

Act on Control and Improvement of Amusement Business

(Act No. 122 of July 10, 1948)

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Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is to regulate the business hours and business areas, etc. concerning amusement businesses and sex-related businesses, etc. and to regulate the entrance of youths to such places of business, etc. , for the purpose of maintaining public morals and wholesome social environment and preventing acts that hamper the sound development of youths, and also to provide measures to promote the proper operation of such businesses in order to contribute to improving the propriety of amusement businesses, etc..

(Definitions)

Article 2 (1) The term "amusement business" as used in this Act means business falling under one of the following items:

- (i) business which runs cabarets, machiai (meaning "waiting rooms"), restaurants, cafes or other facilities and entertains the customers by providing amusement or serving food and drink;
 - (ii) business which runs coffee shops, bars or other facilities and serves the customers food and drink, and in which the lighting in the place of business is not brighter than ten lux when measured in a manner specified by Rules of the National Public Safety Commission (excluding the businesses defined in the preceding item);
 - (iii) business which runs coffee shops, bars or other facilities and serves the customers food and drink, has facilities whose insides cannot be easily seen from outside and that are not more than five square meters in size;
 - (iv) business which runs mah-jong houses, pachinko parlors or other facilities, and allow the customers to play games that are likely to stimulate customers' desire for gains by chance;
 - (v) business which allow the customers to play with slot machines, video game machines or other game machines which can be used for purposes other than their original purposes and, when used in such ways, are likely to stimulate customer's desire for gains by chance (only the machines specified by Rules of the National Public Safety Commission) in stores and other similar facilities (excluding the facilities used for hotel businesses and other businesses which are specified by Cabinet Order) (excluding the businesses defined in the preceding item).
- (2) The term "a person that runs an amusement business" as used in this Act means a person that runs an amusement business with the license provided for in paragraph (1) of the following Article or the approval provided for in Article 7, paragraph (1), Article 7-2, paragraph (1) or Article 7-3, paragraph (1).
- (3) The term "entertaining customers" as used in this Act means to treat customers in a manner that creates an amusing atmosphere.

- (4) The term "entertaining and food and drink-serving business" as used in this Act means a business falling under either of items (i) through (iii) of paragraph (1).
- (5) The term "sex-related business" as used in this Act means store based sex-related business, non-store based sex-related business, image distribution based sex-related business, store based telephone dating business and non-store based telephone dating business.
- (6) The term "store based sex-related business" as used in this Act means a business falling under either of the following items:
- (i) business which runs private rooms as part of its bathhouse business (meaning the business which runs public bathhouses specified by Article 1, paragraph (1) of the Public Bath Houses Act (Act No. 139 of 1948)) and provides services in which its employees provide physical contact with the customers of the opposite sex;
 - (ii) business which runs private rooms and provides physical contact to the customers of the opposite sex according to sexual interests of the customers in the rooms (excluding the businesses defined in the preceding item);
 - (iii) business which runs entertainment places (meaning the places specified by Article 1, paragraph (1) of the Entertainment Places Act (Act No. 137 of 1948)) specified by Cabinet Order to be mainly used to show the bodies of persons who have removed their clothing to stimulate sexual interest of the customers or used for other kinds of shows that produce extremely unfavorable effects on public morals or the sound development of youths;
 - (iv) business which runs accommodation facilities specified by Cabinet Order to be mainly used to accommodate (including rest: the same hereinafter in this Article) customers accompanied by the members of the opposite sex for the stay (only the accommodation facilities which have private rooms with structures or equipment specified by Cabinet Order) and allow the customers to use such facilities for such purposes;
 - (v) business which runs shops and mainly sells or rents photographs, video tapes or other products specified by Cabinet Order which stimulate sexual interest;
 - (vi) beyond what is set forth in the preceding items, store based businesses specified by Cabinet Order that are related to sex and which produce extremely unfavorable effects on public morals, a wholesome social environment or sound development of youths.
- (7) The term "non-store based sex-related business" as used in this Act means a business falling under either of the following items:
- (i) business which provides physical contact to the customers of the opposite sex according to sexual interest of the customers in their homes or accommodation facilities by dispatching persons in response to requests by

- the customers;
- (ii) business which mainly sells or rents products specified by Cabinet Order under item (v) of the preceding paragraph via delivery of the products in response to requests by customers by telephone or other methods specified by Rules of the National Public Safety Commission.
- (8) The term "image distribution based sex-related business" as used in this Act means a business which mainly shows sexual acts or the bodies of persons who have removed their clothing to stimulate sexual interest to the customers via telecommunication facilities (excluding one that constitutes a broadcast or cablecast).
- (9) The term "store based telephone introduction business" as used in this Act means a business which runs a store specializing in introducing persons of the opposite sex by offering opportunities to have conversations (including exchange of oral messages; the same hereinafter) with persons of the opposite sex to the persons wishing to date (including conversation; the same hereinafter) strangers to temporarily satisfy sexual interest, and which serves as a go-between for requests from persons by telephone to other persons via telecommunication facilities (including the cases when the persons engage in the business).
- (10) The term "non-store based telephone introduction business" as used in this Act means a business which mainly introduces persons of the opposite sex by offering opportunities to have conversations with persons of the opposite sex to the persons wishing to date a stranger to temporarily satisfy sexual interest, and which serves as a go-between for requests from persons by telephone to other persons via telecommunication facilities (including the cases when the persons engage in the business, and excluding the businesses defined in the preceding paragraph).
- (11) The term "specified amusement-providing and food and drink-serving business" as used in this Act means a business which runs nightclubs or other facilities and serves the customers food and drink while entertaining them (limited to businesses which provide alcoholic beverage to customers), excluding businesses which only operate in the period starting after 6 a.m. and ending before 0 a.m. of the following day (excluding those falling under amusement business).
- (12) The term "a person that runs a specified amusement-providing and food and drink-serving business" as used in this Act means a person that runs a specified amusement-providing and food and drink-serving business with the license provided for in Article 31-22 or the approval provided for in Article 7, paragraph (1) which is applied mutatis mutandis in Article 31-23, Article 7-2, paragraph (1) or Article 7-3, paragraph (1).
- (13) The term "customers service entrusted business" as used in this Act means a

business partially entrusted by the following business operators to serve the customers in the place of business (including the cases when the persons partially engaging in the businesses engage in the businesses under the instruction of the entrusted persons and the business operators):

- (i) entertaining and food and drink-serving business;
- (ii) store-based sex-related business;
- (iii) specified amusement-providing and food and drink-serving business;
- (iv) restaurant businesses (meaning a business which runs a facility and serves the customers food and drink with a license provided for in Article 52, paragraph (1) of the Food Sanitation Act (Act No. 233 of 1947), and excluding one that constitutes a business set forth in the preceding three items; the same hereinafter) which provide alcoholic beverage to customers in bars or pubs (excluding businesses which usually provide meals; hereinafter referred to as "restaurant business providing alcoholic beverage"), excluding businesses which only operate in the period starting after 6 a.m. and ending before 0 a.m. of the following day.

Chapter II License for Amusement Businesses

(Business License)

- Article 3 (1) A person intending to run an amusement business must be licensed for each place of business, in accordance with the classification of amusement businesses (meaning the classification specified by items of paragraph (1) of the preceding Article; the same hereinafter) by the prefectural public safety commission (hereinafter referred to as "the public safety commission") which exercises jurisdiction over the area in which the place of business is located.
- (2) When deemed necessary to prevent acts which damage public morals or a wholesome social environment, or acts which hamper the sound development of youths, to the extent of the necessity, the public safety commission may impose conditions on or make changes to the license provided for in preceding paragraph.

(Standards of License)

- Article 4 (1) If a person intending to obtain a license under the provisions of paragraph (1) of the preceding Article falls under any of the following items, the public safety commission must not license the person:
- (i) a person that is subject to a decision on the commencement of bankruptcy proceedings and has not had their rights restored;
 - (ii) any person that has been sentenced to imprisonment or imprisonment without work for not less than one year, or that has committed either of the following crimes and consequently has been sentenced to imprisonment for

not more than one year or a fine, and five years have not elapsed after the person finished serving the sentence or ceased to be subject to its enforcement;

- (a) the crimes prescribed in Article 49 or Article 50, paragraph (1);
- (b) the crimes prescribed in Article 174, Article 175, Article 182, Article 185, Article 186, Article 224, Article 225 (limited to kidnapping for the purpose of profit or indecency; the same hereinafter in this item), Article 226, Article 226-2 (limited to the part pertaining to the crimes committed for the purpose of profit or indecency in case of paragraph (3); the same hereinafter in this item), Article 226-3, Article 227, paragraph (1) (limited to the part involving crimes committed for the purpose of aiding another that has committed the crimes prescribed under Article 224, Article 225, Article 226, Article 226-2 or Article 226-3 of the same Act; the same hereinafter in this item) or paragraph (3) (limited to the part involving crimes committed for the purpose of profit or indecency; the same hereinafter in this item) or Article 228 (limited to the part involving Article 224, Article 225, Article 226, Article 226-2, Article 226-3 or Article 227, paragraph (1) or paragraph (3)) of the Penal Code (Act No. 45 of 1907);
- (c) the crimes prescribed under Article 3, paragraph (1) (limited to the part involving item (v) or item (vi)) or Article 6 (limited to the part involving paragraph(1), item (ii)) of the Act on Punishment of Organized Crimes and Control of Crime Proceeds (Act No. 136 of 1999);
- (d) the crimes prescribed under Chapter II of the Anti-Prostitution Act (Act No. 118 of 1956);
- (e) the crimes prescribed under Article 4 through Article 8 of the Act on Regulation and Punishment of Acts Relating to Child Prostitution and Child Pornography, and the Protection of Children (Act No. 52 of 1999);
- (f) the crimes prescribed under Article 117, Article 118, paragraph (1)(limited to the part involving Article 6 or Article 56 of the same Act) or Article 119, item (i) (limited to the part involving Article 61 or Article 62 of the same Act) of the Labor Standards Act (Act No. 49 of 1947) (including the cases where applied mutatis mutandis pursuant to the provisions of the Mariners' Employment Security Act (Act No. 120 of 1948) or Act for Securing the Proper Operation of Worker Dispatching Business and Protecting Dispatched Workers (Act No. 88 of 1985));
- (g) the crimes prescribed under Article 129 (limited to the part involving Article 85, paragraph (1) or paragraph (2) of the same Act) or Article 130 (limited to the part involving Article 86, paragraph (1) of the same Act) of the Mariners Act (Act No. 100 of 1947) (including the cases where applied mutatis mutandis pursuant to the provisions of the Mariners' Employment Security Act);

- (h) the crimes prescribed under Article 63 of the Employment Security Act (Act No. 141 of 1947);
- (i) the crimes prescribed under Article 60, paragraph (1) or paragraph (2) (limited to the part involving Article 34, paragraph (1), item (iv-iii), item (v), item (vii) or item (ix) of the same Act) of the Child Welfare Act (Act No. 164 of 1947);
- (j) the crimes prescribed under Article 111 of the Mariners' Employment Security Act;
- (k) the crimes prescribed under Article 73-2, paragraph (1) of the Immigration Control and Refugee Recognition Act (Cabinet Order No. 319 of 1951);
- (l) the crimes prescribed under Article 58 of the Act for Securing the Proper Operation of Worker Dispatching Business and Protecting of Dispatched Workers;
- (m) the crimes prescribed under Article 108 of the Act on the Appropriate Implementation of Technical Intern Training for Foreign Nationals, and Protection of Technical Intern Trainees (Act No. 89 of 2016).
- (iii) any person that has reasonable grounds for engaging concertedly or regularly in violent unlawful activities or other illegal activities constituting a crime specified by Rules of the National Public Safety Commission;
- (iv) a person that is addicted to alcohol, narcotics, cannabis, opium, or stimulants;
- (v) any person specified by Rules of the National Public Safety Commission as a person that cannot accurately perform work in amusement businesses due to mental or physical disorder;
- (vi) any person whose license has been rescinded pursuant to the provisions of Article 26, paragraph (1), and for which five years have not lapsed from the date of relevant rescission (when the person whose license has been rescinded is a corporation, those persons that were the officers of the corporation (including members that execute business operations, directors, executive officers or any other person equivalent persons thereto, and also including those that were found to have the same or a higher level of authority over the corporation, etc. as members that execute business operations, directors, executive officers, irrespective of whether their job titles are those such as adviser or consultant; the same applies hereinafter in this paragraph) within 60 days prior to the date of the public notice of the date and location of the hearing regarding the rescission and for which five years have not lapsed from the date of rescission is included);
- (vii) any person that has returned the license under the provisions of Article 10, paragraph (1), item (i) during the period between the date of public notice of the date and location of the hearing regarding the rescission under the

- provisions of Article 26, paragraph (1) and the date of rescission or rendering a decision not to rescind (excluding a person that has reasonable grounds for discontinuing amusement business) and for which 5 years have not lapsed from the date of return of the license;
- (viii) any person that was an officer of the corporation which has become extinct because of a merger within the period specified by the preceding item or has returned the license under the provisions of Article 10, paragraph (1), item (i) (excluding a person that has reasonable grounds for merging or discontinuing amusement business) within 60 days prior to the date of the public notice under the preceding item and for which 5 years have not lapsed from the date of extinction or return;
 - (ix) any corporation which succeeds to the amusement business related to the hearing under the same item through split within the period specified by item (vii), or succeeded to the other amusement business through split (excluding a corporation which has reasonable grounds for split) or any person that was the officer of the corporation within 60 days prior to the date of the public notice under the same item and for which 5 years have not lapsed from the date of split;
 - (x) any minor that does not have legal capacity equivalent to an adult in connection with business; unless the person is the successor of the amusement business, whose legal representative does not fall under any of the preceding items and the following item;
 - (xi) any corporation for which any of its officers is a person that falls under any of the items (i) through (ix).
- (2) The public safety commission must not grant the license in paragraph (1) of the preceding Article to a place of business which falls under any of the following items:
- (i) when the structure or equipment of the place of business (excluding game machines specified by paragraph (4); the same in Article 9, Article 10-2, paragraph (2), item (iii), Article 12 and Article 39, paragraph (2), item (vii)) does not conform to the technical standards specified by Rules of the National Public Safety Commission in accordance with the classification of amusement businesses;
 - (ii) when the place of business is located in a district as specified by a Prefectural Ordinance according to the standards specified by Cabinet Order as one for which it is particularly necessary to restrict the establishment of the place of business for the purpose of maintaining public morals;
 - (iii) when there are reasonable grounds for not allowing the place of business to appoint an administrator mentioned in Article 24, paragraph (1).
- (3) When a person discontinues amusement business which the person operated with the license provided for in paragraph (1) of the preceding Article or the

approval provided for in Article 7, paragraph (1), Article 7-2, paragraph (1) or Article 7-3, paragraph (1) because the place of business has been destroyed due to a fire, earthquake or some other cause specified by Cabinet Order not attributable to that person, and intends to obtain a license provided for in paragraph (1) of the preceding article for the same classification of amusement businesses located in a district as specified in item (ii) of the preceding paragraph, the public safety commission may grant the license to an application which falls under any of the following items notwithstanding item (ii) of the preceding paragraph:

- (i) when the application has been made within five years from the date of discontinuation of the amusement business;
 - (ii) when it falls under either of the following.
 - (a) the location of the destructed place of business was in a district as specified by item (ii) of the preceding paragraph before its destruction;
 - (b) the location of the destructed place of business is in a district as specified by item (ii) of the preceding paragraph after its destruction;
 - (iii) when the application has been filed for a place of business in almost the same location as the destructed place of business;
 - (iv) when the application has been filed for a place of business which has almost the same area as the destructed place of business office.
- (4) When the game machine equipped in the place of business provided for Article 2, paragraph (1), item (iv), is likely to significantly appeal to customers' desire to win according to the standards specified by Rules of the National Public Safety Commission (limited to pachinko parlors or other businesses specified by Cabinet Order), the public safety commission has the option not to grant the license.

