the provisions of paragraph (1), has fully or partially prohibited a person from conducting service transactions or transactions involving the transfer of goods between foreign countries, but then finds that there is no longer a need to prohibit this, the Minister must promptly lift the prohibition by issuing a notice to the person that the Minister has prohibited from making those transactions; if the Minister of Finance or the Minister of Economy, Trade and Industry, pursuant to the provisions of paragraph (1), has made it obligatory for a person to get permission to conduct service transactions or transactions involving the transfer of goods between foreign countries, but then finds that there is no longer a need to make this obligatory, the Minister must promptly lift the obligation by issuing a notice to the person for which the Minister has made it obligatory to get permission for those transactions.
- (4) If the Minister of Finance or the Minister of Economy, Trade and Industry is unable to ascertain the domicile or residence, or the location of the business office or office, of a person to be issued a notice under paragraph (1), the Minister may designate the service transactions or transactions involving the transfer of goods between foreign countries that the person is prohibited from conducting or that the person is obliged to get permission to conduct, after having made it clear which person is being fully or partially prohibited from conducting service transactions or transactions involving the transfer of goods between foreign countries or is being obliged to get permission to conduct them, by issuing a public notice instead of the notice under that paragraph. To apply the provisions of the preceding two paragraphs in such a case once the Minister of Finance or the Minister of Economy, Trade and Industry has given the public notice, the phrases "preceding paragraph" and "notice" in paragraph (2) are deemed to be replaced with "preceding paragraph and paragraph (4)" and "public notice", respectively; and in the preceding paragraph, the phrase "paragraph (1)" is deemed to be replaced with "paragraph (1) and the following paragraph", and phrases "a notice to the person that the Minister has prohibited from doing this" and "a notice to the person that the Minister has obliged to get that permission" are deemed to be replaced with "a public notice", respectively.

Chapter IV-2 Reporting

(Reporting the Making and Receipt of Payments)

Article 18-4 (1) The case that Cabinet Order prescribes which is provided for in Article 55, paragraph (1) of the Act is one in which a resident or non-resident has made or received a payment that constitutes one of the following:

- (i) a small payment provided for by Ministry of Finance Order or Order of the Ministry of Economy, Trade and Industry;
 - (ii) a payment that a person importing or exporting goods makes or receives which is directly associated with the import or export;
 - (iii) any other payment prescribed by Ministry of Finance Order or Order of the Ministry of Economy, Trade and Industry as one that, even if it is not reported under Article 55, paragraph (1) of the Act, will not cause any particular impediment to achieving the purpose of the Act.
- (2) The relevant person must report the making or receipt of a payment pursuant to the provisions of Article 55, paragraph (1) of the Act (including a report made through a bank or other prescribed financial institution pursuant to the provisions of paragraph (2) of that Article or through a funds transfer service provider prescribed in Article 2, paragraph (3) of the Act on Financial Settlements (Act No. 59 of 2009)) through procedures prescribed by Ministry of Finance Order or Order of the Ministry of Economy, Trade and Industry within a period prescribed by Ministry of Finance Order or Order of the Ministry of Economy, Trade and Industry.
- (3) The information that Cabinet Order prescribes which is provided for in Article 55, paragraph (1) of the Act is:
- (i) the name and domicile or residence of a reporter (for a corporation, its name, the location of its principal office, and the name of its representative);
 - (ii) whether the payment has been made or received; and its amount;
 - (iii) the date of making or receiving the payment;
 - (iv) other matters prescribed by Ministry of Finance Order or Order of the Ministry of Economy, Trade and Industry.

(Reporting Capital Transactions)

Article 18-5 (1) The cases that Cabinet Order prescribes which are provided for in Article 55-3, paragraph (1) of the Act are those in which the capital transaction to which a resident or non-resident is a party constitutes one of the following capital transactions:

- (i) capital transactions set forth in Article 55-3, paragraph (1), items (i) through (ix) of the Act that constitute those on a small scale that are prescribed by Ministry of Finance Order according to the classifications of capital transactions prescribed by Ministry of Finance Order;
- (ii) among capital transactions set forth in Article 55-3, paragraph (1), item (iv) of the Act, those other than the transaction involving the accrual, alteration, or extinguishment of a claim based on a sales contract for foreign means of payment or for claims between a resident and another resident;
- (iii) capital transactions prescribed by Ministry of Finance Order as those that will not cause any particular impediment to achieving the purpose of the Act

- even without a report made pursuant to Article 55-3, paragraph (1) of the Act.
- (2) A report under Article 55-3, paragraph (1) must be made through procedures prescribed by Ministry of Finance Order within a period prescribed by Ministry of Finance Order.
 - (3) The information that Cabinet Order prescribes which is provided for in Article 55-3, paragraph (1) of the Act is:
 - (i) the name and domicile or residence of a reporter (for a corporation, its name, the location of its principal office, and the name of its representative);
 - (ii) the content of capital transactions;
 - (iii) the date of conducting capital transactions;
 - (iv) other matters prescribed by Ministry of Finance Order.
 - (4) A report under Article 55-3, paragraph (2) of the Act must be made through procedures prescribed by Ministry of Finance Order within a period prescribed by Ministry of Finance Order.
 - (5) The information that Cabinet Order prescribes which is provided for in Article 55-3, paragraph (2) of the Act is:
 - (i) the name of a reporter, the location of principal office, and the name of representative;
 - (ii) the name of parties to capital transactions, and their domicile or residence;
 - (iii) the content of capital transactions;
 - (iv) the date of conducting capital transactions;
 - (v) other matters prescribed by Ministry of Finance Order.
 - (6) When a report under Article 55-3, paragraph (5) of the Act is made, it must be made through procedures prescribed by Ministry of Finance Order within a period prescribed by Ministry of Finance Order.
 - (7) A person that has made a report under Article 55-3, paragraph (5) of the Act must prepare books and documents prescribed in that paragraph and preserve them in the location of an office connected with the person's business or other place equivalent to it, for five years from the date on which capital transactions connected with the report were conducted, pursuant to the provisions of Ministry of Finance Order.

(Report of Specified Capital Transactions)

Article 18-6 (1) The cases that Cabinet Order prescribes which are provided for in Article 55-4 of the Act are those in which the specified capital transactions to which a resident is a party constitute those on a small scale prescribed by Order of the Ministry of Economy, Trade and Industry, or constitute those falling under the specified capital transactions prescribed by Order of the Ministry of Economy, Trade and Industry as those that will not cause any particular impediment to achieving the purpose of the Act even without a report made pursuant to that Article.

- (2) A report under Article 55-4 of the Act must be made through procedures prescribed by Order of the Ministry of Economy, Trade and Industry within a period prescribed by Order the Ministry of Economy, Trade and Industry.
- (3) The information that Cabinet Order prescribes which is provided for in Article 55-4 of the Act is:
- (i) the name and domicile or residence of a reporter (for a corporation, its name, the location of its principal office, and the name of its representative);
 - (ii) the content of the specified capital transactions;
 - (iii) the date of conducting the specified capital transactions;
 - (iv) other matters specified by Order the Ministry of Economy, Trade and Industry.

(Report of Matters Related to Foreign Exchange Business)

Article 18-7 (1) The transactions or actions that Cabinet Order prescribes which are provided for in Article 55-7 of the Act are the following:

- (i) foreign exchange transactions;
 - (ii) issuance of foreign means of payment;
 - (iii) buying and selling of foreign means of payment or claims (excluding the buying and selling of claims payable in Japanese currency between residents);
 - (iv) acceptance of deposits (excluding acceptance of deposits payable in Japanese currency from a resident);
 - (v) loan of money (excluding loan of money payable in Japanese currency to a resident);
 - (vi) buying and selling of securities (excluding buying and selling between residents in exchange for Japanese currency);
 - (vii) acquisition of securities by a resident from a non-resident, or acting as an intermediary, commission agent, or other agent for a resident's negotiation of securities to a non-resident.
- (2) The person that Cabinet Order prescribes which is provided for in Article 55-7 of the Act is a person that constitutes one of the following:
- (i) approved financial institutions for the special international financial transactions account;
 - (ii) beyond what is set forth in the preceding item, persons for which the total of the amounts specified by Ministry of Finance Order as those of the transactions conducted or actions taken within a period prescribed by Ministry of Finance Order according to the following classifications of transactions or actions, or the outstanding balance of claims or debts based on the transactions or actions at the point of time prescribed by Ministry of Finance Order according to the following classifications of transactions or actions, exceeds the amount prescribed by Ministry of Finance Order:

- (a) foreign exchange transactions;
 - (b) issuance of foreign means of payment;
 - (c) buying and selling of foreign means of payment (excluding buying and selling set forth in (d)) or buying and selling of claims set forth in item (iii) of the preceding paragraph;
 - (d) buying and selling of foreign currency or traveler's checks;
 - (e) acceptance of deposits set forth in item (iv) of the preceding paragraph;
 - (f) loan of money set forth in item (v) of the preceding paragraph;
 - (g) buying and selling of securities set forth in item (vi) of the preceding paragraph;
 - (h) acquisition of securities by a resident from a non-resident, or acting as an intermediary, commitment agent, or other agent for a resident's negotiation of securities to a non-resident;
 - (iii) persons designated by a public notice or notice by the Minister of Finance as equivalent to those set forth in the preceding item.
- (3) To the extent necessary for enforcing the Act and this Cabinet Order, the Minister of Finance may ask a person prescribed in the preceding paragraph to make a report on information related to the performance of transactions or actions set forth in the items of paragraph (1) (excluding matters subject to a report pursuant to the provisions of Article 55-3) or other information prescribed by Ministry of Finance Order as one related to the transactions or actions, pursuant to the provisions of Ministry of Finance Order.

