

# Foreign Exchange Order

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

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

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Supplementary Provisions

## Chapter I General Provisions

(Purpose)

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

(Definitions)

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

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

(ii) anything similar to what is set forth in Article 6, paragraph (1), item (vii),

(a) or (b) of the Act or in the preceding item, which may be used for payment.

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

Ministry of Finance Order prescribes.

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

(Suspension of Transactions in Case of Emergency)

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

- (i) financial indicator: a financial indicator prescribed in Article 2, paragraph (25) of the Financial Instruments and Exchange Act or an index similar to it;

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

- transactions;
- (b) the transactions set forth in Article 2, paragraph (22), item (iii) of the Financial Instruments and Exchange Act which are connected with a currency (excluding those falling under the transactions set forth in (c));
  - (c) the transactions set forth in Article 2, paragraph (22), item (ii) of the Financial Instruments and Exchange Act or the transactions set forth in item (iii) of that paragraph which are connected with a financial indicator for a currency;
  - (xi) member or trading participant of a financial instruments exchange: a member or trading participant prescribed in Article 81, paragraph (1), item (iii) of the Financial Instruments and Exchange Act;
  - (xii) foreign means of payment or foreign-currency receivable: foreign means of payment or claims in foreign currency (meaning claims receivable in foreign currency);
  - (xiii) purchase and sale of a foreign means of payment or foreign-currency receivable or other prescribed transaction: the purchase and sale of a foreign means of payment or foreign-currency receivable (excluding those that constitute over-the-counter transactions of derivatives or market transactions of derivatives or similar foreign transactions) or a transaction similar to a market transaction of derivatives involving a currency that is conducted outside the financial instruments markets and foreign financial instruments markets (other than one constituting a purchase and sale of foreign means of payment or foreign-currency receivables);
  - (xiv) market for foreign exchange among banks and other prescribed persons: a market in which telecommunications facilities are used in the purchase and sales of foreign means of payment and foreign-currency receivables and other prescribed transactions that are carried out among banks and other persons conducting purchase and sales of foreign means of payment and foreign-currency receivables and other prescribed transactions in the course of trade.
- (2) If, pursuant to Article 9, paragraph (1) of the Act, the Minister of Finance finds it to be urgently necessary to order a person as set forth in the following items to suspend the capital transactions prescribed in those items (meaning capital transactions prescribed in Article 20 of the Act; the same applies hereinafter) for the purpose of maintaining the stability of currency, the Minister is to do so after designating the scope of transactions subject to the suspension order, by issuing a public notice for transactions prescribed in item (i), or by issuing a notice to the persons as set forth in item (ii) or (iii), for transactions prescribed in item (ii) or (iii); provided, however, that for transactions prescribed in item (i) which are conducted by the persons set forth in that item, if the Minister of Finance finds that designating the scope of transactions subject to the suspension order by a public notice would make it

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

- (i) a resident prescribed by Minister of Finance Order that carries out purchase and sales of foreign means of payment or foreign-currency receivables or other prescribed transactions in a market for foreign exchange among banks and other prescribed persons in the course of trade (referred to as a "participant in a specified foreign exchange market" in paragraph (5)): transactions involving the accrual, alteration, or extinguishment of a claim based on a contract for the purchase and sale of a foreign means of payment or foreign-currency receivable or other prescribed transaction (hereinafter individually referred to as a "transaction involving the accrual, alteration, or extinguishment of a claim"), which are conducted on a market for foreign exchange among banks and other prescribed persons;
- (ii) the member or trading participant of a financial instruments exchange: the following capital transactions:
  - (a) market transactions of derivatives that constitute the transactions set forth in item (ix), (a) or (b) of the preceding paragraph, among transactions involving the accrual, alteration, or extinguishment of a claim based on a contract for the purchase and sale of a foreign means of payment or foreign-currency receivable;
  - (b) transactions involving the accrual, alteration, or extinguishment of a claim based on a futures contract on a financial indicator or similar metric (limited to those connected with a financial indicator for a currency; hereinafter the same applies in this paragraph), which are conducted on a financial instruments market established by a financial instruments exchange;
  - (c) transactions involving the accrual, alteration, or extinguishment of a claim based on a contract for the purchase and sale of a foreign means of payment or foreign-currency receivable or a futures contract on a financial indicator or similar metric, which constitute transactions set forth in item (x) of the preceding paragraph;
- (iii) a financial instruments business operator or other person prescribed by Ministry of Finance Order: the following capital transactions:
  - (a) transactions involving the accrual, alteration, or extinguishment of a claim based on a contract for the purchase and sale of a foreign means of payment or foreign-currency receivable, that are similar to market transactions of derivatives which constitute the transactions set forth in item (ix), (a) or (b) of the preceding paragraph, and that are conducted on a foreign financial instruments market;

- (b) transactions similar to those involving the accrual, alteration, or extinguishment of a claim based on a futures contract on a financial indicator or similar metric, which are conducted on a foreign financial instruments market.
- (3) If the Minister of Finance has designated the scope of capital transactions in the way prescribed in the proviso of the preceding paragraph and has ordered a person to suspend them, the Minister is to take measures for making this and the content of the order (meaning the content of capital transactions designated as the subject of the suspension order and the period of the suspension order) public and also promptly give public notice of them.
- (4) For a suspension that the Minister of Finance orders pursuant to the provisions of paragraph (2), the period that Cabinet Order prescribes which is provided for in Article 9, paragraph (1) of the Act is the period of no longer than one month that the Minister of Finance establishes.
- (5) The participants in the specified foreign exchange market, members or trading participants of a financial instruments exchange, financial instruments business operators, or those prescribed by Ministry of Finance Order, that have been ordered to suspend capital transactions pursuant to the provisions of paragraph (2) must not conduct the designated capital transactions within the period specified by the Minister of Finance that is referred to in the preceding paragraph.

## **Chapter II Deleted**

Article 4 Deleted

Article 5 Deleted

## **Chapter III Making and Receiving Payments**

(Permission to Make or Receive a Payment)

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

pursuant to the provisions of the preceding paragraph, a resident or non-resident must get the permission of the Minister of Finance or the Minister of Economy, Trade and Industry through the procedures prescribed by Ministry of Finance Order or Order of the Ministry of Economy, Trade and Industry.

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

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

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

- (i) a bank (meaning a bank prescribed in Article 2, paragraph (1) of the Banking Act (Act No. 59 of 1981); the same applies in Article 11-2, paragraph

- (1)), long-term credit bank (meaning a long-term credit bank prescribed in Article 2 of the Long-Term Credit Bank Act (Act No. 187 of 1952); the same applies in Article 11-2, paragraph (1)), credit union, federation of credit unions, workers' credit union bank, federation of workers' credit union banks, credit cooperative, or federation of credit cooperatives (meaning a federation of cooperatives that conducts the business referred to in Article 9-9, paragraph (1), item (i) of the Small and Medium-Sized Enterprises Cooperatives Act (Act No. 181 of 1949));
- (ii) an agricultural cooperative, federation of agricultural cooperatives, fisheries cooperative, federation of fisheries cooperatives, fishery processing cooperative, or federation of fishery processing cooperatives, which may accept savings or thrift savings in the course of trade;
- (iii) the Bank of Japan, Norinchukin Bank, Shokochukin Bank Limited, the Development Bank of Japan, and Japan Bank for International Cooperation.
- (2) The making or receiving of a payment that Cabinet Order prescribes which is provided for in Article 16-2 of the Act means the making or receiving of a payment based on a purchase and sale contract (limited to one in which both of the making and receiving of the payment in question take place in Japan; hereinafter the same applies in this paragraph) or of any other payment prescribed by the Minister of Finance or the Minister of Economy, Trade and Industry in an amount that is not more than the equivalent of one hundred thousand yen.
- (3) Before the Minister of Finance or the Minister of Economy, Trade and Industry, pursuant to the provisions of Article 16-2 of the Act, fully or partially prohibits a person that, without getting the relevant permission, has made or received a payment that it has been made obligatory pursuant to the provisions of Article 16, paragraph (1) of the Act to get permission for, from making payments from Japan to a foreign state and from making and receiving payments that take place between a resident and a non-resident, the Minister is to specify the payments that the Minister is prohibiting, by issuing a notice to that person; before the Minister, pursuant to the provisions of Article 16-2 of the Act, makes it obligatory for such a person to get permission to make payments from Japan to a foreign state and to make and receive payments that take place between a resident and a non-resident, the Minister is to specify the payments that the Minister is obliging the person to get permission for, by issuing a notice to that person.
- (4) If a person that, pursuant to the provisions of the preceding paragraph, has been placed under the obligation to get permission to make or receive payments seeks to make or receive a payment that has been specified in a notice as referred to in that paragraph as one that the person must get permission for, the person must get the permission of the Minister of Finance



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

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

(Transactions Subject to the Obligation of Banks and Other Prescribed Financial Institutions to Implement Confirmations for Transactions)

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

- (i) specified capital transactions prescribed in Article 24, paragraph (1) of the

- Act that it has been made obligatory to get permission for pursuant to the provisions of paragraph (1) or (2) of that Article;
- (ii) a service transaction or transaction involving the transfer of goods between foreign countries as prescribed in Article 25, paragraph (6) of the Act that it has been made obligatory to get permission for pursuant to the provisions of that paragraph;
  - (iii) inward direct investment or an equivalent action prescribed in Article 26, paragraph (2) of the Act for which it has been made obligatory to give notification, pursuant to the provisions of Article 27, paragraph (1) of the Act, that is specified by Cabinet Order pursuant to the provisions of Article 27, paragraph (1) as constituting the inward direct investment or equivalent action set forth in Article 27, paragraph (3), item (iii) of the Act;
  - (iv) import of goods for which the it has been made obligatory pursuant to the provisions of Article 52 of the Act to get approval (limited to those for which the obligation to obtain approval was imposed by the Minister of Economy, Trade and Industry from the same viewpoint as that adopted in the cases in which the Minister makes it obligatory pursuant to the provisions of Article 16, paragraph (1) of the Act to get permission to make or receive a payment).