(Procedure for License and License)

Article 5 (1) Any person that intends to obtain a license in accordance with the provisions of Article 3, paragraph (1) must submit an application stating the following matters to the public safety commission. In this case, the application must be accompanied by the documents stating the business operation or other documents specified by Cabinet Office Order:

- (i) the name and address, and in case of corporation, the name of representative;
- (ii) the name and the location of the place of business;
- (iii) the classification of amusement business;
- (iv) the outline of the structure and equipment of the place of business ;
- (v) the name and address of its administrator provided for in Article 24, paragraph (1);
- (vi) in the case of a corporation, the name and address of its officers.

- (2) When the public safety commission has granted the license in accordance with the provisions of Article 3, paragraph (1), as specified by Rules of the National Public Safety Commission, it must issue a license.
- (3) When the public safety commission has not granted the license in accordance with the provisions of Article 3, paragraph (1), as specified by Rules of the National Public Safety Commission, it must notify the applicant.
- (4) If a license holder has lost or damaged the license, the person must report it immediately to the public safety commission and have it reissued.

(Obligation to Post License)

Article 6 A person that runs an amusement business must post the license (for a person that runs an amusement business accredited pursuant to Article 10-2, paragraph (1), the accreditation provided for in paragraph (3) of the same article) in a place where it is easily seen in the place of business.

(Inheritance)

- Article 7 (1) If a person that runs an amusement business has died and the person's heir (if there are two or more heirs and they agree to select one of them as the heir of the amusement business, such a person; the same hereinafter) intends to take over the business, as specified by the Rules of the National Public Safety Commission, the heir must apply to the public safety commission for approval within 60 days from the date of the person's decedent's death.
- (2) If an heir has applied for the approval provided for in the preceding paragraph, the license for amusement business granted to the decedent is considered as granted to the heir from the day of the decedent's death to the day when such an application is approved or the heir is notified that such application is rejected.
 - (3) The provisions of Article 4, paragraph (1) apply mutatis mutandis to the heirs that apply for the approval provided for in paragraph (1).
 - (4) An heir that has obtained the approval provided for in paragraph (1) succeeds to the decedent's status concerning the amusement business.
 - (5) In obtaining the approval provided for in paragraph (1), the heir that applied for the approval must submit without delay the license issued to the person's decedent to the public safety commission to replace the license.
 - (6) In receiving notification of rejection provided for in paragraph (1), the person specified by the preceding paragraph must return without delay the license issued to the person's decedent to the public safety commission.

(Merger of Corporations)

Article 7-2 (1) If a corporation that runs an amusement business becomes extinct

by a merger, when the prior approval of the public safety commission has been obtained for the merger as specified by Rules of the National Public Safety Commission, the corporation surviving the merger or the corporation established by the merger succeeds to the status of the corporation that had run an amusement business.

- (2) The provisions of Article 4, paragraph (1) apply mutatis mutandis to the approval under the preceding paragraph. In this case, the term "a person intending to obtain a license under the provisions of paragraph (1) of the preceding Article" in paragraph (1) of the same Article is deemed to be replaced with "a corporation intending to obtain a license under the provisions of Article 7-2, paragraph (1)".
- (3) The provisions of paragraph (5) of the preceding Article apply mutatis mutandis to the corporation intending to apply for approval under the provisions of paragraph (1). In this case, the term "decedent" in paragraph (5) of the same Article is deemed to be replaced with "corporation which becomes extinct because of a merger".

(Split of a Corporation)

Article 7-3 (1) If a corporation that runs an amusement business has its business succeeded by a split, when the prior approval of the public safety commission has been obtained for the split specified by Rules of the National Public Safety Commission, the corporation that succeeded the business by a split succeeds to the status of the corporation that had run the amusement business.

- (2) The provisions of Article 4, paragraph (1) apply mutatis mutandis to the approval under the preceding paragraph. In this case, the term "a person intending to obtain a license under the provisions of paragraph (1) of the preceding Article" in paragraph (1) of the same Article is deemed to be replaced with "a corporation intending to apply for approval under the provisions of Article 7-3, paragraph (1)".
- (3) The provisions of Article 7, paragraph (5) apply mutatis mutandis to the corporation intending to apply for approval under the provisions of paragraph (1). In this case, the term "decedent" in paragraph (5) of the same Article is deemed to be replaced with "split corporation".

(Rescission of License)

Article 8 The public safety commission may rescind the license if any of the following facts are found regarding the person that has been granted a license in accordance with the provisions of Article 3, paragraph (1) (including the persons that have been granted a license in accordance with the provisions of Article 7, paragraph (1), Article 7-2, paragraph (1) or paragraph (1) of the preceding Article; the same in Article 11):

- (i) the person obtained a license or approval by deceit or other wrongful means;
- (ii) the person falls under any of the items of Article 4, paragraph (1);
- (iii) the person, without justifiable grounds, has not commenced business within six months after obtaining the license, or has continuously suspended business for six or more months and is not currently running the business;
- (iv) the person has been missing for more than three months.

(Change of Structure and Equipment)

Article 9 (1) When a person that runs an amusement business intends to make a change (excluding minor changes specified by Cabinet Office Order; the same in paragraph (5)) to the structure or equipment of the place of business by constructing an extension, or conducting reconstruction or any other measure, as specified by Rules of the National Public Safety Commission, the person must apply in advance for approval of the public safety commission.

(2) When the structure or equipment of the place of business for which the application for approval under the preceding paragraph has been submitted conform to the technical standards under Article 4, paragraph (2), item (i) and the conditions imposed by the public safety commission pursuant to Article 3, paragraph (2), the public safety commission must grant the approval provided for in the preceding paragraph.

(3) When a person that runs an amusement business falls under any of the following items, the person must submit a notification stating the matters specified by Cabinet Office Order to the public safety commission. In this case, the notification must be accompanied by the documents specified by Cabinet Office Order:

- (i) when there has been a change in any of the items of Article 5, paragraph (1) (excluding item (iii) and item (iv)) (with regard to the matters set forth in item (ii) of the same paragraph, only the name of the place of business);
- (ii) when the person has made a minor change under paragraph (1) to the structure or equipment of the place of business.

(4) When a notification is submitted pursuant to item (i) of the preceding paragraph, and the matters fall under the matters to be stated in the license, the license must be replaced.

(5) The provisions of paragraph (1) do not apply to the case when a person that runs an amusement business accredited pursuant to Article 10-2, paragraph (1) intends to make a change to the structure or equipment of the place of business. In this case, the person that runs an amusement business must submit a notification with the matters specified by Cabinet Office Order along with the documents specified by Cabinet Office Order to the public safety commission.

(Return of License)

Article 10 (1) When the person that has been granted a license falls under any of the following items, the person must return, without delay, the license (In case of item (iii), the found or recovered license) to the public safety commission:

- (i) in the case where the person discontinued the amusement business (excluding the case where the person has been granted approval for amusement business pursuant to Article 7-3, paragraph (1));
 - (ii) in the case where the license was rescinded;
 - (iii) in the case where the lost license was found or recovered after the license was reissued.
- (2) When the license has been returned under the provisions of item (i) of the preceding paragraph, the license becomes invalid.
- (3) If the person that has been granted the license falls under any of the following items, the person set forth in the respective items must return the license to the public safety commission without delay:
- (i) in case of death (limited to the cases where the heir has not applied for approval pursuant to Article 7, paragraph (1)), the relatives that lived with the person or the person's legal representative;
 - (ii) in case that a corporation is dissolved for reasons other than a merger, the liquidator or bankruptcy trustee;
 - (iii) in case that a corporation becomes extinct because of a merger (limited to the cases where approval has not been granted pursuant to Article 7-2, paragraph (1) to the corporation surviving the merger or the corporation established by the merger before its extinction), the representative of the corporation surviving the merger or the corporation established by the merger.

(Accreditation of Specially treated Person that Runs an Amusement Business)

Article 10-2 (1) The public safety commission may accredit the persons that satisfy all of the following items as persons that run an amusement business for which special provisions should be established with regard to the application referred to in Article 6 and Article 9, paragraph (1) upon application:

- (i) more than 10 years have elapsed since license for amusement business was granted (with regard to amusement businesses approved pursuant to paragraph Article 7, (1), Article 7-2, paragraph (1) or Article 7-3, paragraph (1), the approval);
- (ii) dispositions based on this Act have not been made within the past 10 years (including instructions; the same hereinafter), and there are currently no grounds for such disposition;
- (iii) beyond those matters set forth in the preceding two items, persons with an

- exemplary record of observing laws and regulations concerning the amusement business and the Ordinances based on this Act that satisfy the standards specified by Rules of the National Public Safety Commission.
- (2) Any person that intends to obtain an accreditation in accordance with the provisions of the preceding paragraph must submit an application for accreditation with the following information to the public safety commission. In this case, the application for accreditation must be accompanied by the documents specified by Cabinet Office Order:
- (i) the name and address, and in the case of a corporation, the name of the representative;
 - (ii) the name and the location of the place of business;
 - (iii) the outline of the structure and equipment of the place of business.
- (3) When the public safety commission has granted the accreditation in accordance with the provisions of paragraph (1), it must issue an accreditation specified by Rules of the National Public Safety Commission.
- (4) When the public safety commission has not granted the accreditation in accordance with the provisions of paragraph (1), as specified by Rules of the National Public Safety Commission, it must notify the applicant.
- (5) When an accreditation holder has lost or damaged the accreditation, the person must report it immediately to the public safety commission and have it reissued.
- (6) The public safety commission must rescind the accreditation when any of the following facts are found regarding the person that has been certified in accordance with the provisions of paragraph (1):
- (i) the person was accredited by deceit or wrongful means;
 - (ii) the license for amusement business was rescinded;
 - (iii) dispositions based on this Act have been made;
 - (iv) the person no longer falls under item (iii) of paragraph (1).
- (7) When the person that has been granted an accreditation falls under any of the following items, the person must return, without delay, the accreditation (In case of item (iii), the found or recovered accreditation) to the public safety commission:
- (i) in the case that the person discontinued the amusement business;
 - (ii) in the case that the accreditation was rescinded;
 - (iii) in the case that the lost accreditation was found or recovered after the accreditation was reissued.
- (8) When the accreditation has been returned under the provisions of item (i) of the preceding paragraph, the accreditation becomes invalid.
- (9) If the person that has been granted the accreditation falls under any of the following items, the person set forth in the item must return the accreditation to the public safety commission without delay:

- (i) in the case of death, the relatives that lived with the person or the person's legal representative;
- (ii) in the case that a corporation is dissolved for reasons other than a merger, the liquidator or bankruptcy trustee;
- (iii) in the case that a corporation becomes extinct because of a merger, the representative of the corporation surviving the merger or the corporation established by the merger.

(Prohibition of Name Lending)

Article 11 No person that has obtained a license in accordance with the provisions of Article 3, paragraph (1) may allow another person to run the amusement business under the person's name.

Chapter III Matters to be Observed by a Person that Runs an Amusement Business

(Maintenance of Structure and Facilities)

Article 12 A person that runs an amusement business must maintain the structure and equipment of the place of business in manner that conforms to the technical standards under Article 4, paragraph (2), item (i).

(Restriction on Business Hours)

Article 13 (1) A person that runs an amusement business must not operate the business during late-night hours (between 0 a.m. and 6 a.m.; the same hereinafter); provided, however, that the person may operate the business until the time specified by a Prefectural Ordinance after 0 a.m. according to the classification of days set forth in the following items, limited to the specified areas, if special provisions are specified by the Ordinance.

- (i) on the days which are specified by a Prefectural Ordinance as days for special circumstances such as customary events, the areas which are specified by the Ordinance as such special areas;
- (ii) on the days other than those set forth in the preceding item, the areas which are specified by Prefectural Ordinance as special areas where amusement business may be operated after 0 a.m. according to the standards specified by Cabinet Order.

(2) Beyond the provisions under the preceding paragraph, if it is necessary to prevent acts which damage public morals or a wholesome social environment, or hamper the sound development of youth, the Prefectures may limit the business hours of amusement business in specific areas by Ordinance specified by the standards specified by Cabinet Order.

(3) In the case specified by the proviso to paragraph (1), when a person that runs

an amusement business operates business after 0 a.m. until the time specified by the Ordinance referred to in the proviso to the same paragraph, as specified by Rules of the National Public Safety Commission the person must take the necessary measures to prevent customers from speaking loudly or generating excessive noise, or drunk customers from acting vulgarly or making rude or outrageous statements or causing trouble to others in the vicinity of the place of business .

(4) In the case referred to in the proviso to paragraph (1), when a person that runs an amusement business operates business after 0 a.m. until the time specified by Ordinance specified by the proviso to the same paragraph, the person must keep books to record necessary matters and endeavor to process complaints appropriately as specified by Rules of the National Public Safety Commission.

(Restriction on Illumination)

Article 14 A person that runs an amusement business must not operate the business by reducing the illumination level in the place of business that is measured as specified by Rules of the National Public Safety Commission according to the classification of amusement business below a value specified thereby.

(Restriction on Noise and Vibration)

Article 15 As specified by Cabinet Order, a person that runs an amusement business must operate business without generating noise or causing vibration whose levels are higher than the levels specified by Prefectural Ordinance (limited to the levels of human voice, noise and vibration caused by the business operation) in the vicinity of the place of business.

(Restriction on Advertisement and promotion)

Article 16 A person that runs an amusement business must not advertise or promote the business in a manner that damages the wholesome social environment in the vicinity of the place of business.

(Indication of Charges)

Article 17 As specified by Rules of the National Public Safety Commission, for the service categories specified by Rules of the National Public Safety Commission, a person that runs an amusement business must post a list of charges in a place in the place of business easily seen by the customers.

(Indication of Prohibition on Entry of Youths)

Article 18 A person that runs an amusement business must post a notice at the

entrance of the place of business which indicates that a person under the age of 18 must not enter the place of business (with regard to the place of business under Article 2, paragraph (1), item (v), entry after 10 p.m. is prohibited (in the case where entry of a person under the age of 18 after 6 a.m. and before 10 p.m. is prohibited or limited by Prefectural Ordinance pursuant to the provisions of Article 22, paragraph (2), a notice that shows that entry after 10 p.m. is prohibited and displays other prohibited or restricted matters)), as specified by Rules of the National Public Safety Commission.

(Restriction on Acts of Restraint against Persons Serving Customers)

Article 18-2 (1) A person that runs an amusement business of entertaining and food and drink-serving business must not commit any of the following acts:

(i) impose unreasonably large amount of debts in light of the ability to pay (including all or part of which is to be invalid pursuant to the Interest Rate Restriction Act (Act No. 100 of 1954) and other laws and regulations; the same hereinafter) on persons serving customers in the place of business (hereinafter referred to as "persons serving customers") on the condition that the person pays the remaining debts in full immediately when the person no longer is a person serving customers;

(ii) keep passport, etc. (passport under Article 2, item (v) of the Immigration Control and Refugee Recognition Act, driver's license under Article 92, paragraph (1) of the Road Traffic Act (Act No. 105 of 1960) or other documents that recruiting employers usually request job applicants to present for identity confirmation specified by Cabinet Order; the same hereinafter) of persons serving customers on whom an unreasonably large amount of debts was imposed in light of the ability to pay, or have a third party retain them.