(Other Reports)

- Article 18-8 (1) If the Minister of Finance or the Minister of Economy, Trade and Industry, pursuant to Article 55-8 of the Act and to the extent necessary to enforce the Act (limited to Chapters I, III, IV and VI-3; hereinafter the same applies in this paragraph) and this Cabinet Order, asks a person that is undertaking or has undertaken a transaction, action, or the making or receipt of a payment to which the Act applies, or any related person, to report the substance of the transaction, the action, or the making or receiving of the payment as well as any other information related to the transaction, action, or making or receiving of the payment, the Minister is to designate the information that the person is being asked to report by notifying these persons or by other method prescribed by Ministry of Finance Order or Order of the Ministry of Economy, Trade and Industry.
- (2) Any person that has been asked to report information designated pursuant to the provisions of the preceding paragraph must report this through procedures prescribed by Ministry of Finance Order or Order of the Ministry of Economy, Trade and Industry.

(Statistics on Foreign Borrowing and Lending and International Balance of Trade)

Article 18-9 (1) The Minister of Finance must prepare the following statistics on foreign borrowing and lending and the international balance of trade:

- (i) statistics on foreign borrowing and lending as of December 31 of every year;
- (ii) statistics on the international balance of trade of every month and every year.

(2) The Minister of Finance must report the statistics set forth in the items of the preceding paragraph (excluding statistics on the international balance of trade of every month) to the Cabinet prior to May 31 of the next year.

(3) If it is necessary to do so in order to prepare the statistics referred to in paragraph (1), the Minister of Finance may request the relevant administrative organs and the following persons to submit materials, to the extent necessary:

- (i) a person that is undertaking or has undertaken a transaction, action, or the making or receipt of a payment to which this Act applies, or any related person;
- (ii) a person equivalent to one as set forth in the preceding item.

Chapter V Miscellaneous Provisions

(Classification of Matters under the Jurisdiction of the Minister of Finance and the Minister of Economy, Trade and Industry)

Article 19 Classification of matters under the jurisdiction of the Minister of Finance and the Minister of Economy, Trade and Industry in this Cabinet Order is according to what is specified by the Act and the Cabinet Order to Determine Competent Ministers in the Foreign Exchange and Foreign Trade Act (Cabinet Order No. 259 of 1980)

Article 20 Deleted.

(Means of Conversion)

Article 21 Currency translations between Japanese currency and a foreign currency or between one foreign currency and another foreign currency in a case to which the Act (limited to Chapter I, Chapter III, Chapter IV, and Chapter VI-2 (excluding Article 55-5 and Article 55-6); the same applies in the following Article), this Cabinet Order, and the provisions of an order based on these apply are to be done using the base exchange rate or the arbitrated exchange rate provided for in Article 7, paragraph (1) of the Act as on the day that the transaction, action, or making or receipt of payment whose amount is to be translated under those provisions is implemented, unless the currency translation is done by a method prescribed by Ministry of Finance Order or

Order of the Ministry of Economy, Trade and Industry according to classification prescribed by Ministry of Finance Order or Order of the Ministry of Economy, Trade and Industry.

(Transactions by Governmental Organizations Which Are Not Governed by Laws and Regulations)

Article 22 The provisions of the Act and this Cabinet Order which concern permissions, notifications, and reporting do not apply to transactions, actions, and the making and receipt of payments which are implemented by the Minister of Finance based on the provisions of Chapter II, Section 5 of the Act on Special Accounts (Act No. 23 of 2007).

(Means of Giving Public Notice)

Article 23 A public notice based on this Cabinet Order is made in an official gazette.

Article 24 Deleted.

(Delegation of Authority)

Article 25 (1) The following authority of the Minister of Finance is delegated to the directors-general of custom-houses:

- (i) acceptance of notification under Article 19, paragraph (3) of the Act;
- (ii) permission under Article 8, paragraph (2).

(2) Among the authorities of competent ministers pursuant to the provisions of Article 68, paragraph (1) of the Act, the authority under the jurisdiction of the Minister of Finance is delegated to the director-general of the local finance bureau with jurisdiction in the locality of the head office or principal office of a person engaged in foreign exchange services or any other person that carries out transactions or actions to which the Act applies in the course of their trade (such a person is referred to as a "person engaged in foreign exchange services or other prescribed transactions or actions" in the following paragraph through paragraph (5)) (or if the office is located within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, the authority is delegated to the Director-General of the Fukuoka Local Finance Branch Bureau); provided, however, that it does not prevent the Minister of Finance from personally exercising that authority.

(3) The part of the authority of the Minister of Finance prescribed in the preceding paragraph which is related to a business office or office other than the head office or principal office of a person engaged in foreign exchange services or other prescribed transactions or actions (the office in question is hereinafter referred to as a "branch office or other such place of business") may

be exercised by the director-general of the local finance bureau with jurisdiction in the locality of the branch office or other such place of business (or if the office is located within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, the authority may be exercised by the Director-General of the Fukuoka Local Finance Branch Bureau), in addition to the Director-General prescribed in that paragraph.

- (4) If the director-general of the local finance bureau or the Director-General of the Fukuoka Local Finance Branch Bureau has carried out on-site inspection or questioning of a branch office or other such place of business of a person engaged in foreign exchange services or other prescribed transactions or actions, pursuant to the provisions of the preceding paragraph, and has found it necessary to carry out on-site inspection or questioning of the head office, the principal office, or the other branch offices or other such places of business (other branch offices or other such places of business refer to those other than the branch offices or other such places of business for which the on-site inspection or questions were carried out), the director-general may carry out on-site inspection or questioning of that head office, principal office, or other branch offices or other such places of business.
- (5) Among the authorities of competent ministers under Article 55-8 of the Act, the authority under the jurisdiction of the Minister of Finance may be exercised by the director-general of the local finance bureau or the Director-General of the Fukuoka Local Finance Branch Bureau to the extent necessary for exercising the authority to carry out on-site inspection or questions which have been delegated pursuant to the provisions of the preceding three paragraphs to the director-general of the local finance bureau or the Director-General of the Fukuoka Local Finance Branch Bureau with regard to a person engaged in foreign exchange services or other prescribed transactions or actions.
- (6) The respective provisions of the preceding paragraphs do not apply to the authority of the Minister of Finance prescribed in paragraph (1), and the authority designated by the Minister of Finance among the authority under the jurisdiction of the Minister of Finance prescribed in paragraph (2), paragraph (3), and the preceding paragraph.
- (7) Having made a designation set forth in the preceding paragraph, the Minister of Finance is to issue a public notice indicating this. The same applies if the Minister has discontinued or changed that designation.

(Delegation of Administrative Functions)

Article 26 Administrative functions related to the enforcement of the Act which the Minister of Finance and the Minister of Economy, Trade and Industry have the Bank of Japan handle based on the provisions of Article 69, paragraph (1)

of the Act (limited to Chapter I, Chapter III, Chapter IV, and Chapter VI-2 (excluding Article 55-2, Article 55-5, and Article 55-6); the same applies in item (x)) are those of the following administrative functions that are prescribed by Ministry of Finance Order or Order of the Ministry of Economy, Trade and Industry:

- (i) administrative functions connected with acceptance of notifications based on Article 23, paragraph (1) of the Act;
- (ii) administrative functions connected with notice of shortening of the period based on Article 23, paragraph (3) of the Act;
- (iii) administrative functions connected with sending of documents giving the substance of recommendations based on Article 23, paragraph (4) of the Act;
- (iv) administrative functions connected with acceptance of notices concerning compliance with recommendations based on Article 23, paragraph (6) of the Act;
- (v) administrative functions connected with sending of documents giving the substance of orders based on Article 23, paragraph (9) of the Act;
- (vi) administrative functions connected with the granting of the permission under Article 25, paragraph (5) of the Act or Article 6, paragraph (2), Article 11, paragraph (3), Article 15, paragraph (2), or Article 18, paragraph (4) of this Cabinet Order;
- (vii) administrative functions connected with acceptance (excluding acceptance of requests for reports by the director-general of the local finance bureau or the Director-General of the Fukuoka Local Finance Branch Bureau under paragraph (5) of the preceding Article) of reports based on Article 55, Article 55-3, Article 55-4, Article 55-7, or Article 55-8 of the Act (limited to the part connected with Article 18-8 of this Cabinet Order);
- (viii) administrative functions connected with preparation of statistics on foreign borrowing and lending and international balance of trade based on Article 55-9 of the Act;
- (ix) administrative functions connected with the granting of the permission under the provisions of Article 6-2, paragraph (4), Article 11-3, paragraph (2), Article 16, paragraph (2), or Article 18-3, paragraph (2);
- (x) the necessary administrative functions to enforce the Act and this Cabinet Order, other than administrative functions set forth in the preceding items.