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

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

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

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

(The National Government, Local Government, Association or Foundation

Without Legal Personality, or Other Persons That Cabinet Order Prescribes)  
Article 7-3 The persons that Cabinet Order prescribes which are provided for in Article 18, paragraph (3) of the Act are:

- (i) the national government;
- (ii) a local government;
- (iii) an association or foundation without legal personality;
- (iv) an incorporated administrative agency provided for in Article 2, paragraph (1) of the Act on General Rules for Incorporated Administrative Agency (Act No. 103 of 1999);
- (v) a corporation not less than a half of whose stated capital, funds, or the equivalent have been contributed by a state or a local government (excluding those set forth in the preceding item, the following item, and item (viii));
- (vi) a foreign government, foreign governmental organization, foreign local government, foreign central bank, or international organization of which Japan is a member state;
- (vii) a working person entering into a working person's asset-building savings contract or other prescribed contract (meaning a working person's asset-building savings contract as prescribed in Article 6, paragraph (1) of the Act to Facilitate Asset-Building for Working People (Act No. 92 of 1971), a working person's asset-building pension savings contract as prescribed in paragraph (2) of that Article, or a working person's asset-building housing savings contract as prescribed in paragraph (4) of that Article; the same applies in Article 11-4);
- (viii) the issuer of securities set forth in the items of Article 27-2 of the Order for Enforcement of the Financial Instruments and Exchange Act (Cabinet Order No. 321 of 1965) (excluding securities set forth in Article 2, paragraph (1), item (xi) of the Financial Instruments and Exchange Act and those connected with those securities, and those falling under the tradable securities prescribed in Article 67-18, item (iv) of the Act);
- (ix) a person prescribed by Ministry of Finance Order as equivalent to those set forth in the preceding items.

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

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

public notice.

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

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

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

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

Article 19, paragraph (3) of the Act is:

- (i) the name and domicile or residence of the filer of the notification (for a corporation, its name, the location of its principal office, and the name of its representative);
- (ii) the kind, quantity, amount (for precious metal, weight), and destination or place of shipment of the means of payment, prescribed security, or precious metal to be imported or exported;
- (iii) the implementation date for importing or exporting the means of payment, prescribed security, or precious metal;
- (iv) other information that Ministry of Finance Order prescribes.

#### **Chapter IV Capital Transactions**

(Current Expenditures)

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

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

(Designation of Capital Transactions)

Article 10 The transaction that Cabinet Order prescribes which is provided for in Article 20, item (xii) of the Act means a transaction that involves the accrual,

alteration, or extinguishment of a claim based on a contract for the purchase and sale of gold bullion between a resident and a non-resident.

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

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

paragraph.

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

(Handling of the Special International Financial Transactions Account)

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

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

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

(i) a deposit contract with a non-resident prescribed in Article 21, paragraph (3), item (i) of the Act that is a financial institution or other person prescribed by Ministry of Finance Order: that monies will be returned on or after the day following the date of cancellation of the deposit contract, if the deposit contract gives no due date for their return; or that the due date for the return of monies will arrive on or after the day following the date of entry into the deposit contract, if the deposit contract gives a due date for their return;

(ii) a deposit contract with a non-resident other than those set forth in the preceding item as prescribed in Article 21, paragraph (3), item (i) of the Act: that the deposit contract gives a due date for the return of monies; that the

due date will arrive on or after the first day after the two-day period that begins to run on the date of entry into the deposit contract; and that the amount of the deposit based on that deposit contract is not less than the amount specified by the Minister of Finance.

- (4) The securities that Cabinet Order prescribes which are provided for in Article 21, paragraph (3), item (iii) of the Act means bonds issued by corporations established based on foreign laws and regulations, bonds issued by the national and local governments of a foreign state, bonds issued by foreign governmental organizations and international organizations, and other securities specified by the Minister of Finance (hereinafter referred to as "foreign bonds" in this Article).
- (5) The transactions and actions that Cabinet Order prescribes which are provided for in Article 21, paragraph (3), item (iv) of the Act are:
- (i) derivatives transactions with a non-resident which are incidental to a contract with, acquisition from, or transfer to a non-resident or a contract, acquisition, or transfer involving deposits in another account;
  - (ii) derivatives transactions with a non-resident associated with the holding of foreign bonds or liquid securities;
  - (iii) transactions involving the accrual, alteration, or extinguishment of a claim based on a loan or deposit contract for foreign bonds, national government bond securities, or liquid securities with a non-resident, which is conducted for the purpose of securing the transactions set forth in the preceding two items;
  - (iv) negotiation of national government bond securities to a non-resident;
  - (v) acquisition of national government bond securities with sell-back conditions from a non-resident;
  - (vi) acquisition of transferred national government bond securities with buy-back conditions from a non-resident;
  - (vii) acquisition of national government bond securities from a non-resident or other persons prescribed by Ministry of Finance Order, which is for negotiating national government bond securities with buy-back conditions or for conducting the transaction involving the accrual, alteration, or extinguishment of a claim based on a loan or deposit contract for national government bond securities or a loan contract with a monetary security for national government bond securities, which is conducted for the purpose of securing the transactions set forth in item (i) or (ii);
  - (viii) acquisition of liquid securities from a non-resident, or negotiation of these to a non-resident;
  - (ix) acquisition of liquid securities from their issuer for negotiating liquid securities;
  - (x) a transaction involving the accrual, alteration, or extinguishment of a claim



- based on a loan contract with a monetary security for foreign bonds, national government bond securities, or liquid securities with a non-resident;
- (xi) the following transactions or actions with another financial institution that has been approved to establish a special international financial transactions account (meaning a financial institution that has obtained approval from the Minister of Finance pursuant to the provisions of Article 21, paragraph (3) of the Act to establish a special international financial transactions account prescribed in that paragraph (hereinafter referred to as a "special international financial transactions account" in this Article); hereinafter the same applies in this Article and in Article 18-7, paragraph (2), item (i)), in connection with which accounting for the investment or procurement of funds is managed in the special international financial transactions account of that other financial institution:
- (a) a transaction involving the accrual, alteration, or extinguishment of a claim based on a deposit contract (excluding those connected with a negotiable deposit);
  - (b) a transaction involving the accrual, alteration, or extinguishment of a claim based on a money loan contract;
  - (c) derivatives transactions incidental to a contract with, acquisition from, or transfer to a non-resident or a contract, acquisition, or transfer involving deposits in another account;
  - (d) derivatives transactions associated with the holding of foreign bonds or liquid securities;
  - (e) a transaction involving the accrual, alteration, or extinguishment of a claim based on a loan or deposit contract for foreign bonds, national government bond securities, or liquid securities, which is conducted for the purpose of securing the transactions set forth in (c) or (d);
  - (f) the acquisition or transfer of foreign bonds, national government bond securities, or liquid securities;
  - (g) a transaction involving the accrual, alteration, or extinguishment of a claim based on a loan contract with a monetary security for foreign bonds, national government bond securities, or liquid securities.
- (6) In the preceding paragraph, the meanings of the terms set forth in the following items are as prescribed in the relevant of those items:
- (i) a contract with, acquisition from, or transfer to a non-resident: a deposit contract with a non-resident prescribed in Article 21, paragraph (3), item (i) of the Act which is specified by Cabinet Order; a monetary loan contract with a non-resident; the acquisition of foreign bonds or liquid securities from a non-resident; or the transfer of those bonds or securities to a non-resident;
  - (ii) a contract, acquisition, or transfer involving deposits in another account: a contract involving transactions set forth in item (xi), (a) or (b) of the

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

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

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

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

#### (Scope of Restrictions on Capital Transactions)

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

(2) If a person that has been placed pursuant to the provisions of the preceding

paragraph under the obligation to get permission for their capital transactions seeks to conduct a capital transaction that has been specified in a notice as referred to in the preceding paragraph as one that the person must get permission for, the person must get the permission of the Minister of Finance through the procedures prescribed by Ministry of Finance Order.