(2) When customers service entrusted business operators are suspected of committing an act in violation of Article 35-3 or illegal act in violation of Article 9, Article 10 or Article 12 of the Anti-Prostitution Act, a person that runs an amusement business of entertaining and food and drink-serving business must take necessary measures to prevent the employees or other workers of customers service entrusted business operators that are the other parties in the violation from serving customers in the place of business.

(Restriction on Game Charges)

Article 19 A person that runs an amusement business under Article 2, paragraph (1), item (iv) must operate business according to the standards concerning game charges, ways to present prizes and the maximum price of the prizes (with regard to amusement business operators that run mah-jongg houses, game charges) specified by Rules of the National Public Safety

Commission.

(Restriction and Accreditation of Game Machines)

Article 20 (1) A person that runs an amusement business specified by Article 4, paragraph (4) must not install a game machine in the place of business which is likely to excessively appeal to customers' desire to win according to the standards specified by Rules of the National Public Safety Commission under the same paragraph .

(2) A person that runs an amusement business in the preceding paragraph is able to receive a determination by the public safety commission to the effect that the machines in the place of business do not meet the standards under the same paragraph, as specified by Rules of the National Public Safety Commission.

(3) The National Public Safety Commission may specify the technical standards necessary for the accreditation by the public safety commission provided for under the preceding paragraph concerning the models of game machines specified by Cabinet Order pursuant to Rules of the National Public Safety Commission.

(4) When the standards under the preceding paragraph have been established, a game machine manufacturer (including manufacturers abroad that export machines to Japan) or importer may request the public safety commission to inspect the manufactured or imported machines to see if the models conform to the technical standards under the same paragraph.

(5) The public safety commission may allow a general incorporated association or general incorporated foundation designated by the National Public Safety Commission as an organization which can conduct the affairs necessary for accreditation under paragraph (2) or testing under the preceding paragraph (hereinafter referred to as "testing affairs") appropriately and reliably (hereinafter referred to as "designated testing organization") to perform all or part of the affairs specified by Rules of the National Public Safety Commission.

(6) The officer of officials or the former officials of a designated testing organization must not divulge any secret learned in connection with testing affairs.

(7) With regard to the application of the Penal Code and other penal provisions, the officers or officials of a designated testing organization that engage in testing affairs are deemed to be officials that engage in public service pursuant to laws and regulations.

(8) Within the scope of actual costs, regarding the accreditation under paragraph (2), inspection under paragraph (4) or testing under paragraph (5), in consideration of the characteristics of the accreditation, inspection or testing functions, and in line with the type of and structure of game machines, etc., the

Prefectures must establish ordinances on the collection of an amount of fees from a person specified by Cabinet Order, as the standard of the collection of fees that Cabinet Order specifies.

- (9) In the case of the preceding paragraph, as specified by Ordinance, the Prefectures may require that fees for testing conducted by the designated testing organization under paragraph (5) be paid to the designated testing organization as its income.
- (10) The provisions of Article 9, paragraph (1), paragraph (2) and paragraph (3), item (ii) apply mutatis mutandis to the extension of game machines, alteration and other changes by a person that runs an amusement business under paragraph (1). In this case, the term "the technical standards under Article 4, paragraph (2), item (i) and" in paragraph (2) of the same Article is deemed to be replaced with "doesn't conform to the standards under Article 4, paragraph (4), and".
- (11) The matters needed for inspection of models under paragraph (4), designated testing organization under paragraph (5), accreditation under paragraph (2) and approval under Article 9, paragraph (1) as applied mutatis mutandis pursuant to the preceding paragraph are specified by Rules of the National Public Safety Commission.

(Entrustment to Ordinances)

Article 21 Beyond those specified by Article 12 through Article 19, paragraph (1) of the preceding Article and paragraph (2) of the following Article, the Prefectures may specify necessary restrictions prescribed by Ordinance on the acts of persons that run an amusement business to prevent acts which damage public morals or the wholesome social environment, or hamper sound development of youths.

(Prohibited Acts)

Article 22 (1) A person that runs an amusement business must not commit any of the following acts:

- (i) solicit customers with respect to the business;
- (ii) stand in the way of a person or follow a person around on roads or in any public place to solicit customers with respect to the business;
- (iii) have persons under the age of 18 entertain customers in the place of business;
- (iv) have persons under the age of 18 serve customers in the place of business from 10 p.m. to 6 a.m. of the following day;
- (v) have persons under the age of 18 enter the place of business as customers (with regard to place of business under Article 2, paragraph (1), item (v), have them enter as customers from 10 p.m. to 6 a.m. of the following day);

- (vi) provide persons under the age of 20 with alcoholic beverages or cigarettes in the place of business.
- (2) When it is necessary to prevent acts that hamper the sound development of youth, by Ordinance, the Prefectures may prohibit operators under Article 2, paragraph(1), item (v) from having persons under the age of 18 enter the place of business as customers from 6 a.m. to 10 p.m., or, when the persons that run an amusement business allow persons under the age of 18 to enter the place of business as customers during the time, require that they be accompanied by their custodian, and specify other necessary restrictions.

(Prohibited Acts of Game Place Operators)

Article 23 (1) Beyond the cases prescribed by paragraph (1) of the preceding Article, operators under Article 2, paragraph (1), item (iv) (only pachinko parlors or other businesses specified by Cabinet Order) must not commit any of the following acts:

- (i) present cash or securities as prizes;
 - (ii) buy the prizes presented to customers;
 - (iii) allow customers to take out of the place of business the balls, medals or other items used for games (referred to as "game balls, etc." in the following item);
 - (iv) issue to customers documents stating that the person has kept game balls, etc. for the customers.
- (2) Beyond the cases under paragraph (1) of the preceding Article, mah-jong houses under Article 2, paragraph (1), item (iv) or operators under item (v) of the same paragraph must not present prizes based on the results of games.
- (3) The provisions of paragraph (1), item (iii) and item (iv) apply mutatis mutandis to operators under Article 2, paragraph (1), item (v).

(Administrator of Place of Business)

Article 24 (1) A person that runs an amusement business must appoint an administrator as a person in charge of carrying out the work specified by paragraph (3) from among the persons that exercise overall control over the work in the place of business at every place of business,; provided, however, that an administrator may not be appointed for 14 days from the date when the appointed administrator had become absent.

- (2) Any person that falls under any of the following items may not become an administrator:
- (i) a minor;
 - (ii) a person that falls under any of Article 4, paragraph (1), items (i) through (iv) or items(vi) through(ix);
 - (iii) a person specified by Rules of the National Public Safety Commission as a

person unable to properly conduct the duties of a manager due to a mental or physical disorder.

- (3) An administrator is to give necessary advice or instructions to persons that run an amusement business or the representative, employees or other workers (hereinafter referred to as "representative, etc.") so that they carry out the work properly in compliance with laws and regulations and to perform necessary work specified by Rules of the National Public Safety Commission to ensure proper operation in the place of business.
- (4) A person that runs an amusement business or the representative must respect the advice given as the duty of the administrator specified by the preceding paragraph, and the employees or other workers must comply with the instructions given as the duty of the administrator.
- (5) If the public safety commission finds that an administrator falls under item (ii) or (iii) of paragraph (2), or an administrator violates the provisions of laws and regulations or Ordinance based on this Act regarding the person's duty and is deemed unfit for the post of administrator in the light of the circumstances, the public safety commission may advise a person that runs an amusement business to dismiss the administrator.
- (6) When the public safety commission finds it to be necessary to ensure the proper conduct of the duties of the administrator specified by paragraph (3), the public safety commission may give training to the administrator specified by Rules of the National Public Safety Commission.
- (7) Upon receiving notice under the preceding paragraph that training will be given to the appointed administrator from the public safety commission, a person that runs an amusement business must have the administrator participate in the training.

(Instructions)

Article 25 If a person that runs amusement business or the representative, etc. violates laws and regulations or the provisions of Ordinance based on this Act, and if it is deemed that the acts may damage public morals or the wholesome social environment or may hamper the sound development of youths, the public safety commission may instruct the person that runs an amusement business to take necessary steps for preventing such acts.

(Suspension of Business)

Article 26 (1) If a person that runs an amusement business or the representative, etc. violates laws and regulations or the provisions of Ordinance based on this Act, and if it is deemed that the acts may damage public morals or the wholesome social environment or may hamper sound development of youths, or if a person that runs an amusement business violates dispositions based on

this Act or the conditions imposed pursuant to the provisions of Article 3, paragraph (2), the public safety commission may rescind the license for the amusement business or order the suspension of the amusement business either entirely or partially for a period of less than 6 months.

- (2) If the public safety commission rescinds the license for the amusement business (excluding businesses under Article 2, paragraph(1), item (iv) and item (v); the same hereinafter in this paragraph) or orders the suspension of the amusement business pursuant to the preceding paragraph, the public safety commission may order the suspension of the restaurant business at the place of business either entirely or partially for the period of up to six months (if the public safety commission orders the suspension of the amusement business pursuant to the preceding paragraph, the period of the suspension).

Chapter IV Restriction on Sex-related Business

Section 1 Restriction on Sex-related Business

Subsection 1 Restriction on Store-based Sex-related Business

(Notification of Business)

Article 27 (1) In accordance with the classification of store-based sex-related business (meaning the classification specified by items of Article 2, paragraph (6); the same hereinafter) any person that intends to run store-based sex-related business must submit a notification stating the following matters for each place of business to the public safety commission which exercises jurisdiction over the area in which the place of business is located:

- (i) the name and address, and in case of a corporation, the name of representative;
- (ii) the name and the location of the place of business;
- (iii) the classification of store-based sex-related business;
- (iv) the outline of the structure and equipment of the place of business;
- (v) the name and address of the persons that exercise overall control over the work in the place of business.

- (2) If the person that has submitted the notification under the preceding paragraph discontinued the store-based sex-related business or made changes in the matters (with regard to the matters under item (ii) of the same paragraph, only the name of the place of business) set forth in items of the same paragraph (excluding item (iii)), the person must submit a notification to the public safety commission stating the matters regarding the discontinuation or changes and other matters specified by Cabinet Office Order.
- (3) The notification under the preceding two paragraphs must be accompanied by the documents stating the method of business operation and other documents specified by Cabinet Office Order.

- (4) If the notification under paragraph (1) or paragraph (2) (with regard to the notification under the same paragraph, excluding the notification of discontinued store-based sex-related business) is submitted, the public safety commission must issue documents stating the matter to the person that submitted the notification; provided, however, that this does not apply when the place of business of the notification is located within the area where store-based sex-related business is prohibited pursuant to Ordinance based on the provisions of Article 28, paragraph (1) or paragraph (2) of the same Article.
- (5) A store-based sex-related business operator must keep the documents issued pursuant to the preceding paragraph at the place of business and present them at the request of persons concerned.

(Prohibition of Advertisement and Promotion)

- Article 27-2 (1) A person that has submitted the notification under paragraph (1) of the preceding Article (excluding persons to which the documents under the same paragraph were not issued pursuant to the provisions pursuant to the proviso to paragraph (4) of the same Article) must not advertise or promote a business for the purpose of operating store-based sex-related business other than the notified store-based sex-related business.
- (2) A person other than the person specified by the preceding paragraph must not conduct advertising or promotion for the purpose of operating store-based sex-related business.

(Store-based Sex-related Business Prohibited Area)

- Article 28 (1) No person can operate store-based sex-related business within 200 meters surrounding the institutions which are specified by a prefectural Ordinance as those for which it is necessary to restrict the establishment for the purpose of maintaining public morals and the wholesome social environment and preventing acts that hamper the sound development of youths (this includes land whose use for such an institution has been determined), such as collective government and public office facilities (meaning the places specified by Article 2, paragraph (4) of the Act on Construction of Government and Other Public Office Facilities (Act No. 181 of 1951)), schools (meaning the places specified by Article 1 of the School Education Act (Act No. 26 of 1947)), libraries (meaning the places specified by Article 2, paragraph (1) of the Library Act (Act No. 118 of 1950)) and child welfare institutions (meaning the places specified by Article 7, paragraph (1) of the Child Welfare Act).
- (2) Beyond those specified by the preceding paragraph, when deemed necessary to prevent acts which damage public morals or wholesome social environment, or hamper the sound development of youths, the Prefectures may prohibit the

- operation of store-based sex-related business in specific areas by Ordinance.
- (3) The provisions of paragraph (1) or Ordinance based on the preceding paragraph do not apply to the store-based sex-related business by operators that had submitted the notification pursuant to Article 27, paragraph (1) before the enforcement or application of these provisions.
 - (4) When deemed necessary to prevent acts which damage public morals, the Prefectures may limit the business hours of store-based sex-related business (excluding business under Article 2, paragraph (6), item (iv) and other store-based sex-related business specified by Rules of the National Public Safety Commission) during late-night hours by Ordinance according to the standards specified by Cabinet Order.
 - (5) Beyond those specified by the preceding Article, a store-based sex-related business operator must not advertise or promote the business in the following manner:
 - (i) displaying advertisements (those exposed to the public regularly or continuously for a fixed period, by means of posting or indicating on signboards, standing signboards, bills, notices, advertising towers, billboards, buildings or any other structures, etc. , or any other methods similar thereto; the same hereinafter) within the following areas (referred to as "advertisement prohibited area, etc." in item (iii));
 - (a) areas within 200 meters surrounding the institutions specified by paragraph (1) (excluding land whose use for such an institution specified by the same paragraph has been determined);
 - (b) areas which are specified by Ordinance based on the provisions of paragraph (2) as those for which it is necessary to restrict the advertisement or promotion.
 - (ii) distributing or delivering fliers, etc. (fliers, pamphlets or documents or drawings provided for advertisement or promotion similar thereto; the same hereinafter) to a person's residence;
 - (iii) beyond what is listed in the preceding items, distributing fliers, etc. in advertisement prohibited area, etc. or distributing fliers, etc. to persons under the age of 18 in other areas.
 - (6) The provisions of the preceding paragraph do not apply to the cases when a store-based sex-related business operator to which the provisions of Ordinance based on the provisions of paragraph (1) or paragraph (2) does not apply pursuant to the provisions of paragraph (3) displays advertisements in or outside the place of business and when the person distributes fliers, etc. inside the place of business.
 - (7) The provisions of item (i) of paragraph (5) does not apply to the advertisements (only the advertisements which store-based sex-related business operators had displayed after the submission of the notification under

Article 27, paragraph (1) before the enforcement or application) which a store-based sex-related business operator had displayed before the enforcement or application of the provisions of paragraph (1) concerning the application of the same item or Ordinance based on (b) of the same item during the period until one month has elapsed since the enforcement or application.

- (8) Beyond what is provided for in the preceding Article and paragraph (5), a store-based sex-related business operator must not advertise or promote the business by any method which may damage the wholesome social environment.
- (9) When advertising or promoting business, a store-based sex-related business operator must indicate that no person under the age of 18 may enter the place of business, as specified by Rules of the National Public Safety Commission.
- (10) A store-based sex-related business operator must post notices at the entrance of the place of business which indicate that no person under the age of 18 may enter the place, as specified by Rules of the National Public Safety Commission.
- (11) The provisions of Article 18-2 are applied mutatis mutandis to store-based sex-related business operators.
- (12) A store-based sex-related business operator must not commit any of the following acts:
 - (i) solicit customers with respect to the business;
 - (ii) stand in the way of another person or follow a person around on roads or in any public place to solicit customers with respect to the business;
 - (iii) have persons under the age of 18 serve customers in the place of business;
 - (iv) have persons under the age of 18 enter the place of business as customers;
 - (v) provide persons under the age of 20 with alcoholic beverages or cigarettes in the place of business.