(Technology That Is Especially Likely to Be Used to Develop, Manufacture, Use, or Store an NBC or Associated Device)

Article 27 (1) The rocket or unmanned aerial vehicle prescribed by Cabinet Order that is provided for in Article 69-6, paragraph (2), item (i) of the Act is a rocket or unmanned aerial vehicle that is capable of transporting a nuclear weapon, a military chemical warfare agent or military bacterial agent, or a

device for spraying such an agent, which has a firing range or flight range of at least 300km.

(2) The technology that Cabinet Order prescribes which is provided for in Article 69-6, paragraph (2), item (i) of the Act is the technology set forth in the middle column of rows 1 to 4 of the Appended Table (excluding technology related to the design, manufacture, or use of goods set forth in row 1, (v), (vi), and (x) to (xii) of Appended Table 1 of the Cabinet Order on Export Trade Control or of an NBC or associated device).

Supplementary Provisions

(Effective Date)

Article 1 This Cabinet Order comes into effect as of the effective date (December 1, 1980) of the Act Partially Amending the Foreign Exchange and Foreign Trade Control Act (Act No. 65 of 1979).

(Repeal of the Cabinet Order on Foreign Exchange Control and Other Cabinet Orders)

Article 2 The following Cabinet Orders are repealed:

- (i) Cabinet Order on Report by a Certified Foreign Exchange Bank or a Money Exchanger (Cabinet Order No. 377 of 1949);
- (ii) Order on Account on Foreign Borrowing and Lending and Balance (Cabinet Order No. 181 of 1950);
- (iii) Foreign Exchange Control Order (Cabinet Order No. 203 of 1950);
- (iv) Cabinet Order to Determine the Scope of Administrative Functions the Bank of Japan is to Deal with pursuant to the Provisions of Cabinet Order on the Acquisition of Property by Foreign Nationals (Cabinet Order No. 310 of 1952);
- (v) Cabinet Order on Non-resident Free-yen Account (Cabinet Order No. 157 of 1960).

(Transitional Measures)

Article 3 (1) Prior law continues to govern transactions or actions which were approved or for which permission or an approval was obtained based on the provisions of Article 10, Article 11, Article 13, Article 15, Article 17, Article 19, or Article 26 of the Foreign Exchange Control Order prior to repeal by this Cabinet Order (hereinafter referred to as the "former Order" in this Article) or paragraph (9) or paragraph (10) of the Supplementary Provisions of the former Order.

(2) To apply transactions or actions connected with an application for permission or an approval which has been filed pursuant to the provisions of Article 10,

Article 11, Article 13, Article 15, Article 17, or Article 19 of the former Order or paragraph (9) of the Supplementary Provisions of the former Order at the time this Cabinet Order enters into force (hereinafter referred to as an "application filed based on the former Order" in this paragraph), for which permission must be obtained under the Act amended by the Act Partially Amending the Foreign Exchange and Foreign Trade Control Act (referred to as the "Amending Act" in the following paragraph) (hereinafter the Act amended by the Amending Act is referred to as the "new Act" in this paragraph) and this Cabinet Order, an application filed based on the former Order is deemed to be an application for permission filed pursuant to the relevant provisions of the new Act and this Cabinet Order; to apply transactions or actions connected with an application filed based on the former Order, for which notification must be given pursuant to the provisions of Article 22, paragraph (1) or Article 24, paragraph (2) of the new Act, an application filed based on the former Order is deemed to be notification given as on the effective date of this Cabinet Order pursuant to these provisions; and the provisions of the new Act (excluding Chapter V and Chapter VI) and this Cabinet Order apply to the transactions and acts in question in the both cases.

- (3) The provisions of the main clause of Article 14, paragraph (1) and Article 28 of the former Order remain in force even after the enforcement of this Cabinet Order, in terms of transactions or actions connected with an application for permission which has been filed pursuant to the provisions of Article 35 of the Act prior to the amendment by the Amending Act, at the time of enforcing the Amending Act.

Article 4 Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

Article 5 In cases of transactions connected with an application which has been filed at the time this Cabinet Order enters into force, pursuant to the provisions of Article 3, paragraph (1) of the Cabinet Order on the Acquisition of Property by Foreign Nationals prior to the abolition by Amending Act, and a report connected with the transactions, the Cabinet Order to Determine the Scope of Administrative Functions the Bank of Japan is to Deal with pursuant to the Provisions of Cabinet Order on the Acquisition of Property by Foreign Nationals prior to repeal by this Cabinet Order remains in force even after the enforcement of this Cabinet Order.

Article 6 Deleted.

(Partial Amendment of the Cabinet Order on Import Trade Control)

Article 7 Part of the Cabinet Order on the Import Trade Control (Cabinet Order No. 414 of 1949) is amended as follows.

Article 21 is deleted.

(Transitional Measures Accompanied with the Partial Amendment of the Cabinet Order on Import Trade Control)

Article 8 (1) Prior laws continue to govern transactions or actions for which permission was obtained based on Article 21, paragraph (1) of the Cabinet Order on Import Trade Control prior to amendment by the preceding Article (referred to as the "former Import Order" in the following paragraph).

(2) An application for permission which has been filed pursuant to the provisions of Article 21, paragraph (1) of the former Import Order at the time this Cabinet Order enters into force is deemed to be an application for permission filed pursuant to the provisions of Article 18, paragraph (2) of this Cabinet Order; and the provisions of this Cabinet Order apply to that application.

(Partial Amendment of the Cabinet Order on Special Provisions for Payment of Principal and Interest of National Government Bonds)

Article 9 Part of the Cabinet Order on Special Provisions for Payment of Principal and Interest of National Government Bonds (Cabinet Order No. 198 of 1954) is amended as follows.

The term "the day on which the transfer or import was approved based on Article 32 or Article 45 of the Foreign Exchange and Foreign Trade Control Act (Act No. 228 of 1949)" in Article 2, item (ii) is amended to "the date of the import".

(Partial Amendment of the Order for Enforcement of the Act on Reserve Deposit Requirement System)

Article 10 Part of the Order for Enforcement of the Act on Reserve Deposit Requirement System (Cabinet Order No. 135 of 1957) is amended as follows.

Article 2, paragraph (3), item (ii) is amended as follows, adding the phrase "(referred to as a "certified foreign exchange bank" in the following item)" after "a certified foreign exchange bank" in item (i) of that paragraph.

(ii) a deposit or other debts connected with an account that is denominated in Japanese currency, against a non-resident's certified foreign exchange bank in Japan (referred to as "debts connected with a non-resident's yen account" in item (iii) of the following Article)

The term "debts connected with free-yen account" in Article 3, item (iii) is amended to "debts connected with a non-resident's yen account".

(Partial Amendment of the Order for Enforcement of the Stamp Tax Act)

Article 11 Part of the Order for Enforcement of the Stamp Tax Act (Cabinet Order No. 108 of 1967) is amended as follows.

The term "free-yen" in the caption of Article 23 is amended to "non-resident yen", the phrase "Non-resident Free-yen Account specified by Cabinet Order based on the provisions of Articles 27 through 30 (Restriction and Prohibition Concerning Payment and Claims)" in that Article is amended to "account displayed in Japanese currency against a certified foreign exchange bank in Japan prescribed in Article 11 of that Act (Arrangement on Business) for a non-resident prescribed in Article 6, paragraph (1), item (vi) (Definitions) (that bank is hereinafter referred to as a 'certified foreign exchange bank' in this Article and Article 28)", and the phrases "prescribed in Article 11 of that Act (Arrangement on Business)" and "(referred to as a 'certified foreign exchange bank' in Article 28, paragraph (1))" are deleted.

The term "claims in foreign currency prescribed in item (xiv) of that paragraph" in Article 28, paragraph (1), item (ii) is amended to "claims prescribed in item (xiii) of that paragraph which can be paid in a foreign state or in foreign currency".

(Partial Amendment of the Order for Organization of the Ministry of Finance)
Article 12 Part of the Order for Organization of the Ministry of Finance (Cabinet Order No. 386 of 1952) is amended as follows.

Article 47, item (viii) is changed to item (x) of that Article, and the following two items are added after item (vii) of that Article.

(viii) to designate a designated securities company

(ix) matters concerning the Council on Foreign Exchange and other Transactions

Article 51, item (v) is deleted and item (vi) is changed to item (v).

Supplementary Provisions [Cabinet Order No. 312 of November 29, 1980]

This Cabinet Order comes into effect as of the effective date (December 1, 1980) of the Act Partially Amending the Foreign Exchange and Foreign Trade Control Act (Act No. 65 of 1979).

Supplementary Provisions [Cabinet Order No. 7 of January 26, 1981] [Extract]

- (1) This Cabinet Order comes into effect as of the date of promulgation.
- (3) Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

Supplementary Provisions [Cabinet Order No. 287 of September 22, 1981]

This Cabinet Order comes into effect as of the date of promulgation.

Supplementary Provisions [Cabinet Order No. 225 of June 20, 1986]

This Cabinet Order comes into effect as of December 1, 1986; provided, however, that the provisions amending Article 4, paragraph (2) come into effect as of August 1, 1986.