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

(Persons Equivalent to Customers)

Article 11-4 The person that Cabinet Order prescribes that is provided for in Article 22-2, paragraph (1) of the Act is the beneficiary of a trust contract provided for in Article 20, item (i) or (iv) of the Act (excluding those connected with a working person's asset-building savings contract or other prescribed contract, a working person's asset-building benefits contract prescribed in Article 6-2, paragraph (1) of the Act to Facilitate Asset-Building for Working People, a working person's asset-building fund contract prescribed in Article 6-

3, paragraph (1) of that Act, an asset management contract prescribed in Article 65, paragraph (3) of the Defined-Benefit Corporate Pension Act (Act No. 50 of 2001), a contract set forth in the items of Article 65, paragraph (1) of that Act which is concluded by a corporate pension funds pursuant to the provisions of Article 66, paragraph (1) of that Act or a trust contract prescribed in Article 66, paragraph (2) of that Act, a protective trust contract concluded pursuant to the provisions of Article 51, paragraph (1) of the Act on the Transfer of Corporate Bonds and Shares (Act No. 75 of 2001), an asset management contract prescribed in Article 8, paragraph (2) of the Defined Contribution Pension Act (Act No. 88 of 2001), or any other contract that Ministry of Finance Order prescribes).

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

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

- (i) conclusion of a deposit contract as prescribed in Article 20, item (i) or (iv) of the Act (limited to those on the acceptance of deposits);
- (ii) conclusion of a trust contract as prescribed in Article 20, item (i) or (iv) of the Act (excluding contracts whose beneficial interest is the right indicated on securities prescribed in Article 2, paragraph (1) of the Financial Instruments and Exchange Act (excluding those set forth in items (xii) through (xiv) of that paragraph; hereinafter the same applies in this Article) or the right deemed to be securities pursuant to the provisions of Article 2, paragraph (2) of the Financial Instruments and Exchange Act (excluding those set forth in items (i) and (ii) of that paragraph), and trust contracts prescribed in Article 2, paragraph (1) of the Secured Debenture Trust Act (Act No. 52 of 1905); hereinafter referred to as the "trust contracts" in this Article);
- (iii) designation or change of the beneficiary of a trust contract (excluding those connected with actions prescribed in Article 2, paragraph (8), item (i) of

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

(meaning the identifying information prescribed in paragraph (1) of that Article) at the time of identity verification (meaning the identity verification under Article 18, paragraph (1) and Article 22-2, paragraph (1) of the Act; the same applies in the following paragraph);

(x) an action set forth in items (i) through (viii) which is taken in a case in which the other party involved in the action is suspected of pretending to be the person in whose name the action is being taken or to be the representative or other responsible party.

(2) The "action taken with a customer or equivalent person whose identity has already been verified" that is provided for in the preceding paragraph means an action taken with a customer or equivalent person in the following cases, for which a bank or other prescribed financial institution, trust company, or FIBO (inclusive of the second bank or other prescribed financial institution, trust company, or FIBO prescribed in items (iii) through (vi), in the cases set forth in those items) has confirmed that the customer's or equivalent person's identity has already been verified by a means prescribed by Ministry of Finance Order:

(i) a case in which the bank or other prescribed financial institution, trust company, or FIBO has already verified the person's identity and also has preserved an identity verification record (meaning an identity verification record as prescribed in Article 18-3, paragraph (1) of the Act) in connection with its verification of the person's identity;

(ii) a case in which the bank or other prescribed financial institution, trust company, or FIBO has already taken an action with a person as set forth in Article 7-3 (excluding a person as set forth in item (iii) of that Article; hereinafter the same applies in this paragraph) and has, in taking that action, verified the identity of a natural person that is deemed to be a customer or equivalent person pursuant to the provisions of Article 18, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 22-2, paragraph (2) of the Act, and also has preserved an identity verification record in connection with its verification of the person's identity;

(iii) a case in which the bank or other prescribed financial institution, trust company, or FIBO takes an action prescribed in the preceding paragraph by entrusting a second bank or other prescribed financial institution, trust company, or FIBO with taking it, if the second bank or other prescribed financial institution, trust company, or FIBO has already verified the identity of a customer or equivalent person and also has preserved an identity verification record in connection with its verification of the person's identity;

(iv) a case in which the bank or other prescribed financial institution, trust company, or FIBO takes the action prescribed in the preceding paragraph by entrusting a second bank or other prescribed financial institution, trust

- company, or FIBO with taking it, if the second bank or other prescribed financial institution, trust company, or FIBO has already taken an action with a person as set forth in Article 7-3 and has, in taking the action, verified the identity of a natural person that is deemed to be customer or equivalent person pursuant to the provisions of Article 18, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 22-2, paragraph (2) of the Act, and also has preserved an identity verification record in connection with its verification of the person's identity;
- (v) a case in which the bank or other prescribed financial institution, trust company, or FIBO succeeds to the business of a second bank or other prescribed financial institution, trust company, or FIBO due to a merger, transfer of business, or other equivalent reason, if the second bank or other prescribed financial institution, trust company, or FIBO has already verified the identity of a customer or equivalent person and has handed over the identity verification record that it has prepared in connection with its verification of the person's identity to the first bank or other prescribed financial institution, trust company, or FIBO; and the first bank or other prescribed financial institution, trust company, or FIBO preserves the record of the identity verification;
- (vi) a case in which the bank or other prescribed financial institution, trust company, or FIBO succeeds to the business of a second bank or other prescribed financial institution, trust company, or FIBO due to a merger, transfer of business, or other equivalent reason, if the second bank or other prescribed financial institution, trust company, or FIBO has already taken the action with a person set forth in Article 7-3 and has, in taking that action, verified the identity of a natural person that is deemed to be a customer or equivalent person pursuant to the provisions of Article 18, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 22-2, paragraph (2) of the Act, and has handed over the identity verification record that it has prepared in connection with its verification of the person's identity to the first bank or other prescribed financial institution, trust company, or FIBO; and the first bank or other prescribed financial institution, trust company, or FIBO preserves the identity verification record.
- (3) If a bank or other prescribed financial institution, trust company, or FIBO takes the action set forth in paragraph (1), item (ii) or (iii) and the beneficiary of a trust contract has yet to be designated or does not exist, the beneficiary of a trust contract has yet to manifest the intention to receive benefits, or a condition precedent or time limit is set on the beneficiary's beneficial interest in a trust contract, the designation of the beneficiary of the trust contract set forth in the item in question is deemed to have been taken place at the time when the bank or other prescribed financial institution, trust company, or



FIBO came to know of the beneficiary's designation or existence, of the beneficiary's manifestation of the intention to receive benefits, of the fulfillment of the conditions precedent, or of the arrival of the time limit; and the provisions of that item applies.

(Small Currency Exchanges Exempted from the Obligation to Verify Customers' Identities)

Article 11-6 The small currency exchanges prescribed by Cabinet Order which are provided for in Article 22-3 of the Act means exchanges of currencies in no more than an amount equivalent to two million yen.

(Filing Notification of Outward Direct Investment)

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

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

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

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

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

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

- (i) the name and domicile or residence of a filer of a notification (for a corporation, its name, the location of its principal office, and the name of its representative);
  - (ii) the content of the outward direct investment;
  - (iii) timing of making the outward direct investment;
  - (iv) the reason for making the outward direct investment;
  - (v) other information that Ministry of Finance Order prescribes.
- (4) The acquisition of securities or lending of money that Cabinet Order prescribes which is provided for in Article 23, paragraph (2) of the Act is a resident's acquisition of securities or lending of money (but only if the loan period exceeds one year) as follows:
- (i) acquisition of securities issued by a corporation established based on foreign laws and regulations (hereinafter referred to as a "foreign corporation" in this paragraph) in cases in which the number of shares held or the amount of contributions made by the resident in the foreign corporation accounts for not less than one-tenth of the total number of issued shares or the total amount of contributions in that foreign corporation, or in cases that fall under those specified by Minister of Finance Order as cases equivalent to these;
  - (ii) acquisition of securities issued by a foreign corporation in which the number of shares held or the amount of contributions made by the resident accounts for not less than one-tenth of the total number of issued shares or the total amount of contributions in that foreign corporation, or by a foreign corporation prescribed by Ministry of Finance Order as equivalent to such a foreign corporation; or the lending of money to either such foreign corporation;
  - (iii) beyond what is set forth in the preceding two items, acquisition of securities issued by a foreign corporation which has a permanent relationship with the resident through sending of officers, long-term supplying of raw materials, or other actions prescribed by Ministry of Finance Order; or the lending of money to such a foreign corporation.