(Instructions)

Article 29 When a store-based sex-related business operator or the representative, etc. violates this Act or orders or the provisions of Ordinance based on this Act (excluding the provisions of paragraph (1) of the preceding Article or the provisions of Ordinance based on the provisions of paragraph (2) of the same Article), the public safety commission may instruct the store-based sex-related business operator to take necessary steps for preventing the acts which may damage public morals or the wholesome social environment or may hamper the sound development of youths.

(Suspension of Business)

Article 30 (1) When a store-based sex-related business operator or the representative, etc. commits any crime specified by this Act (excluding crimes under Article 49, item (v) and item (vi)) or any illegal act set forth in Article 4,

paragraph(1), item (ii), (b) through (f), (h), (i), (k) or (l) or other serious misconduct specified by Cabinet Order which damages public morals or hampers the sound development of youths, or a store-based sex-related business operator violates any disposition based on this Act, the public safety commission may order the suspension of the store-based sex-related business either entirely or partially for the period of up to eight month.

- (2) In the case of the preceding paragraph, when the store-based sex-related business operator operates business in the area where store-based sex-related business is prohibited pursuant to Ordinance based on the provisions of Article 28, paragraph (1) or paragraph (2) of the same Article, the public safety commission may order the operator to discontinue the store-based sex-related business in lieu of an order for the suspension under the preceding paragraph.
- (3) When the public safety commission orders the suspension or discontinuation of store-based sex-related business (only the businesses under Article 2, paragraph (6), item (i), item (iii) or item (iv); the same hereinafter in this paragraph) pursuant to the preceding paragraph (2), the public safety commission may order the store-based sex-related business operator to suspend the public bath houses business (meaning business with the license provided for in Article 2, paragraph (1) of the Public Bath Houses Act; the same hereinafter), entertainment places business (meaning business with the license provided for in Article 2, paragraph (1) of the Entertainment Places Act; the same hereinafter), hotel business (meaning business with the license provided for in Article 3, paragraph (1) of the Hotel Business Act (Act No. 138 of 1948); the same hereinafter) or housing accommodation business (meaning business after the submission of the notification pursuant to Article 3, paragraph (1) of the Housing Accommodation Act (Act No. 65 of 2017); the same hereinafter) at the place of business either entirely or partially for a period of up to eight months (if the public safety commission orders the suspension of the store-based sex-related business pursuant to paragraph (1), the period of suspension).

(Display of Mark)

- Article 31 (1) When the public safety commission orders the suspension of store-based sex-related business pursuant to paragraph (1) of the preceding Article, as specified by Rules of the National Public Safety Commission, the mark in the format specified by Cabinet Office Order is to be displayed in a place where it is easily seen at the entrance of the facility.
- (2) If any of the following grounds exist, a person that has received an order under the provisions of paragraph (1) of the preceding Article may apply for removal of the mark displayed pursuant to the preceding paragraph specified by Rules of the National Public Safety Commission. In this case, the public safety commission must remove the mark.

- (i) when the person intends to use the facility for purposes other than the store-based sex-related business (including business related to the order for the suspension under paragraph (3) of the preceding Article);
 - (ii) when the person intends to demolish the facility;
 - (iii) if the person intends to construct an extension to the facility or reconstruct it, and when there is a reason that is found to be unavoidable.
- (3) A person that buys the facility with a mark displayed pursuant to the provisions of paragraph (1) from the store-based sex-related business operator related to the order or a third party that holds title to its use may apply for removal of the mark specified by Rules of the National Public Safety Commission. In this case, the public safety commission must remove the mark.
- (4) It is prohibited for any person to damage or deface a mark affixed pursuant to the provisions of paragraph (1), and it is prohibited for any person to remove such a mark until after the end of the period of the order concerning the facility provided for in paragraph (1) of the preceding Article.

Subsection 2 Restriction on Non-store-based Sex-related Business

(Notification of Business)

- Article 31-2 (1) Any person that intends to operate non-store-based sex-related business must submit a notification stating the following matters in accordance with the classification of non-store-based sex-related business (meaning the classification specified by items of Article 2, paragraph (7); the same hereinafter) to the public safety commission which exercises jurisdiction over the area in which the principal base of the business (the address in case of a person without an office; hereinafter simply referred to as "office") is located:
- (i) the name and address, and in the case of a corporation, the name of its representative;
 - (ii) the name used to indicate the business for advertisement or promotion of the business (if there are two or more names, all the names);
 - (iii) the location of the office;
 - (iv) the classification of non-store based sex-related business;
 - (v) the methods by which requests are received from customers;
 - (vi) the telephone number or other point of contact used to receive requests from customers;
 - (vii) if a reception room (meaning the facility to serve customers by providing service other than the provided service specified by the same item; the same hereinafter) or a staff room (meaning the facility where staff that provides service in response to requests by customers is on standby; the same in Article 37, paragraph (2), item (iii)) is established, the statement to that effect and the location.

- (2) When the person that has submitted the notification under the preceding paragraph discontinued the non-store based sex-related business or made changes in the matters set forth in items of the same paragraph (excluding item (iv)), the person must submit a notification to the public safety commission (if the person changed the office to a different jurisdiction, the public safety commission with jurisdiction over the new location) stating the matters regarding the discontinuation or changes and other matters specified by Cabinet Office Order.
- (3) The notification under the preceding two paragraphs must be accompanied by the documents stating the business operation and other documents specified by Cabinet Office Order.
- (4) If the notification under paragraph (1) or paragraph (2) (with regard to the notification under the same paragraph, excluding the notification of discontinued non-store-based sex-related business) is submitted, the public safety commission must issue documents showing the matter to the person that submitted the notification; provided, however, that this does not apply when a reception room stated in the notification is located within the area where the operation of reception room under Article 2, paragraph(7), item (i) (limited to the part involving work at reception room; hereinafter referred to as "reception room operation" in this Subsection) is prohibited by Ordinance pursuant to the provisions of Article 28, paragraph (1) or paragraph (2) of the same Article which is applied mutatis mutandis pursuant to the provisions of Article 31-3, paragraph (2).
- (5) A non-store-based sex-related business operator must keep the documents issued pursuant to the preceding paragraph at the office and present them at the request of persons concerned.

(Prohibition of Advertisement or promotion)

- Article 31-2-2 (1) A person that has submitted the notification under paragraph (1) of the preceding Article (excluding persons to whom the documents under the same paragraph were not issued pursuant to the provisions pursuant to the proviso to paragraph (4) of the same Article) must not conduct advertising or promotion for the purpose of operating non-store-based sex-related business other than the relevant non-store-based sex-related business.
- (2) A person other than the person specified by the preceding paragraph must not conduct advertising or promotion for the purpose of operating non-store based sex-related business.

(Restriction on Acts of Restraint against Persons Serving Customers)

- Article 31-3 (1) The provisions of Article 18-2, paragraph (1) and Article 28, paragraph (5) and paragraph (7) through paragraph (9) apply mutatis

mutandis to the non-store-based sex-related business operator. In this case, the term "to customers in the place of business " in Article 18-2, paragraph (1), item (i) is deemed to be replaced with "to customers", the term "the preceding Article" in Article 28, paragraph (5) is deemed to be replaced with "Article 31-2-2", the term "Areas" in item (i), (b) of the same paragraph is deemed to be replaced with "Areas (with regard to the business under Article 2, paragraph(7), item (i) , areas of business under paragraph (6), item (ii) of the same Article specified by Ordinance, and with regard to the business under paragraph (7), item (ii) of the same Article, areas of business under paragraph (6), item (v) of the same Article specified by Ordinance)", the term "paragraph (5), item (i)" in paragraph (7) of the same Article is deemed to be replaced with "paragraph (5), item (i) which is applied mutatis mutandis in Article 31-3, paragraph (1)", the term "Article 27, paragraph (1)" is deemed to be replaced with "Article 31-2, paragraph (1)", the term "the preceding Article and paragraph (5)" in paragraph (8) of the same Article is deemed to be replaced with "Article 31-2-2 and paragraph (5) which is applied mutatis mutandis in Article 31-3, paragraph (1)" and the term "enter the place of business " in paragraph (9) of the same Article is deemed to be replaced with "as a customer".

(2) The reception room operation is deemed as the operation under Article 2, paragraph (6), item (ii), and the provisions of Article 28, paragraph (1) to paragraph (4), paragraph (6), paragraph (10) and paragraph (12) (excluding item (iii)) apply. In this case, the term "notification under Article 27, paragraph (1)" in paragraph (3) of the same Article means "notification indicating that a reception room is established pursuant to Article 31-3, paragraph (1) or paragraph (2)", the term "the preceding paragraph" in paragraph (6) of the same Article means "the preceding paragraph which is applied mutatis mutandis in Article 31-3, paragraph (1)" and the term "place of business" in the same paragraph, paragraph (10), paragraph (12), item (iv) and item (v) of the same Article means "reception room".

(3) A non-store-based sex-related business operator must not commit any of the following acts:

- (i) have persons under the age of 18 serve customers;
- (ii) have persons under the age of 18 as customers.

(Instructions)

Article 31-4 (1) When a non-store-based sex-related business operator or the representative, etc. violates this Act or orders or the provisions of Ordinance based on this Act, the public safety commission which exercises jurisdiction over the area of the office in which the violation occurred may instruct the non-store-based sex-related business operator to take necessary steps for preventing the acts which may damage public morals or the wholesome social

environment or may hamper the sound development of youths.

- (2) If a non-store-based sex-related business operator or the representative, etc. violates the provisions of Article 28, paragraph(5), item (i) which is applied mutatis mutandis in paragraph (1) of the preceding Article, the office in which the violation occurred cannot be identified, and, when the violation arises from the fact that the person displays bills, placard notices (only the placard notices which are prepared by attaching papers to plywood boards, plastic boards or other similar thereto, and are displayed on structures, etc. in a manner that they can be removed easily; the same hereinafter in this paragraph and Article 31-19, paragraph (2)) or standing signboards (only the standing signboards which are prepared by stretching papers or cloth on crates, or attaching papers to plywood boards, plastic boards or other similar thereto, and are installed or displayed on structures, etc. in a manner that they can be removed easily; the same hereinafter in Article 31-19, this paragraph and paragraph (2)) in the areas under (a) of the same item which is applied mutatis mutandis in paragraph (1) of the same Article, the public safety commission which exercises jurisdiction over the area in which the violation occurred may cause police officials to remove the bills, placards or standing signboards concerning the violation.

(Suspension of Business)

- Article 31-5 (1) When a non-store-based sex-related business operator or the representative, etc. commits any crime prescribed in this Act or any illegal act listed in Article 4, paragraph (1), item (ii), (b) through (f), (h), (i), (k) or (l) or other serious misconduct specified by Cabinet Order which damages public morals or hampers the sound development of youths, or a non-store-based sex-related business operator violates any disposition based on this Act, the public safety commission which exercises jurisdiction over the area in which the violation occurred may order the suspension of the non-store based sex-related business either entirely or partially for a period of up to eight months.
- (2) In the case of the preceding paragraph, and when the non-store-based sex-related business operator operates business in an area where non-store based sex-related business is prohibited in the provisions of Article 28, paragraph (1) which is applied pursuant to the provisions of Article 31-3, paragraph (2) or pursuant to the provisions of the Ordinance based on the provisions of paragraph (2) of the same Article, the public safety commission may order the operator to discontinue the reception room operation in lieu of an order for the suspension of the reception room operation under the preceding paragraph.
- (3) The provisions of Article 31 applies mutatis mutandis to the suspension of the reception room operation pursuant to the provisions of paragraph (1).

(Sending of Transfer of Measures Notice)

Article 31-6 (1) When the public safety commission issues instructions pursuant to Article 31-4, paragraph (1) or an order under paragraph (1) or paragraph (2) of the preceding Article to a non-store-based sex-related business operator, and if the non-store-based sex-related business operator subject to the disposition moved the office to a jurisdiction of a different public safety commission, the public safety commission must promptly send a transfer of measures notice provided for by Rules of the National Public Safety Commission to the public safety commission with jurisdiction over the new location of the office, unless the granting of an opportunity for explanation or the hearing regarding the disposition has been completed.

(2) When a transfer of measures notice is sent pursuant to the provisions of the preceding paragraph, the receiving public safety commission may render dispositions according to the category of cases set forth in the following items. Notwithstanding the provisions of Article 31-4, paragraph (1) and paragraph (1) and paragraph (2) of the preceding Article, concerning this matter, it is deemed that the sending public safety commission may not render dispositions under these provisions:

(i) in case the non-store-based sex-related business operator or the representative, etc. violates this Act or orders or the provisions of Ordinance based on this Act, the public safety commission may instruct the person to take necessary steps for preventing acts which damage public morals or the wholesome social environment, or acts which hamper the sound development of youths;

(ii) in case that a non-store-based sex-related business operator or the representative, etc. commits any crime prescribed in this Act or any illegal act listed in Article 4, paragraph (1), item (ii), (b) through (f), (h), (i), (k) or (l) or other serious misconduct specified by Cabinet Order under paragraph (1) of the preceding Article, or a non-store-based sex-related business operator violates any disposition based on this Act, the public safety commission may order the suspension of the business either entirely or partially for a period up to eight months;

(iii) in the case set forth in the preceding item, and when the non-store-based sex-related business operator operates business in the area where non-store-based sex-related business is prohibited in the provisions of Article 28, paragraph (1) which is applied pursuant to the provisions of Article 31-3, paragraph (2) or pursuant to Ordinance based on the provisions of paragraph (2) of the same Article, the public safety commission may order the operator to discontinue the reception room operation in lieu of an order for the suspension of the reception room operation specified by the same item.

(3) The provisions of paragraph (1) are to be applied mutatis mutandis to the

disposition by the public safety commission pursuant to the preceding paragraph, and the provisions of Article 31 are to be applied mutatis mutandis to the suspension of the reception room operation pursuant to item (ii) of the same paragraph.

Subsection 3 Restriction on Image Distribution-Based Sex-related Business

(Notification of Business)

Article 31-7 (1) A person that intends to operate image distribution based sex-related business must submit a notification stating the following matters to the public safety commission which exercises jurisdiction over the area in which the office is located:

- (i) the name and address, and in the case of a corporation, the name of the representative;
- (ii) the name used to indicate the business for advertisement or promotion of the business;
- (iii) the location of the office;
- (iv) the telephone number or other similar code used to identify telecommunications facilities for image distribution specified by Article 2, paragraph (8) (when an automatic public transmission server (meaning an automatic public transmission server specified by paragraph (1), item (ix)-5, (a) of the Copyright Act (Act No. 48 of 1970); the same hereinafter) is used, it means the area of the automatic public transmission server that is used for image distribution excluding the telecommunications network; referred to as "facilities for image distribution" in the following Article) which is used when the image is distributed;
- (v) the name and address of the establisher of the automatic public transmission server if the automatic public transmission server prescribed in the preceding item is established by other persons.

(2) The provisions of Article 31-2, paragraph (2) through paragraph (5) (excluding the proviso to paragraph (4)) apply mutatis mutandis to the submission of notice under the preceding paragraph. In this case, the term "items of the same paragraph (excluding item (iv))" in paragraph (2) of the same Article is deemed to be replaced with "items of Article 31-7, paragraph (1)", the term "the preceding two paragraphs" in paragraph (3) of the same Article is deemed to be replaced with "Article 31-7, paragraph (1) or the preceding paragraph which is applied mutatis mutandis in paragraph (2) of the same Article" and the term "paragraph (1) or paragraph (2)" in paragraph (4) of the same Article is deemed to be replaced with "Article 31-7, paragraph (1) or paragraph (2) which is applied mutatis mutandis in paragraph (2) of the same Article".