**Supplementary Provisions [Cabinet Order No. 373 of November 5, 1987]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of the effective date (November 10, 1987) of the Act Partially Amending the Foreign Exchange and Foreign Trade Control Act.

(Transitional Measures)

Article 2 In cases of transactions for which permission under Article 25, paragraph (1) or paragraph (3) of the Foreign Exchange and Foreign Trade Control Act amended by the Act Partially Amending the Foreign Exchange and Foreign Trade Control Act (hereinafter referred to as the "Amending Act") (hereinafter the Foreign Exchange and Foreign Trade Control Act is referred to as the "new Act") or under Article 17-2, paragraph (3) of the Foreign Exchange Control Order amended by this Cabinet Order (hereinafter referred to as the "new Order" in this Article) is deemed to have been obtained pursuant to the provisions of Article 2 of the Supplementary Provisions of the Amending Act, conditions that have been attached pursuant to the provisions of Article 21, paragraph (1) of the Foreign Exchange Control Order prior to the amendment by this Cabinet Order to permission under Article 25 of the Foreign Exchange and Foreign Trade Control Act prior to the amendment by the Amending Act are deemed to be conditions that have been attached pursuant to the provisions of Article 21, paragraph (1) of the new Order to permission under Article 25, paragraph (1) or (3) of the new Act or Article 17-2, paragraph (3) of the new Order, respectively.

Article 5 Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

Supplementary Provisions [Cabinet Order No. 242 of August 9, 1988]

This Cabinet Order comes into effect as of August 23, 1988.

**Supplementary Provisions [Cabinet Order No. 331 of November 26, 1988]
[Extract]**

- (1) This Cabinet Order comes into effect as of December 20, 1988.
- (2) Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

**Supplementary Provisions [Cabinet Order No. 53 of March 17, 1989]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of the effective date of the Act (March 27, 1989).

Supplementary Provisions [Cabinet Order No. 80 of March 29, 1989]

This Cabinet Order comes into effect as of April 1, 1989.

Supplementary Provisions [Cabinet Order No. 290 of September 29, 1989]

- (1) This Cabinet Order comes into effect as of the date of promulgation; provided, however, that amending provisions set forth in the following items come into effect as of the date set forth in the respective items:
 - (i) the provisions amending row 1 (ii), row 5 (iii), row 8 (ii), row 8 (iii), row 9 (ii), row 12 (ii), row 12 (iii), row 18 (ii) and row 25 of the Appended Table of the Foreign Exchange Control Order in Article 1; and the provisions amending row 17, row 26, row 80, row 90, row 98, row 102, row 103, row 105, row 110, row 121, row 126, row 136, row 137, and row 151 of Appended Table 1 of the Cabinet Order on Export Trade Control in Article 2: October 16, 1989;
 - (ii) the provisions amending row 1 (iii), row 5 (ii), row 7 (ii), row 10, and row 26 of the Appended Table of the Foreign Exchange Control Order in Article 1; and the provisions amending row 21, row 22, row 55, row 74, row 77 (ii), row 93, row 111, row 112, row 120, row 147, row 148, row 153, row 154, row 159, row 183, and row 184 of Appended Table 1 of the Cabinet Order on Export Trade Control in Article 2: October 26, 1989.
- (2) Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

Supplementary Provisions [Cabinet Order No. 350 of December 27, 1989]

- (1) This Cabinet Order comes into effect as of January 20, 1990; provided, however, that the provisions amending row 12 of the Appended Table of the Foreign Exchange Control Order in Article 1, and the provisions amending row 26, row 32, row 34, row 43, row 100, row 117, and row 124 of Appended Table 1 of the Cabinet Order on Export Trade Control in Article 2 come into effect as of the date of promulgation.
- (2) Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect (or in cases of amending provisions prescribed in the proviso of the preceding paragraph, before the amending provisions come into effect).

**Supplementary Provisions [Cabinet Order No. 246 of August 15, 1990]
[Extract]**

- (1) This Cabinet Order comes into effect as of August 22, 1990.

Supplementary Provisions [Cabinet Order No. 308 of October 17, 1990]

- (1) This Cabinet Order comes into effect as of November 1, 1990; provided, however, that the provisions amending row 1, row 1 (ii), row 10 (ii), row 11 (ii), row 13, row 17, and row 19 of the Appended Table of the Foreign Exchange Control Order in Article 1, and the provisions amending row 2, row 9, row 15, rows 29 through 30, row 46, row 53, row 58, row 71, rows 75 through 77, row 89, row 92, row 93, row 106, row 108, row 109, row 118, row 121, row 122, rows 125 through 127, rows 129 through 131, row 140, row 142, row 144, row 145, row 149, row 153, row 155, and rows 165 through 167 of Appended Table 1 of the Cabinet Order on Export Trade Control in Article 2 come into effect as of the date of promulgation.
- (2) Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect (or in cases of amending provisions prescribed in the proviso of the preceding paragraph, before the amending provisions come into effect).

Supplementary Provisions [Cabinet Order No. 37 of March 18, 1991]

- (1) This Cabinet Order comes into effect as of the date of promulgation.
- (2) Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

Supplementary Provisions [Cabinet Order No. 290 of September 19, 1991]

This Cabinet Order comes into effect as of the date of promulgation.

Supplementary Provisions [Cabinet Order No. 323 of October 14, 1991]

- (1) This Cabinet Order comes into effect as of November 14, 1991.
- (2) Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

Supplementary Provisions [Cabinet Order No. 11 of January 29, 1992]

This Cabinet Order comes into effect as of the date of promulgation.

Supplementary Provisions [Cabinet Order No. 150 of April 15, 1992]

- (1) This Cabinet Order comes into effect as of April 22, 1992.
- (2) The provisions of Article 18, paragraph (1) of the Foreign Exchange Control Order after the amendment by Article 1 apply to service transactions which are started on or after the effective date of this Cabinet Order.

Supplementary Provisions [Cabinet Order No. 166 of April 30, 1992]

This Cabinet Order comes into effect as of the effective date (May 20, 1992) of the provisions of Article 13, Article 14, Article 16, and Articles 18 through 20 of the Act on concerning Arrangement and Rationalization of Relationships between National and Local Governments concerning Administrative Matters.

**Supplementary Provisions [Cabinet Order No. 209 of June 19, 1992]
[Extract]**

- (1) This Cabinet Order comes into effect as of the date of promulgation; provided, however, that amending provisions set forth in the following items come into effect as of the date set forth in the respective items:
 - (i) the provisions amending Article 18 of the Foreign Exchange Control Order in Article 1, and the provisions amending Article 4, paragraph (2) of the Cabinet Order on Export Trade Control and Appended Table 2-2 of that Order in Article 2: June 26, 1992.
- (2) The provisions of Article 18 of the Foreign Exchange Control Order after the amendment by Article 1 apply to service transactions which are started on or after June 26, 1992.

- (3) Prior laws continue to govern transactions that are meant to provide specified technology in accordance with the permission under Article 17-2, paragraph (1) or paragraph (2) of the Foreign Exchange Control Order before its amendment which a person has received before this Cabinet Order enters into force for a transaction that is meant to provide specified technology in Hungary.
- (5) Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

Supplementary Provisions [Cabinet Order No. 371 of December 9, 1992]

- (1) This Cabinet Order comes into effect as of December 31, 1992.
- (2) Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

Supplementary Provisions [Cabinet Order No. 395 of December 28, 1992]

This Cabinet Order comes into effect as of January 20, 1993.

Supplementary Provisions [Cabinet Order No. 66 of March 26, 1993]

- (1) This Cabinet Order comes into effect as of April 1, 1993.
- (2) Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

Supplementary Provisions [Cabinet Order No. 157 of April 27, 1993]

This Cabinet Order comes into effect as of May 1, 1993.

Supplementary Provisions [Cabinet Order No. 238 of June 30, 1993]

This Cabinet Order comes into effect as of July 4, 1993.

Supplementary Provisions [Cabinet Order No. 326 of October 6, 1993]

This Cabinet Order comes into effect as of October 10, 1993.

**Supplementary Provisions [Cabinet Order No. 379 of December 1, 1993]
[Extract]**

(Effective Date)

- (1) This Cabinet Order comes into effect as of December 22, 1993.

Supplementary Provisions [Cabinet Order No. 382 of December 2, 1993]

- (1) This Cabinet Order comes into effect as of December 6, 1993.
- (2) The provisions of Article 18, paragraph (1) of the Foreign Exchange Control Order after the amendment by Article 1 apply to service transactions which are started on or after the effective date of this Cabinet Order.

Supplementary Provisions [Cabinet Order No. 17 of January 28, 1994]

- (1) This Cabinet Order comes into effect as of the date of promulgation.
- (2) Prior laws continue to govern transactions that are meant to provide specified technology in accordance with the permission under Article 17-2, paragraph (1) of the Foreign Exchange Control Order before its amendment which a person has received before this Cabinet Order enters into force for a transaction that is meant to provide specified technology in Czech or Slovakia.
- (3) Prior laws continue to govern export of goods that is conducted in accordance with the permission under Article 1, paragraph (1) of the Cabinet Order on Export Trade Control before its amendment which a person has received before this Cabinet Order for export of goods to Czech or Slovakia.
- (4) Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

Supplementary Provisions [Cabinet Order No. 143 of May 24, 1994]

This Cabinet Order comes into effect as of May 27, 1994.