(Service of a Recommendation or an Order)

Article 13 (1) A recommendation or an order under Article 23, paragraph (4) or (9) of the Act is given by serving a document stating its content at the domicile, residence, or business office of the person that is to be served, through service by mail or by the correspondence delivery prescribed in Article 2, paragraph (2) of the Act on Correspondence Delivery by Private Business Operators (Act No. 99 of 2002) conducted by a general correspondence service operator prescribed in paragraph (6) of that Article or a specified correspondence service operator prescribed in paragraph (9) of that Article (hereinafter referred to as the

- "correspondence delivery" in this Article), or through personal service.
- (2) If a document prescribed in the preceding paragraph has been sent by mail or correspondence delivery subject to ordinary handling, the postal item or the correspondence item prescribed in Article 2, paragraph (3) of the Act on Correspondence Delivery by Private Business Operators is presumed to have been served at the time at which it would have ordinarily arrived.
  - (3) If the Minister of Finance sends a document prescribed in paragraph (1) by mail or correspondence delivery subject to ordinary handling, the Minister must prepare a record sufficient to verify the name of the person that is to be served with the document (for a corporation, its name), address, and the date that the document was sent.
  - (4) An official of the relevant administrative organ (including the officials of the Bank of Japan that engage in the administrative functions set forth in Article 26, item (iii) or (v) pursuant to Article 69, paragraph (1) of the Act) effects the personal service prescribed in paragraph (1) by delivering the document prescribed in paragraph (1) to the person that is to be served with the document at the place where the document is to be served; provided, however, that if the person to be served does not object, the document may be delivered to the person at another place.
  - (5) In a case set forth in one of the following items, the relevant person may effect the personal service set forth in paragraph (1) through the action prescribed in that item, in lieu of delivery under the preceding paragraph:
    - (i) if the person to be served with a document prescribed in paragraph (1) cannot be found at the place where service is to be effected: delivering that document to the person's employee or other such worker, or to a cohabitant that has sufficient discernment concerning the receipt of the document (referred to as an "employee or other such person" in the following item);
    - (ii) if the person to be served with a document prescribed in paragraph (1) or their employee or other such person is not at the place where service is to be effected or refuses to receive the document without a legitimate reason for doing so: leaving the document at the place where service is to be effected.
  - (6) A notice under Article 23, paragraph (6) of the Act must be given through procedures prescribed by Ministry of Finance Order.

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

Article 14 Specified capital transactions prescribed in Article 24, paragraph (1) of the Act (hereinafter referred to as the "specified capital transactions") are the transaction involving the accrual, alteration, or extinguishment of a claim based on any of the following contracts (excluding transactions for settlement of international commercial transactions for which the period from the

occurrence of claims to their extinguishment is no longer than one year):

- (i) a contract to lend money that a resident that imports goods enters into with the other party to the import contract for the goods, which is directly associated with the import contract for the goods, and under which the total amount of claims is offset by all or part of the charges for the imported goods (including acts substantially recognized as constituting offsetting; the same applies in the following item);
- (ii) a contract to borrow money from the other party to an import contract for goods that the resident that exports those goods enters into, which is directly associated with the export contract for the goods, and under which the total amount of the debt is offset by all or part of the charges for exported goods;
- (iii) the following debt guarantee contracts that a resident that imports or exports goods enters into with a non-resident:
  - (a) guarantee contracts that are entered into in conformity with the conditions for bid connected with the import or export of the goods;
  - (b) performance guarantee contracts for an import or export contract for the goods, refund guarantee contracts for advances received or advance payments for the charges of the goods, and other guarantee contracts directly associated with an import or export contract for the goods that are entered into as prescribed by those contracts;
- (iv) money loan contracts or debt contracts that a resident that is a party to a contract involving the transfer of a mining right, industrial property right, or similar other right similar to them, or involving the establishment of a right to use any of these rights (hereinafter referred to as the "transfer of or establishment of a license against a mining or IP right" in this Article) enters into with the other party based on that contract in order to transfer or establish a license against a mining or IP right, and under which the total amount of claims or debts is offset by all or part of the consideration for the transfer or establishment of the license against a mining or IP right;
- (v) guarantee contracts that a resident that is a party to a contract for transferring or establishing a license against a mining or IP right enters into with a non-resident based on that contract.

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

(2) If a resident seeks to conduct a specified capital transaction that has been

designated pursuant to the provisions of the preceding paragraph, the resident must get permission from the Ministry of Economy, Trade and Industry through procedures prescribed by Order of the Ministry of Economy, Trade and Industry.

- (3) If a resident seeks to conduct a single specified capital transaction, and it falls under two or more categories of specified capital transactions that have been designated pursuant to the provisions of paragraph (1) based on Article 24, paragraph (1) or (2) of the Act; and if, based on paragraph (3) of that Article, the resident seeks to file a combined application for permission under paragraphs (1) and (2) of that Article for the specified capital transaction that the resident seeks to conduct, the resident is to file the application through procedures prescribed by Order of the Ministry of Economy, Trade and Industry, while making it clear that the resident is filing the application for the specified capital transaction which it has been made obligatory for the resident to get the permission for pursuant to these provisions.
- (4) If the Minister of Economy, Trade and Industry has made it obligatory pursuant to the provisions of paragraph (1) to get permission to conduct specified capital transactions, but then finds that there is no longer a need to make this obligatory, the Minister must promptly lift this obligation by issuing a public notice.

(Scope of Restrictions on Specified Capital Transactions)

- Article 16 (1) Before the Minister of Economy, Trade and Industry, pursuant to Article 24-2 of the Act, fully or partially prohibits a person that, without getting the relevant permission, has conducted a specified capital transaction that it has been made obligatory to get permission for pursuant to the provisions of Article 24, paragraph (1) of the Act, from conducting specified capital transactions, the Minister is to specify the specified capital transactions that the Minister is prohibiting, by issuing a notice to that person; before the Minister, pursuant to Article 24-2 of the Act, makes it obligatory for such a person to get permission to conduct specified capital transactions, the Minister is to specify the specified capital transactions that the Minister is obliging the person to get permission for, by issuing a notice to that person.
- (2) If a person that, pursuant to the provisions of the preceding paragraph, has been placed under the obligation to get permission for the specified capital transactions that the person conducts seeks to conduct a specified capital transaction that has been specified by a notice referred to in that paragraph as one that the person must get permission for, the person must get the permission of the Minister of Economy, Trade and Industry through procedures prescribed by Order of the Ministry of Economy, Trade and Industry.
  - (3) If the Minister of Economy, Trade and Industry, pursuant to the provisions of

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

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

(Permission for Service Transactions)

Article 17 (1) A transaction that is meant to provide a technology for designing, manufacturing, or using a specified types of goods (hereinafter referred to as "specified technology" in this paragraph, the following paragraph, and Article 18-2, paragraph (1)) in a specified foreign country (hereinafter referred to as a "specified country" in this paragraph) and that is prescribed by Cabinet Order, as provided for by Article 25, paragraph (1) of the Act, refers to a transaction that is meant to provide a technology set forth in the middle column of the Appended Table in the foreign country set forth in the right-hand column of that table; a transaction that is meant to provide a specified technology to a non-resident affiliated with a specified country and that is prescribed by Cabinet Order, as provided for by Article 25, paragraph (1) of the Act, refers to a transaction that is meant to provide a technology set forth in the middle

column of that table to a non-resident affiliated with the foreign country set forth in the right-column of that table.

- (2) A person seeking to take the action prescribed in Article 25, paragraph (3), item (i) of the Act (other than a person that has obtained the permission referred to in paragraph (1) of that Article for a transaction meant to provide specified technology which is associated with that action) must get the permission of the Minister of Economy, Trade and Industry through procedures prescribed by Order of the Ministry of Economy, Trade and Industry; provided, however, that this does not apply to actions that the Minister of Economy, Trade and Industry has specified upon finding that, considering the person taking the action, the substance of the action, and other things, it will not cause any particular impediment to achieving the purpose of the Act.
- (3) A transaction that is connected with the buying and selling, leasing, or donation of goods; that involves the transfer of goods between foreign states; and that Cabinet Order prescribes, which is provided for in Article 25, paragraph (4) of the Act, is a transaction that falls under any of the following:
  - (i) a transaction that is connected with the buying and selling, leasing, or donation of the goods set forth in the middle column of row 1 of Appended Table 1 of the Cabinet Order on Export Trade Control and that involves the transfer of those goods between foreign states;
  - (ii) a transaction that is connected with the buying and selling, leasing, or donation of the goods set forth in the middle column of rows 2 to 16 of Appended Table 1 of the Cabinet Order on Export Trade Control, that involves the transfer of those goods between foreign states (excluding those in which the goods connected with the transactions are shipped from or exported to the regions set forth in Appended Table 3 of that Cabinet Order), and that falls under any of the following:
    - (a) the transaction in question, in a case falling under the category of cases prescribed by Order of the Ministry of Economy, Trade and Industry as those in which the goods involved in the transaction are likely to be used to develop, manufacture, use, or store (referred to as "development, manufacture, use, or storage" in (b)) a nuclear weapon; a military chemical warfare agent, a military bacterial agent, or a device for spraying one of these agents; or a rocket or unmanned aerial vehicle capable of transporting one of these which has a range or flight range of 300km or longer (referred to as an "NBC or associated device" in (b) and Article 27, paragraph (2));
    - (b) the transaction in question, in a case in which a notice has been received from the Minister of Economy, Trade and Industry that an application for permission should be filed because the goods involved in the transaction are likely to be used for the development, manufacture, use, or storage of

an NBC or associated device.

- (4) A person that seeks the permission of the Minister of Economy, Trade and Industry under Article 25, paragraph (1) or (4) of the Act must file an application for that permission through procedures prescribed by Order of the Ministry of Economy, Trade and Industry.
- (5) A person, without getting the permission of the Ministry of Economy, Trade and Industry under Article 25, paragraph (1) or (4) of the Act, may conduct a transaction prescribed in paragraph (1) or (3) that the Minister of Economy, Trade and Industry has specified upon finding that, considering the parties to the transaction, the content of the transaction, and other things, it will not cause any particular impediment to achieving the purpose of the Act.