(Restriction on Advertisement and Promotion on Streets)

Article 31-8 (1) The provisions of Article 28, paragraph (5) and paragraph (7) through paragraph (9) apply mutatis mutandis to image distribution-based sex-related business operator. In this case, the term "Beyond those specified by the preceding Article, a" in paragraph (5) of the same Article is deemed to be replaced with "A", the term "paragraph (2)" in item (i) , (b) of the same paragraph is deemed to be replaced with "with regard to business under Article 2, paragraph (6), item (v), paragraph (2)", the term "paragraph (5), item (i)" in paragraph (7) of the same Article is deemed to be replaced with "paragraph (5) item (i) which is applied mutatis mutandis in Article 31-8, paragraph (1)", the term "Article 27, paragraph (1)" is deemed to be replaced with "Article 31-7, paragraph (1)", the term "the preceding Article and paragraph (5)" in paragraph (8) of the same Article is deemed to be replaced with "paragraph (5) which is applied mutatis mutandis in Article 31-8, paragraph (1)" and the term "enter the place of business " in paragraph (9) of the same Article is deemed to be replaced with "as customer".

- (2) An image distribution based sex-related business operator must not have persons under the age of 18 as customers.
- (3) An image distribution-based sex-related business (only the image distribution business specified by Article 2, paragraph (8) in response to requests by customers via telecommunications facilities without customers' identity confirmation) operator must not entrust the collection of fees for the images to the telecommunications carrier unless the person only receives requests from customers by means which usually cannot be used by persons under the age of 18.
- (4) An image distribution based sex-related business operator (excluding the operators specified by the preceding paragraph) must not distribute images specified by Article 2, paragraph (8) to customers until after receiving proof that the customers are the age of 18 or over, or the customers agree to pay the fees by means which usually cannot be used by persons under the age of 18.
- (5) An establisher of an automatic public transmission server that provides all or part of an automatic public transmission server as facilities for image distribution to image distribution-based sex-related business operators (referred to as "establisher of an automatic public transmission server" in the following Article) must endeavor to take necessary measures to prevent the image distribution when the person finds that an image distribution-based sex-related business operator has recorded any indecent image or child pornography image (meaning the images depicting a child in poses prescribed in items of Article 2, paragraph (3) of the Act on Regulation and Punishment of Acts Relating to Child Prostitution and Child Pornography, and the Protection

of Children; the same in paragraph (2) of the following Article) on a recording medium on an automatic public transmission server.

(Instructions)

Article 31-9 (1) When an image distribution-based sex-related business operator or the representative, etc. violates this Act or orders or the provisions of Ordinance based on this Act, the public safety commission which exercises jurisdiction over the area of the office in which the violation occurred may instruct the image distribution based sex-related business operator to take necessary steps for preventing the acts which may damage public morals or the wholesome social environment or may hamper the sound development of youths.

(2) If an image distribution-based sex-related business operator shows any indecent image or child pornography image to customers, and when it is found that the establisher of an automatic public transmission server related to the image distribution-based sex-related business operator has failed to comply with the provisions of paragraph (5) of the preceding Article, the public safety commission which exercises jurisdiction over the area of the office of the establisher of the automatic public transmission server may recommend that the establisher of the automatic public transmission server take necessary measures to ensure compliance with the same paragraph.

(3) The public safety commission must consult with the Minister for Internal Affairs and Communications in advance when it intends to make a recommendation to an establisher of an automatic public transmission server that is a telecommunications carrier under the preceding paragraph.

(Order for Prohibition of Entry of Youths)

Article 31-10 When an image distribution based sex-related business operator or the representative, etc. violates Article 31-8, paragraph (3) or paragraph (4), the public safety commission which exercises jurisdiction over the area of the office in which the violation occurred may order the image distribution based sex-related business operator to take necessary measures to not have persons under the age of 18 as customers.

(Sending of Transfer of Measures Notice)

Article 31-11 (1) When the public safety commission issues instructions under Article 31-9, paragraph (1) or an order under the preceding Article to an image distribution-based sex-related business operator, and if the image distribution-based sex-related business operator subject to the disposition moved the office to a jurisdiction of a different public safety commission, the public safety commission must promptly send a transfer of measures notice specified by

Rules of the National Public Safety Commission to the public safety commission with jurisdiction over the new location of the office, unless granting of an opportunity for explanation regarding the disposition has been completed.

- (2) When a transfer of measures notice is sent pursuant to the provisions of the preceding paragraph, the receiving public safety commission may render dispositions according to the category of cases set forth in the following items. Notwithstanding Article 31-9, paragraph (1) and the preceding Article, concerning the matter, the sending public safety commission may not render dispositions under these provisions:
 - (i) in case the image distribution based sex-related business operator or the representative, etc. violates this Act or orders or the provisions of Ordinance based on this Act, the public safety commission may instruct the person to take necessary steps for preventing acts which damage public morals or the wholesome social environment, or acts which hamper the sound development of youths;
 - (ii) in case the image distribution-based sex-related business operator or the representative, etc. violates Article 31-8, paragraph (3) or paragraph (4), the public safety commission may order the person to take necessary measures to not have persons under the age of 18 as customers.
- (3) The provisions of paragraph (1) apply mutatis mutandis to the disposition by the public safety commission pursuant to the preceding paragraph.

Subsection 4 Restriction on Store-based Telephone Introduction Business

(Notification of Business)

- Article 31-12 (1) Any person that intends to operate store-based telephone introduction business must submit a notification stating the following matters for each place of business to the public safety commission which exercises jurisdiction over the area in which the place of business is located:
- (i) the name and address, and in the case of a corporation, the name of the representative;
 - (ii) the name and location of the place of business;
 - (iii) the telephone number to identify telecommunications facilities specified by Article 2, paragraph (9);
 - (iv) the outline of the structure and equipment (including telecommunications facilities specified by Article 2, paragraph (9)) of the place of business;
 - (v) the name and address of the persons that exercise overall control over the work in the place of business.
- (2) The provisions of Article 27, paragraph (2) through paragraph (5) apply

mutatis mutandis to the submission of notice under the preceding paragraph. In this case, the term "items of the same paragraph (excluding item (iii))" in paragraph (2) of the same Article is deemed to be replaced with "items of Article 31-12, paragraph (1)", the term "the preceding two paragraphs" in paragraph (3) of the same Article is deemed to be replaced with "paragraph (1) of Article 31-12 or the preceding paragraph which is applied mutatis mutandis in paragraph (2) of the same Article", the term "paragraph (1) or paragraph (2)" in paragraph (4) of the same Article is deemed to be replaced with "Article 31-12, paragraph (1) or paragraph (2) which is applied mutatis mutandis in paragraph (2) of the same Article" and the term "Article 28, paragraph (1)" in the proviso to the same paragraph is deemed to be replaced with "Article 28, paragraph (1) which is applied mutatis mutandis in Article 31-13, paragraph (1)".

(Store-based Telephone Introduction Business Prohibited Area)

Article 31-13 (1) The provisions of Article 28, paragraph (1) through paragraph (10) apply mutatis mutandis to store-based telephone introduction business. In this case, the term "Article 27, paragraph (1)" in paragraph (3) and paragraph (7) of the same Article is deemed to be replaced with "Article 31-12, paragraph (1)", the term "Beyond those specified by the preceding Article, a" in paragraph (5) of the same Article is deemed to be replaced with "A", the term "the preceding Article and paragraph (5)" in paragraph (8) of the same Article is deemed to be replaced with "paragraph (5) which is applied mutatis mutandis in Article 31-13, paragraph (1)" and the term "indicate that" in paragraph (9) of the same Article is deemed to be replaced with "indicate that and no person under the age of 18 may call the telephone number under Article 31-12, paragraph (1), item (iii)".

(2) A store-based telephone introduction business operator must not conduct any of the following acts:

- (i) solicit customers with respect to the business;
- (ii) stand in the way of a person or follow a person around on roads or in any public place to solicit customers with respect to the business;
- (iii) have persons under the age of 18 serve customers in the place of business;
- (iv) have workers under the age of 18 involved in conversations pursuant to Article 2, paragraph (9);
- (v) have persons under the age of 18 enter the place of business as customers;
- (vi) provide persons under the age of 20 with alcoholic beverages or cigarettes in the place of business;
- (vii) serve as a go-between for requests for conversation specified by Article 2, paragraph (9) from persons under the age of 18.

(3) A store based telephone introduction business operator must take measures

specified by Rules of the National Public Safety Commission to confirm that a person requesting the conversation specified by Article 2, paragraph (9) is the age of 18 or over.

(Instructions)

Article 31-14 When a store-based telephone introduction business operator or the representative, etc. violates this Act or orders or the provisions of Ordinance based on this Act (excluding the provisions of Article 28, paragraph (1) which is applied mutatis mutandis in paragraph (1) of the preceding Article or the provisions of Ordinance based on the provisions of Article 28, paragraph (2) which is applied mutatis mutandis in paragraph (1) of the preceding Article), the public safety commission may instruct the store-based telephone introduction business operator to take necessary steps for preventing acts which may damage public morals or the wholesome social environment or may hamper the sound development of youths.

(Suspension of Business)

Article 31-15 (1) In case a store-based telephone introduction business operator or the representative, etc. commits any crime specified by this Act (excluding crimes under Article 49, item (v) and item (vi)) or any illegal act listed in Article 4, paragraph (1), item (ii), (b) through (f), (h), (i), (k) or (l) or other serious misconduct specified by Cabinet Order which damages public morals or hampers the sound development of youths, or a store-based telephone introduction business operator violates any disposition based on this Act, the public safety commission may order the suspension of the store-based telephone introduction business either entirely or partially for a period of up to eight months.

(2) In the case of the preceding paragraph, when the store-based telephone introduction business operator operates business in the area where store-based telephone introduction business is prohibited pursuant to Ordinance based on the provisions of Article 28, paragraph (1) which is applied mutatis mutandis in Article 31-13, paragraph (1) or Article 28, paragraph (2) which is applied mutatis mutandis in Article 31-13, paragraph (1), the public safety commission may order the operator to discontinue the store-based telephone introduction business in lieu of an order for the suspension under the preceding paragraph.

(Display of Mark)

Article 31-16 (1) When the public safety commission orders the suspension of store-based telephone introduction business pursuant to paragraph (1) of the preceding Article, pursuant to Rules of the National Public Safety Commission, the mark in the format specified by Cabinet Office Order is to be displayed in a

place where it is easily seen at the entrance of the facility.

- (2) If any of the following grounds exists, pursuant to Rules of the National Public Safety Commission, a person that has received an order under the provisions of paragraph (1) of the preceding Article may apply for removal of the mark displayed pursuant to the preceding paragraph. In this case, the public safety commission must remove the mark.
 - (i) when the person intends to use the facility for purposes other than the store-based telephone introduction business;
 - (ii) when the person intends to demolish the facility;
 - (iii) when the person intends to construct an extension to the facility or reconstruct it, and when there is a reason that is found to be unavoidable.
- (3) A person that buys the facility with a mark displayed pursuant to the provisions of paragraph (1) from the store-based telephone introduction business operator related to the order or a third party that holds title to its use may apply for removal of the mark specified by Rules of the National Public Safety Commission. In this case, the public safety commission must remove the mark.
- (4) It is prohibited for any person to damage or deface a mark affixed pursuant to the provisions of paragraph (1) and it is prohibited for any person to remove such a mark until after the end of the period of the order concerning the facility provided for in paragraph (1) of the preceding Article.

Subsection 5 Restriction on Non-store Based Telephone Introduction Business

(Notification of Business)

- Article 31-17 (1) Any person that intends to operate store-based telephone introduction business must submit a notification stating the following matters to the public safety commission which exercises jurisdiction over the area in which the office is located:
- (i) the name and address, and in the case of a corporation, the name of the representative;
 - (ii) the name used to indicate the business for advertisement or promotion of the business (if there are two or more names, all the names);
 - (iii) the location of the office;
 - (iv) the telephone number used to identify the telecommunications facilities specified by Article 2, paragraph (10);
 - (v) the outline of telecommunications facilities specified by Article 2, paragraph (10).
- (2) The provisions of Article 31-2, paragraph (2) through paragraph (5) (excluding the proviso to paragraph (4)) apply mutatis mutandis to the submission of

notice under the preceding paragraph. In this case, the term "items of the same paragraph (excluding item (iv))" in paragraph (2) of the same Article is deemed to be replaced with "items of Article 31-17, paragraph (1)", the term "the preceding two paragraphs" in paragraph (3) of the same Article is deemed to be replaced with "Article 31-17, paragraph (1) or the preceding paragraph which is applied mutatis mutandis in paragraph (2) of the same Article" and the term "paragraph (1) or paragraph (2)" in paragraph (4) of the same Article is deemed to be replaced with "Article 31-17, paragraph (1) or paragraph (2) which is applied mutatis mutandis in paragraph (2) of the same Article".

(Restriction on Advertisement on Streets)

Article 31-18 (1) The provisions of Article 28, paragraph (5) and paragraph (7) through paragraph (9) apply mutatis mutandis to non-store-based telephone introduction business operator. In this case, the term "Beyond those specified by the preceding Article, a" in paragraph (5) of the same Article is deemed to be replaced with "A", the term "paragraph (2)" in item (i), (b) of the same paragraph is deemed to be replaced with "paragraph (2) which is applied mutatis mutandis in Article 31-13, paragraph (1)", the term "paragraph (5), item (i)" in paragraph (7) of the same Article is deemed to be replaced with "paragraph (5), item (i) which is applied mutatis mutandis in Article 31-18, paragraph (1)", the term "Article 27, paragraph (1)" is deemed to be replaced with "Article 31-17, paragraph (1)", the term "the preceding Article and paragraph (5)" in paragraph (8) of the same Article is deemed to be replaced with "paragraph (5) which is applied mutatis mutandis in Article 31-18, paragraph (1)" and the term "enter the place of business" in paragraph (9) of the same Article is deemed to be replaced with "call the telephone number under Article 31-17, paragraph (1), item (iv)".

- (2) A non-store-based telephone introduction business operator must not commit any of the following acts:
- (i) have workers under the age of 18 involved in conversations pursuant Article 2, paragraph (10);
 - (ii) serve as a go-between for requests for conversation specified by Article 2, paragraph (10) from or to persons under the age of 18.
- (3) A non-store-based telephone introduction business operator must take measures specified by the Rules of National Public Safety Commission to confirm that a person requesting or requested for conversation specified by Article 2, paragraph (10) is the age of 18 or over.

(Instructions)

Article 31-19 (1) When a non-store-based telephone introduction business operator or the representative, etc. violates this Act or orders or the provisions

of Ordinance based on this Act, the public safety commission which exercises jurisdiction over the area of the office in which the violation occurred may instruct the non-store based telephone introduction business operator to take necessary steps for preventing the acts which may damage public morals or the wholesome social environment or may hamper the sound development of youths.

- (2) If a non-store-based telephone introduction business operator or the representative, etc. violates the provisions of Article 28, paragraph (5), item (i) which is applied mutatis mutandis in paragraph (1) of the preceding Article, and when the office in which the violation occurred cannot be identified, and when the violation arises from the fact that the person displays bills, placard notices or standing signboards in the areas under (a) of the same item which is applied mutatis mutandis in paragraph (1) of the same Article, the public safety commission which exercises jurisdiction over the area in which the violation occurred may cause police officials to remove the bills, placards or standing signboards concerning the violation.