Supplementary Provisions [Cabinet Order No. 153 of June 24, 1994]

[Extract]

(Effective Date)

- (1) This Cabinet Order comes into effect as of July 6, 1994; provided, however, that the provisions amending row 8 of the Appended Table of the Foreign Exchange Control Order (limited to the part which amends the phrase "goods set forth in row 8 (i) of Appended Table 1 of the Cabinet Order on Export Trade Control" in (ii) of the same row to "computers or their attached equipment, or components of these") in Article 1, and the provisions amending row 8 of Appended Table 1 of the Cabinet Order on Export Trade Control in Article 2 come into effect as of the date of promulgation.

(Transitional Measures)

- (2) Prior laws continue to govern service transactions that are meant to provide specified technology in accordance with permission under Article 17-2, paragraph (1) of the Foreign Exchange Control Order before its amendment with which a person has received before this Cabinet Order enters into force for a transaction that is meant to provide specified technology; and to which the provisions of Article 17-2, paragraph (3) of that Cabinet Order after the amendment apply.
- (4) Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

Supplementary Provisions [Cabinet Order No. 335 of October 26, 1994]

- (1) This Cabinet Order comes into effect as of the date of promulgation.
- (2) Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

Supplementary Provisions [Cabinet Order No. 338 of October 28, 1994]

This Cabinet Order comes into effect as of the date of promulgation.

Supplementary Provisions [Cabinet Order No. 409 of December 26, 1994]

- (1) This Cabinet Order comes into effect as of December 28, 1994.
- (2) The provisions of Article 18, paragraph (1) of the Foreign Exchange Control Order after the amendment apply to service transactions which are started on or after the effective date of this Cabinet Order.

**Supplementary Provisions [Cabinet Order No. 420 of December 20, 1995]
[Extract]**

(Effective Date)

- (1) This Cabinet Order comes into effect as of October 1, 1996; provided, however, that the provisions set forth in the following items come into effect as of the date set forth in the respective items:
 - (i) the part connected with row 2 (ii) among the provisions amending row 2 of the Appended Table of the Foreign Exchange Control Order in Article 1; the part connected with row 2 (xii) among the provisions amending row 2 of Appended Table 1 of the Cabinet Order on Export Trade Control in Article 2; and the provisions of the following paragraph through paragraph (4) of the Supplementary Provisions: the date of promulgation.

(Transitional Measures)

- (2) Prior laws continue to govern service transactions that are conducted in accordance with the permission under Article 17-2, paragraph (1) of the Foreign Exchange Control Order before its amendment which a person has received before this Cabinet Order enters into force for a transaction that are meant to provide technology set forth in row 2 (ii) of the appended table of that Cabinet Order; and to which the provisions of Article 17-2, paragraph (3) of the Foreign Exchange Control Order after its amendment apply.
- (3) Prior laws continue to govern export of goods that is conducted in accordance with the permission under Article 1, paragraph (1) of the Cabinet Order on Export Trade Control before its amendment which a person has received for export of goods set forth in row 2 (xii) of Appended Table 1 of that Cabinet Order; and to which the provisions of Article 1, paragraph (2), and Article 2, paragraph (1), item (i) of the Cabinet Order on Export Trade Control after the amendment apply.
- (4) Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

**Supplementary Provisions [Cabinet Order No. 250 of August 23, 1996]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of September 13, 1996.

(Transitional Measures)

Article 2 Prior laws continue to govern service transactions that are meant to provide technology in accordance with the permission under Article 17-2, paragraph (3) of the Foreign Exchange Control Order before its amendment which a person has received before this Cabinet Order enters into force for a transaction that is meant to provide technology set forth in the middle columns of rows 5 through 15 of the appended table of that Cabinet Order; and to which the provisions of Article 17-2, paragraph (1) of the Foreign Exchange Control Order after the amendment apply.

Article 3 Prior laws continue to govern export of goods that is conducted in accordance with the permission under Article 1, paragraph (2) of the Cabinet Order on Export Trade Control before its amendment or in accordance with the approval under Article 2, paragraph (1), item (i) of that Cabinet Order which a person has received before this Cabinet Order enters into force for export of goods set forth in the middle columns of rows 5 through 15 of Appended Table 1 of that Cabinet Order; and to which the provisions of Article 1, paragraph (1) of

the Cabinet Order on Export Trade Control after the amendment apply.

Article 4 An application which has been filed as of the time this Cabinet Order enters into force, for permission under Article 17-2, paragraph (3) of the Foreign Exchange Control Order before its amendment for transactions that are meant to provide technology set forth in the middle columns of rows 5 through 15 of the Appended Table of that Cabinet Order, and which is connected with transactions which require permission under Article 17-2, paragraph (1) of the Foreign Exchange Control Order after the amendment, is deemed to be one for permission under that paragraph.

Article 5 An application which has been filed as of the time this Cabinet Order enters into force, for permission under Article 1, paragraph (2) of the Cabinet Order on Export Trade Control before its amendment or for an approval under Article 2, paragraph (1), item (i) of that Cabinet Order connected with export of goods set forth in the middle columns of rows 5 through 15 of Appended Table 1 of that Cabinet Order, and which is connected with export of goods which requires permission under Article 1, paragraph (1) of the Cabinet Order on Export Trade Control after its amendment, is deemed to be one for permission under that paragraph.

(Transitional Measures for Penal Provisions)

Article 6 Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

Supplementary Provisions [Cabinet Order No. 315 of November 1, 1996]

(Effective Date)

(1) This Cabinet Order comes into effect as of the date of promulgation.

(Transitional Measures for Penal Provisions)

(2) Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

Supplementary Provisions [Cabinet Order No. 94 of March 28, 1997]

This Cabinet Order comes into effect as of the day on which the Convention on the Prohibition of the Development, Manufacture, Stockpiling and Use of Chemical Weapons and on their Destruction becomes effective in Japan (April 29, 1997).

Supplementary Provisions [Cabinet Order No. 320 of October 29, 1997]

This Cabinet Order comes into effect as of November 2, 1997.

Supplementary Provisions [Cabinet Order No. 327 of November 12, 1997]

(Effective Date)

(1) This Cabinet Order comes into effect as of November 16, 1997.

(Transitional Measures)

(2) The provisions of Article 18, paragraph (1) of the Foreign Exchange Control Order after the amendment by Article 1 apply to service transactions which are started on or after the effective date of this Cabinet Order.

**Supplementary Provisions [Cabinet Order No. 383 of December 25, 1997]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of the effective date (April 1, 1998) of the Act Partially Amending the Foreign Exchange and Foreign Trade Control Act; provided, however, that the provisions of Article 3 of the Supplementary Provisions come into effect as of the date of promulgation.

(Transitional Measures)

Article 2 (1) The application of the provisions of Article 17 of the Foreign Exchange and Foreign Trade Act as amended by the Act Partially Amending the Foreign Exchange and Foreign Trade Control Act (hereinafter referred to as the "Amending Act") (hereinafter the Foreign Exchange and Foreign Trade Control Act so amended is referred to as the "new Act") and the application of the provisions of Article 7 of the Foreign Exchange Order after its amendment (hereinafter referred to as the "new Order") is as follows for the making or receiving of a payment that involves an exchange transaction conducted between a bank or other prescribed financial institution (meaning a bank or other prescribed financial institution provided for in Article 17, paragraph (1) of the new Act; the same applies hereinafter in this Article) and its customers and that is connected with a capital transaction (meaning a capital transaction provided for in Article 20 of the Foreign Exchange and Foreign Trade Control Act as before its amendment by the Amending Act (hereinafter referred to as the "former Act")); hereinafter the same applies in this paragraph, Article 5 of the Supplementary Provisions and Article 6 of the Supplementary Provisions) that was conducted prior to the effective date of the Amending Act (hereinafter

referred to as the "effective date"):