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

- (2) If a resident seeks the permission of the Minister of Finance or the Minister of Economy, Trade and Industry under Article 25, paragraph (5) of the Act, the resident must file an application for that permission through the procedures prescribed by Ministry of Finance Order or Order of the Ministry of Economy, Trade and Industry.
- (3) Before the Minister of Finance or the Minister of Economy, Trade and Industry makes it obligatory pursuant to Article 25, paragraph (6) of the Act for residents to get permission to conduct a service transaction or a transaction involving the transfer of goods between foreign states (meaning a service transaction or transaction involving the transfer of goods between foreign countries as prescribed in that paragraph; hereinafter the same applies in this Article and Article 18-3), the Minister is to designate the service transactions or transactions involving the transfer of goods between foreign countries that residents are required to get permission for, by issuing a public notice.
- (4) If a resident seeks to conduct a service transaction or transaction involving the transfer of goods between foreign countries that has been designated pursuant to the provisions of the preceding paragraph, the resident must get the permission of the Minister of Finance or the Minister of Economy, Trade and Industry through procedures prescribed by Ministry of Finance Order or Order of the Ministry of Economy, Trade and Industry.



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

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

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

(2) When the director-general of a custom-house has carried out a verification under the preceding paragraph, the director-general is to notify the Minister of Economy, Trade and Industry of the results of this pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry.

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

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

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

(2) If a person that, pursuant to the provisions of the preceding paragraph, has been placed under the obligation to get permission for service transactions or

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

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

## Chapter IV-2 Reporting

(Reporting the Making and Receipt of Payments)

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

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

(Reporting Capital Transactions)

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

- (i) a capital transaction that is set forth in Article 55-3, paragraph (1), items (i) through (ix) of the Act and that constitutes a small scale transaction prescribed by Ministry of Finance Order according to the classifications of

- capital transactions prescribed by Ministry of Finance Order;
- (ii) a capital transaction that is set forth in Article 55-3, paragraph (1), item (iv) of the Act and that is other than a transaction involving the accrual, alteration, or extinguishment of a claim based on a contract for the purchase and sale of a foreign means of payment or for claims between one resident and another resident;
  - (iii) a capital transaction prescribed by Ministry of Finance Order as one that will not cause any particular impediment to achieving the purpose of the Act even without a report being made pursuant to Article 55-3, paragraph (1) of the Act.
- (2) A report under Article 55-3, paragraph (1) must be made through the procedures prescribed by Ministry of Finance Order within a period prescribed by Ministry of Finance Order.
- (3) The information that Cabinet Order prescribes which is provided for in Article 55-3, paragraph (1) of the Act is:
- (i) the name and domicile or residence of the reporting person (for a corporation, its name, the location of its principal office, and the name of its representative);
  - (ii) the content of the capital transaction;
  - (iii) the date on which the capital transaction was conducted;
  - (iv) other matters prescribed by Ministry of Finance Order.
- (4) A report under Article 55-3, paragraph (2) of the Act must be made through the procedures prescribed by Ministry of Finance Order within a period prescribed by Ministry of Finance Order.
- (5) The information that Cabinet Order prescribes which is provided for in Article 55-3, paragraph (2) of the Act is:
- (i) the name of the reporting person, the location of its principal office, and the name of its representative;
  - (ii) the names of the parties to the capital transaction, and their domicile or residence;
  - (iii) the content of the capital transaction;
  - (iv) the date on which the capital transaction was conducted;
  - (v) other matters prescribed by Ministry of Finance Order.
- (6) When a report under Article 55-3, paragraph (5) of the Act is made, it must be made through the procedures prescribed by Ministry of Finance Order within a period prescribed by Ministry of Finance Order.
- (7) A person that has made a report under Article 55-3, paragraph (5) of the Act must prepare books and documents prescribed in that paragraph and preserve them in the location of an office connected with the person's business or other place equivalent to it, for five years from the date on which the capital transaction subject to the report was conducted, pursuant to the provisions of

Ministry of Finance Order.

(Reporting of Specified Capital Transactions)

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

(2) A report under Article 55-4 of the Act must be made through the procedures prescribed by Order of the Ministry of Economy, Trade and Industry within a period prescribed by Order the Ministry of Economy, Trade and Industry.

(3) The information that Cabinet Order prescribes which is provided for in Article 55-4 of the Act is:

- (i) the name and domicile or residence of the reporting person (for a corporation, its name, the location of its principal office, and the name of its representative);
- (ii) the content of the specified capital transaction;
- (iii) the date on which the specified capital transaction was conducted;
- (iv) other matters specified by Order the Ministry of Economy, Trade and Industry.

(Reporting Matters Related to Foreign Exchange Business)

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

- (i) foreign exchange transactions;
- (ii) issuance of foreign means of payment;
- (iii) buying and selling of foreign means of payment or claims (excluding the buying and selling of claims payable in Japanese currency between residents);
- (iv) acceptance of deposits (excluding acceptance of deposits payable in Japanese currency from a resident);
- (v) lending of money (excluding the lending of money payable in Japanese currency to a resident);
- (vi) buying and selling of securities (excluding buying and selling between residents in exchange for Japanese currency);
- (vii) acquisition of securities by a resident from a non-resident, or acting as an intermediary, commission agent, or other agent for a resident's transfer of securities to a non-resident.

- (2) The person that Cabinet Order prescribes which is provided for in Article 55-7 of the Act is a person that constitutes one of the following:
- (i) an approved financial institution for the special international financial transactions account;
  - (ii) beyond what is set forth in the preceding item, a person that has a total for the amounts specified by Ministry of Finance Order as those of the transactions conducted or actions taken within a period prescribed by Ministry of Finance Order according to the following classifications of transactions or actions, or an outstanding balance of claims or debts based on those transactions or actions at the point of time prescribed by Ministry of Finance Order according to the following classifications of transactions or actions, which exceeds the amount prescribed by Ministry of Finance Order:
    - (a) foreign exchange transactions;
    - (b) issuance of foreign means of payment;
    - (c) buying and selling of foreign means of payment (excluding buying and selling set forth in (d)) or buying and selling of claims set forth in item (iii) of the preceding paragraph;
    - (d) buying and selling of foreign currency or traveler's checks;
    - (e) acceptance of deposits set forth in item (iv) of the preceding paragraph;
    - (f) lending of money set forth in item (v) of the preceding paragraph;
    - (g) buying and selling of securities set forth in item (vi) of the preceding paragraph;
    - (h) acquisition of securities by a resident from a non-resident, or acting as an intermediary, commitment agent, or other agent for a resident's negotiation of securities to a non-resident;
  - (iii) persons designated by a public notice or notice by the Minister of Finance as equivalent to those set forth in the preceding item.
- (3) To the extent necessary to the entry into force of the Act and this Cabinet Order, the Minister of Finance may ask a person prescribed in the preceding paragraph to make a report on information related to the performance of transactions or actions set forth in the items of paragraph (1) (excluding matters subject to a report under Article 55-3) or other information prescribed by Ministry of Finance Order as one related to those transactions or actions, pursuant to the provisions of Ministry of Finance Order.

(Other Reports)

Article 18-8 (1) If the Minister of Finance or the Minister of Economy, Trade and Industry, pursuant to Article 55-8 of the Act and to the extent necessary to the entry into force of the Act (limited to Chapters I, III, IV and VI-3; hereinafter the same applies in this paragraph) and this Cabinet Order, asks a person that is undertaking or has undertaken a transaction, action, or the making or

receipt of a payment to which the Act applies, or any related person, to report the substance of the transaction, the action, or the making or receiving of the payment as well as any other information related to the transaction, action, or making or receiving of the payment, the Minister is to designate the information that the person is being asked to report by issuing a notice to these persons or by other method prescribed by Ministry of Finance Order or Order of the Ministry of Economy, Trade and Industry.

- (2) Any person that has been asked to report information designated pursuant to the provisions of the preceding paragraph must report this through procedures prescribed by Ministry of Finance Order or Order of the Ministry of Economy, Trade and Industry.

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

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

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

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

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

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

## **Chapter V Miscellaneous Provisions**

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

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

Article 20 Deleted.

(Currency Translation Method)

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

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

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

(Means of Giving Public Notice)

Article 23 Public notice based on this Cabinet Order is given in the Official Gazette.

Article 24 Deleted.

(Delegation of Authority)

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

- (i) acceptance of notifications under Article 19, paragraph (3) of the Act;
- (ii) granting of permissions under Article 8, paragraph (2).

(2) Of the parts of the authority of the competent ministers under Article 68, paragraph (1) of the Act, the authority under the jurisdiction of the Minister of Finance is delegated to the director-general of the local finance bureau with jurisdiction in the locality of the head office or principal office of a person engaged in foreign exchange services or any other person that carries out



transactions or actions to which the Act applies in the course of their trade (such a person is referred to as a "person engaged in foreign exchange services or other prescribed transactions or actions" in the following paragraph through paragraph (5)) (or if the office is located within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, the authority is delegated to the Director-General of the Fukuoka Local Finance Branch Bureau); provided, however, that it does not prevent the Minister of Finance from personally exercising that authority.