(Suspension of Business)

Article 31-20 When a non-store-based telephone introduction business operator or the representative, etc. commits any crime specified by this Act or any illegal act set forth in Article 4, paragraph (1), item(ii), (b) through (f), (h), (i), (k) or (l) or other serious misconduct specified by Cabinet Order which damages public morals or hampers the sound development of youths, or a non-store based telephone introduction business operator violates any disposition based on this Act, the public safety commission which exercises jurisdiction over the area in which the violation occurred may order the suspension of the non-store based telephone introduction business either entirely or partially for a period of up to eight months.

(Sending of Transfer of Measures Notice)

Article 31-21 (1) When the public safety commission issues instructions under Article 31-19, paragraph (1) or an order under the preceding Article to a non-store-based telephone introduction business operator, and if the non-store based telephone introduction business operator related to the disposition moved the office to a jurisdiction of a different public safety commission, it must promptly send a transfer of measures notice specified by Rules of the National Public Safety Commission to the public safety commission with jurisdiction over the new location of the office, unless granting of an opportunity for explanation or hearing regarding the disposition has been completed.

- (2) When a transfer of measures notice is sent pursuant to the provisions of the

preceding paragraph, the receiving public safety commission may render dispositions according to the category of cases set forth in the following items. Notwithstanding Article 31-19, paragraph (1) and the preceding Article, concerning the matter, it is deemed that the sending public safety commission may not render dispositions:

- (i) in case the non-store-based telephone introduction business operator or the representative, etc. violates this Act or orders or the provisions of Ordinance based on this Act, the public safety commission may instruct the person to take necessary steps for preventing acts which damage public morals or the wholesome social environment, or acts which hamper the sound development of youths;
 - (ii) in case a non-store-based telephone introduction business operator or the representative, etc. commits any crime specified by this Act or any illegal act set forth in Article 4, paragraph (1), item (ii), (b) through (f), (h), (i), (k) or (l) or other serious misconduct specified by Cabinet Order under the preceding Article, or a non-store-based telephone introduction business operator violates any disposition based on this Act, the public safety commission may order the suspension of the business either entirely or partially for a period of up to eight months.
- (3) The provisions of paragraph (1) are applied mutatis mutandis to the disposition by the public safety commission pursuant to the preceding paragraph.

Section 2 Restriction on Specified Amusement-providing and Food and Drink-serving Business

Subsection 1 Restriction on Specified Amusement-providing and Food and Drink-serving Business

(Business License)

Article 31-22 A specified amusement-providing and food and drink-serving business operator must be licensed for each place of business by the public safety commission which exercises jurisdiction over the area in which the place of business is located.

(Application, Mutatis Mutandis)

Article 31-23 The provisions of Article 3, paragraph (2), Article 4 (excluding paragraph (4)), Article 5 (excluding paragraph (1), item (iii)), Article 8, Article 10 and Article 11 apply mutatis mutandis to the license under the preceding Article, and the provisions of Article 6 through Article 7-3, Article 9, Article 10-2, Article 12, Article 13 (excluding paragraph (1)), Article 14, Article 15, Article 18, Article 18-2, Article 21, Article 22, paragraph (1) (excluding item (iii)) and

Article 24 apply mutatis mutandis to specified amusement-providing and food and drink-serving business. In this case, the terms set forth in the middle column of the following table in the provisions set forth in the left-hand column of the table are replaced with the terms set forth in the right-hand column of the table, and any other necessary technical replacement of terms is specified by Cabinet Order.

Article 4, paragraph (1), items (vi) and (vii)	Article 26, paragraph (1)	Article 31-25, paragraph (1)
Article 4, paragraph (2), item (ii)	or which it is necessary to restrict the establishment for the purpose of maintenance	for which the establishment is allowed because it does not damage the maintenance
	When there is a place of business	When there is no place of business (excluding the case when the place of business is located within an establishment of the inn/hotel business as specified in paragraph (2) of Article 2 of the Hotel Business Act (Act No. 138 of 1948) and is allowed to be installed conforming to the criteria established by the Rules of the National Public Safety Commission because it may not damage the maintenance of public social environment (referred to as "qualified place of business in a hotel or other inn" in the following Article))
Article 4, paragraph (3)	for the same classification of amusement businesses located in a district as specified in item (ii) of the preceding paragraph	the place of business not located in a district as specified in item (ii) of the preceding paragraph which is applied mutatis mutandis in Article 31-23, and does not conform to qualified place of business in a hotel or other inn

Article 4, paragraph (3), item (ii), (a)	for the same classification of amusement businesses located in a district as specified in item (ii) of the preceding paragraph	the place of business not located in a district as specified in item (ii) of the preceding paragraph which is applied mutatis mutandis in Article 31-23, and does not conform to qualified place of business in a hotel or other inn
Article 4, paragraph (3), item (ii), (b)	is in a district as specified by item (ii) of the preceding paragraph going out of business	is not in a district as specified by item (ii) of the preceding paragraph which is applied mutatis mutandis in Article 31-23 after its destruction, and the destructed place of business did not conform to qualified place of business in a hotel or other inn
Article 13, paragraph (2)	Beyond the provision in the preceding paragraph, ... Cabinet Order	Cabinet Order
Article 13, paragraphs (3) and (4)	In the case referred to in the proviso to paragraph (1), ... after 0 a.m. until the time specified by ordinance referred to in the proviso to the same paragraph	late-night hours
Article 14 and Article 15	the business	the business during late-night hours
Article 18	person under the age of 18	person under the age of 18 not accompanied by the person's custodian after 10 p.m. before 0 a.m. of the following day, and person under the age of 18 during late-night hours
Article 21	Article 12 through Article 19, paragraph (1) of the preceding Article and paragraph (2) of the following Article	Article 12, Article 13 (excluding paragraph (1)), Article 14, Article 15, Article 18 and Article 18-2 which is applied mutatis mutandis in Article 31-23

Article 22, paragraph (1), items (i) and (ii)	the business	the business (only the businesses during late-night hours)
Article 22, paragraph (1), item (v)	under the age of 18	under the age of 18 after 10 p.m. before 6 a.m. of the following day
	with regard to the place of business under item (v) of paragraph (1) of Article 2, have them enter as customers from 10 p.m. to 6 a.m. of the following day	excluding the case when they have persons under the age of 18 accompanied by their custodian enter as customers from 10 p.m. to 6 a.m. of the following day

(Instructions)

Article 31-24 If a specified amusement-providing and food and drink-serving business operator or the representative, etc. violates laws and regulations or the provisions of Ordinance based on this Act, and if it is deemed that the acts may damage public morals or the wholesome social environment or may hamper the sound development of youths, the public safety commission may instruct the specified amusement-providing and food and drink-serving business operator to take necessary steps for preventing such acts.

(Suspension of Business)

Article 31-25 (1) If a specified amusement-providing and food and drink-serving business operator or the representative, etc. violates laws and regulations or the provisions of Ordinance based on this Act, and if it is deemed that the acts may damage public morals or the wholesome social environment or hamper the sound development of youths, or if a person that runs a specified amusement-providing and food and drink-serving business violates the disposition based on this Act or the conditions imposed pursuant to the provisions of Article 3, paragraph (2) which is applied mutatis mutandis in Article 31-23, the public safety commission may rescind the license for the specified amusement-providing and food and drink-serving business or order the suspension of the specified amusement-providing and food and drink-serving business either entirely or partially for a period of up to six months.

(2) When the public safety commission rescinds the license for the specified amusement-providing and food and drink-serving business or orders the suspension of the specified amusement-providing and food and drink-serving business pursuant to the preceding paragraph, the public safety commission may order the suspension of the restaurant business at the place of business either entirely or partially for a period of up to six months (if the public safety

commission orders the suspension of the specified amusement-providing and food and drink-serving business pursuant to the same paragraph, the period of suspension).

Subsection 2 Restriction on Restaurant Business during Late-night Hours

(Restriction on Restaurant Business during Late-night Hours)

Article 32 (1) A person that runs a restaurant business during late-night hours must maintain the structure and equipment of the place of business to conform to the technical standards specified by Rules of the National Public Safety Commission.

(2) The provisions of Article 14 and Article 15 apply mutatis mutandis to a person that runs a restaurant business during late-night hours. In this case, the term "the business" mentioned in these provisions is deemed to be replaced with "the business during late-night hours".

(3) The provisions of Article 22, paragraph (1) of (excluding item (iii)) apply mutatis mutandis to a person that runs a restaurant business. In this case, the term "the business" in item (i) and item (ii) of the same paragraph is deemed to be replaced with "the business (only the businesses during late-night hours)", the term "work" in item (iv) of the same paragraph is deemed to be replaced with "work (excluding work specified by Rules of the National Public Safety Commission as work which is unlikely to hamper the sound development of youths)", the term "under the age of 18" in item (v) of the same paragraph is deemed to be replaced with "under the age of 18 for the period starting after 10 p.m. and ending before 6 a.m. of the following day", the term " place of business " is deem to be replaced with " place of business (excluding work specified by Rules of the National Public Safety Commission as work which is unlikely to hamper the sound development of youths)" and the term "with regard to places of business under Article 2, paragraph (1), item (v) , have them enter as customers from 10 p.m. to 6 a.m. of the following day" is deemed to be replaced with "excluding the case where they have persons under the age of 18 accompanied by their custodian enter as customers".

(Notification of Restaurant Business Providing Alcoholic Beverages during Late-night Hours)

Article 33 (1) Any person that intends to operate restaurant business providing alcoholic beverages must submit a notification with the following matters for each place of business to the public safety commission which exercises jurisdiction over the area in which the place of business is located:

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

- representative;
- (ii) the name and the location of the place of business;
 - (iii) the outline of the structure and facilities of the place of business.
- (2) When the person that has submitted the notification under the preceding paragraph discontinued the business or made changes (excluding minor changes specified by Cabinet Office Order) in the matters under items of the same paragraph (with regard to the matters under item (ii) of the same paragraph, only the name of the place of business), the person must submit a notification to the public safety commission with the matters regarding the discontinuation or changes and other matters specified by Cabinet Office Order.
- (3) The notification under the preceding two paragraphs must be accompanied by the documents describing the business operation and other documents specified by Cabinet Office Order.
- (4) When deemed necessary to prevent acts which damage public morals or the wholesome social environment, or hamper sound development of youths, the Prefectures may prohibit the operation of restaurants providing alcoholic beverages during late-night hours in specific areas specified by Ordinance according to the standards specified by Cabinet Order.
- (5) The Ordinance based on the preceding paragraph does not apply to the restaurant business providing alcoholic beverages during late-night hours conducted by operators that submit the notification pursuant to paragraph (1) at the time of the enforcement or application of these provisions.
- (6) The provisions of Article 18-2 apply mutatis mutandis to persons that operate restaurant business providing alcoholic beverages (excluding persons that only operate during the period starting after 6 a.m. and ending before 10 p.m.).

(Instructions)

- Article 34 (1) If a person that runs restaurant business (hereinafter referred to as "restaurant business operator" in this Article) or the representative, etc. violates laws and regulations or the provisions of Ordinance based on this Act, and if it is deemed that the acts may damage public morals or the wholesome social environment or may hamper the sound development of youths, the public safety commission may instruct the restaurant business operator to take necessary steps for preventing such acts.
- (2) If a restaurant business operator or the representative, etc. violates laws and regulations or the provisions of Ordinance based on this Act, and if it is deemed that the acts may damage public morals or the wholesome social environment or may hamper the sound development of youths, or a restaurant business operator violates any disposition based on this Act, the public safety commission may order the suspension of the restaurant business either entirely or partially for period of up to six months.

Section 3 Restriction on Entertainment Places Business

(Restriction on Entertainment Places Business)

Article 35 If a person that runs entertainment places business (excluding business under Article 2, paragraph (6), item (iii) ; the same in Article 38, paragraph (2)) or the representative, etc. commits any crime prescribed in Article 174 or Article 175 of the Penal Code or Article 7, paragraph (2) through paragraph (8) of the Act on Regulation and Punishment of Acts Relating to Child Prostitution and Child Pornography, and the Protection of Children, the public safety commission may order the suspension of the entertainment places business either entirely or partially for a period of up to six months.

Section 4 Restriction on Specified Sex-related Goods Sale Business

(Restriction on Specified Sex-related Goods Sale Business)

Article 35-2 If a person that runs store-based sale or lending business of goods (only the sale or lending business of goods specified by Cabinet Order under Article 2, paragraph (6) , item (v), and excluding business under the same item; hereinafter referred to as "specified sex-related goods sale business") or the representative, etc. commits any crime prescribed in Article 175 of the Penal Code or Article 7, paragraph (2) to paragraph (8) of the Act on Regulation and Punishment of Acts Relating to Child Prostitution and Child Pornography, and the Protection of Children, the public safety commission may order the suspension of the specified sex-related goods sale business (limited to the part involving the sale or lending business of goods specified by Cabinet Order under Article 2, paragraph (6), item (v)) either entirely or partially for a period of up to six months.

Section 5 Restriction on Customer Service Entrusted Business

(Restriction on Customer Service Entrusted Business)

Article 35-3 A person that runs a customer service entrusted business must not commit any of the following acts:

- (i) impose unreasonably large amount of debts in light of the ability to pay on the employees or other workers partially engaging in customer service entrusted business specified by Article 2, paragraph (13) (hereinafter referred to as "workers engaging in entrusted business" in this section) on the condition that the person pays the remaining debts in full immediately when they are no longer a worker engaging in entrusted business;
- (ii) keep the passports, etc. of workers engaging in entrusted business on which

unreasonably large amounts of debts were imposed in light of their ability to pay or have a third party retain the passports, etc.

(Instructions)

- Article 35-4 (1) If a customer service entrusted business operator or the representative, etc. violates the provisions of the preceding Article, and if it is deemed that the acts may damage public morals or the wholesome social environment or may hamper the sound development of youths, the public safety commission which exercises jurisdiction over the area of the office in which the violation occurred may instruct the customer service entrusted business operator to take necessary steps for preventing the acts which may damage public morals or the wholesome social environment or may hamper the sound development of youths.
- (2) When a customer service entrusted business operator or the representative, etc. commits any illegal act prescribed in Article 223 of the Penal Code or other serious misconduct specified by Cabinet Order which damages public morals or hampers the sound development of youths, or a customer service entrusted business operator violates any instruction under the provisions of the preceding paragraph, the public safety commission which exercises jurisdiction over the area in which the violation occurred may order the suspension of the customer service entrusted business either entirely or partially for a period of up to six months.
- (3) When the public safety commission issues instructions under paragraph (1) or an order under the preceding paragraph to a customer service entrusted business operator, and if the customer service entrusted business operator subject to the disposition moved the office to a jurisdiction of a different public safety commission, it must promptly send a transfer of measures notice specified by Rules of the National Public Safety Commission to the public safety commission with jurisdiction over the new location of the office, unless granting of an opportunity for explanation or hearing regarding the disposition has been completed.
- (4) When a transfer of measures notice is sent pursuant to the provisions of the preceding paragraph, the receiving public safety commission may render dispositions according to the category of cases set forth in the following items. Notwithstanding paragraph (1) and paragraph (2), concerning the matter, it is deemed that the sending public safety commission may not render dispositions:
- (i) if the customer service entrusted business operator or the representative, etc. violates the provisions of the preceding Article (limited to the cases where it is found that the acts may damage public morals or the wholesome social environment or may hamper the sound development of youths), the public safety commission may instruct the person to take necessary steps for

- preventing acts which damage public morals or the wholesome social environment, or acts which hamper the sound development of youths;
- (ii) if a customer service entrusted business operator or the representative, etc. commits serious misconduct specified by Cabinet Order under paragraph (2), or a customer service entrusted business operator violates any instruction under the provisions of paragraph (1), the public safety commission may order the suspension of the business either entirely or partially for a period of up to six months.
- (5) The provisions of paragraph (3) apply mutatis mutandis to the disposition by the public safety commission pursuant to the preceding paragraph.