- (i) "Article 21, paragraph (1) or paragraph (2)" in Article 17, paragraph (1), item (ii) of the new Act is deemed to be replaced with "Article 21, paragraph (1) or paragraph (2) of the Foreign Exchange and Foreign Trade Control Act prior to the amendment by the Act Partially Amending the Foreign Exchange and Foreign Trade Control Act (Act No. 59 of 1997; hereinafter referred to as the "Amending Act" in this item and the following item) (that Foreign Exchange and Foreign Trade Control Act is referred to as the "former Act" in the following item)", and "capital transactions" is deemed to be replaced with "capital transactions (but only those constituting capital transactions that it would be made obligatory to get permission for pursuant to the provisions of Article 21, paragraph (1) or paragraph (2) if they were to be conducted on or after the effective date of the Amending Act)";
 - (ii) "those specified by Cabinet Order" in Article 17, paragraph (1), item (iii) of the new Act is deemed to be replaced with "capital transactions prescribed in Article 23, paragraph (1) of the former Act for which the obligation to give notification is imposed pursuant to the provisions of Article 22, paragraph (1) of the former Act, or capital transactions prescribed in Article 24, paragraph (1) of the former Act for which the obligation to give notification is imposed pursuant to the provisions of paragraph (2) of that Article (but only those constituting capital transactions that it would be made obligatory to get permission for pursuant to the provisions of Article 21, paragraph (1) or paragraph (2) if they were to be conducted on or after the effective date of the Amending Act) or those specified by Cabinet Order";
 - (iii) "Article 24, paragraph (1) or paragraph (2) of the Act" in Article 7, item (i) of the new Order is deemed to be replaced with "Article 24, paragraph (1) of the Foreign Exchange and Foreign Trade Control Act prior to the amendment by the Act Partially Amending the Foreign Exchange and Foreign Trade Control Act (Act No. 59 of 1997; hereinafter referred to as the "Amending Act" in this item)", and "specified capital transactions prescribed in paragraph (1) of that Article" is deemed to be replaced with "capital transactions prescribed in that paragraph (but only those constituting specified capital transactions as provided in paragraph (1) of that Article that it would be made obligatory to get permission for pursuant to the provisions of Article 24, paragraph (1) or paragraph (2) if they were to be conducted on or after the effective date of the Amending Act)".
- (2) To apply the provisions of Article 17 of the new Act and Article 7 of the new Order if the making or receipt of a payment involved in an exchange transaction conducted by a bank or other prescribed financial institution with its customer is connected with a transaction conducted prior to the effective date which is prescribed in Article 25, paragraph (3) of the former Act, "Article

25, paragraph (4) of the Act" in item (ii) of that Article is deemed to be replaced with "Article 25, paragraph (3) of the Foreign Exchange and Foreign Trade Control Act prior to the amendment by the Act Partially Amending the Foreign Exchange and Foreign Trade Control Act (Act No. 59 of 1997; hereinafter referred to as the "Amending Act" in this item)", and "a service transaction or transaction involving the transfer of goods between foreign states" is deemed to be replaced with "transaction (but only one constituting a service transaction or transaction involving the transfer of goods between foreign countries that it would be made obligatory to get permission for pursuant to the provisions of Article 25, paragraph (4) of the Act if it were to be conducted on or after the effective date of the Amending Act)".

- (3) To apply the provisions of Article 17 of the new Act and Article 7 of the new Order if the making or receiving of a payment involving an exchange transaction conducted by a bank or other prescribed financial institution with its customer is connected with the exporting of goods conducted prior to the effective date for which the obligation to obtain an approval is imposed pursuant to the provisions of Article 52 of the former Act, "Article 16, paragraph (1) of the Act" in item (iv) of that Article is deemed to be replaced with "Article 16, paragraph (2) of the Foreign Exchange and Foreign Trade Control Act prior to the amendment by the Act Partially Amending the Foreign Exchange and Foreign Trade Control Act (Act No. 59 of 1997; hereinafter referred to as the "Amending Act" in this item)", and "those for which the obligation is imposed" is deemed to be replaced with "limited to those for which the obligation is imposed and those falling under export of goods for which the Minister of International Trade and Industry makes it obligatory to obtain an approval from the same viewpoint as in cases in which the Minister would make it obligatory pursuant to the provisions of Article 16, paragraph (1) of the Act to get permission to make or receive a payment if the export were to be made on or after the effective date of the Amending Act)".

Article 3 (1) A resident or non-resident that seeks to import or export the method of payment, securities, or precious metals prescribed in Article 19, paragraph (1) of the new Act which is subject to a notification in connection with an import or export under paragraph (3) of that Article on the effective date may file a notification in accordance with the provisions of paragraph (3) of that Article as on the previous day of the effective date.

- (2) If a notification under the preceding paragraph has been filed, the thing for which the notification is filed and the delegation of authority of the Minister of Finance connected with the notification is in accordance with the provisions of Article 8-2, paragraph (3) and Article 25, paragraph (1) (excluding item (ii)) of the new Order.

Article 4 The making or receiving of a payment prescribed by Cabinet Order that is provided for in Article 2, paragraph (1) of the Supplementary Provisions of the Amending Act is the making or receipt of a payment falling under any of the following:

- (i) the making or receiving of a payment that is designated by a public notice based on Article 6, paragraph (1) of the new Order as on the effective date, and that is specified in that public notice as the making or receiving of a payment that it has been made obligatory for pursuant to the provisions of Article 16, paragraph (1) of the new Act to get permission, following the finding that it is particularly necessary to do so in order for Japan to make a contribution to international efforts towards international peace;
- (ii) the making or receiving of a payment designated by a public notice based on Article 6, paragraph (1) of the new Order after the effective date.

Article 5 The capital transactions prescribed by Cabinet Order that are provided for in Article 3, paragraph (1) of the Supplementary Provisions of the Amending Act and transactions prescribed in that paragraph are capital transactions falling under any of the following and transactions prescribed in that paragraph (hereinafter referred to individually as a "capital or other prescribed transaction" in this Article):

- (i) a capital or other prescribed transaction that is designated by a public notice based on the provisions of Article 11, paragraph (1), Article 15, paragraph (1), or Article 18, paragraph (3) of the new Order as on the effective date, and that are specified by the public notice as those that it has been made obligatory to get permission for pursuant to the provisions of Article 21, paragraph (1), Article 24, paragraph (1), or Article 25, paragraph (4) of the new Act, following the finding that they would cause a situation that would prevent Japan from contributing to international efforts towards international peace and thereby make it difficult to achieve the purpose of the new Act;
- (ii) capital transactions designated by a public notice based on Article 11, paragraph (1), Article 15, paragraph (1), or Article 18, paragraph (3) of the new Order after the effective date.

Article 6 Capital transactions subject to examination in advance under the former Act specified by Cabinet Order as prescribed in Article 5, paragraph (1) of the Supplementary Provisions of the Amending Act are capital transactions falling under any of the following:

- (i) capital transactions that are designated by a public notice based on Article 11, paragraph (1) of the new Order as on the effective date, and that are

specified by the public notice as those that it has been made obligatory to get permission for pursuant to the provisions of Article 21, paragraph (1) of the new Act, following the finding that they would cause a situation that would prevent Japan from contributing to international efforts towards international peace and thereby make it difficult to achieve the purpose of the new Act;

- (ii) capital transactions designated by a public notice based on Article 11, paragraph (1) of the new Order after the effective date.

(Transitional Measures for Penal Provisions)

Article 7 Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

**Supplementary Provisions [Cabinet Order No. 369 of November 20, 1998]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of December 1, 1998.

(Transitional Measures for the Application of Penal Provisions)

Article 30 Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

**Supplementary Provisions [Cabinet Order No. 190 of June 18, 1999]
[Extract]**

(Effective Date)

(1) This Cabinet Order comes into effect as of the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the date set forth in the respective items:

- (i) the provisions amending row 7 of the appended table of the Foreign Exchange Order in Article 1: July 2, 1999.

(Transitional Measures for Penal Provisions)

(2) Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

**Supplementary Provisions [Cabinet Order No. 267 of September 16, 1999]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of October 1, 1999.

**Supplementary Provisions [Cabinet Order No. 272 of September 20, 1999]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of October 1, 1999.

Supplementary Provisions [Cabinet Order No. 424 of December 27, 1999]

This Cabinet Order comes into effect as of March 1, 2000.

**Supplementary Provisions [Cabinet Order No. 307 of June 7, 2000]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of January 6, 2001.

**Supplementary Provisions [Cabinet Order No. 483 of November 17, 2000]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of the effective date (December 1, 2000) of the Act Partially Amending the Securities and Exchange Act and the Financial Futures Trading Act.

Supplementary Provisions [Cabinet Order No. 439 of December 28, 2001]

(Effective Date)

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

(Transitional Measures for Penal Provisions)

(2) Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

Supplementary Provisions [Cabinet Order No. 209 of June 14, 2002]

(Effective Date)

(1) This Cabinet Order comes into effect as of July 15, 2002.

(Transitional Measures for Penal Provisions)

- (2) Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

**Supplementary Provisions [Cabinet Order No. 259 of July 26, 2002]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of the effective date of the Act Partially Amending the Foreign Exchange and Foreign Trade Act (Act No. 34 of 2002; referred to as the "Amending Act" in the following Article).

(Transitional Measures)

Article 2 (1) If, before the Amending Act enters into force, a financial institution or similar entity (meaning a financial institution or similar entity as provided in Article 22-2, paragraph (1) of the Foreign Exchange and Foreign Trade Act amended by the Amending Act (hereinafter referred to as the "new Act" in this Article)) has verified sufficient particulars to identify a customer or equivalent person (meaning a customer or equivalent person as provided in Article 22-2, paragraph (1) of the new Act) pursuant to the provisions of Article 18, paragraph (1) or Article 22-2, paragraph (1) of the new Act, and has created and preserved a record of the verification, any action taken with an identified customer before the entry into force (meaning an action constituting an action that it takes with an identified customer as provided in Article 11-5, paragraph (2) after the amendment, in a case in which the verification in question is deemed to be the verifying of a person's identity (meaning the verifying of a person's identity under Article 18, paragraph (1) and Article 22-2, paragraph (1) of the new Act), the record in question is deemed to be an identity verification record (meaning an identity verification record under Article 18-3, paragraph (1) of the new Act), and the provisions of that paragraph apply) is deemed to be an action taken with an identified customer as prescribed in Article 11-5, paragraph (2) after the amendment.