- (3) The part of the authority of the Minister of Finance prescribed in the preceding paragraph which is related to a business office or office other than the head office or principal office of a person engaged in foreign exchange services or other prescribed transactions or actions (the office in question is hereinafter referred to as a "branch office or other such place of business") may be exercised by the director-general of the local finance bureau with jurisdiction in the locality of the branch office or other such place of business (or if the office is located within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, the authority may be exercised by the Director-General of the Fukuoka Local Finance Branch Bureau), in addition to the director-general prescribed in that paragraph.
- (4) If the director-general of the local finance bureau or the Director-General of the Fukuoka Local Finance Branch Bureau has carried out on-site inspection or questioning of a branch office or other such place of business of a person engaged in foreign exchange services or other prescribed transactions or actions, pursuant to the provisions of the preceding paragraph, and has found it necessary to carry out on-site inspection or questioning of the head office, the principal office, or the other branch offices or other such places of business (other branch offices or other such places of business refer to those other than the branch offices or other such places of business for which the on-site inspection or questions were carried out), the director-general may carry out on-site inspection or questioning at that head office, principal office, or other branch offices or other such places of business.
- (5) Of the parts of the authority of the competent ministers under Article 55-8 of the Act, the authority under the jurisdiction of the Minister of Finance may be exercised by the director-general of the local finance bureau or the Director-General of the Fukuoka Local Finance Branch Bureau to the extent necessary for exercising the authority to carry out on-site inspection or questions that has been delegated pursuant to the provisions of the preceding three paragraphs to the director-general of the local finance bureau or the Director-General of the Fukuoka Local Finance Branch Bureau with regard to a person engaged in foreign exchange services or other prescribed transactions or actions.

- (6) The provisions of the preceding paragraphs do not apply to the authority designated by the Minister of Finance among the parts of the authority of the Minister of Finance prescribed in paragraph (1) and the authority under the jurisdiction of the Minister of Finance prescribed in paragraph (2), paragraph (3), and the preceding paragraph.
- (7) Having made a designation set forth in the preceding paragraph, the Minister of Finance is to issue a public notice indicating this. The same applies if the Minister has discontinued or changed that designation.

(Delegation of Administrative Functions)

Article 26 Administrative functions related to the enforcement of the Act which the Minister of Finance and the Minister of Economy, Trade and Industry have the Bank of Japan handle based on the provisions of Article 69, paragraph (1) of the Act (limited to Chapter I, Chapter III, Chapter IV, and Chapter VI-2 (excluding Article 55-2, Article 55-5, and Article 55-6); the same applies in item (x)) are those of the following administrative functions that are prescribed by Ministry of Finance Order or Order of the Ministry of Economy, Trade and Industry:

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

Article 55-9 of the Act;

- (ix) administrative functions connected with the granting of the permission under Article 6-2, paragraph (4), Article 11-3, paragraph (2), Article 16, paragraph (2), or Article 18-3, paragraph (2);
- (x) the necessary administrative functions for the entry into force of the Act and this Cabinet Order, other than administrative functions set forth in the preceding items.

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

Article 27 (1) The rocket or unmanned aerial vehicle prescribed by Cabinet Order that is provided for in Article 69-6, paragraph (2), item (i) of the Act is a rocket or unmanned aerial vehicle that is capable of transporting a nuclear weapon, a military chemical warfare agent or military bacterial agent, or a device for spraying such an agent, which has a firing range or flight range of 300km or more.

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

### **Supplementary Provisions**

(Effective Date)

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

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

Article 2 The following Cabinet Orders are repealed:

- (i) the Cabinet Order on Reporting by a Certified Foreign Exchange Bank or a Money Exchanger (Cabinet Order No. 377 of 1949);
- (ii) the Order on Accounts for Foreign Borrowings and Lendings and Balances (Cabinet Order No. 181 of 1950);
- (iii) the Foreign Exchange Control Order (Cabinet Order No. 203 of 1950);
- (iv) the Cabinet Order Prescribing the Scope of Administrative Functions That the Bank of Japan Is to Handle Pursuant to the Provisions of the Cabinet Order on the Acquisition of Property by Foreign Nationals (Cabinet Order No.

310 of 1952);  
(v) the Cabinet Order on Non-Resident Free-Yen Accounts (Cabinet Order No. 157 of 1960).

(Transitional Measures)

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

(2) For transactions or actions connected with an application for permission or an approval which has been filed pursuant to the provisions of Article 10, 11, 13, 15, 17, or 19 of the former Order or paragraph (9) of the Supplementary Provisions of the former Order at the time this Cabinet Order comes into effect (hereinafter referred to as an "application filed based on the former Order" in this paragraph), for which permission must be obtained under the Act amended by the Act Partially Amending the Foreign Exchange and Foreign Trade Control Act (referred to as the "amending Act" in the following paragraph) (hereinafter the Act amended by the amending Act is referred to as the "new Act" in this paragraph) and this Cabinet Order, an application filed based on the former Order is deemed to be an application for permission filed pursuant to the relevant provisions of the new Act and this Cabinet Order; for transactions or actions connected with an application filed based on the former Order, for which notification must be given pursuant to the provisions of Article 22, paragraph (1) or Article 24, paragraph (2) of the new Act, an application filed based on the former Order is deemed to be notification given as on the effective date of this Cabinet Order pursuant to these provisions; and the provisions of the new Act (excluding Chapter V and Chapter VI) and this Cabinet Order apply to those transactions and actions in question in both cases.

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

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

Article 5 Even after this Cabinet Order comes into effect, the Cabinet Order

Prescribing the Scope of Administrative Functions That the Bank of Japan Is to Handle Pursuant to the Provisions of the Cabinet Order on the Acquisition of Property by Foreign Nationals before its repeal by this Cabinet Order remains in effect with regard to transactions connected with an application which has been filed at the time this Cabinet Order comes into effect, pursuant to the provisions of Article 3, paragraph (1) of the Cabinet Order on the Acquisition of Property by Foreign Nationals before its repeal by the amending Act, and to reports connected with those transactions.

Article 6 Deleted.

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

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

Article 21 is deleted.

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

Article 8 (1) Prior laws continue to govern transactions and actions for which permission was obtained based on Article 21, paragraph (1) of the Cabinet Order on Import Trade Control before its amendment by the preceding Article (referred to as the "former Import Order" in the following paragraph).  
(2) An application for permission which has been filed pursuant to the provisions of Article 21, paragraph (1) of the former Import Order at the time this Cabinet Order comes into effect is deemed to be an application for permission filed pursuant to the provisions of Article 18, paragraph (2) of this Cabinet Order; and the provisions of this Cabinet Order apply to that application.

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

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

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

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

Article 10 Part of the Order for Enforcement of the Act on Reserve Deposit

Requirement System (Cabinet Order No. 135 of 1957) is amended as follows.

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

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

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

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

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

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

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

(Partial Amendment of the Order for Organization of the Ministry of Finance)

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

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

(viii) to designate a designated securities company

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

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

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

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

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

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

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

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

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

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

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

(Effective Date)

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

(Transitional Measures)

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

of the Foreign Exchange Control Order before its amendment by this Cabinet Order to permission under Article 25 of the Foreign Exchange and Foreign Trade Control Act before its amendment by the amending Act are deemed to be conditions that have been attached pursuant to the provisions of Article 21, paragraph (1) of the new Order to permission under Article 25, paragraph (1) or (3) of the new Act or Article 17-2, paragraph (3) of the new Order, respectively.

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

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

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

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

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

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

(Effective Date)

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

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

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

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

- (1) This Cabinet Order comes into effect as of the date of promulgation; provided, however, that amending provisions set forth in the following items come into effect as of the dates set forth in those items:
  - (i) the provisions amending row 1 (ii), row 5 (iii), row 8 (ii), row 8 (iii), row 9 (ii), row 12 (ii), row 12 (iii), row 18 (ii) and row 25 of the Appended Table of the Foreign Exchange Control Order in Article 1; and the provisions amending



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

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

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

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

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

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

- (1) This Cabinet Order comes into effect as of November 1, 1990; provided, however, that the provisions amending row 1, row 1 (ii), row 10 (ii), row 11 (ii), row 13, row 17, and row 19 of the Appended Table of the Foreign Exchange Control Order in Article 1, and the provisions amending row 2, row 9, row 15, rows 29 through 30, row 46, row 53, row 58, row 71, rows 75 through 77, row 89, row 92, row 93, row 106, row 108, row 109, row 118, row 121, row 122, rows 125 through 127, rows 129 through 131, row 140, row 142, row 144, row 145, row 149, row 153, row 155, and rows 165 through 167 of Appended Table 1 of the Cabinet Order on Export Trade Control in Article 2 come into effect as of

the date of promulgation.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**[Extract]**

- (1) This Cabinet Order comes into effect as of the date of promulgation; provided, however, that amending provisions set forth in the following items come into effect as of the date set forth in the respective items:
  - (i) the provisions amending Article 18 of the Foreign Exchange Control Order in Article 1, and the provisions amending Article 4, paragraph (2) of the Cabinet Order on Export Trade Control and Appended Table 2-2 of that Order in Article 2: June 26, 1992.
- (2) The provisions of Article 18 of the Foreign Exchange Control Order after its amendment by Article 1 apply to service transactions which are started on or after June 26, 1992.
- (3) Prior laws continue to govern transactions that are meant to provide specified technology and that a person conducts in accordance with a permission under Article 17-2, paragraph (1) or (2) of the Foreign Exchange Control Order before its amendment that the person has received before this Cabinet Order comes into effect, for a transaction that is meant to provide specified technology in Hungary.
- (5) Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect.