Chapter V Supervision

(Roster of Workers)

Article 36 A person that runs an amusement business, a store-based sex-related business operator, a non-store-based sex-related business operator, a store-based telephone introduction business operator, a non-store-based telephone introduction business operator, a person that runs a specified amusement-providing and food and drink-serving business, a restaurant business operator providing alcoholic beverages and a person that runs a restaurant business during late-night hours (excluding restaurant businesses providing alcoholic beverages) specified by Article 33, paragraph (6) must keep a roster of workers for each place of business (with regard to a non-store-based sex-related business operator and a non-store-based telephone introduction business operator, the office) and record the addresses and names of the persons engaging in such works and other matters prescribed specified by Cabinet Office Order specified by Rules of the National Public Safety Commission.

(Confirmation of the Date of Birth of Persons Serving Customers)

Article 36-2 (1) A person that runs an amusement business of entertaining and serving food and drink, a store-based sex-related business operator, a non-store-based sex-related business operator, a person that runs a specified amusement-providing and food and drink-serving business and a restaurant business operator providing alcoholic beverages specified by Article 33, paragraph (6) must confirm the following matters about the persons serving customers with the documents specified by Cabinet Office Order as certifying that they satisfy the matters:

(i) date of birth;

(ii) nationality;

(iii) with regard to persons that do not have Japanese nationality, the matter in (a) or (b) below.

- (a) status of residence specified by Article 2-2, paragraph (1) of the Immigration Control and Refugee Recognition Act, period of stay specified by paragraph (3) of the same Article, whether or not the person has been granted permission under Article 19, paragraph (2) of the same Act, and if permission has been granted, the content;
 - (b) status of special permanent resident which allows residence specified by the Special Act on the Immigration Control of, inter alia, those who have Lost Japanese Nationality Pursuant to the Treaty of Peace with Japan (Act No. 71 of 1991).
- (2) A person that runs an amusement business of entertaining and serving food and drink, a store-based sex-related business operator, a non-store-based sex-related business operator, a person that runs a specified amusement-providing and food and drink-serving business and a restaurant business operator providing alcoholic beverages specified by Article 33, paragraph (6) must keep records of confirmation and retain them pursuant to the provisions of Rules of the National Public Safety Commission.

(Report and Entry)

Article 37 (1) The public safety commission may, to the extent necessary for the enforcement of this Act, request a person that runs an amusement business, a sex-related business operator, a person that runs a specified amusement-providing and food and drink-serving business, a restaurant business operator providing alcoholic beverages and a person that runs a restaurant business during late-night hours (excluding restaurant businesses providing alcoholic beverages) specified by Article 33, paragraph (6) or a person that runs a customer service entrusted business to report or submit documents concerning the business.

- (2) Police officials may, to the extent necessary for the enforcement of this Act, enter the following places; provided, however, that this does not apply when customers are present in private rooms or other similar facilities in the places of business set forth in item (i), item (ii) or item (iv) through item (vii):
- (i) place of business of amusement business;
 - (ii) place of business of store-based sex-related business;
 - (iii) office, reception room or staff room of business under Article 2, paragraph (7), item (i);
 - (iv) place of business of store-based telephone introduction business;
 - (v) place of business of specified amusement-providing and food and drink-serving business;
 - (vi) place of business of restaurant businesses providing alcoholic beverages specified by Article 33, paragraph (6);
 - (vii) beyond what is listed in the preceding items, place of business which runs

- a facility and serves the customers food and drink (only the businesses which are operated during late-night hours).
- (3) Before making an entry pursuant to the preceding paragraph, police officials must carry an identification card and present it to the persons concerned.
- (4) The authority under paragraph (2) must not be construed as authorizing criminal investigation.

Chapter VI Miscellaneous Provisions

(Youth Instructor)

- Article 38 (1) The public safety commission may appoint youth instructors from among persons that satisfy the following requirements:
- (i) there is public confidence in their character and conduct;
 - (ii) they have the necessary enthusiasm and time to perform their duties;
 - (iii) they are financially stable; and
 - (iv) they are healthy and active.
- (2) A youth instructor performs the following duties concerning amusement business and sex-related business, etc. (meaning sex-related business, specified amusement-providing and food and drink-serving business, restaurant business, entertainment places business, specified sex-related goods sale business and customers service entrusted business; the same in item (ii)):
- (i) provide correctional guidance to youths drinking alcohol or smoking, persons under the age of 18 that enter the place of business of amusement business, store-based sex-related business, store-based telephone introduction business or specified amusement-providing and food and drink-serving business, or enter the reception room of the business under Article 2, paragraph(7), item (i), or who are loitering in the vicinity of the place of business or reception room and other youths that perform acts that hamper the sound development of youths;
 - (ii) provide necessary advice to a person that runs an amusement business or sex-related business or the representative, etc. to prevent acts that hamper the sound development of youths;
 - (iii) provide a youth that was affected by acts that hamper the sound development of youth with necessary advice, guidance and other support;
 - (iv) cooperate with measures by local governments and activities of private organizations for contributing to the sound development of youths;
 - (v) beyond what is set forth in the preceding items, perform activities to prevent acts that hamper the sound development of youths or in order to contribute to the sound development of youths specified by Rules of the National Public Safety Commission.
- (3) A youth instructor or a person who was a youth instructor must not reveal

any secrets obtained that relate to the conduct of their duty.

- (4) Youth instructor is an honorary title.
- (5) The public safety commission is to provide youth instructors with education or training necessary to perform the duties.
- (6) When a youth instructor falls under any of the following items, the public safety commission may relieve the person of the duty:
 - (i) when the person comes to no longer meet the requirements listed in the items of paragraph (1);
 - (ii) when the person violates an official obligation or neglects their duties;
 - (iii) when the person engages in conduct unbecoming of a youth instructor.

Article 38-2 (1) The public safety commission, when deeming it necessary to prevent acts that hamper sound development of youths, to the extent necessary for the enforcement of this Act, may have a youth instructor enter the places set forth in items of Article 37, paragraph (2); provided, however, that this does not apply when customers are present in private rooms or other similar facilities in the place of business set forth in item (i), item (ii) or item (iv) through item (vii).

- (2) Before making an entry under the preceding paragraph, the public safety commission is to give instructions to a youth instructor indicating the place and other necessary matters.
- (3) After making an entry following the instructions under the preceding paragraph under the provisions of paragraph (1), a youth instructor must report the result to the public safety commission.
- (4) Before making an entry under paragraph (1), youth instructors must carry an identification card and present it to interested persons.
- (5) The authority under paragraph (1) must not be construed as authorizing criminal investigation.

Article 38-3 Beyond those specified by the preceding two Articles, the matters needed for the youth instructors are to be specified by Rules of the National Public Safety Commission.

(Social Environment Preservation Council)

Article 38-4 (1) The public safety commission is to endeavor to establish the Social Environment Preservation Council (hereinafter referred to as "council" in this Article) consisting of a chief of a police station which exercises jurisdiction over the area, administrator of business of amusement business or specified amusement-providing and food and drink-serving business or restaurant business providing alcoholic beverages, youth instructor, and local residents for each area where the place of business of amusement business,

specified amusement-providing and food and drink-serving business or restaurant business providing alcoholic beverages specified by Article 33, paragraph (6) is concentrated or other areas as specified by a Prefectural Ordinance as those for which it is necessary to preserve the good social environment specified by Rules of the National Public Safety Commission.

- (2) The council is to share information on the matters which may hamper the preservation of good social environment pertaining to amusement business or specified amusement-providing and food and drink-serving business or restaurant business providing alcoholic beverages specified by Article 33, paragraph (6), promote closer coordination with relevant people and discuss necessary measures to preserve the good social environment of the area by eliminating harmful effects of the abovementioned businesses.
- (3) A person that engages or has engaged in the administrative processes of the council must not reveal any secrets learned that relate to the conduct of their duty.
- (4) Beyond what is provided for in the preceding three paragraphs, the matters needed for the organization and operation of the council are specified by the council.

(Prefectural Social Environment Management Association)

Article 39 (1) Based on the application of a general incorporated association or general incorporated foundation that aims to maintain public morals and the wholesome social environment and promote the sound development of youths, and which is found to be able to perform the activities specified by the following paragraph in a proper and reliable manner, a public safety commission may designate a maximum of one such association or foundation prefecture-wide as the prefectural social environment management association (hereinafter referred to as "prefectural association").

- (2) A prefectural association is to perform the following activities within the boundaries of the prefecture:
 - (i) deal with complaints about the social environment;
 - (ii) perform activities to raise awareness to prevent acts violating this Act;
 - (iii) perform activities to raise awareness to prevent acts violating this Act;
 - (iv) support organized activities undertaken voluntarily in the private-sector to contribute to the maintenance of public morals and the wholesome social environment and the promotion of the sound development of youths;
 - (v) provide training courses under Article 24, paragraph (6) (including the cases where it is applied mutatis mutandis in Article 31-23) under entrustment from the public safety commission;
 - (vi) investigate if the place of business for which the application for license under Article 3, paragraph (1) or Article 31-22 has been submitted conforms

- to the standards specified in Article 4, paragraph (2), item (i) or item (ii) or paragraph (3), item (ii) through item (iv) of the same Article (including the cases where these are applied mutatis mutandis in Article 31-23) under entrustment from the public safety commission;
- (vii) investigate if the outline of the structure and equipment of the place of business for which the application for approval under Article 9, paragraph (1) (including the cases where it is applied mutatis mutandis in Article 31-23) or the application for accreditation under Article 10-2, paragraph (1) (including the cases where it is applied mutatis mutandis in Article 31-23) has been submitted conform to the technical standards prescribed in Article 4, paragraph (2), item (i) under entrustment from the public safety commission;
- (viii) activities incidental to those referred to in the preceding items.
- (3) A public safety commission may order the Prefectural Association to take necessary measures to improve its financial status or the running of its operations if it finds that these need improvement.
- (4) A public safety commission may revoke the designation under paragraph (1) if the Prefectural Association violates the order under the preceding paragraph.
- (5) The current or former officer or official of the Prefectural Association must not reveal any secret learned in the course of investigation under item (vi) or item (vii) of paragraph (2) (referred to as "investigation services" in the following paragraph).
- (6) To apply the Penal Code and other penal provisions of any other laws and regulations, officers or officials of the Prefectural Association in charge of the investigation services are deemed to be officials engaged in public service pursuant to laws and regulations.
- (7) The procedures for designation of the Prefectural Association or other matters needed for the Prefectural Association are specified by Rules of the National Public Safety Commission.

(National Social Environment Management Association)

- Article 40 (1) Based on the application of a general incorporated association or general incorporated foundation that aims to facilitate the sound development of the Prefectural Association, maintain public morals and the wholesome social environment and promote the sound development of youths, and which is found to be able to perform the activities specified by the following paragraph in a proper and reliable manner, the National Public Safety Commission may designate a maximum of one such association or foundation nation-wide as the National Social Environment Management Association (hereinafter referred to as "National Association").
- (2) The National Association is to perform the following activities

- (i) provide education or training to the persons that deal with complaints about social environment and other persons engaging in works of the Prefectural Association;
 - (ii) perform activities extending over two or more prefectural areas to raise awareness to prevent acts violating this Act;
 - (iii) carry out research on the effects of social environment on the sound development of youths;
 - (iv) conduct communication and coordination regarding the activities of the Prefectural Association;
 - (v) activities incidental to those referred to in the preceding items.
- (3) The provisions of paragraph (3), paragraph (4) and paragraph (7) of the preceding Article apply mutatis mutandis to the National Association. In this case, the term "the public safety commission" in paragraph (3) of the same Article is deemed to be replaced with "the National Public Safety Commission", the term "the public safety commission" in paragraph (4) of the same Article is deemed to be replaced with "the National Public Safety Commission" and the term "paragraph (1)" is deemed to be replaced with "paragraph (1) of the following Article".

(Special Provisions on Hearings)

- Article 41 (1) When the public safety commission intends to make an order to suspend business pursuant to the provisions of Article 26, Article 30, paragraph (1) or paragraph (3), Article 31-5, paragraph (1), Article 31-6, paragraph (2), item (ii), Article 31-15, paragraph (1), Article 31-20, Article 31-21, paragraph (2), item (ii), Article 31-25, Article 34, paragraph (2), Article 35, Article 35-2 or Article 35-4, paragraph (2) or paragraph(4), item (ii), or make an order to discontinue business pursuant to the provisions of Article 30, paragraph (2), Article 31-5, paragraph (2), Article 31-6, paragraph (2), item (iii) or Article 31-15, paragraph (2), it must hold a hearing, irrespective of the categories of procedures for hearing statements of opinions under the provisions of Article 13, paragraph (1) of the Administrative Procedure Act (Act No. 88 of 1993).
- (2) To hold a hearing pertaining to a disposition under the provisions of Article 8 (including the cases where it is applied mutatis mutandis in Article 31-23; the same in paragraph (4) and the following Article), Article 10-2, paragraph (6) (including the cases where it is applied mutatis mutandis in Article 31-23; the same in paragraph (4)), Article 26, Article 30, Article 31-5, paragraph (1) or paragraph (2), Article 31-6, paragraph (2), item (ii) or item (iii), Article 31-15, Article 31-20, Article 31-21, paragraph (2), item (ii), Article 31-25, Article 34, paragraph (2), Article 35, Article 35-2, Article 35-4, paragraph(2) or paragraph (4) , item (ii) or Article 39, paragraph (4) (including the cases where it is

applied mutatis mutandis in paragraph (3) of the preceding Article), notification must be made under Article 15, paragraph (1) of the Administrative Procedure Act by one week prior to the hearing date, and at the same time the date and place of the hearing must be publicly notified.

- (3) If a person is notified as referred to in the preceding paragraph in the manner that Article 15, paragraph (3) of the Administrative Procedure Act specifies, the reasonable period of time to be set aside before the hearing date pursuant to the provisions of paragraph (1) of the same Article must not be less than two weeks..
- (4) The proceedings on the hearing for a disposition under Article 8, Article 10-2, paragraph (6), Article 26, Article 30, Article 31-5, paragraph (1) or paragraph (2), Article 31-6, paragraph (2), item (ii) or item (iii) , Article 31-15, Article 31-20, Article 31-21, paragraph (2), item (ii), Article 31-25, Article 34, paragraph (2), Article 35, Article 35-2, Article 35-4, paragraph (2) or paragraph (4), item (ii) or Article 39, paragraph (4) (including the cases where it is applied mutatis mutandis in paragraph (3) of the preceding Article) must be open to be public.

(Exclusion from Application of the Administrative Procedure Act)

Article 41-2 Chapter III of the Administrative Procedure Act (excluding Article 12 and Article 14) does not apply to the disposition of the persons that were found to fall under Article 4, paragraph (1), item (iv) or item (v) (including the cases where these provisions are applied mutatis mutandis in Article 31-23) based on the diagnosis of a physician designated by the Public Safety Commission in accordance under the provisions of Article 8.

(Reporting to the National Public Safety Commission)

Article 41-3 (1) When the matter falls under any of the following items, the public safety commission must report the matter specified by Rules of the National Public Safety Commission to the National Public Safety Commission. In this case, the National Public Safety Commission is to notify each public safety commission of the matter.