- (2) The provisions of the preceding paragraph apply mutatis mutandis to the postal service office or a person that engages, in Japan, in money exchange business prescribed in Article 22-3, paragraph (1) of the new Act.

**Supplementary Provisions [Cabinet Order No. 363 of December 6, 2002]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of January 6, 2003.

(Transitional Measures for Penal Provisions)

Article 6 Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

**Supplementary Provisions [Cabinet Order No. 385 of December 18, 2002]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of April 1, 2003.

(Transitional Measures Accompanied with the Partial Amendment of the Foreign Exchange Order)

Article 6 To apply the provisions of Article 11-5, paragraph (2) of the Foreign Exchange Order after the amendment under Article 62 and Article 2 of the Supplementary Provisions of the Cabinet Order on the Partial Amendment of the Foreign Exchange Order (Cabinet Order No. 259 of 2002), actions conducted by the postal service office prior to the effective date are deemed to be actions conducted by the public corporation.

**Supplementary Provisions [Cabinet Order No. 386 of December 18, 2002]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of April 1, 2003.

**Supplementary Provisions [Cabinet Order No. 28 of January 31, 2003]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of the effective date (February 3, 2003) of the Act on the Utilization of Information and Communications Technology in Administrative Procedure.

Supplementary Provisions [Cabinet Order No. 197 of April 2, 2003]

This Cabinet Order comes into effect as of July 1, 2003.

Supplementary Provisions [Cabinet Order No. 518 of December 17, 2003]

(Effective Date)

(1) This Cabinet Order comes into effect as of January 20, 2004.

(Transitional Measures for Penal Provisions)

- (2) Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

**Supplementary Provisions [Cabinet Order No. 9 of January 30, 2004]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of April 1, 2004.

(Transitional Measures for Penal Provisions)

- Article 2 Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

**Supplementary Provisions [Cabinet Order No. 352 of November 10, 2004]
[Extract]**

(Effective Date)

- (1) This Cabinet Order comes into effect as of January 1, 2005.

(Transitional Measures for Penal Provisions)

- (2) Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

**Supplementary Provisions [Cabinet Order No. 425 of December 27, 2004]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of the effective date (December 30, 2004) of the Act Partially Amending the Act on Financial Institutions' Verification of the Identities of Customers.

**Supplementary Provisions [Cabinet Order No. 429 of December 28, 2004]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of the effective date of the Act (December 30, 2004).

Supplementary Provisions [Cabinet Order No. 19 of February 16, 2005]

(Effective Date)

Article 1 This Cabinet Order comes into effect as of April 1, 2005.

(Transitional Measures for the Application of Penal Provisions)

Article 2 Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

**Supplementary Provisions [Cabinet Order No. 206 of June 10, 2005]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of the effective date of the Act Partially Amending the Financial Futures Trading Act (referred to as the "Amending Act" in the following Article and Article 3, paragraph (1) of the Supplementary Provisions) (that day is referred to as the "effective date" in that paragraph).

(Transitional Measures for the Application of Penal Provisions)

Article 4 Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

Supplementary Provisions [Cabinet Order No. 358 of December 2, 2005]

(Effective Date)

(1) This Cabinet Order comes into effect as of January 1, 2006.

(Transitional Measures for Penal Provisions)

(2) Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

Supplementary Provisions [Cabinet Order No. 42 of March 17, 2006]

This Cabinet Order comes into effect as of the effective date of the Companies Act.

Supplementary Provisions [Cabinet Order No. 313 of September 22, 2006]

(Effective Date)

Article 1 This Cabinet Order comes into effect as of January 4, 2007.

(Transitional Measures)

Article 2 If, before this Cabinet Order enters into force, a bank or other prescribed financial institution (meaning a bank or other prescribed financial institution prescribed in Article 16-2 of the Foreign Exchange and Foreign Trade Act (hereinafter referred to as the "Act" in this Article)) has verified the particulars prescribed in the items of Article 18, paragraph (1) of the Act in accordance with the provisions of that paragraph and has created and retained a record of the verification, the verification is deemed to be an identity verification as prescribed in that paragraph, the record is deemed to be an identity verification record as prescribed in Article 18-3, paragraph (1) of the Act, and the provisions of Article 11-5, paragraphs (1) and (2) of the Foreign Exchange Order after the amendment by this Cabinet Order apply.

Supplementary Provisions [Cabinet Order No. 387 of December 20, 2006]

(Effective Date)

(1) This Cabinet Order comes into effect as of June 1, 2007; provided, however, that the provisions amending Article 4, paragraph (1), item (iv) of the Cabinet Order on Export Trade Control in Article 2 (limited to the part which deletes the phrase "or goods to be exported to the regions set forth in Appended Table 4" and the part which revises the phrase "exported" to "exported to the regions other than those set forth in Appended Table 4"), the provisions amending Appended Table 4 of that Cabinet Order, and the provisions amending appended table 7 of that Cabinet Order come into effect as of January 15, 2007.

(Transitional Measures for Penal Provisions)

(2) Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

**Supplementary Provisions [Cabinet Order No. 124 of March 31, 2007]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of April 1, 2007, and applies to the budget of the fiscal year of 2007 and thereafter.

Supplementary Provisions [Cabinet Order No. 207 of July 13, 2007]

This Cabinet Order comes into effect as of the effective date of the Trust Act.

Supplementary Provisions [Cabinet Order No. 233 of August 3, 2007]

[Extract]

(Effective Date)

Article 1 This Cabinet Order comes into effect as of the effective date of the Amending Act.

(Transitional Measures for the Application of Penal Provisions)

Article 64 Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect and to actions that a person takes after this Cabinet Order comes into effect in a situation that prior provisions are to govern pursuant to the provisions of the Supplementary Provisions.

Supplementary Provisions [Cabinet Order No. 20 of February 1, 2008]

[Extract]

(Effective Date)

Article 1 This Cabinet Order comes into effect as of the effective date of the provisions set forth in Article 1, item (i) of the Supplementary Provisions of the Act (March 1, 2008).

Supplementary Provisions [Cabinet Order No. 71 of March 26, 2008]

(Effective Date)

(1) This Cabinet Order comes into effect as of May 15, 2008.

(Transitional Measures for Penal Provisions)

(2) Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

Supplementary Provisions [Cabinet Order No. 180 of May 21, 2008]

[Extract]

(Effective Date)

Article 1 This Cabinet Order comes into effect as of October 1, 2008.

(Transitional Measures for Penal Provisions)

Article 4 Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

Supplementary Provisions [Cabinet Order No. 219 of July 4, 2008]

[Extract]

(Effective Date)

Article 1 This Cabinet Order comes into effect as of the effective date of the Act Partially Amending the Act on the Book-Entry Transfer of Corporate Bonds and Other Acts in Order to Help Rationalize the Settlement of Share Transactions. (hereinafter referred to as the "Amending Act").

Supplementary Provisions [Cabinet Order No. 237 of July 25, 2008]

[Extract]

(Effective Date)

Article 1 This Cabinet Order comes into effect as of October 1, 2008.

Supplementary Provisions [Cabinet Order No. 260 of August 27, 2008]

This Cabinet Order comes into effect as of November 1, 2008.

Supplementary Provisions [Cabinet Order No. 297 of September 19, 2008]

[Extract]

(Effective Date)

Article 1 This Cabinet Order comes into effect as of October 1, 2008.

Supplementary Provisions [Cabinet Order No. 123 of April 22, 2009]

This Cabinet Order comes into effect as of May 12, 2009.

Supplementary Provisions [Cabinet Order No. 213 of August 14, 2009]

(Effective Date)

Article 1 This Cabinet Order comes into effect as of the effective date (November 1, 2009) of the Act Partially Amending the Foreign Exchange and Foreign Trade Act; provided, however, that the provisions in Article 1 amending Article 18, paragraph (1) of the Foreign Exchange Order and the provisions in Article 2 amending Article 10 of the Cabinet Order on Export Trade Control (limited to the part connected with Chapter VI-3) come into effect as of April 1, 2010.

(Transitional Measures for Penal Provisions)

Article 2 Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

Supplementary Provisions [Cabinet Order No. 304 of December 28, 2009]

(Effective Date)

Article 1 This Cabinet Order comes into effect as of April 1, 2010.

(Transitional Measures for Penal Provisions)

Article 2 Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

**Supplementary Provisions [Cabinet Order No. 19 of March 1, 2010]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of the effective date of the Act (April 1, 2010).

Supplementary Provisions [Cabinet Order No. 147 of June 16, 2010]

This Cabinet Order comes into effect as of July 6, 2010.

Supplementary Provisions [Cabinet Order No. 141 of May 18, 2011]

(Effective Date)

Article 1 This Cabinet Order comes into effect as of July 1, 2011.

(Transitional Measures for Penal Provisions)

Article 2 Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

**Supplementary Provisions [Cabinet Order No. 423 of December 26, 2011]
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of April 1, 2012.

Supplementary Provisions [Cabinet Order No. 267 of September 13, 2013]

(Effective Date)

(1) This Cabinet Order comes into effect as of October 15, 2013.