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

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

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

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

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

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

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

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

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

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

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

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

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

(Effective Date)

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

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

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

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

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

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

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

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

(Effective Date)

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

(Transitional Measures)

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

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

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

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

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

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

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

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

(Effective Date)

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

(Transitional Measures)

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

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

(Effective Date)

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

(Transitional Measures)

Article 2 Prior laws continue to govern service transactions that are meant to

provide technology in that a person conducts in accordance with a permission under Article 17-2, paragraph (3) of the Foreign Exchange Control Order before its amendment that the person has received before this Cabinet Order comes into effect for a transaction that is meant to provide technology set forth in the middle columns of rows 5 through 15 of the Appended Table of that Cabinet Order; and to which the provisions of Article 17-2, paragraph (1) of the Foreign Exchange Control Order after its amendment apply.

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

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

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

(Transitional Measures for Penal Provisions)

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

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

(Effective Date)

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

(Transitional Measures for Penal Provisions)

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

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

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

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

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

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

(Effective Date)

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

(Transitional Measures)

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

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

(Effective Date)

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

(Transitional Measures)

Article 2 (1) The application of the provisions of Article 17 of the Foreign



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

- (i) "Article 21, paragraph (1) or paragraph (2)" in Article 17, paragraph (1), item (ii) of the new Act is deemed to be replaced with "Article 21, paragraph (1) or paragraph (2) of the Foreign Exchange and Foreign Trade Control Act before its amendment by the Act Partially Amending the Foreign Exchange and Foreign Trade Control Act (Act No. 59 of 1997; hereinafter referred to as the "amending Act" in this item and the following item) (that Foreign Exchange and Foreign Trade Control Act is referred to as the "former Act" in the following item)", and "capital transactions" is deemed to be replaced with "capital transactions (but only those constituting capital transactions that it would be made obligatory to get permission for pursuant to the provisions of Article 21, paragraph (1) or paragraph (2) if they were to be conducted on or after the effective date of the amending Act)";
- (ii) "those specified by Cabinet Order" in Article 17, paragraph (1), item (iii) of the new Act is deemed to be replaced with "capital transactions prescribed in Article 23, paragraph (1) of the former Act for which the obligation to give notification is imposed pursuant to the provisions of Article 22, paragraph (1) of the former Act, or capital transactions prescribed in Article 24, paragraph (1) of the former Act for which the obligation to give notification is imposed pursuant to the provisions of paragraph (2) of that Article (but only those constituting capital transactions that it would be made obligatory to get permission for pursuant to the provisions of Article 21, paragraph (1) or (2) if they were to be conducted on or after the effective date of the amending Act) or those specified by Cabinet Order";
- (iii) in Article 7, item (i) of the new Order, "Article 24, paragraph (1) or (2) of

the Act" is deemed to be replaced with "Article 24, paragraph (1) of the Foreign Exchange and Foreign Trade Control Act before its amendment by the Act Partially Amending the Foreign Exchange and Foreign Trade Control Act (Act No. 59 of 1997; hereinafter referred to as the "amending Act" in this item)", and "specified capital transactions prescribed in paragraph (1) of that Article" is deemed to be replaced with "capital transactions prescribed in that paragraph (but only those constituting specified capital transactions as provided in paragraph (1) of that Article that it would be made obligatory to get permission for pursuant to the provisions of Article 24, paragraph (1) or (2) if they were to be conducted on or after the effective date of the amending Act)".

(2) To apply the provisions of Article 17 of the new Act and Article 7 of the new Order if the making or receipt of a payment involved in an exchange transaction conducted by a bank or other prescribed financial institution with its customer is connected with a transaction conducted prior to the effective date which is prescribed in Article 25, paragraph (3) of the former Act, "Article 25, paragraph (4) of the Act" in item (ii) of that Article is deemed to be replaced with "Article 25, paragraph (3) of the Foreign Exchange and Foreign Trade Control Act before its amendment by the Act Partially Amending the Foreign Exchange and Foreign Trade Control Act (Act No. 59 of 1997; hereinafter referred to as the "amending Act" in this item)", and "a service transaction or transaction involving the transfer of goods between foreign states" is deemed to be replaced with "transaction (but only one constituting a service transaction or transaction involving the transfer of goods between foreign countries that it would be made obligatory to get permission for pursuant to the provisions of Article 25, paragraph (4) of the Act if it were to be conducted on or after the effective date of the amending Act)".

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

approval from the same viewpoint as in cases in which the Minister would make it obligatory pursuant to the provisions of Article 16, paragraph (1) of the Act to get permission to make or receive a payment if the export were to be made on or after the effective date of the amending Act)".

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

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

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

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

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

- (i) a capital or other prescribed transaction that is designated by a public notice based on the provisions of Article 11, paragraph (1), Article 15, paragraph (1), or Article 18, paragraph (3) of the new Order as on the effective date, and that are specified by the public notice as those that it has

been made obligatory to get permission for pursuant to the provisions of Article 21, paragraph (1), Article 24, paragraph (1), or Article 25, paragraph (4) of the new Act, following the finding that they would cause a situation that would prevent Japan from contributing to international efforts towards international peace and thereby make it difficult to achieve the purpose of the new Act;

- (ii) capital transactions designated by a public notice based on Article 11, paragraph (1), Article 15, paragraph (1), or Article 18, paragraph (3) of the new Order after the effective date.

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

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

(Transitional Measures for Penal Provisions)

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

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

(Effective Date)

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

(Transitional Measures for the Application of Penal Provisions)

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

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

(Effective Date)

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

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

(Transitional Measures for Penal Provisions)

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

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

(Effective Date)

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

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

(Effective Date)

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

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

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

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

(Effective Date)

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

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

(Effective Date)

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

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

(Effective Date)

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

(Transitional Measures for Penal Provisions)

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

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

(Effective Date)

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

(Transitional Measures for Penal Provisions)

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

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

**[Extract]**

(Effective Date)

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

(Transitional Measures)

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

under Article 18, paragraph (1) and Article 22-2, paragraph (1) of the new Act), the record in question is deemed to be an identity verification record (meaning an identity verification record under Article 18-3, paragraph (1) of the new Act), and the provisions of that paragraph apply) is deemed to be an action taken with an identified customer as prescribed in Article 11-5, paragraph (2) after its amendment.

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

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

(Effective Date)

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

(Transitional Measures for Penal Provisions)

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

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

(Effective Date)

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

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

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

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

(Effective Date)

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

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

(Effective Date)

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

**Supplementary Provisions [Cabinet Order No. 1917 of April 2, 2003]**

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

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

(Effective Date)

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

(Transitional Measures for Penal Provisions)

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

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

(Effective Date)

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

(Transitional Measures for Penal Provisions)

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

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

(Effective Date)

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

(Transitional Measures for Penal Provisions)

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



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

(Effective Date)

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

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

(Effective Date)

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

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

(Effective Date)

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

(Transitional Measures for the Application of Penal Provisions)

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

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

(Effective Date)

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

(Transitional Measures for the Application of Penal Provisions)

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

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

(Effective Date)

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

(Transitional Measures for Penal Provisions)

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

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

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

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

(Effective Date)

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

(Transitional Measures)

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

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

(Effective Date)

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

(Transitional Measures for Penal Provisions)

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

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

(Effective Date)

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

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

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

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

(Effective Date)

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

(Transitional Measures for the Application of Penal Provisions)

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

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

(Effective Date)

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

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

(Effective Date)

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

(Transitional Measures for Penal Provisions)

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

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

(Effective Date)

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

(Transitional Measures for Penal Provisions)

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

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

(Effective Date)

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

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

(Effective Date)

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

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

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

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

(Effective Date)

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

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

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

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

(Effective Date)

Article 1 This Cabinet Order comes into effect as of the effective date (November 1, 2009) of the Act Partially Amending the Foreign Exchange and Foreign Trade Act; provided, however, that the provisions in Article 1 amending Article 18-8, paragraph (1) of the Foreign Exchange Order and the provisions in Article 2 amending Article 10 of the Cabinet Order on Export Trade Control (limited to the part connected with Chapter VI-3) come into effect as of April 1, 2010.

(Transitional Measures for Penal Provisions)

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

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

(Effective Date)

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

(Transitional Measures for Penal Provisions)

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

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

(Effective Date)

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

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

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

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

(Effective Date)

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

(Transitional Measures for Penal Provisions)

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

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

(Effective Date)

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

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

(Effective Date)

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

(Transitional Measures for Penal Provisions)

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

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

(Effective Date)

(1) This Cabinet Order comes into effect as of the effective date (April 1, 2014) of the Act Partially Amending the Financial Instruments and Exchange Act and other Acts.