- (i) when the public safety commission grants license under Article 3, paragraph (1) or Article 31-22, or approval under Article 7, paragraph (1) , Article 7-2, paragraph (1) or Article 7-3, paragraph (1) (including the cases where these provisions are applied mutatis mutandis in Article 31-23), or receives notification under Article 31-2, paragraph (1) , and paragraph (2) of the same Article (including the cases where it is applied mutatis mutandis in Article 31-7, paragraph (2) and Article 31-17, paragraph (2)), Article 31-7, paragraph (1) or Article 31-17, paragraph (1);
- (ii) when the public safety commission renders disposition under Article 25, Article 26, paragraph (1), Article 31-4, paragraph (1), Article 31-5, paragraph

(1) or paragraph (2), Article 31-6, paragraph (2), Article 31-9, paragraph (1), Article 31-10, Article 31-11, paragraph (2), Article 31-19, paragraph (1), Article 31-20, Article 31-21, paragraph (2), Article 31-24, Article 31-25, paragraph (1) of or Article 35-4, paragraph (1), paragraph (2) or paragraph (4).

(2) Beyond what is provided for in the preceding paragraph, if the public safety commission finds that a person that runs an amusement business, a non-store-based sex-related business operator, an image distribution-based sex-related business operator or a non-store-based telephone introduction business operator, a specified amusement-providing and food and drink-serving business operator or a customer service entrusted business operator or the representative, etc. has committed acts that serves as grounds for the disposition prescribed in item (ii) of the same paragraph or acts of violation, or that a person that runs an amusement business, a non-store-based sex-related business operator, an image distribution-based sex-related business operator or a non-store-based telephone introduction business operator, a specified amusement-providing and food and drink-serving business operator or a customer service entrusted business operator has violated the dispositions specified by the same item, the public safety commission must notify the matters specified by Rules of the National Public Safety Commission to the public safety commission which exercises jurisdiction over the area of the place of business of a person that runs an amusement business or a specified amusement-providing and food and drink-serving business operator or the office of a non-store-based sex-related business operator, an image distribution-based sex-related business operator, a non-store-based telephone introduction business operator or a customer service entrusted business operator in which the violation occurred.

(Notice of Suspension of Restaurant Business)

Article 42 When the public safety commission orders the suspension of restaurant business either entirely or partially pursuant to Article 26, paragraph (2), Article 31-25, paragraph (2) or Article 34, paragraph (2) , when the public safety commission orders the suspension of public bath houses business, entertainment places business, hotel business, housing accommodation business either entirely or partially pursuant to Article 30, paragraph (3), or when the public safety commission orders the suspension of entertainment places business either entirely or partially pursuant to Article 35, the public safety commission must notify the competent authority of the content of the disposition and the reason promptly.

(Fees)

Article 43 The Prefectures must specify Ordinance on the collection of fees associated with license under Article 3, paragraph (1) or approval under Article 9, paragraph (1) which is applied mutatis mutandis in Article 20, paragraph (10), based on the standard of collecting the standardized amount from a person specified by Cabinet Order (if a game machine (excluding tested models specified by paragraph (4) of the same Article) other than machines approved pursuant to Article 20, paragraph (2) is installed at the place of business under Article 4, paragraph (4), the amount within actual costs that Cabinet Order specifies in consideration of the fees associated with the license specified by Cabinet Order under paragraph (8) of the same Article)).

(Amusement Business Operator Organization)

Article 44 (1) The organization formed by a person that runs an amusement business for the purpose of improving the propriety of the business and optimizing its operation, and the organization formed by a specified amusement-providing and food and drink-serving business operator for the purpose of improving the propriety of the business and optimizing its operation must report the name, location of office and other matters specified by Cabinet Office Order to the National Public Safety Commission or the public safety commission within 30 days prior to the date of formation as specified by Cabinet Office Order.

(2) The National Public Safety Commission or the public safety commission must endeavor to give necessary advice and instructions and take other actions to promote voluntary activities of the organizations that have submitted reports under the preceding paragraph.

(Delegation of Authority to the Commissioner General of the National Police Agency)

Article 45 Administrative processes falling within the authority of the National Public Safety Commission pursuant to this Act or order based on this Act, may be delegated to the Commissioner General of the National Police Agency specified by Cabinet Order.

(Delegation of Authority to the Area Public Safety Commission)

Article 46 An area public safety commission, specified by Cabinet Order, made to handle the administrative process falling within the authority of the Hokkaido Prefectural Public Safety Commission pursuant to this Act or Cabinet Orders issued thereon.

(Transitional Measures)

Article 47 When an order or Ordinance is established, amended, or repealed

based on this Act, the necessary transitional measures (including transitional measures for penal provisions) may be set forth therein to the extent judged reasonably necessary for its enactment, amendment, or repeal.

(Delegation to Rules of the National Public Safety Commission)

Article 48 Beyond what is specified by this Act, the procedure for the implementation of this Act and other matters relating to the implementation thereof are specified by Rules of the National Public Safety Commission.

Chapter VII Penal Provisions

Article 49 A person that falls under any of the following items is punished with imprisonment of not more than two years or a fine of not more than 2,000,000 yen or both.

- (i) a person that operates amusement business without a license in violation of the provisions of Article 3, paragraph (1);
- (ii) a person that obtained a license under the provisions of Article 3, paragraph (1) or Article 31-22 or an approval under Article 7, paragraph (1), Article 7-2, paragraph (1) or Article 7-3, paragraph (1)(including the cases where these provisions are applied mutatis mutandis in Article 31-23) through deception or other wrongful means;
- (iii) a person that violates the provisions of Article 11 (including the cases where it is applied mutatis mutandis in Article 31-23);
- (iv) a person that violates the dispositions of a public safety commission under the provisions of Article 26, Article 30, Article 31-5, paragraph (1) or paragraph (2), Article 31-6, paragraph (2), item (ii) or item (iii), Article 31-15, Article 31-20, Article 31-21, paragraph (2), item (ii), Article 31-25, Article 34, paragraph (2), Article 35, Article 35-2 or Article 35-4, paragraph (2) or paragraph (4), item (ii);
- (v) a person that violates the provisions of Article 28, paragraph (1)(including the cases where it is applied pursuant to Article 31-3, paragraph (2) and the cases where it is applied mutatis mutandis in Article 31-13, paragraph (1));
- (vi) a person that violates the provisions of Prefectural Ordinances based on the provisions of Article 28, paragraph (2) (including the cases where it is applied pursuant to Article 31-3, paragraph (2) and the cases where it is applied mutatis mutandis in Article 31-13, paragraph (1));
- (vii) a person that operates specified amusement-providing and food and drink-serving business without a license in violation of the provisions of Article 31-22.

Article 50 (1) A person that falls under any of the following items is punished

with imprisonment of not more than one year or a fine of not more than 1,000,000 yen or both.

- (i) a person that has changed the structure or equipment (including game machine specified by Article 4, paragraph (4)) of the place of business without approval under Article 9, paragraph (1) in violation of the provisions of Article 9, paragraph (1) (including the cases where it is applied mutatis mutandis in Article 20, paragraph (10) and Article 31-23; the same hereinafter in this item and the following item);
 - (ii) a person that obtained an approval under the provisions of Article 9, paragraph (1) through deception or other wrongful means;
 - (iii) a person accredited under the provisions of Article 10-2, paragraph (1) (including the cases where it is applied mutatis mutandis in Article 31-23) through deception or other wrongful means;
 - (iv) a person that violates the provisions of Article 22, paragraph (1), item (iii) or item (iv) through (vi) of the same paragraph (including the cases where these provisions are applied mutatis mutandis in Article 31-23 and Article 32, paragraph (3));
 - (v) a person that violates the provisions of Article 28, paragraph (12), item (iii) or item (iv) or item (v) of the same paragraph (including the cases where these provisions are applied mutatis mutandis pursuant to paragraph (2) of Article 31-3);
 - (vi) a person that violates the provisions of Article 31-3, paragraph (3), item (i);
 - (vii) a person that violates the orders of a public safety commission under the provisions of Article 31-10 or Article 31-11, paragraph (2), item (ii);
 - (viii) a person that violates the provisions of Article 31-13, paragraph (2), item (iii) through item (vi);
 - (ix) a person that violates the provisions of Article 31-18, paragraph (2), item (i);
 - (x) a person that violates the provisions of Prefectural Ordinances based on the provisions of Article 33, paragraph (4).
- (2) Any person that has committed an act falling under Article 22, paragraph (1), item (iii) or item (iv) (including the cases where it is applied mutatis mutandis in Article 31-23 and Article 32, paragraph (3)), Article 28, paragraph (12), item (iii), Article 31-3, paragraph (3), item (i), Article 31-13, paragraph (2), item (iii) or item (iv) or Article 31-18, paragraph(2), item (i) must not be exempt from punishment under the provisions of the preceding paragraph on the grounds of lacking knowledge that the person is under the age of 18; provided, however, that this does not apply in cases where there is no negligence.

Article 51 A person that violates the provisions of Article 20, paragraph (6), Article 38, paragraph (3), Article 38-4, paragraph (3) or Article 39, paragraph

(5) is to be punished with imprisonment of not more than one year or a fine of not more than 1,000,000 yen.

Article 52 A person that falls under any of the following items is to be punished with imprisonment of not more than six months or a fine of not more than 1,000,000 yen or both.

- (i) a person that violates the provisions of Article 22, paragraph (1), item (i) or item (ii) (including the cases where these provisions are applied mutatis mutandis in Article 31-23 and Article 32, paragraph (3)), Article 28, paragraph (12), item (i) or item (ii) (including the cases where these provisions are applied mutatis mutandis pursuant to Article 31-3, paragraph (2)) or Article 31-13, paragraph (2), item (i) or item (ii) ;
- (ii) a person that violates the provisions of Article 23, paragraph (1), item (i) or item (ii);
- (iii) a person that violates the provisions of Article 23, paragraph (2);
- (iv) a person that operates sex-related business without submitting notification under Article 27, paragraph (1), Article 31-2, paragraph (1), Article 31-7, paragraph (1), Article 31-12, paragraph (1) or Article 31-17, paragraph (1);
- (v) a person that has included a false statement in a notification specified by the preceding item or accompanying documents under Article 27, paragraph (3) (including the cases where it is applied mutatis mutandis in Article 31-12, paragraph (2)) or Article 31-2, paragraph (3) (including the cases where it is applied mutatis mutandis in Article 31-7, paragraph (2) and Article 31-17, paragraph (2)) and submitted them.

Article 53 A person that falls under any of the following items is punished with a fine of not more than 1,000,000 yen.

- (i) a person that violates the provisions of Article 27-2 or Article 31-2-2;
- (ii) a person that violates the provisions of Article 28, paragraph (5) (including the cases where it is applied mutatis mutandis in Article 31-3, paragraph (1), Article 31-8, paragraph (1), Article 31-13, paragraph (1) and Article 31-18, paragraph (1));
- (iii) a person that has failed to keep a roster of workers or keep necessary statements in the roster in violation of the provisions of Article 36, or has made a false statement;
- (iv) a person that violates the provisions of Article 36-2, paragraph (1);
- (v) a person that has failed to make records in violation of the provisions of Article 36-2, paragraph (2), or has made a false statement, or has failed to keep records;
- (vi) a person that has failed to make a report or submit documents in violation of the provisions of Article 37, paragraph (1), or has made a false report on

the report or document submission under the same paragraph, or has submitted false documents;

- (vii) a person that has refused, obstructed or evaded an entry under the provisions of Article 37, paragraph (2) or Article 38-2, paragraph (1).

Article 54 A person that falls under any of the following items is punished with a fine of not more than 500,000 yen.

- (i) a person that has submitted a false application or accompanying document under Article 5, paragraph (1) (including the cases where it is applied mutatis mutandis in Article 31-23);
- (ii) a person that has failed to submit a notification in violation of the provisions of the second sentence of Article 9, paragraph (5) (including the cases where it is applied mutatis mutandis in Article 31-23; the same hereinafter in this item), or has submitted a false application or accompanying document under the second sentence of the same paragraph;
- (iii) a person that has submitted false descriptions in the application for accreditation or attached documents under Article 10-2, paragraph (2) (including the cases where it is applied mutatis mutandis in Article 31-23);
- (iv) a person that violates the provisions of Article 23, paragraph (1), item (iii) or item (iv) (including the cases where these provisions are applied mutatis mutandis in paragraph (3) of the same Article);
- (v) a person that violates the provisions of Article 24, paragraph (1) (including the cases where it is applied mutatis mutandis in Article 31-23);
- (vi) a person that has failed to submit a notification under Article 27, paragraph (2) (including the cases where it is applied mutatis mutandis in Article 31-12, paragraph (2); the same hereinafter in this item), Article 31-2, paragraph (2) (including the cases where it is applied mutatis mutandis in Article 31-7, paragraph (2) and Article 31-17, paragraph (2); the same hereinafter in this item), or Article 33, paragraph (1), or has submitted a false notification under Article 27, paragraph (2), Article 31-2, paragraph (2) or Article 33, paragraph (1) or false accompanying documents under Article 27, paragraph (3) (including the cases where it is applied mutatis mutandis in Article 31-12, paragraph (2)), Article 31-2, paragraph (3) (including the cases where it is applied mutatis mutandis in Article 31-7, paragraph (2) and Article 31-17, paragraph (2)) or Article 33, paragraph (3).

Article 55 A person that falls under any of the following items is punished with a fine of not more than 300,000 yen.

- (i) a person that violates the provisions of Article 6 (including the cases where it is applied mutatis mutandis in Article 31-23);
- (ii) a person that violates the provisions of Article 7, paragraph (5) (including

- the cases where these provisions are applied mutatis mutandis in Article 7-2, paragraph (3) and Article 7-3, paragraph (3) (including the cases where these provisions are applied mutatis mutandis in Article 31-23) and Article 31-23);
- (iii) a person that has failed to submit a notification in violation of the provisions of Article 9, paragraph (3) (including the cases where it is applied mutatis mutandis in Article 20, paragraph (10) and Article 31-23; the same hereinafter in this item) or Article 33, paragraph (2), or has submitted a false notification under Article 9, paragraph (3) or Article 33, paragraph (2) or false accompanying documents under Article 9, paragraph (3) or Article 33, paragraph (3);
 - (iv) a person that violates the provisions of Article 10, paragraph (1) (including the cases where it is applied mutatis mutandis in Article 31-23);
 - (v) a person that violates the provisions of Article 10-2, paragraph (7) (including the cases where it is applied mutatis mutandis in Article 31-23);
 - (vi) a person that violates the provisions of Article 31, paragraph (4) (including the cases where it is applied mutatis mutandis in Article 31-5, paragraph (3) and Article 31-6, paragraph (3)) or Article 31-16, paragraph (4).

Article 56 When any representative of a corporation, any agent of a corporation or individual, any employee or other worker has committed an act of violation listed in the range of Article 49, Article 50, paragraph (1) or Article 52 through the preceding Article with regard to the business of the corporation or individual, not only the offender is to be punished but also the corporation or individual is to be punished by the fine prescribed in the respective Articles.

Article 57 A person that falls under any of the following items is punished by a non-criminal fine of not more than 100,000 yen.

- (i) a person that violates the provisions of Article 7, paragraph (6) (including the cases where it is applied mutatis mutandis in Article 31-23);
- (ii) a person that violates the provisions of Article 10, paragraph (3) (including the cases where it is applied mutatis mutandis in Article 31-23);
- (iii) a person that violates the provisions of Article 10-2, paragraph (9) (including the cases where it is applied mutatis mutandis in Article 31-23).