(Transitional Measures for Penal Provisions)

- (2) Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

**Supplementary Provisions [Cabinet Order No. 15 of January 24, 2014]
[Extract]**

(Effective Date)

- (1) This Cabinet Order comes into effect as of the effective date (April 1, 2014) of the Act for the Partial Amendment of the Financial Instruments and Exchange Act.

(Transitional Measures for Penal Provisions)

- (2) Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

**Supplementary Provisions [Cabinet Order No. 312 of November 9, 2018]
[Extract]**

(Effective Date)

- (1) This Cabinet Order comes into effect as of the day on which two months have elapsed from the date of promulgation; provided, however, that the provisions amending Appended Table 2 of the Cabinet Order on Export Trade Control in Article 2 come into effect as of April 1, 2019.

(Transitional Measures for Penal Provisions)

- (2) Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect (or in cases of the amending provisions prescribed in the proviso of the preceding paragraph, before the amending provisions come into effect).

| | Technology | Foreign states |
|---|---|----------------|
| 1 | Technology for the design, manufacture, or use of the goods listed in the middle column of row 1 of Appended Table 1 of the Cabinet Order on Export Trade Control | All regions |
| 2 | (i) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design, manufacture, or use of the goods listed in the middle column of row 2 of Appended Table 1 of the Cabinet Order on Export Trade Control | All regions |
| | (ii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of numerically-controlled equipment | |

| | | |
|-----|---|-------------|
| 3 | (i) Technology for the design, manufacture, or use of the goods listed in row 3 (i) of Appended Table 1 of the Cabinet Order on Export Trade Control | All regions |
| | (ii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design, manufacture, or use of the goods listed in row 3 (ii) or (iii) of Appended Table 1 of the Cabinet Order on Export Trade Control | |
| 3-2 | (i) Technology for the design, manufacture, or use of the goods listed in row 3-2 (i) of aAppended Table 1 of the Cabinet Order on Export Trade Control | All regions |
| | (ii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design, manufacture, or use of the goods listed in row 3-2 (ii) of Appended Table 1 of the Cabinet Order on Export Trade Control | |
| 4 | (i) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design, manufacture, or use of the goods listed in the middle column of row 4 of Appended Table 1 of the Cabinet Order on Export Trade Control | All regions |
| | (ii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design of avionics equipment or its parts (excluding those listed in (i) above) | |
| | (iii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of electronic computers for rockets or unmanned aerial vehicles (excluding those listed in (i) above) | |
| | (iv) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of autoclaves | |
| | (v) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of equipment used in fixing substances generated from the thermal decomposition of gas onto substrates | |
| 5 | (i) Technology specified by Order of the Ministry of Economy, Trade and Industry and used for the design or manufacture of the goods listed in the middle column of row 5 of appended table 1 of the Cabinet Order on Export Trade Control | All regions |
| | (ii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of the goods listed in the middle column of row 5 of Appended Table 1 of the Cabinet Order on Export Trade Control | |

| | | |
|---|---|-------------|
| | (iii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of ceramic powders or ceramics (excluding those listed in (i) above and in the middle column of row 15) | |
| | (iv) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of polybenzothiazole or polybenzoxazole | |
| | (v) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of rubber-like fluorine compounds including vinyl ether monomers | |
| | (vi) Deleted | |
| | (vii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design of composites (excluding those listed in the middle column of row 4) | |
| | (viii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of electric wave absorbers or conductive polymers (excluding those listed in the middle column of row 4) | |
| 6 | (i) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of goods listed in the middle column of row 6 of Appended Table 1 of the Cabinet Order on Export Trade Control | All regions |
| | (ii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of goods listed in the middle column of row 6 of Appended Table 1 of the Cabinet Order on Export Trade Control (excluding those listed in the middle column of row 2) | |
| | (iii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of numerically-controlled equipment or coating equipment (excluding those listed in the middle column of row 2) | |
| | (iv) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or use of metal processing equipment or tools, including molds (excluding those listed in (i) to (iii) above) | |
| | (v) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of hydraulic stretch forming machines and their molds (excluding those listed in (iv) above) | |

| | | |
|---|---|-------------|
| | (vi) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design of auxiliaries for numerically-controlled equipment | |
| 7 | (i) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of goods listed in the middle column of row 7 of Appended Table 1 of the Cabinet Order on Export Trade Control | All regions |
| | (ii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of goods listed in the middle column of row 7 (xvi) of Appended Table 1 of the Cabinet Order on Export Trade Control | |
| | (iii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of integrated circuits (excluding those listed in (i) above and in the middle column of row 4) | |
| | (iv) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacturing of equipment using superconducting materials (excluding those listed in (i) above) | |
| | (v) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of electron tubes or microchips (excluding those listed in (i) above) | |
| 8 | (i) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design, manufacture or use of goods listed in the middle column of row 8 of Appended Table 1 of the Cabinet Order on Export Trade Control (excluding those listed in the middle column of row 4) | All regions |
| | (ii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design, manufacture or use of electronic computers, their auxiliaries, or parts of those computers or auxiliaries (excluding those listed in (i) above and in the middle column of row 4) | |
| 9 | (i) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design, manufacture or use of goods listed in the middle column of row 9 of Appended Table 1 of the Cabinet Order on Export Trade Control | All regions |

| | | |
|----|--|-------------|
| | (ii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design, manufacture or use of goods listed in the middle column of row 9 (i) to (iii) or (v) to (vi) of Appended Table 1 of the Cabinet Order on Export Trade Control (excluding those listed in (i) above and in the middle column of row 15) | |
| | (iii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of micro wave integrated circuits designed for communications (excluding those listed in the middle column of row 7) | |
| | (iv) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of communication equipment using superconducting materials (excluding those listed in the middle column of row 7) | |
| 10 | (i) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of goods listed in the middle column of row 10 of Appended Table 1 of the Cabinet Order on Export Trade Control | All regions |
| | (ii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of goods listed in row 10 (ii) or (iv) to (xi) of Appended Table 1 of the Cabinet Order on Export Trade Control (excluding those listed in the middle columns of rows 2 and 15) | |
| | (iii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the manufacturing of optical components (excluding those listed in (i) above) | |
| | (iv) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design, manufacturing or use of test equipment for laser oscillators (excluding those listed in (i) above) | |
| | (v) Deleted | |
| | (vi) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of radomes (excluding those listed in the middle column of row 4) | |
| | (vii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design, manufacture, or use of equipment used in the testing of resistance of materials against laser beam or targets used in it | |

| | | |
|----|---|-------------|
| 11 | (i) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of goods listed in the middle column of row 11 of Appended Table 1 of the Cabinet Order on Export Trade Control | All regions |
| | (ii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of goods listed in rows 11 (i) to (iv)-2 of Appended Table 1 of the Cabinet Order on Export Trade Control (excluding those listed in the middle column of row 15) | |
| | (iii) Deleted | |
| | (iv) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design, manufacture, or use of avionics equipment (excluding those listed in the middle column of row 4) | |
| 12 | (i) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of goods listed in the middle column of row 12 of Appended Table 1 of the Cabinet Order on Export Trade Control | All regions |
| | (ii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of goods listed in the middle column of row 12 of Appended Table 1 of the Cabinet Order on Export Trade Control | |
| | (iii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design, manufacture, or use of propellers (excluding those listed in (i) and (ii) above and in the middle column of row 15) | |
| 13 | (i) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of goods listed in the middle column of row 13 of appended table 1 of the Export Trade Control Order (excluding those listed in the middle column of row 15) | All regions |
| | (ii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of goods listed in the middle column of row 13 of Appended Table 1 of the Cabinet Order on Export Trade Control (excluding those listed in the middle column of row 4) | |
| | (iii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design, manufacture, or use of gas turbine engines or their parts (excluding those listed in (i) and (ii) above and in the middle column of row 15) | |

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| | (iv) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacturing of aircraft or its parts (excluding those listed in (i) above and in the middle column of row 1) | |
| | (v) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacturing of diesel engines or their parts (excluding those listed in the middle column of row 14) | |
| 14 | Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design, manufacture, or use of goods listed in the middle column of row 14 of Appended Table 1 of the Cabinet Order on Export Trade Control | All regions |
| 15 | (i) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of goods listed in the middle column of row 15 of Appended Table 1 of the Cabinet Order on Export Trade Control | All regions |
| | (ii) Deleted | |
| | (iii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of underwater detectors utilizing acoustic waves | |
| | (iv) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of inertial navigators or other equipment utilizing inertial forces | |
| | (v) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of gyro-astro compasses, or devices that derive position or orientation by means of automatically tracking celestial bodies or satellites | |
| | (v)-2 Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of a sound navigation and ranging (SONAR) system (excluding those listed in (iii) above) | |
| | (vi) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacturing of parts of gas turbine engines | |
| 16 | Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design, manufacture, or use of goods classified into Classes 25 to 40, 54 to 59, 63, 68 to 93, or 95 of the Appendix of the Customs Tariff Act (Act No. 54 of 1910) (excluding those listed in the middle columns of rows 1 to 15) | All regions (excluding the regions listed in Appended Table 3 of the Cabinet Order on Export Trade Control) |