(Transitional Measures for Penal Provisions)

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

**Supplementary Provisions [Cabinet Order No. 233 of May 15, 2015]  
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of the date of enforcement (May 29, 2015) of the Act Partially Amending the Financial Instruments and Exchange Act and Other Acts (hereinafter referred to as the "amending Act").

**Supplementary Provisions [Cabinet Order No. 284 of July 31, 2015]  
[Extract]**

(Effective Date)

(1) This Cabinet Order comes into effect as October 1, 2015.

(Transitional Measures Pertaining to Penal Provisions)

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

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

(Effective Date)

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

(Transitional Measures for Penal Provisions)

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

**Supplementary Provisions [Cabinet Order No. 154 of April 30, 2020]  
[Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of the effective date (May 8, 2020) of the Act Partially Amending the Foreign Exchange and Foreign Trade Control Act (hereinafter referred to as the "amending Act").

(Transitional Measures for Penal Provisions)

Article 6 Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Cabinet Order comes into effect, and to actions that a person takes after this Cabinet Order comes into effect in situations that Article 2 through the preceding Article of the Supplementary Provisions prescribe are to continue to be governed by prior laws.

**Supplementary Provisions [Cabinet Order No. 338 of November 27, 2020]**

(Effective Date)

- (1) This Cabinet Order comes into effect as of the day on which two months have elapsed from the date of promulgation.

(Transitional Measures for Penal Provisions)

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

	Technology	Foreign states
1	Technology for the design, manufacture, or use of the goods listed in the middle column of row 1 of Appended Table 1 of the Cabinet Order on Export Trade Control	All regions
2	(i) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design, manufacture, or use of the goods listed in the middle column of row 2 of Appended Table 1 of the Cabinet Order on Export Trade Control	All regions
	(ii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of numerically-controlled equipment	
3	(i) Technology for the design, manufacture, or use of the goods listed in row 3 (i) of Appended Table 1 of the Cabinet Order on Export Trade Control	All regions
	(ii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design, manufacture, or use of the goods listed in row 3 (ii) or (iii) of Appended Table 1 of the Cabinet Order on Export Trade Control	
3-2	(i) Technology for the design, manufacture, or use of the goods listed in row 3-2 (i) of Appended Table 1 of the Cabinet Order on Export Trade Control	All regions
	(ii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design, manufacture, or use of the goods listed in row 3-2 (ii) of Appended Table 1 of the Cabinet Order on Export Trade Control	
4	(i) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design, manufacture, or use of the goods listed in the middle column of row 4 of Appended Table 1 of the Cabinet Order on Export Trade Control	All regions
	(ii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design of avionics equipment or its parts (excluding those listed in (i) above)	



	(iii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of electronic computers for rockets or unmanned aerial vehicles (excluding those listed in (i) above)	
	(iv) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of autoclaves	
	(v) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of equipment used in fixing substances generated from the thermal decomposition of gas onto substrates	
5	(i) Technology specified by Order of the Ministry of Economy, Trade and Industry and used for the design or manufacture of the goods listed in the middle column of row 5 of Appended Table 1 of the Cabinet Order on Export Trade Control	All regions
	(ii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of the goods listed in the middle column of row 5 of Appended Table 1 of the Cabinet Order on Export Trade Control	
	(iii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of ceramic powders or ceramics (excluding those listed in (i) above and in the middle column of row 15)	
	(iv) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of polybenzothiazole or polybenzoxazole	
	(v) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of rubber-like fluorine compounds including vinyl ether monomers	
	(vi) Deleted	
	(vii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design of composites (excluding those listed in the middle column of row 4)	
	(viii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of electric wave absorbers or conductive polymers (excluding those listed in the middle column of row 4)	
6	(i) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of goods listed in the middle column of row 6 of Appended Table 1 of the Cabinet Order on Export Trade Control	All regions

	(ii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of goods listed in the middle column of row 6 of Appended Table 1 of the Cabinet Order on Export Trade Control (excluding those listed in the middle column of row 2)	
	(iii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of numerically-controlled equipment or coating equipment (excluding those listed in the middle column of row 2)	
	(iv) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or use of metal processing equipment or tools, including molds (excluding those listed in (i) through (iii) above)	
	(v) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of hydraulic stretch forming machines and their molds (excluding those listed in (iv) above)	
	(vi) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design of auxiliaries for numerically-controlled equipment	
7	(i) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of goods listed in the middle column of row 7 of Appended Table 1 of the Cabinet Order on Export Trade Control	All regions
	(ii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of goods listed in the middle column of row 7 (xvi) of Appended Table 1 of the Cabinet Order on Export Trade Control	
	(iii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of integrated circuits (excluding those listed in (i) above and in the middle column of row 4)	
	(iv) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacturing of equipment using superconducting materials (excluding those listed in (i) above)	
	(v) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of electron tubes or microchips (excluding those listed in (i) above)	

8	(i) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design, manufacture or use of goods listed in the middle column of row 8 of Appended Table 1 of the Cabinet Order on Export Trade Control (excluding those listed in the middle column of row 4)	All regions
	(ii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design, manufacture or use of electronic computers, their auxiliaries, or parts of those computers or auxiliaries (excluding those listed in (i) above and in the middle column of row 4)	
9	(i) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design, manufacture or use of goods listed in the middle column of row 9 of Appended Table 1 of the Cabinet Order on Export Trade Control	All regions
	(ii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design, manufacture or use of goods listed in the middle column of row 9 (i) through (iii) or (v) through (vi) of Appended Table 1 of the Cabinet Order on Export Trade Control (excluding those listed in (i) above and in the middle column of row 15)	
	(iii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of micro wave integrated circuits designed for communications (excluding those listed in the middle column of row 7)	
	(iv) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of communication equipment using superconducting materials (excluding those listed in the middle column of row 7)	
10	(i) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of goods listed in the middle column of row 10 of Appended Table 1 of the Cabinet Order on Export Trade Control	All regions
	(ii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of goods listed in row 10 (ii) or (iv) through (xi) of Appended Table 1 of the Cabinet Order on Export Trade Control (excluding those listed in the middle columns of rows 2 and 15)	
	(iii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the manufacturing of optical components (excluding those listed in (i) above)	

	(iv) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design, manufacturing or use of test equipment for laser oscillators (excluding those listed in (i) above)	
	(v) Deleted	
	(vi) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of radomes (excluding those listed in the middle column of row 4)	
	(vii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design, manufacture, or use of equipment used in the testing of resistance of materials against laser beam or targets used in it	
11	(i) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of goods listed in the middle column of row 11 of Appended Table 1 of the Cabinet Order on Export Trade Control	All regions
	(ii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of goods listed in rows 11 (i) through (iv)-2 of Appended Table 1 of the Cabinet Order on Export Trade Control (excluding those listed in the middle column of row 15)	
	(iii) Deleted	
	(iv) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design, manufacture, or use of avionics equipment (excluding those listed in the middle column of row 4)	
12	(i) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of goods listed in the middle column of row 12 of Appended Table 1 of the Cabinet Order on Export Trade Control	All regions
	(ii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of goods listed in the middle column of row 12 of Appended Table 1 of the Cabinet Order on Export Trade Control	
	(iii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design, manufacture, or use of propellers (excluding those listed in (i) and (ii) above and in the middle column of row 15)	

13	(i) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of goods listed in the middle column of row 13 of Appended Table 1 of the Export Trade Control Order (excluding those listed in the middle column of row 15)	All regions
	(ii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of goods listed in the middle column of row 13 of Appended Table 1 of the Cabinet Order on Export Trade Control (excluding those listed in the middle column of row 4)	
	(iii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design, manufacture, or use of gas turbine engines or their parts (excluding those listed in (i) and (ii) above and in the middle column of row 15)	
	(iv) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacturing of aircraft or their parts (excluding those listed in (i) above and in the middle column of row 1)	
	(v) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacturing of diesel engines or their parts (excluding those listed in the middle column of row 14)	
14	Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design, manufacture, or use of goods listed in the middle column of row 14 of Appended Table 1 of the Cabinet Order on Export Trade Control	All regions
15	(i) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacture of goods listed in the middle column of row 15 of Appended Table 1 of the Cabinet Order on Export Trade Control	All regions
	(ii) Deleted	
	(iii) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of underwater detectors utilizing acoustic waves	
	(iv) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of inertial navigators or other equipment utilizing inertial forces	
	(v) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of gyro-astro compasses, or devices that derive position or orientation by means of automatically tracking celestial bodies or satellites	

	(v)-2 Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the use of a sound navigation and ranging (SONAR) system (excluding those listed in (iii) above)	
	(vi) Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design or manufacturing of parts of gas turbine engines	
16	Technology specified by Order of the Ministry of Economy, Trade and Industry and employed in the design, manufacture, or use of goods classified into Classes 25 through 40, 54 through 59, 63, 68 through 93, or 95 of the Appendix of the Customs Tariff Act (Act No. 54 of 1910) (excluding those listed in the middle columns of rows 1 through 15)	All regions (excluding the regions listed in Appended Table 3 of the Cabinet Order on Export Trade Control)